



Strasbourg, 15 January/Janvier 2020

GEC(2019)8 Revised

**GENDER EQUALITY COMMISSION/  
COMMISSION POUR L'EGALITE DE GENRE  
(GEC)**

**Activities and measures at the national level  
contributing to the achievement of the objectives of the  
Council of Europe Gender Equality Strategy 2018-2023**

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**Activités et mesures au niveau national contribuant  
à la réalisation des objectifs de la stratégie du Conseil de l'Europe  
pour l'égalité entre les femmes et les hommes 2018-2023**

**2019**

Contributions appear in the language as submitted.  
Les contributions apparaissent dans la langue dans laquelle elles ont été soumises.

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## ANDORRA

**1. Objectif stratégique : prévenir et combattre les stéréotypes de genres et le sexisme****1.1 changements législatifs**

Le Gouvernement d'Andorre a traduit en catalan (la langue officielle du pays) la recommandation du Conseil de l'Europe pour lutter contre le sexisme. La diffusion a été faite aussi auprès de toutes les entités civiques et, tout particulièrement, auprès des associations de femmes.

**1.3 changements institutionnels**

Depuis 3 ans déjà, l'Unité des Politiques pour l'Égalité du Ministère des Affaires Sociales organise et mène à terme des cours de formation à tous les départements de l'Administration publique sur le thème de l'égalité de genre et la violence faite aux femmes ; ces cours traitent aussi les stéréotypes de genre, de l'amour romantique et de la violence faite aux femmes.

**1.5 autres développements pertinents**

La structure éducative en Andorre est définie dans l'article 5 de la Loi qualifiée d'éducation du 3 septembre 1993. C'est un modèle original car trois systèmes d'enseignement public et libre coexistent : l'andorran, l'espagnol (laïc et confessionnel) et le français, tous les trois gérés par les Ministères de l'Éducation de chaque gouvernement. La scolarisation est de libre choix et obligatoire jusqu'à l'âge de 16 ans. Au cours de la période 2015-2016, il y avait 11.018 étudiants (51,38% de garçons et 48,62% de filles). La présence dans chaque système éducatif est de 39% pour le système andorran, 33% pour le système français et 28% pour le système espagnol.

Les droits, les libertés et les principes collectés dans l'article 20 de la Constitution, ainsi que les traités internationaux et les lois sur l'éducation sont la base de l'enseignement en Andorre. Le principe d'admission de toute personne sans tenir compte de son origine, sa religion, son sexe, etc. dans tous les systèmes éducatifs est garanti.

L'article 3 de la Constitution souligne l'importance de « former les enfants et les jeunes dans le respect de la diversité et des droits et libertés fondamentaux, ainsi que dans l'exercice de la tolérance et de la liberté, le respect des principes démocratiques de la coexistence et du pluralisme ».

Les programmes pédagogiques du système éducatif andorran incluent des projets visant à encourager les droits humains, la tolérance et la non-discrimination dans l'école, faciliter la participation démocratique, promouvoir la cohésion des groupes, privilégier l'apprentissage des valeurs et des compétences sociales et encourager parmi les élèves le sens de l'engagement et de la responsabilité dès le plus jeune âge.

Le Ministère de l'Éducation et de l'Enseignement Supérieur a inclus dans le projet éducatif andorran l'éducation sur les droits humains, selon les dispositions générales du Programme Mondial pour l'éducation sur les droits humains.

L'action publique pour la lutte contre la violence faite aux femmes est développée moyennant différents départements qui travaillent de manière coordonnée contre les inégalités générées par les stéréotypes de genre et leur répartition traditionnelle entre hommes et femmes.

Le Plan Stratégique de Rénovation et d'Amélioration du Système Éducatif Andorran, le PERMSEA, est né en 2010/2011, ce qui a permis de travailler transversalement les stéréotypes de genre traditionnels et les attitudes patriarcales à travers des projets dans différents domaines de connaissances.

Mis à part ce travail transversal, les autorités éducatives ont estimé nécessaire de travailler avec des ateliers d'enseignement aussi bien en Primaire qu'au Collège.

Il y a un module spécifique au niveau Collège pour travailler les relations positives et de coopération et de participation à la vie sociale.

Finalement, l'Unité des Politiques pour l'Égalité du Ministère des Affaires Sociales a réalisé un atelier spécifique de prévention de la violence faite aux femmes dans les trois systèmes éducatifs (andorran, espagnol et français) pour travailler la construction sociale de genre et les stéréotypes et comment ils perpétuent les inégalités entre femmes et hommes. Aussi, les mythes de l'amour romantique sont travaillés pour identifier les causes des relations abusives au sein du couple.

## **2. Objectif stratégique : prévenir et combattre la violence contre les femmes et la violence domestique**

### **2.1 changements législatifs**

La lutte contre la violence faite aux femmes et la violence domestique est une des priorités des politiques sociales et criminelles. Depuis l'approbation de la Loi n° 1/2015, le Gouvernement d'Andorre a adopté des mesures fermes:

- Création de la Commission Nationale de la Prévention de la Violence de Genre et de la Violence Domestique.
- Ampliation du personnel destiné au Service d'Aide Intégrale aux Victimes de la Violence de Genre.
- Création d'un programme d'assistance pour favoriser des relations non violentes.
- Approbation du Guide de Collaboration et des protocoles d'action des départements intervenants.
- Campagnes de sensibilisation sur la violence de genre.
- Traduction des brochures informatives dans les langues plus présentes en Andorre.

La Loi 13/2019, du 15 février, pour l'égalité de traitement et la non-discrimination, article 11, définit la violence de genre faite aux femmes comme une violation des droits de l'homme et un type de discrimination contre les femmes. La Loi énumère tous les actes de violence basés sur le genre comportant ou étant susceptibles de comporter pour les femmes des dommages ou des souffrances de nature physique, sexuelle, psychologique ou économique, y compris la menace de mener à terme ces actes, et la coaction et la privation arbitraire de liberté, aussi bien dans la vie publique que dans la vie privée. Ainsi, moyennant la disposition finale quatrième de cette loi, la définition de violence de genre faite aux femmes de la Loi 1/2015, du 15 janvier, pour l'éradication de la violence faite aux femmes et de la violence domestique est modifiée.

Lien : [https://www.bopa.ad/bopa/031027/Pages/CGL20190312\\_14\\_02\\_03.aspx](https://www.bopa.ad/bopa/031027/Pages/CGL20190312_14_02_03.aspx)

### **2.2 changements institutionnels**

Le Gouvernement d'Andorre a approuvé en 2018 le Guide de Collaboration et les protocoles d'action spécifiques pour lutter contre la violence de genre et la violence domestique. La Loi 1/2015, du 15 janvier, pour l'éradication de la violence de genre et la violence domestique définissait la création et la mise en œuvre d'un Guide de Collaboration qui garantit les actions des différents ministères et départements de l'Administration impliqués dans la prévention, l'assistance et la poursuite des actes de violence de genre et de violence domestique. Ce Guide de Collaboration inclut les protocoles d'action de chaque domaine d'intervention, qui prévoient les mesures nécessaires pour éviter la duplicité de ressources et de services et qui établissent des mécanismes de collaboration pour offrir une action coordonnée et intégrale entre les ministères et le personnel impliqués qui travaillent avec les victimes de violence de genre ou de violence domestique

Lien :

[https://www.aferssocials.ad/images/stories/Collectius/Igualtat/Guia\\_collaboracio\\_violencia\\_genere\\_i\\_domestica.pdf](https://www.aferssocials.ad/images/stories/Collectius/Igualtat/Guia_collaboracio_violencia_genere_i_domestica.pdf)

### 2.3 changements institutionnels

Suite à la Loi 1/2015, la Commission Nationale de Prévention de la Violence de Genre et de la Violence Domestique a été créée : depuis 5 ans, la Commission développe son travail et se réunit deux fois par an.

Lien: <https://www.bopa.ad/bopa/027012/Pagines/lo27012003.aspx>

### 2.4 recherche et sensibilisation

L'article 9 de la Loi 1/2015 inclut les mesures d'action sur la sensibilisation et la prévention dans le domaine de la publicité et des médias. Au cours de 2019, l'Unité des Politiques pour l'Égalité souhaite rencontrer les représentants des médias pour convenir un pacte sur la prévention et le traitement de l'information liée à la violence de genre.

Toutefois, la présence de l'Unité des Politiques de l'Égalité dans les médias a été habituelle depuis sa création. Les journalistes ont interviewé les responsables sur les fonctions de prévention et l'intervention avec les victimes de la violence fondée sur le genre (personnes adultes et enfants).

Également, le Service d'Aide Intégrale aux victimes de violence fondée sur le genre a été à disposition des médias pour fournir des informations sur l'intervention avec les victimes, les campagnes de sensibilisation, les données statistiques, etc.

Tous les 25 novembre (Jour International contre la violence faite aux femmes), l'Unité des Politiques pour l'Égalité réalise une campagne pour faire prendre conscience de ce fléau à toute la population.

En outre, l'Unité des Politiques de l'Égalité a créé en 2017 le Service d'Assistance Intégrale aux Victimes de la Traite d'Êtres humains (dorénavant, Savteh) inclus dans la Loi 9/2017, du 25 mai 2017, des mesures pour lutter contre la traite d'êtres humains et protéger les victimes.

Ce service propose une assistance pluridisciplinaire aux victimes de la traite d'êtres humains et, le cas échéant, à leurs enfants mineurs. Cette assistance concerne la protection, l'information, l'orientation, le conseil et le rétablissement. Ce service inclut des fonctions de traitement dans le domaine social et des fonctions de suivi dans le domaine psychologique et juridique ; il inclut aussi les services et les équipements nécessaires afin de garantir cette assistance.

L'accès au Savteh s'effectue suivant le protocole d'action pour la protection des victimes de la traite d'êtres humains, conçu tout au long de 2018. La compétence pour identifier la victime correspond au Corps de Police. Dans l'hypothèse où une personne s'adresse à l'Administration, le Corps de Police et le Ministère Public en sont informés pour activer, le cas échéant, le protocole cité. Dès que la personne se voit octroyer la condition de victime, le Corps de Police informe soit le Savteh, si la personne est majeure, soit le Service d'Assistance aux Enfants et aux Adolescents si la personne est mineure.

Le Ministère de l'Intérieur a le droit d'octroyer à une personne la condition de victime moyennant une demande présentée personnellement par la victime ou son représentant.

Le Savteh compte avec un numéro de téléphone gratuit (181) disponible 24 heures sur 24, les 365 jours de l'année, pour recevoir des renseignements liés à la traite d'êtres humains.

Ce service se charge aussi de réaliser des campagnes adressées à toute la population concernant la traite,

ainsi que des formations pour les acteurs des services impliqués qui peuvent détecter et intervenir dans des cas de traite.

Lien : [https://www.bopa.ad/bopa/029039/Pages/CGL20170608\\_16\\_28\\_18.aspx](https://www.bopa.ad/bopa/029039/Pages/CGL20170608_16_28_18.aspx)

### **3. Objectif stratégique : garantir aux femmes l'égalité d'accès à la justice**

#### **3.1 changements législatifs**

La Loi n° 1/2015 prévoit une protection judiciaire spécifique visant les victimes de violence de genre et de violence domestique. La loi prévoit une action judiciaire dans le domaine civil et pénal. Cette action est individuelle. La victime peut demander des mesures de protection dans la procédure civile et pénale. Ces mesures peuvent être : ordre de protection, départ du domicile de l'agresseur, ordonnance restrictive, interdiction de communications, cacher les données du domicile de la victime, suspension du droit à demander ou à porter des armes, et le suivi du traitement médical, psychologique et social pour l'agresseur, etc.

Également, la Loi n° 1/2015 prévoit une légitimation active en faveur des associations dans le domaine de la défense des droits des femmes. Ces entités peuvent présenter une plainte collective ou individuelle, si elles ont l'autorisation de la victime.

Depuis l'approbation de la Loi n° 1/2015, l'Unité des Politiques pour l'Égalité a réalisé des réunions informatives pour sensibiliser sur les droits des femmes face à la violence.

#### **3.3 changements institutionnels**

La Loi n° 1/2015 reconnaît deux niveaux d'aide juridique aux victimes. Premièrement, le Gouvernement d'Andorre fournit aux victimes des conseils juridiques. Ce conseil juridique a le but de fournir des informations concrètes et des conseils spécifiques aux victimes de la violence de genre et la violence domestique, afin qu'elles puissent connaître les droits découlant du statut de victime, ainsi que les institutions et les professionnels à qui elles peuvent demander les actions administratives et judiciaires correspondantes pour faire en sorte que leurs droits soient effectifs.

Le deuxième niveau fait référence au droit à la défense et à l'assistance juridique spécialisée dans des procédures judiciaires. Cette assistance est gratuite lorsque la personne justifie un manque de ressources financières.

Cette assistance juridique spécialisée inclut toutes les procédures judiciaires dérivées, directement ou indirectement, des situations de violence de genre ou de violence domestique, y compris l'exécution des jugements.

### **5. Objectif stratégique : protéger les droits des femmes et des filles migrantes, réfugiées et demandeuses d'asile**

#### **5.1 changements législatifs**

Conformément à l'article 32 de la Constitution andorrane, le règlement du régime d'immigration est fondé sur le système des quotes-parts qui permet l'analyse des besoins quantitatifs et qualitatifs de l'économie et de la société andorrane en matière d'immigration et également, la situation nationale de l'emploi.

De plus, le Gouvernement d'Andorre a signé avec l'Espagne, la France et le Portugal des conventions qui réglementent les conditions spécifiques pour les ressortissants de ces pays à l'égard de l'entrée, la circulation, le séjour et la résidence en Andorre.

La résidence en Andorre est liée au fait de disposer d'un emploi (pour son propre compte ou pour compte d'autrui).

La situation de résidence au pays n'est pas concernée par la dissolution du mariage. La femme dispose de sa propre autorisation de résidence et travail ; dans le cas où l'autorisation ait été octroyée à partir d'une procédure de regroupement familial, elle doit cependant avoir une offre d'emploi.

Si pendant la procédure de séparation ou divorce, la femme ne travaille pas, elle a accès aux services sociaux et socio-sanitaires pour obtenir un soutien économique. Le responsable de référence de la femme victime offre son assistance dans la recherche d'un emploi pour garantir une indépendance économique pendant la période de rétablissement comme victime.

En outre, l'Andorre, pour répondre à la crise humanitaire issue du conflit en Syrie, a approuvé un cadre légal qui permet l'arrivée en sécurité de personnes qui peuvent invoquer pour elles-mêmes le régime de protection temporelle et transitoire établi. Ainsi, la Loi 4/2018, du 22 mars, de protection temporelle et transitoire pour des raisons humanitaires (dorénavant, Loi 4/2018), régule un cas de figure de protection internationale, d'identité propre différent à celui du réfugié (bien que les deux cas partagent le même esprit, de façon à ce que les personnes pouvant se bénéficier de ce régime, obtiendront une protection immédiate, temporelle et transitoire, moyennant l'octroi d'une autorisation de séjour ou de séjour et de travail.

Suite à l'approbation de la Loi 4/2018, il y a eu la signature du protocole d'entente avec la Communauté de Sant Egidio, afin de créer un couloir humanitaire pour permettre l'arrivée en sécurité des personnes en provenance des établissements humains au Liban et qui ont accepté de manière volontaire d'invoquer le régime de protection temporelle et transitoire établi par l'Andorre.

Lien : [https://www.bopa.ad/bopa/030022/Pages/CGL20180411\\_10\\_27\\_12.aspx](https://www.bopa.ad/bopa/030022/Pages/CGL20180411_10_27_12.aspx)

### 5.3 changements institutionnels

L'assistance sociale offerte par le Service d'Aide Intégrale aux Victimes de Violence fondée sur le genre comprend toutes les coordinations nécessaires pour garantir une stabilité sociale et économique. Cette stabilité est nécessaire pour avancer dans le processus de rétablissement de la violence vécue.

Si une femme victime de violence de genre doit rénover son autorisation de résidence et travail mais elle ne rassemble pas toutes les conditions requises d'immigration, le personnel de référence peut émettre un rapport psycho-social pour justifier la rénovation de l'autorisation.

Depuis l'approbation de la Loi n° 1/2015, la coordination entre les deux services est fluide. Par conséquent, une personne de référence au Département de l'Immigration a été nommée pour traiter toutes les questions pouvant affecter les femmes.

En 2018 le Service d'Assistance aux Personnes Réfugiées (dorénavant, SAPRE) a été créé pour la mise en œuvre et la coordination d'actions transversales et multidisciplinaires, afin de pouvoir garantir une assistance intégrale aux personnes réfugiées qui choisissent de vivre en Principauté d'Andorre.

### 5.4 recherche et sensibilisation

Le SAPRE réalise des campagnes avec d'autres départements de l'Administration et des associations de la Société civile dont le travail est consacré à ce domaine pour sensibiliser la population.

## 6. Objectif stratégique : intégrer les questions d'égalité entre les femmes et les hommes dans toutes les politiques et mesures

### 6.1 changements législatifs

L'Andorre travaille depuis plusieurs années pour éradiquer les inégalités sociales et tout particulièrement celles dérivées des questions de genre. La définition de la stratégie nationale pour la promotion de la culture de l'égalité dans la société et dans les institutions est déterminée par l'approbation de l'Accord du Parlement du 15 janvier 2015 pour l'élaboration du Livre Blanc de l'Égalité.

Même si l'accord parlementaire portait sur la recompilation de données sur la situation réelle en matière d'égalité de genre, une fois les travaux entamés à travers le Ministère d'Affaires sociales, de la Justice et de l'Intérieur et l'Institut d'Études Andorranes, il a été décidé d'inclure dans cette analyse d'autres groupes vulnérables : personnes âgées, enfance et jeunesse, personnes immigrées, personnes LGTBIQ et personnes ayant un handicap.

Bien qu'il y ait un chapitre spécifique consacré à la situation de la femme en Andorre, la perspective de genre est l'un des principes d'action qui a été présent pendant toute l'élaboration du Livre Blanc.

L'analyse exhaustive menée à terme, ainsi que le travail partagé avec les entités sociales, a permis d'enrichir l'étude technique résultante qui s'est concrétisée en dix priorités en matière d'égalité :

1. Élaborer la **Loi pour l'Égalité et la Non-discrimination** et définir le cadre juridique spécifique qui doit répondre aux besoins futurs des groupes plus vulnérables.
2. Créer un **Observatoire de l'Égalité** en tant que service d'information, de collecte et d'interprétation des données, ressources, études et évaluation sur l'égalité et la non-discrimination en Andorre.
3. Élaborer la **Loi Intégrale de Protection des Enfants** pour que les changements accélérés de la société actuelle obligent les nouvelles politiques adressées aux enfants à prendre en compte la globalité de la vie de ce groupe d'âge.
4. Concevoir un **Programme pour l'Égalité et la Non-discrimination** qui doit englober les différentes mesures adressées aux groupes ciblés par le Livre Blanc et qui priorise l'intégration de plusieurs ressources et services.
5. Promouvoir une **Plateforme des entités sociales** en tant qu'instrument de participation et de relation entre les citoyens, les entités sociales et les Administrations publiques avec l'intention de créer un réseau stable de collaboration, de communication et de relation.
6. Impulser, avec les médias, **des campagnes de sensibilisation, d'information, de formation et de promotion de la culture de l'égalité**, dans tous les secteurs de la société. Ces actions doivent utiliser intensivement les nouveaux espaces publics de communication (pages web, réseaux sociaux, magazines, YouTube, etc...). La croissance et le soutien des technologies de l'information et de la communication sont importants.
7. Concevoir un **Programme qui favorise la conciliation de la vie personnelle et le travail** à partir d'une étude des horaires de travail et en concevant des actions qui facilitent l'incorporation des femmes dans la participation sociale, politique et économique et éliminant ainsi progressivement l'écart entre les sexes.
8. Concevoir un **Plan Intégral d'Insertion Professionnelle** (qui inclut la stratégie actuelle d'insertion professionnelle des personnes ayant un handicap), adressé aux groupes les plus vulnérables afin de planifier, coordonner et contrôler les différents itinéraires d'insertion socio-professionnelle et les différentes actions pour l'emploi et d'autres projets liés.
9. Concevoir un **Programme d'inclusion sociale des personnes immigrées** qui doit promouvoir l'interaction et l'échange afin de favoriser leur intégration dans tous les domaines.
10. Promouvoir des actions liées à **l'incorporation de clauses contractuelles sociales dans les concours publics** afin d'impliquer et de coresponsabiliser le secteur des entreprises dans la lutte contre les inégalités et de promouvoir, en même temps, une embauche publique socialement durable.

## ARMENIA

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.1 Legislative changes**

Armenia has ratified almost all gender-oriented international legal acts. As a member of the United Nations (UN) and the Council of Europe and an independent state acting towards European integration, Armenia has commitments not only to ratify main international documents but also to bring national legislation in accordance with international priorities.

The 2019-2021 National Action Plan for implementation of the provisions of the UN Security Council Resolution 1325 on Women, Peace and Security and the timetable for implementation of the Action Plan, which will bring a new sweep to the gender sector, have been approved upon the Decision of the Government of the Republic of Armenia No 197-L of 28 February 2019.

**Article 29 of the Constitution of the Republic of Armenia (Prohibition of Discrimination)** states that discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, world view, political or other views, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited.

In accordance with **Article 30 of the Constitution of the Republic of Armenia** women and men shall enjoy legal equality.

**Article 143 of the Criminal Code of the Republic of Armenia** envisages that direct or indirect breach of the human rights and freedoms of citizens, for reasons of the citizen's nationality, race, sex, language, religion, political or other views, social origin, property or other status, which damaged the citizen's legal interests, is punished with a fine in the amount of 200 to 400 minimal salaries, or with imprisonment for up to two years.

The same action committed by abusing official position, is punished with a fine in the amount of 300 to 500 minimal salaries, or by deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or with imprisonment for up to 3 years.

**The Article 226 of the Criminal Code of the Republic of Armenia** also prescribes criminal responsibility for the actions aimed at the incitement of national, racial or religious hatred, at racial superiority or humiliation of national dignity.

On 20 May 2013 **Law on "Ensuring equal rights and equal opportunities between women and men"** was adopted by the National Assembly of the Republic of Armenia. This law establishes guarantees for equal rights and opportunities for women and men in areas of political, social, economic, cultural and public life and regulates relations arising therefrom.

It has to be mentioned that the **Draft Law on Ensuring Equality** was developed by the Ministry of Justice and was put for public discussions into e-draft platform.<sup>1</sup> This comprehensive draft law envisages guarantee of equal opportunities for each person to exercise their rights and freedoms in the Republic of Armenia, to improve the anti-discrimination legislation, to ensure the legal basis for the prevention of discrimination and, also, legal and judicial protection from discrimination. The draft law ensures the creation of the specialised body within the Human Rights Defender Office,

<sup>1</sup> <https://www.e-draft.am/projects/1801>

which will create mechanisms for assistance to victims of discrimination, launching examination in alleged cases of discrimination, etc.

### 1.2 Policy changes

The Ministry of Labour and Social Affairs of the Republic of Armenia has elaborated and placed into circulation the Draft Decision of the Government of the Republic of Armenia "On approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan", which defines improvement of the national mechanism for women's promotion, equal participation of women and men in the sphere of governance and at the level of decision making as the first priority, within the scope of which it is envisaged to implement actions that will be targeted at the overcoming of under-representation of women in decision making by the legislative and executive powers, increase of proportionate representation of men and women within representative bodies (including local self-government bodies), as well as, through the introduction of training courses and guidelines for employees, the formation of a gender-sensitive environment in general.

### 1.3 Institutional changes

The organising of sessions regularly conducted by the Gender Theme Group and discussions on the national gender equality agenda underlies reinforcement of the unified system incorporating national and institutional mechanisms for elaboration and implementation of the gender policy. In 2019, the Gender Theme Group has already conducted two sessions during which several proposals regarding the problems related to gender equality have been considered and presented. Currently, there are theme sub-groups that will work in the areas of economic empowerment of women, violence against women, as well as increase of the role of women in decision-making. In July 2019, the gender-based violence sub-group held its first session co-ordinated by the Office of the United Nations Population Fund (UNFPA) in Yerevan and held with the participation of representatives of non-governmental organisations and interested state bodies of the Republic of Armenia. An agreement has been reached on holding the second session of the sub-group in September 2019.

The Gender Theme Group has been incorporated in the Draft Decision of the Government of the Republic of Armenia "On approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan" as an additional platform for oversight.

The Draft Decision of the Government of the Republic of Armenia "On approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan" also envisages the action "Elaboration of the draft Decision of the Prime Minister of the Republic of Armenia "On making an amendment and a supplement to the Decision of the Prime Minister of the Republic of Armenia of 19 November 2014"", within the scope of which it is envisaged to expand the Council for Ensuring of Equal Opportunities and Rights for Women and Men adjunct to the Prime Minister and the scope of the powers and activities of the Council. Necessary steps have already been taken in this direction. The revised draft of the decision has been submitted to the Prime Minister's office.

The strategy also envisages implementation of actions aimed at intensifying the activities of gender committees adjunct to marzpetarans and improving the quality of their work.

### 1.4 Research and awareness-raising

In May-June 2019, the Ministry of Labour and Social Affairs of the Republic of Armenia conducted ten visits to marzes during which it identified the issues of women living in the marzes, the scope of the issues of concern and presented the gender policy being implemented by the Ministry, that is, the programmes and actions being implemented.

Non-governmental and international partner organisations also conduct public awareness

campaigns on a regular basis. Large-scale actions are also envisaged for this in the Draft Decision of the Government of the Republic of Armenia "On approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan" which, upon approval, will be in the stage of implementation. All the actions are characterised by high performance indicators, which will allow to enshrine progress.

The Ministry of Labour and Social Affairs of the Republic of Armenia implements a number of programmes in the employment sector in order to increase the role of women in paid work and employment. Those programmes are as follows:

Programme/Sub-programme	2018	
	Persons	Of which women
Organising of vocational training for unemployed persons, persons at risk of being dismissed from work, as well as persons seeking jobs during the six months prior to the end of serving punishment in the form of imprisonment	98	94
Lump sum compensation to the employer in case of job placement for persons who are non-competitive in the labour market	831	636
Provision of support to unemployed persons for gaining professional work experience in the acquired profession	425	379
Provision of support to unemployed persons in finding employment elsewhere		3
In case of job placement of persons who are non-competitive in the labour market, partial compensation of salary to the employer and provision of financial assistance for a person accompanying a person with disabilities	32	13
Provision of support to small entrepreneurial activities of persons who are non-competitive in the labour market	55	26
Provision of financial assistance for visits to employers for the purpose of appropriate job placement for persons who are non-competitive in the labour market	640	507
Organising of vocational training conducted by the employer for young mothers who are non-competitive in the labour market and lack a profession	112	112
Provision of support to job seekers — on a leave for taking care of a child under the age of three, in case of reinstatement to the position before the child's attaining the age of two — for organising the care of a child in parallel with the job.	475	475

#### 1.5 Other pertinent developments .

(a) Article 5 of the Law of the Republic of Armenia "On television and radio" prescribes:

1. Language of television and radio programmes broadcast within the territory of the Republic of Armenia shall be literary Armenian, except for cases prescribed by this Law. Television and radio

companies shall be obliged to ensure purity of the language of their programmes.

2. Courses organised for teaching foreign languages on television and radio, as well as songs and compositions of other genres of music may be broadcast without the Armenian translation.

3. Use of names, call signals and other baseline data of television and radio companies only in foreign languages by licensed persons shall be prohibited. The provisions of this article shall not extend to television and radio programmes which are broadcast abroad, and to programmes in the languages of national minorities.

(b) The Commission on Television and Radio is not vested with the function of licensing internet services by law, therefore supervision over them is beyond the powers of the Commission.

As regards sexist hate speech, I would like to note that pursuant to point 2 of Article 22 of the Law, the criteria for determining television and radio programmes of erotic nature and films containing horror and explicit violence, as well as programmes with potential negative impact on health, mental and physical development, upbringing of minors shall be prescribed by the Commission, and when conducting monitoring over programmes of television and radio companies the Commission on Television and Radio shall be guided by the Decisions of the Commission on Television and Radio "On establishing the criteria for determining television and radio programmes (films), other video-and-audio materials with potential negative impact on health, mental and physical development, upbringing of minors" and "On establishing the criteria for determining television and radio programmes (films), other video-and-audio materials of erotic nature and containing horror and explicit violence" (<http://tvradio.am/wp-content/uploads/2019/08/90.pdf> and <http://tvradio.am/wp-content/uploads/2019/08/91.pdf>).

(c) Pursuant to Article 19 of the Law of the Republic of Armenia on Television and Radio, the broadcasting of an advertisement by television and radio companies shall be carried out in compliance with the requirements of the Law of the Republic of Armenia on Advertising. The Commission exercises supervision over the compliance with the legislation on advertising in the field of television and radio.

Article 15 of the Law of the Republic of Armenia on Advertising prescribes the peculiarities of advertisement of specific types of goods, in particular, provisions prohibiting the advertisement of specific types of goods.

Based on the above, when exercising supervision over the compliance with the legislation on advertising in the field of television and radio, the Commission observes that television and radio companies comply with the requirements of the legislation on advertising when broadcasting an advertisement.

Pursuant to point 17 of the Law of the Republic of Armenia on Advertising, the relations between the advertiser, advertisement producer and advertisement distributor shall be of contractual nature and shall be regulated as prescribed by law, and the Commission shall not act as a party to the contract.

(d) The peculiarities of the field of Information and Communication Technologies of the Republic of Armenia include involvement of women in the professional field. According to the research conducted and data collected by the Enterprise Incubator Foundation, in 2018-2019, in the Republic of Armenia the involvement of women and girls in the ICT field constitutes 37%. Based on this result Armenia ranks 4th, behind Canada and the USA.

The index gradually increases due to the encouragement of the organisations of the sector and conditions created, in particular, combination of work and family, paid maternal care, creation of maternal and children's corners in companies.

High-level professional capacities and skills are of priority in the sector of ICT. The number of women and girls studying and teaching at natural science, technical higher education institutions and scientific and research centres are also a condition and factor contributing to the development of women's professional, entrepreneurial and leadership skills in the sector.

(e) Topical units relating to fundamental human rights, legal equality of women and men, elimination of violence, tolerance and civil society are included in the standard and curriculum of the subject "Sociology" of 8-12 grades of the general education school. Topical gender materials are also included in the primary grades, in the curriculum of the subject "Me and the Surrounding World". During the instruction of the indicated subject, pupils are informed about the topics on the legal equality of men and women.

Within the framework of the three-year project of the U.S. Agency for International Development "Advancing Gender Equality and Women's Empowerment in Armenia", the Centre for Gender and Leadership Studies was established in YSU. The main goal of the centre is to contribute to the development of gender equality and leadership in the Armenian society. The Centre for Gender and Leadership Studies implements large-scale support jointly with research bodies, Armenian higher education institutions, local non-governmental organisations and international organisations. It shows its support to women in career advancement. Within the framework of this programme, a two-year Masters' programme "Women, Leadership and Development" has been introduced in Yerevan State University.

(e) Pursuant to the Law of the Republic of Armenia on Television and Radio, private television and radio companies shall develop and implement the programming policy of programmes themselves, and the Commission is not vested with the function to intervene in the programming policy of the television and radio companies under the Law.

The Commission shall exercise the functions vested therein by the Law and supervise over the compliance of activities of television and radio companies with the requirements of legislation and the license.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

In January 2018, Armenia signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. The process for ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence has launched, within the scope whereof it is envisaged to undertake legislative and other necessary measures which will be aimed at the elimination of all forms of discrimination against women and establishing equality between women and men.

The Law of the Republic of Armenia on prevention of domestic violence, protection of the victims of domestic violence and restoration of solidarity in family has been in force since 1 February 2018.

The process for revision of the Law of the Republic of Armenia on prevention of domestic violence, protection of the victims of domestic violence and restoration of solidarity in family, based on the

recommendations from the civil society and other agencies, is underway as well.

Upon the draft Decision of the Government of the Republic of Armenia on Approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan, it is envisaged to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and a public outreach campaign has launched aimed thereat, as well as steps aimed at the ratification are being implemented by relevant state agencies.

## 2.2 Policy changes

For the purpose of ensuring the implementation of the Law of the Republic of Armenia on prevention of domestic violence, protection of the victims of domestic violence and restoration of solidarity in family (hereinafter referred to as “the Law”), during the last one year the Ministry of Labour and Social Affairs of the Republic of Armenia has drafted a number of legal acts and, in the manner prescribed, submitted them to the Government of the Republic of Armenia, in particular:

1. the draft Decision of the Government of the Republic of Armenia on establishing the requirements for shelters of the victims of domestic violence and the staff thereof, as well as the model form of the contract for financing of the shelters designed for victims of domestic violence (approved by the Decision of the Government of the Republic of Armenia of 29 March 2019).
2. the draft Decision of the Government of the Republic of Armenia on establishing the procedure for disposing of the account for temporary support to the victims of domestic violence (approved by the Decision of the Government of the Republic of Armenia of 29 March 2019) which prescribes the relations pertaining to the provision of temporary material support to the victims of domestic violence, opening an account for that purpose and disposal of it.
3. the draft Decision of the Prime Minister of the Republic of Armenia on approving the individual composition of the Council for the Prevention of Domestic Violence (approved by the Decision of the Prime Minister of the Republic of Armenia of 28 December 2018).
4. The draft Decision of the Government of the Republic of Armenia on establishing the procedure for centralised record-registration of the cases of domestic violence has been developed and is being circulated.

For the purpose of ensuring the implementation of the Law, the following orders of the Minister of Labour and Social Affairs of the Republic of Armenia have been elaborated and approved:

1. the Order of the Minister of Labour and Social Affairs of the Republic of Armenia of 13 November 2018 on approving the Rehabilitation Programme for perpetrators of domestic violence and the procedure for the organisation thereof which approves a programme aimed at preventing repeated commission of acts of violence by the perpetrator, through providing psychological and social support thereto, recovering the health, getting rid of harmful habits (alcohol addiction, drug addiction, toxicomania, gambling) thereof, as well as a procedure, according to which the relations with regard to organisation of rehabilitation of perpetrators of domestic violence are regulated.
2. The order of the Minister of Labour and Social Affairs of the Republic of Armenia of 13 November 2018 on approving the procedure for organisation of reconciliation between the victims of domestic violence and perpetrators of domestic violence and performance thereof, according to which the relations pertaining to the performance of reconciliation between the victims of domestic violence and perpetrators of domestic violence are regulated.

Based on the Law, six support centres have been established, through which namely the process of reconciliation between the victims of domestic violence and perpetrators of domestic violence is carried out.

On 7 June 2019, the Memorandum of Understanding between the Ministry of Labour and Social Affairs, "Hayastan All-Armenian Fund" and "Women's Support Centre" was signed for the purpose of preventing the phenomenon of domestic violence and providing methodological support, within the framework of which a comprehensive co-operation in providing quality support to the victims of domestic violence in marzes is envisaged.

In the near future, it is envisaged to establish support centres prescribed by law for the victims of domestic violence in all marzes of the Republic of Armenia, as well as to establish at least two state shelters.

### **2.3 Institutional changes**

The Council for the Prevention of Domestic Violence has been established upon the Decision of the Government of the Republic of Armenia on defining the procedure for establishment and functions of the Council for the Prevention of Domestic Violence (approved upon the Decision of the Government of the Republic of Armenia of 10 July 2018). The Council is an advisory body operating on a pro bono basis in the field of prevention of violence within the family and protection of the victims of domestic violence, the objective whereof is to submit recommendations regarding a state strategy in the field of prevention of domestic violence, programmes arising thereof, legislative reforms, support and protection of the victims of domestic violence, mechanisms of restoration of solidarity in the family, public awareness-raising measures and other issues. The first sitting of the Council was convened on 22 January 2019. Discussion of legal acts adopted for ensuring the implementation of the Law of the Republic of Armenia on prevention of domestic violence, protection of victims of domestic violence and restoration of solidarity in the family, as well as the activities carried out by the Police of the Republic of Armenia following the entry into force of the same law and current issues were on the agenda. Due to staff changes, the Council is currently undergoing reorganisation.

### **2.4 Research and awareness-raising**

On 24 of July 2019, the Order of Prime Minister of the Republic of Armenia was released regarding the creation of inter-agency working group for preparation of the 7th National Report for presentation to the attention of UN Committee on the Elimination of all forms of Discrimination against Women within the implementation of the same named Convention (CEDAW) and its Optional Protocol signed by Republic of Armenia respectively on 13 October 1993 and on 14 December 2006. Group is headed by the Head of Human rights and Humanitarian issues Department of the Ministry of Foreign Affairs and consists of 16 high-level officials, representatives of governmental bodies.

As it is specified by the Order, the 7th National Report on CEDAW will be presented for the confirmation of the Government of Armenia until 1 August 2020. The presentation of the National Report on CEDAW for 2016-2020 planned to take place at the UN Geneva Headquarters in November 2020.

On 31 July 2019, the Order of Labour and Social Affairs Minister of Republic of Armenia was released the Order regarding the creation of internal social working group for the assistance to the Preparation of the 7th National Report on CEDAW. Internal social group is headed by the adviser to the Minister of Labour and Social Affairs of the Republic of Armenia. It consists of five high-level

officials of the mentioned Ministry.

On 16 July, the Ministry of Foreign Affairs of Armenia hosted a first meeting of the inter-agency working group responsible for preparation of the 7th National report of Armenia on implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women. The preparation of the report is co-ordinated by the Department of Human Rights and Humanitarian Issues of the MFA. The representatives of all relevant stakeholders took part in the meeting. 7th National report preparation details were discussed during the meeting. <https://twitter.com/MFAofArmenia/status/1151820162523435009?s=20>

Training, public awareness campaigns on domestic violence (including violence against women belonging to different groups) are being carried out in co-operation with the Ministry of Labour and Social Affairs and non-governmental and international organisations. In particular:

- A national conference devoted to the prevention of domestic violence and support services was held on 27 May 2019.
- Training was organised — jointly with international partners and the Coalition to Stop Violence Against Women — for employees of support centres for victims of domestic violence, the employees of the hotline of the Ministry of Labour and Social Affairs and the employees of the 911 hotline of the Ministry of Emergency Situations as well.
- In May-June of 2019, discussions were held in all marzes on women's issues, during which the activities carried out with regard to the prevention of domestic violence and support to people were presented.
- Besides, in February 2019, the Government of the Republic of Armenia approved the National Action Plan of the Republic of Armenia on the United Nations Security Council Resolution 1325, which stipulates implementation of research and programmes aimed at groups of migrant and displaced women and girls.
- Programmes aimed at individual groups of women are also envisaged within the scope Gender Strategy, addressing women with disabilities, older women and others.

The Ministry of Justice, within the Project “Support to the Government of Armenia with the proper implementation of National Human Rights Action Plan to educate the public and train interested parties on the Domestic Violence issues”, supported by Embassy of United Kingdom of Great Britain and Northern Ireland in Armenia, elaborated “Communication Strategy for Prevention of Domestic Violence and Protection of Victims of Violence within the Family”<sup>2</sup> and training programme for public officials addressing issues on domestic violence,<sup>3</sup> which were widely used and spread among public.

### **3. Strategic objective: Ensure the equal access of women to justice**

#### **3.1 Legislative changes**

A programme on access of women to justice is being implemented within the scope of the Action Plan of "Partnership for good governance" financed by the European Union. The Ministry of Foreign Affairs highly appreciates our partners' support to the Action Plan. In the given case, Germany, Ireland, Liechtenstein and Norway participated in the financing of the programme aimed at prevention of violence against women and domestic violence.

#### **The accessibility, responsiveness, competence and gender-sensitivity of legal aid and public**

<sup>2</sup>[http://www.moj.am/storage/uploads/1212\\_Communication\\_Strategy\\_for\\_Prevention\\_of\\_Domestic\\_Violence\\_and\\_Protection\\_of\\_Victims\\_of\\_Violence\\_within\\_the\\_Family.pdf](http://www.moj.am/storage/uploads/1212_Communication_Strategy_for_Prevention_of_Domestic_Violence_and_Protection_of_Victims_of_Violence_within_the_Family.pdf)

<sup>3</sup>[http://www.moj.am/storage/uploads/1212Training\\_Programme\\_for\\_Public\\_Officials\\_addressing\\_issues\\_on\\_Domestic\\_Violence.pdf](http://www.moj.am/storage/uploads/1212Training_Programme_for_Public_Officials_addressing_issues_on_Domestic_Violence.pdf)

### **defence to the needs of women**

According to **Article 64 of RA Constitution** “Everyone shall have the right to receive legal aid. Legal aid shall be provided at the expense of state funds in the cases prescribed by law. Advocacy based on independence, self-governance and legal equality of advocates shall be guaranteed with a view of ensuring legal aid. The status, rights and responsibilities of advocates shall be prescribed by law”.

According to **Article 41 of the RA Law “On Advocacy** “The Public Defender's Office, except for the provision of legal assistance to a suspect or accused in a criminal case, as well as cases referred to in paragraph 6 of this Article, shall provide free legal assistance provided by this Article to the victims of violence in accordance with RA Law on Prevention of Violence within the Family, Protection of Victims of Violence within Family and Restoration of Peace in the Family.

### **The rules on the burden of proof in order to ensure a fair treatment of women’s cases**

The principle of equality before the law is also provided in the Criminal Code of the RA. Particularly, according to the **Article 6**, the persons who committed a crime are equal before the law and are subject to criminal liability regardless of sex, race, colour, language, religion, political or other beliefs, national or social origin, ethnic minority identity, birth, property, or other status.

In line with **Article 8 of RA Criminal Procedure Code** “Everyone is equal before the law and the court. Discrimination of rights, freedoms and obligations depends on sex, race, colour, ethnic or social origin, genetic traits, language, religion, outlook, political or other opinion, national minority affiliation, property status, birth, disability, age or personality. or other social factors, is prohibited.”

In accordance with **Article 18 of RA Criminal Procedure Code** Every person suspected in or charged with a criminal offense shall be presumed innocent unless proved guilty in the manner prescribed by this Code and unless the verdict comes into legal force. The suspect or the accused is not obligated to prove his innocence. The obligation to prove the innocence of the suspect or the accused cannot be imposed on the defence party. The obligation to prove the charges and to disprove the arguments brought in favour of the suspect and the accused lies upon the prosecution.

### **The rules to allow groups and civil society organisations with an interest in a given case to lodge petitions and participate in the proceedings**

In accordance with **Article 16 of Republic of Armenia Law on civil society organisations** the organisation has the right to acquire and exercise property and personal non-property rights on his or her behalf, to bear responsibilities in the court, and act as a plaintiff or defendant; in the manner prescribed by law to present and to protect the rights and lawful interests of himself and of his members, beneficiaries, and volunteers in other organisations, courts, public administration and local self-governing bodies. The organisation represents the legal interests of its beneficiaries in the field of environmental protection.

## **3.2 Policy changes**

It has to be mentioned that Justice Academy of Republic of Armenia organises training courses for judges and prosecutors on fight against domestic violence and on ensuring gender equality. (Please see also Q.3.4) In this context, within the Council of Europe Project “Preventing and combating violence against women and domestic violence in Armenia: continuing the path towards ratification of the Istanbul Convention”, which was launched in July 2019, it is envisaged to enhance the knowledge of law enforcement and legal professionals, as well as journalists and other stakeholders on the law on domestic violence and European standards, notably the Istanbul Convention as they

deal with the cases of domestic violence and violence against women; support gender sensibility in education by assisting in the development of curricula, courses and materials for primary and secondary schools.

The abovementioned components will help to address the harmful impact of gender stereotyping on judicial decision-making and more effectively guarantee women's access to justice.

### 3.3 Institutional changes

Within the **Draft Law on Ensuring Equality** the specialised Equality Council will be established. The Equality Council is a consultative body adjunct to the Human Rights Defender, with a purpose to assist the Human Rights Defender in ensuring equality and protection from any type of discrimination. The Equality Council is based on principles of equality, impartiality, publicity, transparency, accessibility and representation. The Equality Council consists of at least seven members, who are selected for a period of three years by the Human Rights Defender and can be re-appointed for one time only, they work on voluntary basis. The Human Rights Defender selects the members of the Council among human rights activists and scientists. The objectives of the Equality Council are to assist The Human Rights Defender in his activities towards ensuring equality before the law and equal opportunities, prevention and elimination of discrimination in the Republic of Armenia.

### 3.4 Research and awareness-raising

**The Academy of Justice of the Republic of Armenia provide training to all justice system personnel on relevant topics, in particular the following activities were implemented:**

On 11 September 2018, at the Justice Academy together with the Council of Europe, the kick-off meeting of Council of Europe HELP course on Violence Against Women and Domestic Violence was launched. At the meeting the participants of the course were introduced with the HELP programme, the procedure of online registration, peculiarities of the interactive course, etc.

Within the scope of the Council of Europe Programme "Combating Violence against Women and Domestic Violence and Prevention of Violence in the Republic of Armenia" a new training course entitled "Combating Violence against Women and Domestic Violence and Prevention of Violence in the Republic of Armenia" and an appropriate manual for its educational and methodological support were elaborated. The course mentioned was included in the annual training programmes of the Academy in 2019.

On 10-11 November 2018, a two-day "train of trainers" course for trainers of Academy was held jointly with the Council of Europe. The participants were the trainers who will give the newly developed lecture on "Prevention and Combating Violence against Women and Domestic Violence in Armenia".

Within the framework of the "Supporting the Criminal Justice System Reform and Combating Ill-treatment and Impunity" programme, which is the part of the Council of Europe/EU Eastern Partnership Programme for 2015-2018, the process of adaptation of distance training courses of the Council of Europe HELP programmes on "Combating Violence against Women and Domestic Violence and Prevention of Violence in the Republic of Armenia" and "Prohibition of Ill-treatment" with the local legal system has been implemented for the legal specialists.

Please also see Point 2.4 and Point 3.2.

### 3.5 Other pertinent developments.

The Council of Europe project “Preventing and combating violence against women and domestic violence in Armenia: continuing the path towards ratification of the Istanbul Convention” was launched in Yerevan on 3 July 2019<sup>4</sup>. The project builds on the achievements of the previous project “Preventing and combating violence against women and domestic violence in Armenia”. The Council of Europe focuses on providing information and knowledge about relevant European standards, in particular the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and its implications for national policy and legal frameworks. The project gives timely support for the implementation of the recently adopted law on domestic violence in Armenia and paves the way for the ratification of the Istanbul Convention in Armenia.

The project will contribute to the following specific outcomes outlined in the Council of Europe’s Action Plan for Armenia for 2019–2022:

Armenia is better prepared for the ratification of the Istanbul Convention.

The Armenian legal and policy framework on preventing and combating domestic violence is in line with Council of Europe standards.

Women victims of gender-based violence and domestic violence, including the most disadvantaged, have better access to justice and support services.

The project’s long-term impact aims that woman in Armenia benefit from gender equality and protection against all forms of violence against women.

The project aims to:

Enhance the knowledge of law enforcement and legal professionals, as well as journalists and other stakeholders on the law on domestic violence and European standards, notably the Istanbul Convention as they deal with the cases of domestic violence and violence against women;

Strengthen the capacity of the Ministry of Labour and Social Affairs, public officials and social workers to apply European standards (notably the Istanbul Convention) as they implement the law on domestic violence and provide support for women victims of violence against women;

Support gender sensibility in education by assisting in the development of curricula, courses and materials for primary and secondary schools.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.1 Legislative changes

National Assembly of the Republic of Armenia by its 14 February 2019 decision has approved Government Programme. According to the Programme “the enlargement of the economic opportunities as well as creation of favourable conditions for implementation of the equal rights and abilities of women and men will stay at the centre of the Armenian Government attention”. At present, the five-year draft events programme is being developed.

<sup>4</sup> <https://www.coe.int/en/web/yerevan/preventing-and-combating-violence-against-women-and-domestic-violence-in-armenia-2019-2021->

In the Electoral Code of the Republic of Armenia, adopted on 25 May 2016 (effective from 1 June 2016), gender-sensitive quotas have been defined (an increase of 10 per cent in comparison with the previous one) aimed at increasing the representation of women in the legislative branch. There is a requirement of 25% of women's involvement in the electoral lists of parties and alliances participating in the parliamentary elections, which is expected to make 30% by 2021. As a result of parliamentary elections on 9 December 2018, 32 out of 132 parliamentarians (or 24%) are women. Women deputies have made 18% in the National Assembly of the previous convocation.

Moreover, the Government of the Republic of Armenia plans in the near future to develop the amendments to Electoral Code and to address OSCE/ODIHR's and Venice Commission's recommendations, including on quotas on women representation in the legislative branch.

During the period of 2018-2019 no legislative changes on gender equality have been made in relevance to the fields of IT, Communication and High Technology.

Package of Recommendation with affirmative measures for stimulating women engagement in local government has been developed by UNDP and submitted to the Ministry of Territorial Administration and Infrastructure of the Republic of Armenia and the National Assembly of the Republic of Armenia for further discussion. It includes both legislative changes (quota) in enlarged municipalities, as well as other affirmative actions that can be adopted both at national and local levels. The package is under review now.

#### 4.2 Policy changes

The draft Decision of the Government of the Republic of Armenia on approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan sets out an action that envisages establishment of conditions conducive to combining work and family responsibilities for women within the family, including expanded opportunities to combine work and child/family care, for the persons on a leave for taking care of a child under the age of three, increase of opportunities for returning to the labour market or for their first entry into the labour market, formation of conditions conducive to raising the living standards of families with preschool-age children.

#### 4.3 Institutional changes

The Ministry of High-Tech Industry of Armenia (MHTI) has almost equal number of male and female employees (from the total of 123 employees 59 are female and 64 are male). According to the statistics collected through the platform ([www.ictstat.am](http://www.ictstat.am)) of the MHTI, the percentage of female employees and Chief executive officers in the High-tech field is over 37% and it is still growing.

During the National Assembly's (NA) snap elections in December 2018 the percentage of women representation increased from 18% to 24%

In the aftermath of the «Velvet Revolution», during the National Assembly's snap elections in December 2018 the representation of women in the National Assembly increased from 18% to 24%. (25% quota is set for NA). After the Government restructuring, one female minister and 10 deputy ministers were appointed. In four ministries, for the first time, equal number of male and female deputy ministers were appointed (Ministry of Education, Science, Culture and Sport 3/3; Ministry of health 2/2; Ministry of justice 2/2; Ministry of environment 1/1). Within the local self-government bodies' elections, which took place in October 2018, Ms. Diana Gasparyan, on behalf of the «Civil Contract» party, has been elected as a Mayor of Ejmiadzin city.

([http://ejmiatsin.am/index.php?action\\_skin\\_change=yes&skin\\_name=ejmiatsin-en](http://ejmiatsin.am/index.php?action_skin_change=yes&skin_name=ejmiatsin-en))

#### 4.4 Research and awareness-raising

With UNDP Armenia support, capacity of 25 female leaders, incl. 22 local councillors, one administrative representative and two former community councillors was developed via Women Leadership School to equip them on essentials of local governance, project development and participatory democracy. Four of them implemented mini local project with seed-fund support from the project. Through the mentioned small grant projects four “Women Leadership School” graduates exercised their leadership and: 1) increased the awareness of 280 residents on issues of women political participation and community budgeting; and 2) made the voice of about 500 community residents heard on community issues through participatory research and SMS polling.

102 active women from all regions of Armenia and Yerevan attended one-day conference on “Women and Local Governance”, jointly organised by GIZ (International co-operation company of Germany) UNDP and Council of Europe. The purpose of the conference was to voice and discuss the topical issues on women’s economic and political empowerment, and to reflect on the opportunities, challenges and the possible solutions. The panel sessions included (i) “From economic empowerment to political participation” and (ii) “Legal mechanisms for equal participation in local democracy”.

Within GIZ (International co-operation company of Germany) Good Local Governance Programme South Caucasus a small grants Initiative was organised and 7 local female politicians (Mayors, Council members and administrative managers) implemented small grants within their communities. Grants were awareness raising and capacity building activities, stressing the role of women in the communities.

Within GIZ (International co-operation company of Germany) Good Local Governance Programme South Caucasus a GRB (Gender Responsive Budgeting) Workshop was conducted in September 2018 with participation of an International Consultant, where municipality representatives dealing with gender and local budgeting issues were invited.

In November, a Study tour to Austria was organised to investigate and become acquainted with Austrian GRB (Gender Responsive Budgeting) initiatives and to localise it in Armenia. As a result, four municipalities in Armenia: Ashtarak, Dilijan, Abovyan and Jermuk have 2019 Gender responsive programme budgets: gender aspect is incorporated in the municipal budgeting.

4 “Fire Side Chats” meetings with local Female politicians and female leaders of international Organisations acting in Armenia were conducted in 2018 (April, July) and 2019 (February, May). Meetings were on economic and political empowerment of women, the role of community leaders in shaping an atmosphere of sexual discrimination, domestic violence prevention and solidarity, women’s participation and Gender Equality, etc. In total 60 local female politicians participated in the meetings.

In June 2019 a regional Gender Conference was conducted in Tbilisi, Georgia with participation of local female politicians from Armenia, Georgia and Azerbaijan. Topic of the Workshop was "Gender awareness activities and Gender Analysis as tools to prepare and implement activities to mobilise local communities and promote dialogue on gender equality" and addresses women in local politics from all three countries as participants.

#### 4.5 Other pertinent developments

The draft Decision of the Government of the Republic of Armenia on approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan sets out an action that envisages establishment of conditions conducive to combining work and family responsibilities for women within the family, including expanded opportunities to combine work and child/family care, for the persons on a leave for taking care of a child under the age of three, increase of opportunities for returning to the labour market or for their first entry into the labour market, formation of conditions conducive to raising the living standards of families with preschool-age children.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.1 Legislative changes

According to the national law<sup>5</sup> and the international law, the principle of non-refoulement means not to return a refugee in any manner whatsoever to the frontiers of the territories where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion; or where external aggression, occupation, foreign domination, internal conflicts, massive violation of human rights or other serious events disrupting public order prevail. The above mentioned regulations have an impact on the achievement of equality of women and men as far as it protects the women from gender-based persecution.

See also information on Non-discrimination covered by Point 1.1

#### 5.2 Policy changes

According to the national law<sup>6</sup>, where the convict is a pregnant woman, or has a child under the age of three, or suffers from a serious illness that obstructs the serving of the sentence, and where the further serving of the sentence may inflict grave consequences upon the convict or his or her family members (fire or other natural disaster, serious disease or death of the only member of the family with labour capacity, or other exceptional circumstances), the motion for delaying the serving of the sentence or conditionally releasing from the sentence shall be filed with the court.

According to the national law<sup>7</sup>, asylum seekers and refugees with specific needs shall be considered children, persons with disabilities, elderly, pregnant women, single parents with minor children, survivors of trafficking, people suffering from grave diseases, persons with mental disorder and persons who have survived torture, rape or other kinds of violence (“vulnerable persons”).

The authorised body must assist above mentioned vulnerable persons as regards their placement and provision of care for them as prescribed by the legislation of the Republic of Armenia taking into account their age, sex, existence of relatives, and other circumstances deriving from the child’s interest, as well as regards issues of exercising all their rights prescribed by the legislation of the Republic of Armenia.

#### 5.3 Institutional changes

According to the national law, asylum seekers and refugees with specific needs shall be considered children, persons with disabilities, elderly, pregnant women, single parents with minor children, survivors of trafficking, people suffering from grave diseases, persons with mental disorder and persons who have survived torture, rape or other kinds of violence (“vulnerable persons”).

<sup>5</sup> See the Law of the Republic of Armenia on Refugees and Asylum

<sup>6</sup> See Penitentiary Code of the Republic of Armenia

<sup>7</sup> See the Law of the Republic of Armenia on Refugees and Asylum

The authorised body must assist above mentioned vulnerable persons as regards their placement and provision of care for them as prescribed by the legislation of the Republic of Armenia taking into account their age, sex, existence of relatives, and other circumstances deriving from the child's interest, as well as regards issues of exercising all their rights prescribed by the legislation of the Republic of Armenia.

#### **5.4 Research and awareness-raising**

The authorised body shall provide free of charge counselling to the asylum seeker on his/her rights and obligations, as well as of grounds prescribed by this Law for receiving refugee status, time periods, procedures for examination of the asylum application, consequences of withdrawal of the asylum claim.

An asylum seeker shall be informed of his or her right to hire a translator/an interpreter and an advocate with relevant qualification at his or her own expense and to appear for the interview with them, as well as of his or her right to receive free legal assistance pursuant to the Law of the Republic of Armenia on the profession of advocate, as well as of his or her right to avail himself or herself of free services of a translator/an interpreter during the interview, and in case the asylum seeker wishes so, of his or her right to avail himself or herself of free services of a translator/an interpreter of a preferred sex.

An asylum seeker shall also be reminded of his or her right to contact UNHCR at any time.

An asylum seeker is provided by booklets containing all necessary/required information.

A refugee has an opportunity to attend such special courses as an Armenian language course and Civil Orientation course.

Above mentioned rights are not explicitly mentioned for refugee or asylum-seeking women, but that have an impact on the achievement of equality of women and men.

#### **5.5 Other pertinent developments**

The staff of the authorised body follows the instructions of the Standard Operating Procedure, which regulate interviews with asylum-seeking women.

Asylum authority interviews not only the male as a "head of household", but also a woman creating appropriate conditions for her to present their claims in a safe and gender-sensitive environment.

### **6. Strategic objective: Achieve gender mainstreaming in all policies and measures**

#### **6.1 Legislative changes**

According to the recent developments, public agencies in Armenia are gradually applying gender mainstreaming approach. The newly developed strategies, such as Strategy on Human Rights Protection, will target gender mainstreaming approach, including gender impact assessment and gender-sensitive budgeting.

The draft Decision of the Government of the Republic of Armenia on approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan provides for ensuring the gender sensitivity of the programmes included in the state budget. In this regard, already on the bases of precondition 1.2.2 of EN1 /2015/ 038-229 Financing Agreement concluded with the EU within the scope of Public Financial Management Policy Reform Programme, gender sensitive elements and indicators of budgeting have been included in the 2020-2022 Medium-Term Expenditure Framework and 2020 Budget Request of the Ministry of Labour and Social Affairs of the Republic of Armenia.

**6.2 Policy changes**

The draft Decision of the Government of the Republic of Armenia on approving the 2019-2023 Gender Policy Implementation Strategy and Action Plan includes a number of measures covering different spheres (including employment, education, health care, culture, sport, mass media) within the framework of which various programmes aimed at ensuring gender equality are envisaged to carry out.

**6.3 Institutional changes**

Council for Ensuring Equal Rights and Equal Opportunities for Women and Men in the Republic of Armenia is a platform for sustainable inter-agency co-operation where various issues related to gender equality are discussed and addressed with the engagement of all state agencies as well as representatives of the public sector. In the nearest future, it is envisaged to increase and intensify the scope of powers and activities of the Council.

**6.4 Research and awareness-raising**

18 women and 24 men (administrative representatives, community councillors, Local self-government staff members) attended one-day training session on “Gender Equality and Local self-government” to explore concepts of gender equality and gender mainstreaming at the local level and practice their skills via ‘learning-by doing’ sessions. 93% of participants evaluated training as excellent and good.

Seven Local self-government representatives and six youth advanced their knowledge and skills in gender analysis and how to engender the Annual Works Plans. Participants rated their readiness to conduct similar sessions for colleagues from other municipalities very high - 8.6 out of 10.

**6.5 Other pertinent developments**

An internal mechanism for reporting and co-ordinating follow-ups to all human rights recommendations has been established and is co-ordinating by the Ministry of Foreign Affairs. Armenia will continue pursuing its efforts to guarantee the fulfilment of the recommendations by the UN, as well as other international monitoring bodies, particularly through ensuring the efficient performance of the internal follow-up mechanism.

**7. Main challenges and lessons learned**

The following are distinguished as positive factors affecting politics:

1. Close co-operation of state/non-governmental/international institutions
2. Active public discussions organised
3. Discussions and sessions regularly conducted by the Gender Theme Group

The following are distinguished as negative factors:

1. Sensitivity to gender-specific issues
2. Frequent speculations due to the sector-specific peculiarities.

## AUSTRIA

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.1 Legislative changes**

Strengthening the contribution of fathers to childcare and household work:

Employees in federal service have had the right to a "baby month" since 2011. The baby month is unpaid parental leave for fathers or same-sex partners and can be used for a maximum of four weeks after the birth of a child.

In the private sector, the "Daddy Month" was until now not a legal right, which means that employers needed to agree. On 2 July 2019, the Austrian parliament has passed a bill which introduced the "Daddy Month" from 1 September 2019 onwards. Fathers or same-sex partners in Austria have a legal entitlement to the "family leave" as a new form of leave. In contrast to the rules applicable thus far, fathers or same-sex partners can now take the leave even without obtaining the consent of their employers. During the leave period, the fathers or same-sex partners are protected against termination and dismissal from their job. They have no entitlement to salaries during their time off but receive a one-off "grant" in the amount of EUR 700 from the state (which however will be deducted from public child support payments later on if the dad decides to take another form of parental leave as well).

Further improvements for reconciling work, family and private life:

In the last five years, legal provisions were introduced to improve the splitting of childcare between both partners. These include what is known as the family time bonus and the partnership bonus granted in connection with the childcare allowance. Moreover, on 1 January 2019, the family bonus plus was introduced as a measure of tax relief for working parents. Furthermore, projects and campaigns were carried out at national and regional levels to promote a stronger contribution of fathers.

Collective agreements:

Collective agreements are a key tool in regulating relations between employers and employees and therefore an important lever for gender equality and the removal of stereotypes. So far, however, no comprehensive, structured review of collective agreements has been conducted on outstanding open and/or hidden discrimination in Austria. The government programme 2017-2022, as well as the previous government programme, also aimed at examining and eliminating discrimination in all collective agreements with the social partners on equality between women and men in the labour market. Open discrimination is almost impossible to find in collective agreements. Therefore, the Federal Ministry for Labour, Social Affairs, Health and Consumer Protection envisages the awarding of a study on "Discriminatory provisions in collective agreements" in order to identify, in the context of a comprehensive investigation, provisions that are not openly discriminatory but have a potential for discrimination (e.g. classification criteria; regulations on part-time employment).

**1.3 Institutional changes**

Advertising is discriminatory if it depicts women and men in a degrading manner or takes up (outdated) gender stereotypes. Advertising that discriminates on sexist grounds is capable of transporting and codifying stereotypical gender roles and social values. Advertising with such stereotypes affects the (potential) consumers. It is therefore necessary to sensitise with regard to

the advertising effects and to induce the advertising industry to handle the contents shown with care.

The Federal Minister for Women, Families and Youth in co-operation with the Austrian Advertising Agency (Österreichischer Werberat), has taken various measures, for instance the implementation of the "Anti-Sexism Advisory" (Anti-Sexismus Beirat), with the aim of making the advertising industry more aware, while at the same time encouraging advertising consumers to critically deal with advertising and media content.

The "Anti-Sexism Advisory Council" (Anti-Sexismus Beirat) was re-integrated into the complaints procedure of the Austrian Advertising Council by August 2019. The expertise of the "Anti-Sexism Advisory Council" deals with the complaint of gender-discriminatory advertising.

#### **1.4 Research and awareness-raising.**

According to §24 of the Federal Act on the Equal Treatment Commission and the Ombud of Equal Treatment (GBK/GAW Act), the Federal Chancellor and the Federal Minister for Labour, Social Affairs, Health and Consumer Protection have to present every two years a report to the National Council regarding the implementation of the Equal Treatment Act. In particular, this report shall contain information on the activities and perceptions of the Ombud of Equal Treatment, on procedures before the Equal Treatment Commission and on other activities of the Commission. In addition, the report provides information on the development of equal treatment regulations and court rulings at national and Union level. Every four years, the report must be supplemented by contributions from the employee and employer organisations. The report for 2016/2017 was discussed in the National Council Committee for Equal Treatment in November 2018.

Collective agreements are a key tool in regulating relations between employers and employees and therefore an important lever for gender equality and the removal of stereotypes. So far, however, no comprehensive, structured review of collective agreements has been conducted on outstanding open and/or hidden discrimination in Austria. The government programme 2017-2022, as well as the previous government programme, also aimed at examining and eliminating discrimination in all collective agreements with the social partners on equality between women and men in the labour market. Open discrimination is almost impossible to find in collective agreements. Therefore, the Federal Ministry for Labour, Social Affairs, Health and Consumer Protection envisages the awarding of a study on "Discriminatory provisions in collective agreements" in order to identify, in the context of a comprehensive investigation, provisions that are not openly discriminatory but have a potential for discrimination (e.g. classification criteria; regulations on part-time employment).

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

The legal provisions on sexual harassment have been considerably extended in the last years. Two Criminal Law Amendment Acts in 2015 and 2017 established among others the new provision of violation of the right to sexual self-determination as well as increased sentences in cases of sexual harassment in public spaces.

The Law Amending Criminal Law of 2015 (in force since 1 January 2016) made cyber bullying a separate criminal offence. This is defined as a violation of honour or unauthorised publication of facts or photos from the victim's extremely personal private life in a manner visible to a larger number of people.

## 2.2 Policy changes

A Task Force on Criminal Law headed by the State Secretary of Interior Affairs was set up between March 2018 and February 2019 to develop recommendations in the areas of criminal law, victim protection and preventive work with offenders. It involved over 100 experts from public administration, practice and science and resulted in a proposal of over 50 individual measures - leading to a draft bill in May 2019 including numerous improvements of law. Due to the upcoming elections, decision on the proposed amendments will most likely not be taken before the new government has been formed. Most relevant proposed measures:

- introduction of compulsory counselling for violent perpetrators following a barring order
- extending victim protection for victims of domestic violence by a mobile 50 meter protection zone around the victim
- case conferences to be convened by the police in high-risk cases

Consultations between the Federal Minister of Women, Families and Youth and the provinces on further improvement concerning the offer of safe places for victims of domestic violence and victims of sexual violence beginning with March 2018.

The NAP to Protect Women from Violence 2014-2016 was developed by the inter-ministerial working group (IMAG) Protection of Women against Violence and passed by the federal government. More than 60 measures covered all forms of violence except human trafficking and measures to prevent violence in conflicts and wars, as separate action plans were passed for these. Among other things, the NAP includes measures regarding victim protection-oriented work with offenders, combating role stereotypes and workshops for women, girls and young men to prevent violence, as well as awareness raising measures. In terms of structure, the NAP was based on the Istanbul Convention. All of the measures were able to be implemented with a few exceptions, and an implementation report was prepared in 2018.

## 2.3 Institutional changes

Continuation of the Interministerial working group "Protection of Women against Violence", comprising relevant ministries, all federal states and specific NGOs with its main task being the exchange of expertise and support of implementation measures.

Continuation of the National Co-ordination Body "Protection of Women against Violence" with its main tasks being the national co-ordination of state reports under the Istanbul Convention and exchange with other national co-ordination bodies as well as analysis and dissemination of specific data.

Continuation of other relevant Working Groups esp. on Trafficking in Human Beings, Forced Marriage and Victim Oriented Work with Perpetrators.

Trafficking in women and girls:

The Task Force on Human Trafficking, which was set up in 2004, continued its work to co-ordinate and strengthen the Austrian measures against human trafficking. It developed the fourth (2015-2017) and fifth (2018-2020) NAP to Combat Human Trafficking, which were adopted by the federal government. The task force monitors the implementation of the current action plan. The current fifth NAP 2018-2020 aims to take into account the changed situation in terms of flight and migration. It identifies people who have fled and in particular unaccompanied minors as a potential risk group and includes training measures for employees in initial registration centres, basic care centres and

police detention centres. Information on the topic in various mother tongues is also to be expanded. The implementation of the non-punishment principle in administrative criminal law is the focus of the current NAP.

Child, early and forced marriages:

Two specific counselling centres for girls and women at risk of or affected by forced marriage are funded from public funds. The Orient Express Association operates emergency accommodation where women can be housed safely. Since the emergency accommodation opened in 2013, a total of 131 clients have been housed there. 36 clients stayed there in 2018. Numerous women have been advised by the Orient Express Association since 2004, 123 of whom were supported in 2018. The existing facilities were expanded at the beginning of 2019 to include temporary accommodation with 17 spaces.

A Forced Marriage and Abduction Co-ordination Point was also set up in 2017 and tasked with the national co-ordination of cases of abduction and return to Austria, the advising of those affected, the creation of information material for helpers and those affected, and training sessions, networking events and other prevention work. A cross-departmental working group on Abduction and forced marriage was also set up under the leadership of the Orient Express Association in October 2016 for networking and professional exchange.

The topic cultures of honour and forced marriage are addressed by the new teaching principle Reflexive gender education and equality of 2018. Information brochures were drafted to sensitise teachers, and workshops were held in schools.

Setting up of a working group in September 2019 under the lead of the Division for Women and Equality with the provinces and representatives of shelters with the aim to assure accommodation of high-risk victims across Austria's provinces.

#### **2.4 Research and awareness-raising**

The following studies were conducted in 2018:

- A study evaluating data from 2011 to 2018 on victim protection-oriented anti-violence training of the Vienna Men's Counselling Service in co-operation with the Vienna Intervention Centre. Main result: although it cannot be reliably determined how large the declines are, results show that participation leads to a reduction in violence. (December 2018)
- A study on cyber violence against women and girls in Austria showing that 1 out of 3 women and girls experienced one form of cyber violence within the last year; disproportionately affected were young girls and women (aged 15-19 years) and women and girls with certain additional specificities (civic engagement, migration background, non-heterosexual).
- A study evaluating section 201 (rape) and 202 (sexual coercion) of the Austrian Criminal Code; results show improvement of awareness among criminal justice sector compared to older studies. (March 2018)
- A study on domestic violence by sons and daughters against their parents (looking into cases where a barring order has been issued), results to be expected by September/October this year.

Participation in the Pretest of the EU Prevalence Study "Gender-based violence survey" - Gender-based violence against women (and men) (2018/2019).

Joint Social media campaign (Facebook, Twitter, Instagram) by the Minister of Interior Affairs and Federal Minister of Women, Families and Youth providing information on knockout drops. Aimed primarily at girls and young women - especially in connection with major events - over 30,000 people were reached in the summer of 2019.

Work in primary and secondary education, including comprehensive sexuality education:

The National Strategy for Violence Prevention in Schools - Weiße Feder (White Quill) organises numerous activities and measures to prevent violence and (cyber) bullying. One of the focuses in the 2014-2016 period was on the prevention of (sexual) violence against women and girls. The measures were implemented in sex education classes in school. Teaching materials were prepared and qualification measures developed and offered to teaching staff.

All educational curricula are currently being revised. The aim is to strongly anchor the teaching principle of sex education. The revision is planned to be completed in 2020.

Awareness raising initiatives targeting the general public and young women and men in educational settings:

The National No Hate Speech Committee was founded in Austria to implement the objectives of the European Council campaign. The committee is a networking platform to work together against online hate.

Members include both federal ministries and NGOs in the fields of youth, anti-discrimination and media competence.

In September 2017, a specific contact point was set up for people affected by online hate at the Zara Association – Civil Courage and Anti-Racism Work. Over 2,000 people who are affected and witnesses of racism, hate and smear campaigns on the internet receive legal support each year from the ad-vice centre. The advice is free of charge. The advice team is made up of advisors with both legal and social training. Anonymous cases of online hate can also be reported here and are recorded in a case database.

The topic of online violence was actively addressed when Austria held the Presidency of the Council of the European Union in the second half of 2018.

The EIGE - European Institute for Gender Equality carried out a study on the opportunities and risks of digitisation for girls and boys when Austria held the Presidency of the Council of the European Union. New opportunities in terms of social and political participation and the risks created by new types of online violence were the focus. The study was presented at an informal meeting of Ministers of Gender Equality of the EU, EFTA and the Western Balkans in October 2018 and published by the EIGE in early 2019. The results of the report show, among other things, that young women and girls are more commonly the victims of online harassment and cyber bullying than young men and boys.

#### **2.5 Other pertinent developments e.g. on promising policy reforms, the issue of resourcing etc.**

Drafting of a concept for setting up specific counselling centres for female victims of sexual violence in those provinces, that don't have such a service so far (Burgenland, Carinthia, Lower Austria and Vorarlberg) in 2018. Preparation of implementation is currently under way.

### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

#### **4.1 Legislative changes**

The Act on Equality between Women and Men in Supervisory Boards was adopted in June 2017. Since 1 January 2018, there must be at least 30% women on the supervisory boards of publicly traded companies and companies with more than 1,000 employees. This quota applies to new members. Existing mandates remain unaffected. At the beginning of 2019, the share of women in the supervisory boards of the 68 publicly traded companies was at 22 percent and has increased by 4 percentage points since 2018. In the 29 publicly traded companies which are affected by the legally required quota, the share of women increased more in the same period of time, from 22 to 27.5 percent

The Federal Act on the financing of parliamentary groups (Klubfinanzierungsgesetz 1985 – KlubFG) was amended in July 2019 by a “bonus” for a higher proportion of women in the parliamentary groups.

If the share of female members in a parliamentary group (Klub) in the Nationalrat or respectively the Bundesrat exceeds 40 percent, the funding for the parliamentary group is increased by 3%. The changes will take effect on 1 November 2019.

#### **4.3 Institutional changes**

Based on the decision of the Council of Ministers of 15 March 2011, the Austrian Federal Government committed to increase the percentage of women on supervisory boards of state-affiliated companies in which the State holds 50% or more, to 25% by 31 December 2013 and to 35% by 31 December 2018. In July 2019 the Council of Ministers renewed this commitment until 31 December 2019.

Increasing the share of women in the public service is further promoted by implementing plans for the advancement of women and by the legally required quota for the advancement of women of at least 50 percent. The existing measures are supplemented by initiatives of the different ministries:

The Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice, for instance, aims to increase women's representation in the judiciary by taking measures to support pregnant women and making more allowances for family interests after their return from parental leave. Targeted training events are offered about the return to work after parental leave or a change of position as well as to prepare women for leadership positions. Since 2017, an HR development concept in accordance with the holistic life cycle model has been applied in the judiciary in order to take the private or family situation of employees and any resulting needs into account.

#### **4.4 Research and awareness-raising**

In July 2019 the Progress Report 2019 on increasing the proportion of women in the boards of directors of companies with a federal share of 50% or more was published.

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.2 Policy changes

In the field of integration, male and female immigrants are informed about their rights and obligations at an early stage. The Austrian Integration Fund offers several training formats such as value and orientation courses which have been mandatory since June 2017. Furthermore, attendees of different courses also learn about support centres, hotlines and counselling services for victims of violence.

There are also specialised counselling services for immigrants that focus on FGM, forced marriage, non-violence and self-determination.

Special courses were developed and offered for women asylum seekers and women entitled to asylum. The Operational Programme Employment Austria 2014-2020 which implements the European Social Fund, includes a specific focus on investment to promote gender equality in the labour market for the first time. One focus of the project is the employment of refugee women.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.4 Research and awareness-raising.

Inter-Ministerial Working Group on Gender Mainstreaming/Gender Budgeting (IMAG GMB) Headed by the Federal Minister for Women, Families and Youth, the Inter-Ministerial Working Group on Gender Mainstreaming has endorsed and promoted the implementation of Gender Mainstreaming and Gender Budgeting in all ministries and at all political levels since 2000. In 2009, the body was expanded to include Gender Budgeting and redesigned as Interministerial Working Group on Gender Mainstreaming/Budgeting (IMAG GMB). At IMAG GMB, all Federal Ministries, the supreme administrative bodies, the labour union and the federal states are represented by gender mainstreaming/budgeting officers.

The work of the Inter-Ministerial Working Group deals with in-depth discussion of gender equality issues. Two topics are covered for the duration of one year such as typical career and study choice.

The last two meetings took place in December 2018 (Topic: Atypical study and career choice) and May 2019 (Topic: Digitalisation of the working world). You can find a summary of the last meeting under

[http://www.imag-gmb.at/cms/imag/attachments/4/8/9/CH0591/CMS1415623070168/broschuere\\_atypische\\_studien-und\\_berufswahl\\_web.pdf](http://www.imag-gmb.at/cms/imag/attachments/4/8/9/CH0591/CMS1415623070168/broschuere_atypische_studien-und_berufswahl_web.pdf).

The next one is planned for the 5 November 2019. The main topic will be "Profession, re-entry, career".

Next year, the 20th Anniversary of Gender Mainstreaming will be celebrated through various events.

#### Gender Index

In order to continue the gender-differentiated data collection and data analysis in Austria, the "Gender Index" is made available annually. It provides an overview of gender-specific data in key areas such as education, income and employment and highlights gender relations from different perspectives. The Gender Index 2018 was published in 2019.

### Series of events “Gleichstellung im Gespräch”

The series of events “Gleichstellung im Gespräch” is available to raise awareness and support the practical implementation of gender mainstreaming. The planned theme for the 8 October 2019 is “Gender equality in social media”.

### Gender Mainstreaming during the Austrian EU-Presidency 2018

In the context of the Austrian Presidency of the Council of the European Union in the second half of 2018, gender mainstreaming was promoted. Besides conferences of expert groups and informal meetings, the Division for Women and Equality started the initiative “Gender mainstreaming during the Austrian Presidency”. One of the core activities were regular inter-ministerial meetings, gathering representatives of all Ministries and the federal provinces with an aim to co-ordinate gender mainstreaming efforts. As a result, several Austrian Ministries included a gender perspective in their activities and events, stretching across policy areas such as digitalisation, social affairs, culture, education, and transport, and ranging from Council Conclusions, negotiations regarding legal acts, political declarations, conferences and panel discussions, to ministerial meetings.

## 6.5 Other pertinent developments

### Handbook Gender Equality – The Key to Success

Handbook "Gender Equality – The Key to Success " gives tips on gender mainstreaming in events, language, reports, etc. The Handbook was published in 2018 and can be found at [http://www.imag-gmb.at/cms/imag/attachments/5/4/5/CH0618/CMS1536936457191/erfolgsfaktor\\_gleichstellung\\_en\\_be\\_online-version\\_final.pdf](http://www.imag-gmb.at/cms/imag/attachments/5/4/5/CH0618/CMS1536936457191/erfolgsfaktor_gleichstellung_en_be_online-version_final.pdf).

### Report by the Federal Government on the reduction of discrimination against women

Through the "Federal Act on Reports of the Federal Government concerning the reduction of discrimination against women", the State commits itself to a comprehensive reduction of existing social, family and economic disadvantages and undertook to report every second calendar year to the National Council on appropriate measures and activities. The following measures of the ministries are to be described:

- Compatibility: measures to establish facilities enabling women and men to reconcile their family responsibilities with their professional life;
- Disadvantages: social policies that reduce discrimination against women in terms of being or able to be mothers;
- Social security: general livelihood measures, particularly for cases of old age, disability and unemployment;
- Equal treatment: measures to enforce equal treatment in working life;
- Active promotion of women: active promotion of women in all areas of society (particularly in the areas of the labour market, science, arts, education).

Ministries reported 216 measures as part of the questionnaire survey. Following the withdrawal of non-periodical, double-reported or exclusively public service measures, a total of 204 external measures to reduce discrimination against women for the 2017 and 2018 reporting periods were included in this report, which was published in 2019.

### Girls’ Day

In 2006 the Federal Civil Service Girls' Day was introduced on the ministerial council order to "organise a Girls' Day in the federal ministries and departments". The objective is to support girls and young women in choosing a career by exposing them to experience a variety of careers and jobs at the various government departments. Girls aged between 6 and 16 have the chance to experience a range of careers in public management. The last Girl's Day took place on 25 April 2019.

#### Girls' Day MINI

In 2015, the first Girls' Day MINI took place, inviting kindergarten girls to various offers in the public sector. Girls' Day MINI aims to give girls aged between 4 and 6 the possibility to experiment and get in touch with technical and scientific phenomena. The participants gain an insight into the areas of STEM. Since the introduction of the Federal Civil Service Girls' Day MINI, more than 1,997 girls have benefited from the wide-ranging programmes offered by the various ministries. At the 5th Federal Civil Service Girls' Day MINI on the 25 April 2019, 15 projects have been offered, and 440 girls participated in Girls' Day MINI.

To further promote the idea of the Girl's Day MINI in the Federal Civil Service, in 2016 the book "My professions ABC" was developed for children from the age of 4. The book contains 26 child-friendly essay texts and detailed pictures of the professions from "A to Z" in science, technology, arts and crafts. The book was re-edited in 2019 and participants of the Girls' Day MINI in the Federal Civil Service received the book as a present. More Information: [www.girlsday-austria.at](http://www.girlsday-austria.at)

[www.meinetechnik.at](http://www.meinetechnik.at)

The online information platform was launched on the 10 April 2015. While numerous outstanding projects and affirmative action programmes are already in place to reduce barriers girls and women face in accessing technical and science-oriented jobs in Austria, the platform presents a central and focused tool that refines and provides information on existing measures in a comprehensive and attractive way. Furthermore, various articles were published during the reporting period from October 2018 to September 2019.

## 7. Main challenges and lessons learned

During the Austrian Presidency of the Council of the European Union in 2018, the involvement of and co-operation with different stakeholders was essential for the success of the initiatives in the field of gender equality.

On the one hand, youth participation is essential to ensure a broad support for our future priorities and work in the field of gender equality. The described conference "Gender Equality and YOU" (see 8.1 below) during the Austrian EU Presidency was organised in co-operation with the Austrian National Youth Council and the European Youth Forum. The co-operation with national and European youth organisations was crucial to ensure that young people's visions and needs regarding gender equality are heard and taken into account. Moreover, the work of NGOs and collaboration with them are of vital importance in terms of having a positive impact on the field of gender equality.

On the other hand, gender equality as a cross-cutting topic depends on the commitment of actors from different policy fields. The described gender mainstreaming initiative during the Austrian EU Presidency (see 6.4) was an opportunity to increase awareness for a gender perspective among

representatives from different Ministries and to put them in touch with gender equality experts from the European Institute for Gender Equality (EIGE) and the Council Secretariat.

## 8. Additional comments, if any

### 8.1. Any other matter

During the Austrian Presidency of the Council of the European Union in 2018, many activities in the field of gender equality were put into practice, in order to inspire an open and future-oriented dialogue on gender equality. Austria aimed at restoring political attention for and strengthening the discourse on gender equality in the EU, inter alia with the following activities:

- The European conference “Gender Equality and YOU. Young Voices. Joint Initiative.” took place in Vienna on 11-12 October 2018. In an open dialogue 260 participants, including young people, youth representatives, representatives of NGOs and public administrations as well as ministers responsible for gender equality, discussed the future priorities for the work on gender equality of the EU. For further information see [www.genderequalityandyou.at](http://www.genderequalityandyou.at)
- An Informal Ministerial breakfast for Gender Equality Ministers from EU, EFTA and Western Balkans was held on 12 October 2018. At this meeting, Ministers exchanged their views on the topic of ‘Gender Equality, Youth and Digitalisation’.
- An Informal Ministerial Meeting of the EU Gender Equality Ministers was held on 12 October 2018. The ministerial meeting was linked to the conference ‘Gender Equality and YOU’ (see above). In a participatory workshop Ministers discussed ways to strengthen co-operation and to institutionalise the dialogue between them in the area of gender equality.
- The Joint Declaration entitled “Gender Equality as a Priority of the European Union today and in the future” was presented and signed at the informal ministerial meeting of the EU Gender Equality Ministers on 12 October 2018. 27 EU Member States support the initiative. See [https://www.women-families-youth.bka.gv.at/dam/jcr:41a63d41-6c78-49b2-a44a-ac2ac85a66f1/Joint\\_Declaration\\_Gender\\_Equality\\_as\\_a\\_priority\\_of\\_the\\_European\\_Union\\_to....pdf](https://www.women-families-youth.bka.gv.at/dam/jcr:41a63d41-6c78-49b2-a44a-ac2ac85a66f1/Joint_Declaration_Gender_Equality_as_a_priority_of_the_European_Union_to....pdf).

BELGIUM/BELGIQUE
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## 1. Objectif stratégique : prévenir et combattre les stéréotypes de genres et le sexisme

### 1.1 changements législatifs

#### *Communauté française*

Une réforme de la **formation initiale des enseignants** a été adoptée en Communauté française par décret le 7 février 2019, **faisant référence explicitement à la dimension de genre** et aux inégalités découlant des rapports sociaux de sexe, notamment dans la capacité de mener individuellement et avec ses pairs, une observation et une analyse critique et rigoureuse de ses propres pratiques et de leur impact sur les élèves afin de réguler son enseignement et d'en faire évoluer les stratégies et conditions de mise en œuvre dans une perspective d'efficacité et d'équité. Les 6 axes de formation initiale des enseignants intègrent la dimension de genre de manière transversale, notamment :

- pédagogie de l'enseignant pour assurer un enseignement dépourvu d'inégalités et de stéréotypes de genre. -- capacité à observer, à analyser et à évaluer des éléments de pratique professionnelle enseignante en vue de conseiller et d'aider à réajuster ces pratiques en s'inspirant notamment de résultats de recherche scientifiques en éducation,
- didactique des contenus disciplinaires à enseigner,
- psychologie et sociologies de l'éducation.

Le Parlement de la Communauté française a adopté une résolution, le 13 mars 2019, **visant à soutenir les établissements d'enseignement supérieur dans leur lutte contre les discriminations genrées**. En vue de lutter contre les stéréotypes de genre et les discriminations qui en découlent, cette proposition de résolution vise à soutenir les établissements d'enseignement supérieur (universités, hautes écoles et écoles supérieures des arts) dans leur lutte contre les discriminations et approfondir les projets déjà mis en place dans ces établissements.

### 1.4 recherche et sensibilisation

#### *Au niveau fédéral*

En novembre 2018, l'Institut pour l'égalité des femmes et des hommes a organisé une session consacrée au harcèlement sexuel et sexiste sur le lieu de travail avec son réseau d'entreprises « gender-friendly ».

#### *Flemish Community*

- **Research:** "The relational, sexual and gender imaging, and the relational, sexual and gender experiences of young people in contexts with a different sex composition." The purpose of this report was to explore whether there is a connection between the school composition and various outcomes and attitudes among young people with regard to relational, sexual and gender perception, and relational sexual and gender experience. Will be available end of 2019.
- Renewal of genderklik.be (2018)  
The **website is an instrument in the fight to eliminates gender stereotypes** in society and helps you to make the "gender click" (get aware of the impact of gender norms) in a fun and interactive way.  
[www.genderklik.be](http://www.genderklik.be) and [www.facebook.com/genderklik/](https://www.facebook.com/genderklik/)

- Ten years after the original launch, the **expert database** was thoroughly renewed in 2018. Journalists, programme makers, journalism students and other Organisations that can increase the visibility of the experts from the database on the public forum, can register for free and consult the database on [www.expertendatabank.be](http://www.expertendatabank.be). The relaunch was accompanied by a recruitment campaign for expansion of the expert file and a publicity campaign among media makers, with Carl Devos as the figurehead

### ***Région de Bruxelles-Capitale***

Lancée en octobre 2018 et poursuivie en 2019, la **campagne 0% sexism** s'est déclinée en 3 volets et sur 2 thématiques : le harcèlement dans l'espace public et les violences sexuelles (le consentement). En premier lieu, une sensibilisation directe à la problématique du harcèlement sexuel : campagne d'affichage dans le métro, campagne online sur les réseaux sociaux et développement d'outils concrets pour prévenir et lutter contre ces comportements, dont la création de l'application smartphone « Touche Pas à Ma Pote » qui constitue la première application développée en Belgique pour traiter le problème du harcèlement de rue. Elle permet notamment aux victimes de signaler directement une agression et de chercher du soutien auprès des personnes proches d'elle à ce moment-là.

(<http://harassment.zerosexism.brussels/fr/définition-du-sexisme/>)

## **1.5 autres développements pertinents**

### ***Communauté française***

#### **g) éducation**

La Communauté française a poursuivi le **projet Girls day Boys day 2018-19**, choisis ton métier sans préjugés et stéréotypes sexistes [www.gdbd.be](http://www.gdbd.be), visant à sensibiliser les jeunes, filles et garçons du premier et/ou du second degré, aux stéréotypes de genre dans le domaine de l'orientation scolaire et professionnelle. Une évaluation du projet avec les co-ordinatrices provinciales et l'asbl Interface 3 est prévue pour mi-septembre 2019. Pour l'édition 2018-2019, 47 écoles, 137 classes et 2137 élèves ont participé aux animations et aux rencontres avec les témoins. Le projet a également mobilisé 58 enseignant-e-s, 60 témoins exerçant des métiers atypiques pour leur sexe et associations partenaires.

La Communauté française a poursuivi son projet de **module de formation initiale et continuée des enseignant-e-s « Filles-Garçons une même école »** [www.egalitefillesgarçons.be](http://www.egalitefillesgarçons.be), un outil en ligne de formation initiale et continuée de sensibilisation et d'information du corps éducatif sur la question des inégalités filles-garçons et du sexisme à l'école. Cet outil est développé en collaboration avec le secteur associatif (L'Université des Femmes) et est cofinancé par le Fonds Social Européen programmation 2014-2020 (FSE). Il permet aux (futur-e-s) enseignant-e-s des niveaux maternel, primaire, secondaire et supérieur et personnes actives dans l'encadrement d'enfant et des adolescente-e-s (puériculteurs et puéricultrices, éducateurs et éducatrices, etc.) de développer un enseignement plus égalitaire, dénués de stéréotypes sexistes. Ce module fourni notamment aux professionnel-le-s concerné-e-s des ressources adaptées à chaque niveau d'enseignement pour éveiller leur conscience à l'égalité.

## 2. Objectif stratégique : prévenir et combattre la violence contre les femmes et la violence domestique

### 2.1 changements législatifs

#### *Au niveau fédéral*

- La loi du 5 mai 2019<sup>8</sup> a intégré les principales recommandations issues de l'évaluation de la COL 18/2012 relative à l'interdiction temporaire de résidence en cas de violence domestique réalisée en juin 2017<sup>9</sup> afin de favoriser et faciliter le recours à cette mesure.
- La circulaire ministérielle du 16 juillet 2001 relative à l'enregistrement audiovisuel de l'audition des mineurs victimes ou témoins d'infractions a été également évaluée. Sur cette base, une nouvelle circulaire a été élaborée et en voie de finalisation. La loi du 5 mai 2019 précitée donne également suite aux recommandations législatives de l'évaluation comme entre autres l'élargissement du champ d'application personnel aux victimes ou témoins vulnérables majeurs. Elle décrit également la notion de vulnérabilité et, moyennant l'autorisation du procureur du Roi, permet aux intervenants de l'accueil, de l'accompagnement et de l'aide de regarder le support de données audiovisuelles.

#### *Communauté française*

La Communauté française a adopté, le 18 avril 2019, un **décret relatif à la lutte contre les violences faites aux femmes**. Celui-ci tend à se conformer aux exigences de la Convention du Conseil de l'Europe relative à la prévention et à la lutte contre la violence à l'égard des femmes et la violence domestique du 11 mai 2011, entrée en vigueur le 1er juillet 2016 dans notre pays.

Il entend répondre aux objectifs généraux suivants :

- offrir une réponse globale, structurée et intégrée à la violence à l'égard des femmes, notamment en créant un Comité de coordination à la lutte contre les violences faites aux femmes propre à la Communauté française ;
- sortir du financement facultatif des associations, pour leurs projets liés à la lutte contre les violences, dans une perspective d'un soutien pérenne. Pour ce faire, il met en place des collectifs d'associations, reconnus pour une période de cinq ans et chargés de mettre en oeuvre une ou plusieurs mesures du Plan quinquennal de lutte contre les violences.

### 2.2 changements dans les politiques publiques

#### *Au niveau national*

La Belgique a remis son rapport étatique concernant la mise en oeuvre de la Convention du Conseil de l'Europe pour la prévention et la lutte contre la violence domestique et la violence à l'égard des femmes en février 2019. Il offre une vision de l'ensemble des initiatives menées dans le cadre du PAN (cinquième plan d'action national de lutte contre la violence basée sur le genre (PAN) 2015-2019)<sup>10</sup>.

La préparation d'un nouveau plan d'action a pris la forme d'un appel auprès de la société civile à collecter et à signaler les lacunes et à formuler des recommandations relatives à la violence basée sur le genre, afin qu'elles puissent être prises en considération dans la préparation d'une note

<sup>8</sup> Loi du 5 mai 2019 portant dispositions diverses en matière pénale et en matière de cultes, et modifiant la loi du 28 mai 2002 relative à l'euthanasie et le Code pénal social.

<sup>9</sup> [https://www.om-mp.be/sites/default/files/u1/20170622\\_rapport\\_evaluation.pdf](https://www.om-mp.be/sites/default/files/u1/20170622_rapport_evaluation.pdf).

<sup>10</sup> <https://www.coe.int/fr/web/istanbul-convention/belgium>

relative aux lacunes élaborée par l'Institut pour l'égalité des femmes et des hommes qui contiendra des propositions de mesures pour le PAN 2020-2024,

### ***Communauté française***

Plan intrafrancophone (Communauté française, Région Wallonne et Cocof) de lutte contre les violences sexistes et intrafamiliales 2015-2019 arrive à son terme et est en cours d'évaluation. Un processus participatif avec le secteur associatif sera lancé fin 2019 en vue d'alimenter la proposition au Gouvernement d'un nouveau Plan quinquennal.

## **2.3 changements institutionnels**

### ***Au niveau fédéral***

Compte tenu du grand succès des centres de prise en charge des violences sexuelles (CPVS) mis sur pied en novembre 2017, l'Etat fédéral a libéré des moyens supplémentaires en mars 2019 pour le financement permanent des CPVS existants et le doublement de leur nombre. Implanté en structure hospitalière, un CPVS permet aux victimes de violences sexuelles d'obtenir toute l'assistance possible en un seul endroit, 24h/24, en ce compris la possibilité de déposer plainte. Ainsi, en plus des CPVS à Gand, Bruxelles et Liège, des CPVS sont en cours de création à Charleroi, Anvers et Louvain.

L'approche pluridisciplinaire et holistique s'est développée afin de renforcer la protection et la sécurité des victimes en Flandre. Un *Family Justice Centre* (FJC) a déjà été développé dans certaines régions (Anvers, Turnhout, Malines et Limbourg). Le but d'un FJC est de proposer de l'aide en un seul et même endroit aux familles confrontées à la violence intrafamiliale et de leur apporter de la sécurité en offrant une aide rapide et adéquate à la demande. D'autres projets ont été lancés en vue de créer et implémenter l'approche en chaîne dans les dossiers de violence intrafamiliale complexes et à hauts risques.

### ***Flemish Community***

Creation of a **helpline** (reporting centre) for sexually unacceptable behaviour in the cultural sector (within the mandate of the Flemish Gender Ombuds)

### ***Communauté française***

Le Décret de la Communauté française relatif à la lutte contre les violences faites aux femmes prévoit la mise en place d'un Comité de coordination réunissant des représentant-e-s du Ministère, du secteur associatif spécialisé et du monde académique. Le Comité est notamment en charge de la proposition au Gouvernement d'un Plan d'action quinquennal, de veiller à l'accessibilité d'informations, d'études et d'outils éducatifs, de veiller à une articulation cohérente avec les politiques locales, régionales et fédérales et de remettre un avis motivé au Gouvernement sur les décisions de reconnaissance ou de non-reconnaissance des Collectifs d'associations de lutte contre les violences faites aux femmes.

## **2.4 recherche et sensibilisation**

### ***Au niveau fédéral***

Une **nouvelle étude sur l'estimation de la prévalence des MGF en Belgique** a été menée en 2018. A l'occasion de la Journée internationale de tolérance zéro à l'égard des mutilations génitales féminines du 6 février 2019, les résultats ont été publiés. Selon ceux-ci, au 31 décembre 2016, 17 575 filles et femmes excisées vivent en Belgique et 8 342 sont intactes mais à risque d'excision si aucun travail de

prévention n'est effectué. En mai 2019, en collaboration avec les Universités de Genève, Bruxelles et Montréal (Le G3 de la Francophonie), le GAMS-Belgique et l'International Centre for Reproductive Health, l'Institut a organisé le 3ème **Colloque international d'experts sur les mutilations génitales féminines (MGF)**. Ce colloque a réuni plus 130 participants originaires de nombreux pays (États-Unis, Kenya, Suède, Norvège, Royaume-Uni, France, Australie, Burkina Faso, Nigéria, etc.). L'Institut européen pour l'égalité entre les femmes et les hommes (EIGE) était également présent afin de partager ses travaux. Ce colloque a eu pour but essentiel de partager des expériences, des pratiques, des données et des recherches en matière de soins de santé et de prévention des MGF et d'améliorer la collaboration entre experts et chercheurs.

L'Ordre des médecins et l'Institut pour l'égalité des femmes et des hommes ont élaboré un Code de signalement des violences sexuelles. Les médecins disposent, par cet outil à la décision, des informations sur la façon d'assister au mieux les victimes de violences sexuelles, sans perdre de vue la déontologie.

[https://igvm-iefh.belgium.be/sites/default/files/downloads/20190513\\_meldcode\\_seksueel\\_geweld\\_fr\\_v3.pdf](https://igvm-iefh.belgium.be/sites/default/files/downloads/20190513_meldcode_seksueel_geweld_fr_v3.pdf)

En juin, **un outil multilingue pour lutter contre la violence conjugale** a été largement diffusé. Cet outil est destiné aux victimes de violences entre partenaires, issues de l'immigration. Il est également disponible dans les trois langues nationales et en différentes langues, reflétant les multiples communautés vivant sur le territoire belge. Des langues telles : Anglais, Espagnol, Italien, Portugais, Arménien, Turc, Chinois, Arabe, Serbo-Croate, Polonais, Russe, Roumain, Lingala, Swahili, Hindi, Albanais, Bulgare, Persan, Berbère et Somali. Dans l'objectif d'informer et de sensibiliser des éventuelles victimes à leurs droits et les encourager à parler à quelqu'un d'une manière très accessible.

En juillet, l'Institut pour l'égalité des femmes et des hommes a publié **un outil sur les mariages forcés à destination des officiers de l'état civil**. Cet outil se présente sous la forme d'un code de signalement schématique et d'une annexe comprenant davantage d'informations telles que le contexte de la problématique, le cadre législatif, les coordonnées en cas d'orientation des victimes mais également une liste des signaux de mariages forcés et de conseils à suivre. Cet outil a pour but d'améliorer la détection et la prise en charge des situations de mariages forcés par les officiers de l'état civil mais également de renforcer la collaboration et le réseautage entre les secteurs (communes, police, justice et assistance) au niveau local, afin de prendre en charge la problématique des mariages forcés.

### **Communauté flamande**

La Communauté flamande a publié en décembre 2018 les résultats d'une *étude portant pour la première fois sur la violence à l'égard des filles et des femmes en situation de handicap*. Cette enquête auprès de 120 femmes a non seulement mis en lumière l'ampleur de la problématique de la violence sexuelle à l'encontre des femmes présentant une déficience en Flandre, mais elle a également analysé ses caractéristiques de manière plus approfondie. Elle a abouti à des recommandations d'ordre politique visant à combattre et prévenir la violence sexuelle à l'encontre des femmes présentant une déficience. Le tabou autour des relations et de la sexualité doit être levé dans les établissements. Cela exige notamment le développement de l'expertise des intervenants et des professionnels de la santé.

**Campaign 'Partner Violence'** (2018) Men can be victims too. <https://youtu.be/6GzmT2LHb1M>  
**Yearly campaign to promote the 1712 helpline for victims of violence, assault or abuse.** IN 2018 focus on partner violence in elderly couples. In 2019 focus on children and youngsters.  
<https://1712.be/pers/id/392/nieuwe-campagne-hulplijn-1712-vraagt-blijvende-aandacht-voor->

[kinderen-en-jongeren-met-vragen-over-geweld](#)

### **Communauté française**

- Lancement de la **campagne de sensibilisation des jeunes (15-25 ans) aux violences dans leurs relations amoureuses**, en particulier les cyberviolences à caractère sexuel et les violences sexuelles #Arrête, c'est de la violence [www.arrete.be](http://www.arrete.be). Campagne comportant notamment 4 épisodes fictionnels abordant différentes formes de violences (cyberviolence à caractère sexuel, revenge porn, agression sexuelle et viol conjugal (lancement novembre 2018, relances en 2019 et 2020).
- Réalisation d'une **recherche sur les violences dans les relations amoureuses chez les jeunes (12-21 ans)**, cyberviolences sexuelles et sexistes chez les jeunes et l'exposition à la pornographie (finalisation juillet 2019).

## **2.5 autres développements pertinents**

### **Communauté française**

Le Décret de la Fédération Wallonie-Bruxelles relatif à la lutte contre les violences faites aux femmes prévoit notamment le **financement pérenne de 5 collectifs d'associations sur les formes de violences suivantes** : violences sexistes, violences sexuelles, violences conjugales et enfants exposés, MGF, mariages forcés-violences liées à l'honneur.

## **4. Objectif stratégique : assurer une participation équilibrée des femmes et des hommes à la prise de décision politique et publique**

### **4.1 changements législatifs**

#### **Région wallonne**

Le décret spécial wallon du 11 mai 2018 (modifiant l'article 28 de la loi spéciale du 8 août 1980 de réformes institutionnelles en vue d'instaurer l'obligation d'alterner systématiquement le genre des candidats sur les listes pour l'élection des membres du Parlement wallon), prévoit une alternance entre les candidats féminins et les candidats masculins pour l'ensemble de la liste électorale.

#### **Région wallonne et Région de Bruxelles-Capitale**

Au niveau local, la Région wallonne et la Région de Bruxelles-Capitale ont adopté des réglementations destinées à renforcer la représentation des femmes au sein des institutions politiques qui ont été d'application pour la première fois lors des élections locales de 2018. Ces mesures sont, d'une part, l'obligation pour les partis politiques de composer leurs listes en alternant candidats masculins et féminins (ordonnance de 2012 et décret de 2013) et, d'autre part, l'obligation que les collèges établis suite aux élections soient composés de minimum 1/3 tiers du sexe sous-représenté (Wallonie) ou paritairement (Région de Bruxelles-Capitale).<sup>11</sup>

<sup>11</sup> Décret du 7 septembre 2017 portant modification du Code de la démocratie locale et de la décentralisation afin de garantir une présence équilibrée de femmes et d'hommes au sein des collèges communaux et provinciaux de Wallonie. Ordonnance du 1<sup>er</sup> mars 2018 modifiant la Nouvelle loi communale afin d'assurer une présence équilibrée de femmes et d'hommes au sein des collèges communaux un nouveau principe de parité des sexes des échevins au sein du collège communal est prévu. Il doit y avoir notamment autant d'échevins de sexe masculin que féminin.

#### 4.3 changements institutionnels

##### *Communauté française*

Le Décret portant sur le **mouvement sportif** organisé en Communauté française a été révisé le 18 avril 2019 et intègre notamment la **représentation plus équilibrée des hommes et des femmes au sein des organes décisionnels**. Cette disposition est développée dans la section sur la bonne gouvernance. La fédération ou l'association sportive doit développer des outils pour promouvoir la participation des femmes (ou des hommes, comme c'est le cas pour la gymnastique) aux prises de décision. Le simple argument mathématique se basant sur la proportion des membres n'est pas suffisant. L'obligation de motivation au dispositif décretaal est ajoutée.

#### 4.4 recherche et sensibilisation

##### *Niveau fédéral*

Fin 2018, l'Institut pour l'égalité des femmes et des hommes a dressé le **troisième bilan de la loi de juillet 2011** qui impose aux conseils d'administration des entreprises belges cotées en bourse, des entreprises publiques autonomes et de la Loterie Nationale de ne pas compter plus de deux tiers d'administrateur-trice-s du même sexe pour l'année 2017. L'approche contraignante semble fonctionner : le nombre de femmes au sein des conseils d'administration a triplé entre 2008 et 2017. Un tiers des sociétés étudiées ne répondent cependant toujours pas aux exigences fixées par la loi.

L'Institut pour l'égalité des femmes et des hommes a fait une **analyse sur les résultats des dernières élections**.<sup>12</sup>

Au niveau politique, comme les résultats des dernières élections législatives (mai 2019) et locales (octobre 2018) le démontrent, on observe des avancées sensibles en faveur des femmes au niveau de la représentation parlementaire. Suite aux élections de 2019, les femmes représentaient ainsi plus de 41% d'élues au niveau du Parlement et 43,8% des élues régionales. Au niveau local, les femmes représentaient près de 40% des élus en Flandre et en Wallonie, et près de 50% à Bruxelles.

### 5. Objectif stratégique : protéger les droits des femmes et des filles migrantes, réfugiées et demandeuses d'asile

#### 5.2 changements dans les politiques publiques

Depuis 2015, Fedasil (Agence fédérale belge pour l'accueil des demandeurs d'asile) a développé toute une série de normes minimales pour l'accueil des demandeurs de protection internationale. Fedasil et ses partenaires ont élaboré des normes minimales d'accueil basées sur les directives européennes, la législation et les bonnes pratiques sur le terrain. L'aide matérielle, l'accompagnement (social, juridique, quotidien, médical et psychologique), l'infrastructure, le mobilier et la sécurité en constituent les thèmes. Les besoins spécifiques liés au genre, aux mineurs non accompagnés (MENA) et autres groupes vulnérables ont été pris en compte. L'applicabilité des normes a été testée sur le terrain. Ces normes minimales d'accueil ont été approuvées en mars 2018. Fedasil a lancé en 2015-2018 une vaste étude sur **l'identification et la prise en charge des personnes vulnérables** présentant des besoins spécifiques dans la structure d'accueil (dont les femmes enceintes, les jeunes filles et les mères seules, les victimes de violence basée sur le genre, etc.).<sup>13</sup>

Depuis le 1<sup>er</sup> octobre 2018, le **nouveau règlement d'ordre intérieur (ROI)** est entré en application

<sup>12</sup> <https://igvm-iefh.belgium.be/fr/activites/politique/analyse>

<sup>13</sup> Disponible sur <https://www.fedasil.be/fr/publications>.

dans toutes les structures d'accueil (centres collectifs et logements individuels) du réseau d'accueil de Fedasil<sup>14</sup>. L'interdiction des discriminations, du harcèlement et des violences sexuelles et liées au genre y sont reprises. Il est disponible en 12 langues et explicité à l'accueil de chaque nouveau-elle bénéficiaire.

### 5.5 autres développements pertinents

#### *Flemish Community*

- Research about the labour participation of migrants, with specific focus on civic integration trajectories and the potential female labour force reserve.
- 2 new projects within the framework of intersectionality gender and ethnicity:
  - 1/ participative project to empower female migrants through specific activities focusing on topics such as anticonception, family planning, relationships,... (CAW Brussel)
  - 2/ research on how gender roles and expectations are impacted during migration. (Hogeschool Gent)

## 6. Objectif stratégique : intégrer les questions d'égalité entre les femmes et les hommes dans toutes les politiques et mesures

### 6.2 changements dans les politiques publiques

#### *Au niveau fédéral*

Le rapport de fin de législature du gouvernement en matière de gender mainstreaming a été présenté au Conseil des ministres du 5 avril et transmis au Parlement. Il met en évidence ce qui a été réalisé par le gouvernement et les administrations au cours de la législature dans le cadre de la mise en œuvre de la Loi Gender mainstreaming et du Plan fédéral Gender mainstreaming. [https://igvm-iefh.belgium.be/sites/default/files/downloads/gm - rapport de fin de legislature - final.pdf](https://igvm-iefh.belgium.be/sites/default/files/downloads/gm_-_rapport_de_fin_de_legislature_-_final.pdf)

### 6.4 recherche et sensibilisation

#### *Au niveau fédéral*

**Outre des formations spécifiques en matière de genre et marchés publics, par exemple**, un échange de bonnes pratiques avec l'ensemble des administrations responsables des entités fédérées et l'Institut pour l'égalité des femmes et des hommes (responsable au niveau fédéral) a été organisé en mai 2019 sur la mise en œuvre du gender mainstreaming. Après une information sur les actions principales menées pendant la législature pour les différents niveaux de pouvoir, cet échange a permis de mettre en évidence les difficultés rencontrées mais aussi les expériences positives et les facteurs de succès.

#### *Communauté française*

Depuis 2018, des **formations structurelles** d'intégration de la dimension de genre dans les politiques publiques sont mises à disposition des agent-e-s de l'administration, des membres des équipes des cabinets ministériels ainsi que des personnes intéressées dans les administrations des organismes d'intérêt public. Des formations spécifiques, s'adressant par exemple aux responsables de communication, sont organisées.

Un projet de mise en avant des statistiques désagrégées par sexe a été lancé en collaboration avec la

<sup>14</sup> Voir Arrêté ministériel du 21 septembre 2018 fixant le règlement d'ordre intérieur des structures d'accueil.

Direction de la Recherche de la Fédération Wallonie-Bruxelles (mise en exergue sur un le site Internet des statistiques de l'administration et des chiffres clés).

## 6.5 Autres développements pertinents

### *Flemish Community*

- Within the framework of the Horizontal Equality Policy Plan the second series of action plans was published. 89 new action plans covering all equality ground, 32 focus on gender equality. (for e.g. on STEM, female participation in academic world, gender equality in sport, gender mainstreaming in European Social Fund, campaign about women and men in the care sector, focus on gender and sexual and reproductive rights in Flemish development policy,...)
- New report on indicators about equal participation of men and women in all spheres of life will be published by the end of 2019. This monitoring tool is based on the Gender Monitor that was published in 2016 and provides a baseline monitoring.

### *Communauté française*

La Communauté française en collaboration avec l'Institut Wallon de la prospective et de la Statistique (IWEPS) a mis en place un **projet d'indicateurs statistiques**. Les informations proviennent des administrations de la Communauté française. Ces fiches sont mises à disposition du grand public et seront mises à jour trimestriellement.

Mise en place d'une **DATA WAREHOUSE** permettant de récolter et d'analyser les données soumises lors des **tests d'impact (ou tests genre)**. Ces derniers doivent être réalisés pour l'ensemble des nouveaux textes normatifs soumis au gouvernement.

<b>BOSNIA AND HERZEGOVINA</b>
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**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.1 Legislative changes.**

Adoption of the Law on Prohibition of Discrimination in Bosnia and Herzegovina<sup>15</sup> now complements the provisions of the Bosnia and Herzegovina Law on Gender Equality (GEL) by improving anti-discrimination mechanisms in line with the EU directives. For cases of direct and indirect discrimination, and for encouraging discrimination, the GEL foresees a possibility to initiate litigation. Harassment or sexual harassment and acts of gender-based violence are the subject of complaints to the prosecutor's office, according to the standards of criminal law in Bosnia and Herzegovina under which the proceedings are conducted. The labour laws across all levels have defined direct and indirect discrimination, harassment and sexual harassment, gender-based violence, all in line with the GEL.

In order to align the Bosnia and Herzegovina criminal legislation with the Istanbul Convention standards relating to the identification of violence against women through modern means of communication and ITC, an initiative was launched to amend the Federation of Bosnia and Herzegovina (FBiH) Criminal Code in order to create a legislative framework for the sanctioning of persons who commit criminal offences through ICT (Facebook, Viber and the like). While acting on individual complaint,<sup>16</sup> following an investigation in 2018, the Bosnia and Herzegovina Ombudsman, among other, put forward a recommendation<sup>17</sup> to the FBiH Parliament to amend the FBiH Criminal Code in order to create legal preconditions for sanctioning perpetrators of certain acts by using ICT, resulting in violation of individual rights. Amendments to the FBiH Criminal Code have been prepared to introduce provisions that sanction specific forms of violence that include ICT as means of perpetrating criminal offences such as threats to security, publishing inappropriate content or stalking. The proposed amendments concern the extension of the definition of information technology and personal dignity, as current crimes of security threats have not been proven to be effective given the requirement to prove an objective hazard. Amendments should be on the agenda of the FBiH Parliament in 2019.

The Law on Amendments to the FBiH Criminal Code in 2016 and the new Republika Srpska (RS) Criminal Code outline the definition of a hate crime as any criminal offence committed on the grounds of, among other, gender, sexual orientation or gender identity of another person.<sup>18</sup> Internet, social networks and online portals pose a special problem in spreading hate speech and inciting violence. However, practice has proven that the regulations in this area as well as the responses of the competent institutions are still not sufficiently adequate, leading to serious threats or incitement to hate crime or grow to become such crimes.

By enacting the new Labour Law,<sup>19</sup> the FBiH made a significant progress in terms of parental leave. The possibility for a father to use parental leave contributes to the advancement and promotion of fatherhood role as one of the factors of increased gender equality in the fields of labour and economic relations. A new Labour Law<sup>20</sup> was also adopted in the RS, and it kept and improved the standards of gender equality and protection against discrimination and violence. In particular, labour

<sup>15</sup> Official Gazette Bosnia and Herzegovina, 59/09 and 66/16.

<sup>16</sup> Ž-SA-06-791/16.

<sup>17</sup> Recommendation No. P-42/18 dated 5 February 2018.

<sup>18</sup> See answer to Question No. 3, on "Women with Different Sexual Orientations and Gender Identities".

<sup>19</sup> Official Gazette of FBiH, Vol 26/16 and 89/18

<sup>20</sup> Official Gazette of RS, Vol 1/16 and 66/18

laws of the FBiH and RS, which were adopted in 2016 and amended in 2018, contain the general prohibition of discrimination of persons seeking employment or employees per “open” list of grounds which include gender.<sup>21</sup> They define direct and indirect discrimination, determine the grounds and types of discrimination in labour and employment, they prohibit discrimination on grounds of marital status, family obligations and pregnancy, among other, and provide for protection in cases of discrimination. With the aim of being harmonised with the GEL, these new laws for the first time treat gender based sexual harassment, violence and mobbing and determine the legal protection for such cases.<sup>22</sup> The previous laws contained the prohibition on an employer to refuse to employ a woman on account of her pregnancy, or terminate her labour contract during her pregnancy. New laws expand this prohibition in as much as explicitly prohibiting termination of employment during maternity leave, or the time a parent exercise the right to work half time under certain conditions, and the exercise of right to absence for the purposes of breastfeeding.

### 1.2 Policy changes

A comprehensive strategy with sustainable and proactive measures to overcome stereotypical views on the roles and responsibilities of women and men in Bosnia and Herzegovina has not been adopted. Combating gender stereotypes has been included as one of the measures has been included as one of the strategic goals of the Gender Action Plan of Bosnia and Herzegovina (GAP BiH), which was adopted in November 2018. When planning activities from their responsibilities the institutions should include cross-cutting areas and which are permeated as integral part of each priority area. In particular, it is stated that stereotypes and prejudices are the basic cause of gender inequality and gender-based discrimination, therefore, all activities should be focused on changing the awareness of gender equality in the wider and professional public. Since the media has a great impact on social changes, the media promotion of gender equality as a human rights principle may speed up the structural changes towards gender equality.

As importantly, one of the GAP BiH’s cross-cutting areas is harmonisation of private and professional life. Gender stereotypes and division into gender roles influence social models which often hold a woman accountable for family and private life (for unpaid work), and a man for public and business life (for paid work). This results in an unequal division of domestic and family obligations, which is a main cause of discrimination against women in the labour market, thus limiting their political and social participation. It is therefore foreseen in the GAP BiH to plan for the activities that induce harmonisation of private and professional life, such as, among other things, development of business practices considerate of family life and equally accessible to women and men.

Legislative and executive bodies at the state and Entity levels, Brcko District authorities, cantons and municipalities, which are responsible for implementation of the GAP BiH, commit themselves to carry out promotional activities and information campaigns in order to change the existing stereotypical attitudes and behaviours regarding the roles of women and men.

<sup>21</sup> "Discrimination of employees and job seekers shall be prohibited based on gender, sexual orientation, marital status, family obligations, age, disability, pregnancy, language, religion, political and other opinion, nationality, social background, financial standing, birth, race, skin colour, membership or non-membership in political parties and trade unions, health status, or any other personal characteristic."

<sup>22</sup> With regard to sexual harassment and gender based violence, it is determined that the employee has the right to seek protection from the employer and in case the employer does not satisfy such request, the employee must file a lawsuit to the relevant court. In that case, the burden of proof lies with the employer who has to prove that there was no discrimination. Therefore, the victim of discrimination does not have to prove the existence of discrimination in court proceedings but only state the facts, submits documents to convince the court that discrimination exists, while the burden of proof that there was no discrimination lies on the employer. In practice, women are often victims of mobbing but a very low number of mobbing cases end up in courts due to women's fear that they would lose their jobs.

Third Action Plan (AP) for implementation of the UNSCR 1325 "Women, Peace and Security" in Bosnia and Herzegovina for the period 2018 to 2022<sup>23</sup> was adopted in 2018 with the aim of consistent, high-quality and effective implementation of the UNSCR 1325 in Bosnia and Herzegovina. The AP was developed in consultation with the non-governmental organisations and relies on the structure of the previous AP, so that the existing strategic goals are kept and some medium-term objectives revised as well as expected results and planned activities.

The strategic objectives of the AP for the implementation of the UNSCR 1325 2018-2022 are: (1) Increased participation of women in the military, police and peacekeeping missions, including participation in decision-making places, (2) Increased human security through the prism of gender equality, and (3) Improved conditions and access to the implementation of the AP UNSCR 1325.

The 2016-2019 Action plan for Training in Human Rights for Journalists and Media Professionals is in the final year of implementation. Adopted by the Council of Ministers of Bosnia and Herzegovina at the proposal of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina (MHRR BiH), the plan outlines concrete measures to improve the access and presentation of marginalised and minority groups in the media, including the development of guidelines for media coverage from the perspective of protection and promotion of human rights, including gender equality.

The Agency for Gender Equality of Bosnia and Herzegovina, MHRR BiH (GEA) has prepared a Guide for Effective Measures to Prevent Gender-Based Harassment and Sexual Harassment in Workplace in Bosnia and Herzegovina Institutions, which is in the process of adoption by the Bosnia and Herzegovina Council of Ministers.

### **1.3 Institutional changes**

In August 2019 the Council of Ministers of Bosnia and Herzegovina adopted the Decision on the establishment of the new Co-ordinating Committee for Monitoring the Implementation of the Third Action Plan (AP) for implementation of the UNSCR 1325 "Women, Peace and Security" in Bosnia and Herzegovina for the period 2018 to 2022. The Co-ordination Committee consists of representatives of 13 institutions at the level of Bosnia and Herzegovina, three federal institutions and two non-governmental Organisations. Establishment of Co-ordination Committees composed of institutions at the state and entity levels for monitoring implementation of GAP BiH (2018-2022) is in procedure.

### **1.4 Research and awareness-raising.**

In July 2018, the Agency for Gender Equality of Bosnia and Herzegovina, MHRR BiH (GEA) issued to the Ministry of Education of the Federation of Bosnia and Herzegovina (FMES) a Recommendation that textbooks used by primary and secondary schools in the Sarajevo Canton and the Federation of Bosnia and Herzegovina, containing gender stereotypes, falsehoods, outdated and discriminatory information, be replaced with textbooks that do not include such content. The recommendation was issued on the basis of a request from an NGO to investigate violations of the GEL, which was submitted after a comprehensive gender-analysis of the textbooks. FMES has forwarded the Recommendation to the Cantonal Ministries and Publishing Houses and informed the GEA BiH that they would monitor the implementation of the recommendation and report to the GEA BiH. Some progress has been made in this field, given the fact that a public competition for the procurement of textbooks and other teaching aids for secondary schools was published, in order to allow the approval of as many textbooks and other teaching aids as possible for secondary schools.

<sup>23</sup> Official Gazette of Bosnia and Herzegovina, No. 89/18; AP for Implementation of the UNSCR 1325 "Women, Peace and Security" in Bosnia and Herzegovina for the period 2018-2022 is available on the following link: [https://arsbih.gov.ba/wp-content/uploads/2018/08/180718\\_Prijedlog-AP-UNSCR-1325\\_2018-2022-u-BiH.pdf](https://arsbih.gov.ba/wp-content/uploads/2018/08/180718_Prijedlog-AP-UNSCR-1325_2018-2022-u-BiH.pdf)

A number of campaigns have been implemented in Bosnia and Herzegovina to raise awareness of GE and women's human rights. In 2019, within the Youth Employment Project (YEP), supported by the Swiss government and in collaboration with GEA BiH, a campaign was launched under the name "Women are the same as men - only less valuable," which draws attention to the problem of gender stereotypes through which the role of women is reduced to the traditional role, and one of the most obvious results of such stereotypes is the evident problem of insufficient participation of women in the labour market.

### 1.5 Other pertinent developments

There is a continued annual increase in the number of documents (laws, sublegal regulations, strategies etc.) sent to the Agency for Gender Equality of Bosnia and Herzegovina, MHRR Bosnia and Herzegovina (GEA), the Gender Centre of the RS and the Gender centre of the Federation of Bosnia and Herzegovina for an opinion as to their consistency with the Gender Equality Law (GEL) in Bosnia and Herzegovina<sup>24</sup> and international gender equality standards.

Specific results achieved by Bosnia and Herzegovina in implementation of the UNSCR 1325 have been recognised at the international level. For example, the national action plans of Finland and Moldova are modelled on the Bosnia and Herzegovina's Action Plan UNSCR 1325, which confirms its applicability in different cultural and socio-economic contexts. The good practices of Bosnia and Herzegovina have been included in the publication "UN Global Implementation Study UNSCR 1325".

In 2018, at the meeting of the G7 countries, an initiative "Women, Peace and Security Partnership" was established with each member country identifying one country/partner with the purpose of "Intensifying positive change in the field". The EU has selected Bosnia and Herzegovina as a partner, which is another recognition of the positive experiences of Bosnia and Herzegovina in implementing UNSCR 1325. With a view of realising the aforementioned EU-Bosnia and Herzegovina partnership, GEA BOSNIA AND HERZEGOVINA developed of the Roadmap (2019 – 2022) defining the specific types of co-operation between the EU and the GEA BiH.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

Important developments are underway regarding harmonisation of the legal solutions for protection and prevention of the victims of gender-based violence between the two Bosnia and Herzegovina entities (the FBiH and the RS).

In the Federation of Bosnia and Herzegovina the activities are ongoing for the adoption of the new Domestic Violence Protection Act with a view to fully align with the Istanbul Convention and, in particular, with regard to the new solutions for standardisation of services for victims of violence, including the proposal for a solution to the status of safe houses, in line with the solution in force in RS. The draft law has been finalised and is to be submitted to the FBiH Government for adoption.

RS Government has determined a Proposal of a Law on Amendments to the Law on Protection against Domestic Violence, which provides that victims of violence will receive more adequate and timely assistance and support, further enhanced by established international standards. Among other things, domestic violence is now treated solely as a crime, an improvement in line with international standards, as well as a solution that is aligned with the law in the Federation of Bosnia and Herzegovina. Amendments also foresee the existence of domestic violence in case of the least degree of suspicion that a family member or family community conducted actions of violence. The

<sup>24</sup> Official Gazette of Bosnia and Herzegovina, Vol 32/10.

Law also protects persons who were or still are in emotional or intimate relationship, regardless of whether they share household with a victim.<sup>25</sup>

The Law Against Domestic Violence in the Brčko District of Bosnia and Herzegovina<sup>26</sup> (BDBIH) was adopted in 2018, including the accompanying rulebooks: the Rulebook on implementation and enforcement of protective measure of mandatory psychosocial treatment of perpetrators of domestic violence,<sup>27</sup> the Rulebook on implementation and place of enforcement of protective measure of mandatory abuse treatment for perpetrators of domestic violence,<sup>28</sup> the Rulebook on contents of records and reports on domestic violence<sup>29</sup> and the Rulebook on enforcing urgent and protective measures.<sup>30</sup> With this law in place, entire territory of Bosnia and Herzegovina is now covered with the anti gender-based violence legislation. The law is harmonised with the EU acquis and provides for the care of the victim of violence in safe houses, while the funds for temporary care and accommodation of victims of domestic violence in safe houses are provided from the budget of the BDBIH. Since no safe houses were established in the BDBIH area, so far, victims have been housed in safe houses located in the Entities.

The Federal Ministry of Internal Affairs has adopted the Rulebook on the implementation of protection measures within the jurisdiction of the police.<sup>31</sup>

Through the enactment of the Law on the Protection of Victims of War Torture of the RS<sup>32</sup> in 2018, the following rights have been provided to the victims of sexual violence, as a special category of victims of war torture: the right to monthly cash benefits, the right to health insurance, the right to exemption from the costs of personal participation in the use of health care, and incentives for employment and self-employment through employment programmes within the framework of the Action Plan for Employment adopted annually by the RS Government. This law also envisages the right to rehabilitation through mental and physical health protection, the right to social protection, the right to free legal assistance provided to persons under international protection in accordance with international standards, the right to exemption from court and administrative fees when exercising the right to monthly income under this law.

The Law on Special Registry of Persons Convicted for Criminal Offences of Sexual Abuse and Child Abduction was adopted in the RS in 2018 in order to ensure the protection of children from sexual abuse, abuse and exploitation, and to prevent persons who are legally convicted of these crimes from repeating the same or committing a similar crime.

## 2.2 Policy changes

After expiration of the Bosnia and Herzegovina Framework strategy for implementation in Bosnia and Herzegovina at the end of 2018, there is no nation-wide strategy for combating gender-based violence, nor any nation-wide strategic document for implementation of Istanbul Convention in a coordinated, synchronised and strategic manner. Gender based violence is represented within the Gender Action Plan of Bosnia and Herzegovina 2018 - 2022 as one of the strategic areas, and the following activities are foreseen:

<sup>25</sup> Draft Law on amendments to the Law on Protection against Domestic Violence in RS available at: <http://www.narodnaskupstinars.net/?q=la/akti/zakoni-u-proceduri/nacrt-zakona-o-izmjename-i-dopunama-zakona-oz%C5%A1titi-od-nasilja-u-porodici>

<sup>26</sup> Official Gazette of BD Bosnia and Herzegovina, 7/18.

<sup>27</sup> Official Gazette of BD Bosnia and Herzegovina, 33/18.

<sup>28</sup> Official Gazette of BD Bosnia and Herzegovina, 33/18.

<sup>29</sup> Official Gazette of BD Bosnia and Herzegovina, 29/18.

<sup>30</sup> Official Gazette of BD Bosnia and Herzegovina, No. 14.5 -02-1602/18 dated 12 Sept 2018.

<sup>31</sup> FBiH Official Gazette 19/14 and 95/18

<sup>32</sup> "RS Official Gazette", 90/18

- Introduction and application of international and domestic gender equality standards as obligations which directly or indirectly regulate preventing and combating gender-based violence, including domestic violence and trafficking in human beings;
- Regular systemic collection, analysis and announcement of data and information on types and extent of gender-based violence, including domestic violence and trafficking in human beings;
- Establishment of an efficient system of protection and prevention of gender-based violence as well as prevention and punishment of trafficking in human beings, especially in women and children, including protection of potential and actual victims, their rehabilitation and prosecution of perpetrators;
- Implementation of activities within the State and Entity strategies and action plans for preventing and combating gender-based violence, including domestic violence, as well as prevention and combating trafficking in human beings;
- Conduct or support to research on proportions and aspects of gender-based violence issues, including domestic violence, as well as trafficking in human beings;
- Implementation of educational programmes for professionals, service providers, including special training for preventing and combating gender-based violence and trafficking in human beings, including identification and assistance to victims and protection of their human rights;
- Support to programmes of psychosocial treatment of perpetrators or those who resort to aggressive behaviour in family and other environments, and programmes for the integration of victims of violence and trafficking in human beings into society, including integration into the education system and labour market;
- Implementation of promotional activities, information campaigns and campaigns for raising public awareness of violence against women as human rights violations, including specific messages referred to boys and men about their responsibility regarding prevention and elimination of violence against women and domestic violence;
- Implementation of promotional activities, information campaigns and campaigns for raising public awareness of women and girls, as particularly vulnerable categories, about phenomenon of trafficking in human beings;
- Monitoring and reporting about manifestations of gender-based violence and trafficking in women and girls, and measures taken to combat these manifestations.

For the purpose of executing the obligations from the Istanbul Convention, the RS Government appointed the Gender Centre of the Republika Srpska (GC RS) as a co-ordination body for implementation, monitoring of implementation and reporting to the RS Government about the programmes and measures that stem from the Convention. At the same time, all ministries and RS bodies and organisations are tasked to co-operate with GC RS in the execution of obligations from the Convention. Strategy for Prevention of Domestic Violence in the RS is adopted and implemented (2014-2019)<sup>33</sup> and a special Action Plan for the implementation of the Istanbul Convention in RS for the period 2019-2020.

FBiH enacted the Strategy for prevention and combat against domestic violence 2013-2017<sup>34</sup> with the report on the implementation of the five year strategy adopted by the Government<sup>35</sup> as well as Action Plan for the implementation of the Strategy for prevention and combat against domestic violence for the period 2018-2020<sup>36</sup>. The Strategy implementation provided for the co-ordinated and comprehensive action to enhance the legislation and establish the mechanisms of prevention, action

<sup>33</sup> Decision on adoption published in the Official Gazette of RS Vol 63/14.

<sup>34</sup> Official Gazette of FBiH, Vol 22/13.

<sup>35</sup> Official Gazette of FBiH, Vol 29/18.

<sup>36</sup> Official Gazette of FBiH, Vol 102/18.

and protection in cases of domestic violence. As a result, the work in this area has its legislative ground and guarantees the sustainability of action. Official training programmes for professionals and programmes of multisector training are developed, the system of data collection is improved with a focus on the introduction of electronic database on violence. A mechanism of co-ordinated action is provided for by horizontal and vertical link between all actors and the planning system, realisation of activities and reporting at all levels. Activities in work with perpetrators of violence have been initiated, and promotional programmes were carried out.

Although the Istanbul Convention is implemented in Bosnia and Herzegovina at the strategical level, its efficient implementation poses a significant challenge. It is a huge challenge to provide for mechanisms of vertical and horizontal link between all relevant institutions because the issue of domestic violence requires a multisector response and a response from each level and type of authority. A mechanism has been provided for a comprehensive and harmonised preventive action, response and protection in cases of domestic violence and there has been an ongoing harmonisation of regulations, training of professionals, enhancement of data collection, prevention, and co-ordination of all subjects in the system of response and protection.

### **2.3 Institutional changes**

Decision on the establishment of the Monitoring and Reporting Committee under the Istanbul Convention and the Femicide in Bosnia and Herzegovina was adopted by the Council of Ministers of Bosnia and Herzegovina in August 2019. Initiated by the Agency for Gender Equality of BiH, MHRR BiH, the committee is in charge of assessing the implementation of the Istanbul Convention and analysing data on cases of femicide, and recommending further action. The Committee is a multisectoral body made up of representatives of seven institutions at the Bosnia and Herzegovina level, as well as representatives of the FBiH Government, the Government of the BDBiH and the network of the NGOs "Safe Network".

### **2.4 Research and awareness-raising**

In 2019, the results were presented of the five sector analyses conducted by the Agency for Gender Equality of Bosnia and Herzegovina, MHRR Bosnia and Herzegovina, under auspices of the USAID - funded project "Strengthening Capacities of the Institutions for Combating Gender-based violence". The following sectors were analysed: legal framework, standards for prevention and protection from violence, health, social sector, mechanisms for gathering data and the judicial sector. The basic question raised by these analyses was: "To what extent are the current legal, organisational and institutional solutions in these sectors aligned with the standards and requirements that the Istanbul Convention sets for Bosnia and Herzegovina?" The purpose of the analyses and the intention of the recommendations that emerged from the findings, is to assist policy makers in identifying priority areas in the fight against gender-based violence and the implementation of the Istanbul Convention in Bosnia and Herzegovina. Agency for Gender Equality of BiH, MHRR BiH (GEA), as the body responsible for co-ordinating and monitoring the implementation of the Gender Equality Law in Bosnia and Herzegovina and Gender Action Plan of the Bosnia and Herzegovina Plan, with its partners, is undertaking efforts within its respective competencies, to operationalise and incorporate the recommendations and solutions to the Bosnia and Herzegovina political agenda.

Regarding the initiatives to support gathering of the disaggregated data, the GEA has conducted the Analysis for establishing a system for collecting and analysing data on gender-based violence which includes proposals for measures and methodologies for comprehensive data collection on gender-based violence, violence against women and domestic violence in Bosnia and Herzegovina, with a view to developing a unique mechanism for collecting data on gender-based violence against women in BiH.

In 2019 GEA conducted an analysis of the available data within the judiciary of Bosnia and Herzegovina concerning gender based violence and domestic violence. The analysis conducted under auspices of the aforementioned US Government-funded project revealed the measure to which the available data meet the demands for data collection as required by Istanbul Convention and other international standards. It has been noted in the analysis that in the Automatic Case Management System in the Courts (hereinafter: CMS) and the Automatic Case Management System in the Prosecutor's Offices (hereinafter: TCMS) information on gender/gender, age and citizenship is available. However, a significant amount of data is not available, that is, is not entered into the system. In particular, the following information cannot be obtained from the systems:

- The number, type and status of convictions for acts of murder in which the victim is a woman, and the perpetrator has had family relations with the victim,
- Data on returnees to crime in cases of violence against women,
- Information on compensation on one of the statutory grounds relating to violence against women
- Proceedings after the victim withdrew testimony (if the proceedings were continued, were other evidence used or was the victim called to testify?),
- Data on the relationship between victim and perpetrator in death investigations and murder indictments,
- Data on the relationship between the victim and the perpetrator in cases of sexual violence.

In view of the requirement to collect data on the implementation of the Istanbul Convention and other international documents, the Bosnia and Herzegovina Gender Equality Agency has made recommendations to the High Judicial and Prosecutorial Council (HJPC) to improve the existing systems of data collection within the judiciary so that access to databases can provide data on the prevalence and forms of violence against women, as well as possible omissions in the work of judicial institutions.

Specifically, it is recommended that CMS and TCMS introduce identifiers, with respect to the accused/defendant, victim and witness, to enable the following information to be obtained: the relationship/relationship of the accused/defendant and the victim (family relations, other relationships and to specify the list of relationships), the relationship/connection of witnesses with the accused and/or victim and concretise the list of relationships, data on disability, information on whether social or health support was provided to the victims (to which party in the proceedings, at what duration, time of providing protection) and information on the duration of the proceedings.

In addition to this collaboration with the GEA, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has undertaken activities to adequately monitor discrimination cases with respect to information on various grounds of discrimination, and has upgraded Automatic Case Management System (CMS) Code Book by adding legal basis of discrimination, type of discrimination, basis of discrimination and form of discrimination. Data entry by the courts is ongoing, in all cases currently pending before courts. In coming period, it will be possible to obtain adequate information on cases before courts, given different forms of discrimination, including discrimination based on sex and gender, and sexual harassment.

In 2019 GEA conducted an Analysis of the implementation of the Gender Equality Law's provision on obligatory sex-disaggregating all data from the responsibility of the administrative organs resulting in the Agency issuing a set of recommendations to each of the them (24 in total).

The GEA and the Bosnia and Herzegovina entity gender centres annually mark the "16 Days of

Activism Against Violence Against Women and Domestic Violence”, by joining the global campaign launched on 25 November, the International Day of Combating Violence Against Women and ending on 10 December, the International Day of Human Rights.

Two campaigns against gender-based violence are implemented, specifically “Violence-Free Life” and “Men Stand Up Against Violence against Women”. Promotional materials are distributed to local governments, educational institutions, social welfare centres, health care facilities, police stations, judicial bodies, non-governmental organisations dealing with protection and prevention of violence against women, the media. A special target group is made up of senior officials and decision-makers at all levels of government. NGOs dealing with the protection and care of women and children of victims of violence carry out special advocacy every year, as well as educational and promotional activities, insisting on the consistent application of the law and pointing to failures in victim protection and punishment of perpetrators.

Also, issues of violence prevention against women and girls are also thematically represented during the regular annual marking of the Gender Week organised in the first half of March, including 8 March, International Women’s Day.

## **2.5 Other pertinent developments**

Within the project "Strengthening of institutional capacities to resolve gender-based violence in Bosnia and Herzegovina" financed by US Government, grant funds in the amount of EUR 80,000 were allocated to nine NGOs. Projects, which were completed in 2019, contributed to more efficient prevention and protection of victims of gender based violence.

Ministry for Human Rights and Refugees of Bosnia and Herzegovina provided budgetary resources totalling 50,000 EURO for grants to NGOs to support the work of safe houses in Bosnia and Herzegovina, with the aim of making this a regular financing system in the future.

In 2018, the Agency for Gender Equality of Bosnia and Herzegovina, MHRR Bosnia and Herzegovina awarded grant of 8000 Euro to the Association of Roma Women for the project "Let's raise our voice against violence" to raise public awareness of unacceptability of all forms of violence against women. Activities included: training for women, students, civil servants, street actions, round tables, recording and broadcasting of radio shows, and production and distribution of leaflets.

In the reporting period, a 1.5 million USD project "Standards and Engagement to Combat Violence Against Women and Domestic Violence in BiH" 2016-2019 was completed. Funded by Swedish SIDA and implemented in the UN Women's Strategic Partnership with the GEA Bosnia and Herzegovina, MHRR Bosnia and Herzegovina, Gender Centre of Federation of Bosnia and Herzegovina and Gender Centre of the RS with the financial support of the Swedish Sida it contributed significantly to strengthening the institutional and social response mechanisms to violence against women and domestic violence in Bosnia and Herzegovina by contributing to the implementation of the Istanbul Convention.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.3 Institutional changes

By enacting the Law on Free Legal Aid of Bosnia and Herzegovina<sup>37</sup> access was provided to free legal aid before the authorities and institutions of Bosnia and Herzegovina. The law stipulates that the right to free legal assistance on the basis of status is, among other things, exercised by the victim of domestic or gender violence. In line with the said law, and in order to make possible the provision of free legal aid to those in need, a Rulebook on Internal Organisation of the Ministry of Justice of Bosnia and Herzegovina was adopted regulating the Jobs for Legal Aid Officers in the Free Legal Aid Office of the Ministry of Justice of Bosnia and Herzegovina. Until the establishment of this office, one civil servant was appointed to provide free legal assistance, with access to technical and financial capacities of the Ministry of Justice of Bosnia and Herzegovina. Also, the Rulebook on the Content and Manner of Keeping Records of the Provision of Free Legal Aid and the Rulebook on the Form and Content of Forms Required in the Process of Exercising the Right to Free Legal Aid<sup>38</sup> were adopted. Decision on the tariff and reimbursement of costs of criminal proceedings is currently being prepared, the adoption of which will complete the legal and institutional framework for providing free legal aid.

In general, number of requests for free legal assistance from women belonging to vulnerable groups, as well as cases related to gender based discrimination and violence remains low. The majority of claims by women are on the basis of poor financial status, as well as cases in litigation (custody and decision-making about children, divorce, exercising the right to a pension, establishing the right to marital property, exercising rights from employment).

In November 2018, the Agency for Gender Equality, MHRR Bosnia and Herzegovina signed with the presidents of the Foundation for Local Democracy and the Network of Women Police Officers a Protocol on the protection of human rights defenders, meaning that Bosnia and Herzegovina is ready to build a system and mechanisms for protecting human rights defenders. The protocol recommends safeguarding mechanisms and the signatories pledged to establish an advisory committee composed of representatives of the Bosnia and Herzegovina Ministry of Human Rights and Refugees, state-level institutions and human rights defenders. The signing of the protocol came after an analysis of the security risks exposed by human rights defenders and the creation of a Standard of Conduct for human rights defenders in situations of risk in their actions and work.

In addition, anti-discrimination mechanisms for human rights defenders in Bosnia and Herzegovina police structures have been defined, guidelines have been developed for the treatment of police officers when reporting or suspected of violence, and media capacity for responsible reporting on violations of human rights defenders' safety has been improved.

#### 3.4 Research and awareness-raising

Handbook "Gender Bias and the Law": legal frameworks and practice from Bosnia and Herzegovina and beyond", published in Sarajevo in 2017 by the Centre for Security and Justice Research and DCAF - Centre for Security, Development and Rule of Law, is at disposal to the Bosnia and Herzegovina academic community and professionals in justice sectors. Developed by leading BH and international legal experts, and with participation with practitioners and representatives of public and civil sectors, the publication provides law students with a greater awareness of the existence of gender bias in court proceedings and to expand their understanding of how gender bias is manifested in the application of law within the social context of Bosnia and Herzegovina. Students

<sup>37</sup> "Official Gazette of Bosnia and Herzegovina "83/16

<sup>38</sup> Official Gazette of Bosnia and Herzegovina 43/18

can use the Handbook in its entirety, or in parts, in a variety of ways: to prepare for lectures, to study for exams, or to expand their knowledge of law. Ultimately, the goal is that future legal professionals will be better equipped to identify and overcome explicit and implicit bias in their work. In addition, as interest in this topic grows within the academic sphere, it is important that scholars are able to support legal practitioners by also furthering their understanding of how gender bias manifests in the specific context of Bosnia and Herzegovina. Publication can be downloaded at the following link: <http://atlanticinitiative.org/wp-content/uploads/2018/03/genderbi.pdf>

### 3.5 Other pertinent developments e.g. allocation of resources to programmes on women's access to justice, other promising developments and reforms.

In the period 2015-2019, the Agency for Gender Equality of BiH, MHRR Bosnia and Herzegovina (GEA) processed 22 requests for inquiry into violations of Gender Equality Law in Bosnia and Herzegovina, while Gender Centre of the RS processed at least 22 and Gender Centre of the Federation of Bosnia and Herzegovina at least 16 requests. GEA and the gender centres conducted the violation examination process and in cases when the violations were established as existent, recommendations were issued to the responsible parties for statutory, necessary and efficient measures and actions for the purpose of equal treatment of applicants and towards a full protection and care for victims of gender based discrimination and violence, as well as initiatives to amend regulations that led to the violation of gender equality principle.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.2 Policy changes

Public life and decision-making is one of the main strategic goals of the third Gender Action Plan of Bosnia and Herzegovina for the period 2018 – 2022 (GAP BiH), adopted in November 2018. The primary goal of the provided measures is **the achievement of equal gender representation in creating policies and decision making at all levels of organisation of authorities in Bosnia and Herzegovina**. This includes the following measures to be undertaken by the authorities in the course of the implementation of the GAP BiH:

- Integration of international and national standards for gender equality, as well as obligations that directly or indirectly regulate equal participation in public life, including participation in legislative bodies, executive authorities, public administration, judiciary and diplomacy;
- Conducting gender analysis and research on the participation of women and men in public life and decision making, with regular maintenance and updates of statistical records disaggregated by gender regarding electoral candidates lists, elections results at all levels of authority, and representation of women and men in executive authorities, public administration, judiciary and diplomacy;
- Development and implementation of measures to equalise gender representation in public life and decision making bodies;
- Organisation of training to help with strengthening the capacities of political parties in order to increase the number of women in public life at all levels of decision making;
- Strengthening the role and accountability of media, implementation of promotional activities, informative campaigns and campaign for raising awareness of the public on the importance of equal gender representation at all levels of political and public decision making; and,
- Regular monitoring and reporting on representation of women and men in the positions of decision making, electoral lists and other processes of the selection of candidates for the positions of managers in the bodies at all levels of organisation of authorities, at regional and international level.

### 4.3 Institutional changes

After the 2018 General Elections, the Agency for Gender Equality of BiH, MHRR Bosnia and Herzegovina (GEA) issued to the political parties that won seats in the Bosnia and Herzegovina Parliament, the Collegium of the Bosnia and Herzegovina Parliamentary Assembly House of Representatives and to the Commission for the Preparation of the Appointment of the Council of Ministers of Bosnia and Herzegovina, a Recommendation for equal representation of both sexes in the Council of Ministers of Bosnia and Herzegovina. By referring to this Recommendation, the GEA recalled the national and international standards for gender equality and invited the above recipients to propose, that is, when deciding on the members of the Bosnia and Herzegovina Council of Ministers, to take into account equal representation of both sexes. The GEA also submitted the Recommendation to the collegiums of both houses of the Bosnia and Herzegovina Parliamentary Assembly (House of Representatives and House of Peoples) to be mindful of equal representation of both sexes in selecting the leadership in commissions of the two houses. As the stated organs have not yet been formed, it remains to be seen whether the GEA's recommendations will be adhered to.

In terms of exercising civil and political rights of women in Bosnia and Herzegovina, there is still an ongoing inequality in the Bosnia and Herzegovina society - women are underrepresented and provisions of the Gender Equality Law (GEL) on equal representation are being violated. Preliminary results of the October 2018 general elections in Bosnia and Herzegovina, again bring about the insufficient representation of women. At the level of Bosnia and Herzegovina in the Parliamentary Assembly of Bosnia and Herzegovina, out of 42 representatives only 7 are women (16,6%); at the level of House of Representatives (HoR) of the FBiH Parliament, out of 98 representatives only 25 are women (25,5%); at the level of National Assembly (NA) of RS out of 83 representatives only 14 are women (16,8%). This percentage significantly bends the statutory obligation to have 40% of less represented gender in political positions<sup>39</sup>.

### 4.4 Research and awareness-raising

In co-operation with the Council of Europe, the Agency for Gender Equality of BiH, MHRR Bosnia and Herzegovina (GEA) conducted a media campaign "We represent the candidates - you choose" with the aim of increasing the visibility of the candidates of all political subjects at 2018 General Election and influencing public opinion to change perceptions about women politicians and the role of women in the society. Twenty six women candidates for positions at state and entity levels were represented, six of which won the seats. Sixty five candidates for the cantonal level of government in the FBiH were also represented, and 22 (34%) were given the mandate. The fact that women candidates represented on the campaign had more success on average than the overall average female candidates in the election indicates a relatively positive effect of the campaign.

A campaign named "Choose Equally" is being conducted every two years in the RS and involves special promotional activities, promotional materials distributed throughout the RS through media and social networks, as well as special training, seminars and other forms of gathering women from all political parties. This is how the Forum "Woman and Power: What is the Real Impact of Women in Public and Political Life" was organised, as well as workshops on teamwork, leadership, presentation skills and public speaking to encourage and empower them to participate more actively in public and political life.

<sup>39</sup> Available at: [https://www.OmbudsmanInstitution.gov.ba/documents/obmudsmen\\_doc2019030109434379bos.pdf](https://www.OmbudsmanInstitution.gov.ba/documents/obmudsmen_doc2019030109434379bos.pdf), page 120.

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.2 Policy changes.

The Agency for Gender Equality of BiH, MHRR BiH (GEA) is participating drafting of the new Integrated Border Management Strategy in Bosnia and Herzegovina for the period 2019-2021. Agency is contributing to gender sensitivity and gender relevance of this strategic document. In particular, suggestions are considered that special attention should be given to the unaccompanied minors, persons suspected of being victims of violence and sexual abuse or trafficking in human beings, pregnant women and women in childbirth, persons with disabilities and persons belonging to the LGBTI population. It was also suggested that gender mainstreaming and attention be paid to the treatment of persons belonging to vulnerable categories during the police training.

As a result of the **large influx of migrants to Bosnia and Herzegovina**, activities are being undertaken to facilitate the registration of children born in Bosnia and Herzegovina whose parents do not hold documents (asylum seekers and migrants). All competent authorities in Bosnia and Herzegovina are constantly working to improve the legislation regulating the issue of birth registers and citizenship registration, especially when it comes to the entry and registration of each child.

The European Parliament Women's Rights and Gender Equality Committee (FEMM) drew attention to the needs of women and children refugee arriving in greater numbers and making up 50% of refugees and migrants. They are often the victims of physical and mental violence, prostitution and human trafficking and comprise the highest percentage of those that go missing during their transfer to Europe.

During the inflow of refugees from Syria to Serbia and Croatia, the GEA indicated in 2015 the specific needs and vulnerabilities of women and children during migration, and the importance of targeted actions and measures of their protection and integration into society. The Co-ordination Board for Monitoring the implementation of AP UNSCR 1325 initiated the action to collect aid for Syrian refugees on the territory of the Republic of Serbia. The Co-ordination Board pointed to the fact that the migrant crisis represented a new security challenge, especially for women and children, and that attention should be paid to this issue when creating future policies and measures for the implementation of UN Resolution 1325 "Women, Peace and Security". Consequently, the new **Action Plan UNSCR 1325 for the period 2018 – 2022** has targeted the problem of new security challenges as one of its main activity areas. The AP's Strategic goal 2; Expected result 2.3.2. Preventive measures prepared and conditions established for a gender-responsible approach to current security threats and challenges, and during crisis and emergency situations (natural disasters, violent extremism, refugee/migrant crises) foresees the following activity to be implemented: Ensure that, when collecting data, analysing, developing and implementing a plan of urgent measures of action in the event of a crisis situation in the field of immigration, the needs and interests of vulnerable categories, especially women and girls are taken into account.

In the current migrant crisis, which has hit the Balkans, among the refugees there are women traveling alone or with children, sometimes newly born babies, pregnant women and breastfeeding women, adolescent girls, unaccompanied girls, LGBTI women, and women with disabilities. One of the reasons for the vulnerability of asylum-seekers and refugee women is related to the difficulties they often encounter in proving their grounds for recognising refugee status because women often do not want to claim to be victims of sexual violence or gender-based persecution or have no awareness that they were victims in their country of origin. Gender-based violence is often a result of gender inequality in the country of origin and often serves male members of the family with whom women travel as a threat mechanism or may be the result of forced displacement due to

conflicts in the country of origin.

Strategy in the field of migration and asylum of the Bosnia and Herzegovina Ministry of Security for the period 2016-2020 recognises vulnerable categories and risk groups. Gender-responsible approaches to the implementation of the strategy and in particular the activities and procedures related to the identification, assistance and protection of vulnerable categories of aliens have to be ensured, as well as the definition of methodology for data collection and information on immigration crisis situations with a view to timely information and action. This will provide for a better understanding and addressing of the needs of both sexes in the preparation and implementation of a plan of urgent action measures in case of crisis situations in the field of immigration.

The Plan of Emergency Measures to Provide Additional Capacity, Control and Management of the Influx of a Large Number of Migrants/Refugees in Bosnia and Herzegovina is an integral part of the Information on Assessment and Opportunities of Bosnia and Herzegovina in the Refugee Crisis in the region and the European Union adopted by the Council of Ministers of Bosnia and Herzegovina in September 2015. The plan includes an overview of measures to ensure that people are treated in a humane manner and in accordance with the legislation in the field of immigration and asylum. The action plan for operational action in case of mass influx of migrants/refugees in Bosnia and Herzegovina, resulting from the mentioned emergency plan, takes into account the needs of identified categories of vulnerable migrants, as well as their treatment by the competent Organisations and international Organisations.

### 5.5 Other pertinent developments

The Prosecutor's Office of the Una - Sana Canton, which is among the most affected by the problem of illegal migrants, is actively participating in the implementation of protection measures for women victims, categories of migrant women and women seeking asylum. The prosecution participated in the drafting of Standard operating procedures of the Una Sana Canton for the prevention and protection against gender based violence in emergencies and crises and disasters.

In addition, the Prosecutor's Office of Herzegovina-Neretva Canton has organised meetings with police structures and other agencies regarding the increasing presence of migrants in the area of this canton, and has designated a prosecutor who is specifically responsible for co-ordinating with relevant authorities about cases related to the migrant population.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

Agency for Gender Equality of Bosnia and Herzegovina, MHRR BIH, is continuously monitoring development of the EU "gender-acquis" to determine whether and to what extent the Gender Equality Law of Bosnia and Herzegovina (GEL) need to be amended. In 2009 when the latest amendments to the law were adopted, the GEL was fully harmonised with the EU Directives. Since then, several changes have been made in the gender-relevant EU Directives.

### 6.2 Policy changes

In November 2018, the Council of Ministers of Bosnia and Herzegovina adopted the third GAP Bosnia and Herzegovina for the period 2018-2022.<sup>40</sup> GAP is a strategic document that contains goals, programmes and measures for achieving gender equality in all areas of social life and work, in the public and private spheres.

<sup>40</sup> Official Gazette of Bosnia and Herzegovina 89/18

The GAP Bosnia and Herzegovina envisages three strategic objectives within which priority areas are defined, as follows:

- 1) Strategic objective 1: "Development, implementation and monitoring of programmes of measures for the promotion of gender equality in government institutions, by priority areas", with priority areas: Preventing and combating gender-based violence, including domestic violence and human trafficking, Public life and decision making, Work, employment and access to economic resources, Education, science, culture and sports, Health, prevention and protection, Social protection and Gender and Security.
- 2) Strategic objective 2: "Building and strengthening systems, mechanisms and instruments for achieving gender equality" and includes priority areas: Implementation co-ordination and oversight of the implementation of the Bosnia and Herzegovina GAP, Monitoring and advancing the implementation of international and domestic standards for GE, Strengthening and co-operation of institutional mechanisms for GE, Raising awareness of GE in all segments of society, Support to institutional and non-institutional partners in the process of mainstreaming GE and Monitoring and evaluation of progress in achieving GE.
- 3) Strategic objective 3: "Establishing and strengthening co-operation and partnership", with the following priority areas: Co-operation at regional and international level and collaboration with civil society organisations, social partners, academia.

It is important to emphasise that the Bosnia and Herzegovina GAP, as a comprehensive strategy for achieving gender equality in Bosnia and Herzegovina, provides guidelines for drafting annual operational plans in which relevant institutions at the level of Bosnia and Herzegovina and Entities set annual priorities. These institutions are represented in the co-ordination committees to monitor the implementation of GAP Bosnia and Herzegovina appointed by the Council of Ministers of Bosnia and Herzegovina or the Entity governments.

In order to implement the new GAP BIH more effectively, the Council of Ministers of Bosnia and Herzegovina, represented by the Ministry for Human Rights and Refugees of Bosnia and Herzegovina, signed with the Kingdom of Sweden Special Agreement to Support the Implementation of the Financial Instrument Programme for the Implementation of the GAP BIH-FIGAP II (2018-2021) in the amount of 1.5 million EURO. FIGAP II enables further strengthening of gender institutional mechanisms in Bosnia and Herzegovina and inclusion of activities from the GAP Bosnia and Herzegovina in the work programmes of competent institutions, which will contribute to a more effective integration of the principles of gender equality in sectoral policies. In this way, support will also be given to NGOs in promotion and introduction of the principle of GE in all spheres of public and private life in Bosnia and Herzegovina.

Innovative approach to gender mainstreaming was recorded in the security and defence sectors in Bosnia and Herzegovina through implementation of the Women-Peace-Security Agenda and UNSCR 1325 by addressing new security threats and challenges: natural disasters, violent extremism, refugee/migrant crises. Due to the importance and the need to reduce the risk and negative impact of natural or other disasters as one of the key issues of security, the Ministry of Security of Bosnia and Herzegovina has developed a Programme for the Development of Protection and Rescue System at the level of institutions and bodies of Bosnia and Herzegovina for the period 2018-2022 which has an integrated gender component. The Guidelines for the Introduction of Gender Equality Standards

into the scope of work of the institutions of protection and rescue are under development within the framework of the implementation of the IPA DRAM<sup>41</sup> Risk Assessment and Mapping Framework, which includes the gender component.

### 6.3 Institutional changes

In May 2019 the Council of Ministers of BiH adopted a Decision Appointing the Management Board of FIGAP II, composed of the Director of the GEA Bosnia and Herzegovina and the Directors of Gender Centre of the Federation of Bosnia and Herzegovina and the Gender Centre of the RS. In August 2019, the Council of Ministers of Bosnia and Herzegovina adopted the Decision on Establishment of the Steering Board for Co-ordination and Monitoring of the Gender Action Plan of Bosnia and Herzegovina for the period 2018 – 2022. The Board is consisted of the directors of the Agency for Gender Equality of Bosnia and Herzegovina, Gender Centre of the Federation of Bosnia and Herzegovina and the GC RS.

Implementation of the two main strategic documents on gender-equality in BiH - GAP BiH and Action Plan UNSCR 1325 is co-ordinated and monitored by the co-ordination committees at the state and entity levels of government. The Committees are consisted of the appointed representatives from the relevant institutions, thus ensuring close co-operation, synchronisation, information-exchange and overall institutionalisation of the gender mainstreaming process throughout the administrative structure in BiH.

In addition to these institutional structures, in the area of women-peace-security, there is a network of the gender-focal points in the Ministry of Defence of Bosnia and Herzegovina, the Armed Forces of Bosnia and Herzegovina, Ministry of Security of BiH and law-enforcement agencies in Bosnia and Herzegovina. The focal points network is continuously being strengthened, broadened and its scope of work and agenda specified.

### 6.5 Other pertinent developments

Harmonisation of legislation with the gender-law and integration of principles of gender equality in policies and legal acts is an important part of gender mainstreaming. In Bosnia and Herzegovina there is a continued annual increase in the number of documents (laws, sublegal regulations, strategies, etc.) sent to the Agency for Gender Equality of Bosnia and Herzegovina, MHRR Bosnia and Herzegovina (GEA) and the Gender Centre of the RS and the Gender centre of the Federation of Bosnia and HerzegovinaH for an opinion as to their consistency with the Gender Equality Law (GEL) in BiH<sup>42</sup> and international gender equality standards. The suggestions were in most cases accepted. This contributes to the elimination of gender based discrimination in Bosnia and Herzegovina legislation and it also furthers the integration of gender equality principles and topics in the programmes, policies and strategies, and implementation of affirmative measures towards the advancement of the position of women in Bosnia and Herzegovina society. In 2018, GEA Bosnia and Herzegovina gave its opinion on 48 documents that were submitted to it. In 2017, opinions were submitted on 44 submitted documents, in 2016 this number was 40. In 2015, 32 opinions were given, indicating a trend of an increase in the number of opinions given to align with the LGE BiH. The increasing trend has been recorded during 2019 as well. Harmonisation all legislation with the standards for gender equality, as an obligation set by the Law on Gender Equality in Bosnia and Herzegovina, is a continuous process, because the country is in the process of European integrations and every year the laws and other regulations are harmonised with the European legislation, which means that the current ones are constantly reviewed and/or new regulations are adopted.

<sup>41</sup> "DRAM": Disaster risk assesment and mapping

<sup>42</sup> Official Gazette of Bosnia and Herzegovina, Vol 32/10.

## 7. Main challenges and lessons learned

Involvement of Bosnia and Herzegovina in initiating and revival of the regional collaboration in the area of gender equality, and especially in the WPS Agenda, may be useful to other Council of Europe member countries.

Almost 15 years ago Bosnia and Herzegovina initiated regional collaboration in the area of gender equality by signing the Declaration on collaboration of gender institutional mechanisms of Western Balkans in 2005 (the Sarajevo Declaration). The Declaration left possibility of joining other interested counterparts across the region and wider. Following the Declaration, a regional co-ordination board consisting of gender institutional mechanisms from Bosnia and Herzegovina, Croatia, Montenegro, North Macedonia and Serbia was established.

Since the signing of the Declaration, regional co-operation has been part of the regular programme activities of the Bosnia and Herzegovina Agency for Gender Equality, which has organised most regional meetings and other regional events, two of them having been organised in Bosnia and Herzegovina in the reporting period. In this way, Bosnia and Herzegovina gained a leading position in the region with regard to regional co-operation.

Regional co-operation on gender equality issues to date have proved that certain experiences, interventions and innovative initiatives in some countries can be highly useful, thought-provoking and inspirational to other countries in the Region.

Due to great regional and international co-operation Bosnia and Herzegovina has been recognised as a good practice example in terms of introducing concept of human security as a strategic approach to implementation of WPS Agenda. This was presented in Global Study on the Implementation of UN Resolution 1325, highlighting the way in which the Bosnia and Herzegovina AP served as a platform for significant initiatives in local communities, through the adoption of local action plans (LAP) for implementation of UNSCR 1325.

Concrete results achieved in Bosnia and Herzegovina are widely promoted at the international level. NAP academies in Vienna and Washington, with participation of more than 20 countries from all over the world, provided great forum for international exchange of experiences and practices. It has resulted in an increasing number of invitations from other countries, to support their process of drafting their NAPs.

Bosnia and Herzegovina provided expert support and directly worked with responsible institutions in Finland and Moldavia in drafting their NAPs, which follow the structure of Bosnian AP. And not only the structure, but also the system of co-ordination and monitoring the implementation of NAP.

This proves the fact that Bosnia and Herzegovina approach to women, peace and security issues and policies is applicable in different cultural and socio-economic contexts.

Implementing the NAPs in Western Balkans does more than simply advance the women, peace, and security agenda. Rather, it also provides strong examples of effective public policies within an increasingly fractionalised and instable political environment.

Countries in the Region can learn from each other that NAPs are about more than just women. At their core, NAPs address fundamental issues of long-term peace and security. Regular co-operation

on these issues supports stability and increases the prospects for sustainable reconciliation among the countries in the region.

Baseline study on gender policies in the Western Balkans countries was developed, with support of UN WOMEN. The findings of the Study will serve as a basis for revision of the current Regional Action Plan for Gender Mainstreaming.

## CROATIA

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.2 Policy changes**

The main objectives of the Ombudsperson's progress project "Dismantling the Glass Labyrinth - Equal Opportunity Access to Economic Decision-making in Croatia" were eliminating gender inequality in management positions and the creation of the Businesswomen Database, carried out in co-operation with the Croatian Employers Association. Under the project, the Croatian Employers Association has taken over and continued to develop the Businesswomen Database, and in February 2019 a presentation of the new members of the Businesswomen Database and the manual for achieving greater representation of women in management positions was held.

The Ombudsperson for Gender Equality is also the co-ordinator of the European project "Equal rights – Equal Pay – Equal Pensions", which is aimed at expanding the scope of implementation of gender equality measures and legal standards to achieve gender equality and combat poverty in Croatia. The project is aimed at ensuring standards, measures and actions that will contribute to raising awareness of the problem of the pay and pension gaps between men and women, with a view to reducing the risk of poverty for women. The target groups are the representatives of the relevant authorities, public and private companies, trade unions, and high school students at the national and local levels.

The project started on 1 October 2018 and will end on 30 September 2020.

**1.3 Institutional changes**

By the end of 2018, seven new County Committees for Gender Equality had been established: Krapina-Zagorje, Međimurje, Požega-Slavonia, Šibenik-Knin, Varaždin, Vukovar-Srijem and Zagreb Counties. In total, from local elections held in 2017 by the end of 2018, twenty (of twenty one in total) County Commissions had been established.

**1.4 Research and awareness-raising**

In May 2019, a thematic visit of Council of Europe experts took place in Zagreb on the topic "National Experiences of Social and/or Geographical Mapping of Roma Communities and their Impact on Policy Development and Data Collection", which outlined in detail the methodology and implementation of the IPA 2012 project "Collection and monitoring of baselines for effective implementation of the National Roma Inclusion Strategy" as an example of good practice in designing, implementing, monitoring and evaluating the implementation of national policies related to the Roma national minority.

In November 2018, training for employees in the field of social welfare was held under the title "An Integrated Approach to the Social Inclusion of Roma in Croatia", at which the Ombudsperson for Gender Equality gave a presentation on "Roma Women as a Vulnerable Group".

At the initiative of the Association of Persons with Disabilities, the round table "We spoke about violence, they do not hear us!" was held in December 2018. On this occasion, the new Council of Europe Gender Equality Strategy 2018-2023 and the new Rules of Procedure in Cases of Sexual Violence for Members of the Disabled Community were presented.

By the end of 2018, the Office for Gender Equality had published the second Croatian edition of the UN CEDAW publication: General Recommendation No. 34 (2016) on Women's Rights in Rural Areas.

About 300 copies of the Recommendation were submitted to the Ministry of Agriculture, which submitted them to the local rural development advisory services and published them on the Ministry's website.

### 1.5 Other pertinent developments

From October 2018 to September 2019, the Department for Professional Development and Specialisation at the Police Academy carried out the following training programmes for police officers, aimed at preventing and combating gender stereotypes and sexism:

- a specialist training course on juvenile delinquency and crime against young people and the family for 25 criminal investigation police officers, held between February and April 2019, which covered the topics of preventing and fighting against gender stereotypes and sexism, and which lasted 59 classroom periods;
- two specialist seminars on “Investigations of sex crimes against children on the internet” were held for a total of 29 criminal investigation police officers in September 2018 and May 2019. The focus was on exploring the possibilities of preventing and combating gender stereotypes and sexism, as well as combating sexual exploitation and abuse of children (35 classroom periods per seminar).

The target groups for both programmes were police officers working with young people and criminal investigation police officers.

As part of the Secondary School Adult Education Programme for police officers, 15 classroom periods of the Misdemeanour Law Course are dedicated to lessons on “Protection against Domestic Violence - Prevention of Discrimination and Gender Equality”. There were 750 participants on this programme in the 2018-2019 school year.

The Office for Gender Equality translated (and printed 1000 copies) the Recommendation of the Committee of Ministers of the Council of Europe CM/Rec (2019) 1 Preventing and Combating Sexism, which was adopted in March this year and published on the Office’s website.

[https://ravnopravnost.gov.hr/UserDocImages/dokumenti/Vije%C4%87e%20Europe/Preporuka%20Odbora%20ministara%20Vije%C4%87a%20Europe%20CM%20Rec%20\(2019\)1%20Sprje%C4%8Davanje%20i%20borba%20protiv%20seksizma.pdf](https://ravnopravnost.gov.hr/UserDocImages/dokumenti/Vije%C4%87e%20Europe/Preporuka%20Odbora%20ministara%20Vije%C4%87a%20Europe%20CM%20Rec%20(2019)1%20Sprje%C4%8Davanje%20i%20borba%20protiv%20seksizma.pdf)

In March 2019, the Agency for Electronic Media published its recommendations for better reporting on women’s sports in electronic media, highlighting the need for more reporting and the raising of interest among the public, advertisers, journalists and sports clubs. The document contains 11 recommended media, 7 recommendations for sports federations and clubs, and more than 40 pages of analysis, historical overviews of inequality of women’s sports in relation to men’s, as well as statistics.

The recommendations also called for an increase in reporting on women’s sports from 4% to 12% in the next quarter.

<https://www.aem.hr/wp-content/uploads/2019/03/Preporuke-Zene-i-sport.pdf>

In July 2019, at the initiative of the Agency for Electronic Media, the new website [zeneimediji.hr](http://zeneimediji.hr) was launched as a central portal addressing all issues related to the status of women in society, gender, and the media as a key stakeholder in raising awareness and promoting the topic of equality.

A special feature of the [www.zeneimediji.hr](http://www.zeneimediji.hr) site is that it is a common platform for sharing knowledge, experiences, examples of good practice, and news and regulations created by all key

stakeholders dealing with this socially important and relevant topic.

At the same time, the Agreement on Co-operation between the Agency for Electronic Media and partner institutions and organisations was signed by the Office for Gender Equality of the Government of the Republic of Croatia, the Ministry of Demography, Family, Youth and Social Policy, the Central State Office for Sport, the Ombudsperson for Gender Equality, the Croatian Olympic Committee, the House of Victims of Domestic Violence of Caritas of the Archdiocese of Zagreb, and the non-governmental organisations Women's Room – the Centre for Sexual Rights and B.a.B.e.

In May 2019, the 43rd Central Seminar of the Coaches Association of the Croatian Handball Federation was held. On the first day of the seminar, the Ombudsperson for Gender Equality gave a lecture on women in sport and violence prevention. In January 2019, the Ombudsperson for Gender Equality, the Ombudsperson for Children, the Committee on Gender Equality of the Croatian Parliament, and Members of Parliament organised the round table "Prevention of Violent Behaviour and Sexual Harassment in Sport" in the Croatian Parliament. Croatian Olympic Committee prints Croatian edition of the document "Proposal for Strategic Actions of the European Commission on Gender Equality in Sport by 2020" for which the Director of the Governmental Office for Gender Equality wrote a foreword. In December 2018, the Ombudsperson held a workshop on the competencies of the institution and gender stereotypes, organised by the Ministry of Regional Development and European Funds. The director of the Office for Gender Equality, Ombudsperson for Gender Equality participated in the 9th seminar for co-ordinators of gender equality in sport, which was called "Gender Stereotypes in Sport" and co-organised by the Croatian Olympic Committee and Governmental Office for Gender Equality. The same month, the Ombudsperson for Gender held a workshop on "Aspects of Gender Equality in HRT Programmes" for editors and journalists of Croatian Radio and Television.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

The Istanbul Convention came into force on 1 October 2018.

The Ordinance on the Enforcement of the Protective Measure of Mandatory Psychosocial Treatment was adopted in December 2018 (Official Gazette No. 116/18). It prescribes the mandatory protective measure of psychosocial treatment for the perpetrators of domestic violence. The purpose of psychosocial treatment is to stop and prevent further violent behaviour through achieving positive changes in the behaviour of the perpetrators of domestic violence.

In November 2018, the Ordinance on the Implementation of Psychosocial Treatment on a Perpetrator of a Violent Criminal Offence was adopted, while the Ordinance on the Implementation of Protective Measures Prohibiting the Approaching, Harassment or Stalking of Victims of Domestic Violence and Measures of Removal from the Common Household was adopted in March 2019 (Official Gazette No. 28/19).

The Office for Human Rights and the Rights of National Minorities co-ordinated the drafting of the Protocol on the integration/reintegration of victims of trafficking, which came into force in April 2019. The Protocol comprehensively regulates the treatment of victims of trafficking, together with the Protocol for the identification, assistance and protection of victims of trafficking, the Protocol on voluntary treatment and the safe return of trafficking victims, and the Ministry's standard operating procedures for social welfare and healthcare. The Protocol takes into account the specific health and other needs and risks of victims of trafficking in terms of the sex, age, disability, pregnancy, maternity and paternity of the victim, and their sexual orientation and gender identity. It especially

takes into account the interests of the child. The document is available on the Office's website at <https://ljudskaprava.gov.hr/>.

The amendments to Article 96 of the Police Act (Official Gazette No. 34/11, 130/12, 89/14, 151/14, 33/15, 121/16, 66/19) define serious breaches of the official duties of police officers, and domestic violence is now listed as a new serious breach. Likewise, a new article has been added in this regard, which, in addition to the already prescribed reasons for the mandatory removal of a police officer from service, also prescribes the removal from service of a police officer against whom criminal charges have been brought for domestic violence.

## **2.2 Policy changes**

At its session held on 3 January 2019, the Government of the Republic of Croatia adopted the Conclusion on the adoption of the Action Plan for the Implementation of the National Strategy for the Development of a Support System for Victims and Witnesses in the Republic of Croatia for the period until 2020. The Action Plan envisions activities aimed at further strengthening the support system for victims and witnesses of crime, including measure 1.4.6. Empowering the Work of the National Team for the Prevention and Suppression of Domestic Violence and Violence Against Women.

The Government of the Republic of Croatia adopted the new Protocol of Procedures in Cases of Domestic Violence at its session held on 19 June 2019. This prescribes the procedures of the competent authorities, including the judicial system. The Protocol enhances inter-ministerial co-operation, and strengthens the role of civil society organisations and the role of the media in shaping public opinion about domestic violence and promoting awareness of equality between women and men. In accordance with the valid legal regulations, the Protocol stipulates that domestic violence proceedings should be conducted promptly, without delay and with particular sensitivity for women, children, persons with disabilities, and elderly victims of domestic violence.

In the Republic of Croatia, 19 shelters for victims of violence operate. The Ministry for Demography, Family, Youth and Social Policy provides continuous financial support for 18 shelters. Financial support for institutions and associations providing accommodation to victims of domestic violence is ensured by contracting services in the social welfare network, while autonomous women's shelters for victims of violence organised by civil society organisations receive financial support based on a three-year tender for the period 2019 to 2021.

## **2.3 Institutional changes**

In November 2018, the ministers responsible for Foreign and European Affairs, the Interior, Family and Social Affairs, Justice, Health, Education, and Public Administration signed an agreement on inter-ministerial co-operation in the field of preventing and combating violence against women and domestic violence. Members of the National Team are the heads of the abovementioned ministries and the Chief Public Attorney of the Republic of Croatia. Under the agreement, a National Team for the Prevention and Combating of Violence Against Women and Domestic Violence at the national level and county teams in each county were established. The tasks of these teams are to promote, through inter-agency co-operation, a system of protection against violence against women and domestic violence in the local community, the prevention of new cases of violence, participation in joint training programmes and preventive activities aimed at combating violence against women and domestic violence, and dealing with criminal/family violence.

#### 2.4 Research and awareness-raising

Since 2018, the Ministry of the Interior has implemented in co-operation with numerous partners a new prevention project entitled “Lily” throughout the entire territory of the Republic of Croatia. The project is aimed at preventing all forms of violence against women. The components of this project relate to the following: the organisation of thematic public events aimed at raising citizens’ awareness of the importance of the public response when it comes to the elimination of violence, the production of a video and a website, thematic educational theatre plays, interactive workshops, carrying out scientific and professional research, inter-sectoral co-operation and the training of experts (police, social welfare system, judiciary, NGOs), stepping up work and mutual co-operation among Crime Prevention Councils, county teams for preventing and combating violence against women and domestic violence, and county commissions for gender equality, raising awareness and the education of women, raising awareness and the education of potentially vulnerable groups (elderly women and the disabled), co-operation with civil society organisations, and the organisation of self-defence courses for women.

The Ministry for Demography, Family, Youth and Social Policy participates in activities to raise public awareness on issues related to violence. In September 2018, the National Day Combating Violence Against Women was marked. This event was held with the aim of strengthening interdepartmental co-operation in prevention of and protection against violence, and a panel discussion was held on improving victim protection and interdepartmental co-operation from the perspective of the Ombudspersons for Gender Equality, for Persons with Disabilities, and for Children.

To mark International Day against Violence Against Women, the Ministry for Demography, Family, Youth and Social Policy published a booklet entitled “We Can Together”. This brochure can be a guide for practitioners and provide information for experts, since effective implementation in practice presupposes, together with the integration of laws, strategic documents and contemporary theories, the partnership of all relevant institutions in achieving and improving the protection of victims from all forms of violence.

In the field of the media, the Ministry of Culture collaborates closely with the Agency for Electronic Media, which carries out regular research concerning media content. In December 2018, it published an analysis of the media treatment of gender violence, which reflected progress in reporting about violence against women (an increase in awareness-raising and the education of the general public about the issue). Violence against women was identified as a society problem, and the analysis promoted zero tolerance and the introduction of expert terminology.

The Office for Gender Equality is a partner in the project “HELPLINE – How expertise leads to prevention, learning, identification, networking and ending GBV”, submitted by CSO B.a.B.e. in partnership with other institutions. It is funded by EC JUST/2017/ACTION GRANTS. The main aim of the project is to protect and support victims of gender-based violence (GBV) and to improve systems of support services for victims. Implementation of the project started in November 2018. One of the activities was a study visit organised in March 2019 with project partners the Institute for Labour and Family Research from Slovakia, with the aim of learning about the functioning of SOS hotlines and other support available for the victims of gender-based violence. The group, consisting of project partners from the Police Academy, Judicial Academy, Victim Support Association, and volunteers from the national call centre, also visited the Vienna SOS National Hotline, an Austrian shelter association, and the Ministry of Women (Federal Chancellery). In July, a meeting with all project partners was held and a new website for GBV victims presented: <https://stop-nasilju.com/>.

The website is designed as an information point where victims can find all relevant information such

as telephone numbers and information about free legal aid, psychological support, and the rights of victims. A feature of the site is that it also offers instructions for safe use of the site and allows users to post their questions anonymously through the forum.

In November 2018, Governmental Office for Gender Equality initiated a video and radio jingle “Dust” which was broadcast on National Television and Radio: <https://www.youtube.com/watch?v=AcnDNiGzZow>

The jingle is dedicated to raising public awareness and combating violence against women. It was broadcast on Croatian National Television 12 times in different periods between 22 and 25 November and 130 times on local radio stations.

The Governmental Office for Gender Equality also marked the International Day Against Violence Against Women by promoting two self-published publications: the new Rules of Procedure in Cases of Sexual Violence and the Croatian edition of General Recommendation no. 35 of the UN Committee on the Elimination of Discrimination against Women and Gender-based Violence against Women (500 copies):

<https://ravnopravnost.gov.hr/UserDocImages/dokumenti/Ujedinjeni%20narodi/2018/Op%c4%87a%20preporuka%20br%2035%20o%20rodno%20utemeljenom%20nasilju%20nad%20c5%beenama.pdf>

1,780 copies of the the new Rules of Procedure in Cases of Sexual Violence were also distributed to various bodies (ministries, institutions, civil society organisations, ombudspersons’ offices, etc.) during the reporting period.

Organised by the European Institute for Gender Equality (EIGE) and the Organisation for Security and Co-operation in Europe (OSCE), a two-day meeting was held in Sarajevo in September 2018 at which countries from the region exchanged experiences and practices regarding the collection of data on violence against women. Representatives from Albania, Croatia (the Ombudsperson for Gender Equality), Macedonia, Montenegro, Bosnia and Herzegovina, and Serbia attended the meeting.

The Office for Gender Equality printed an additional edition of 1,000 copies of the Istanbul Convention for the fourth time in 2019 (8,600 copies were printed in the period 2014-2018).

## **2.5 Other pertinent developments**

The Expert Commission for the implementation, monitoring and supervision of the enforcement of the measure of mandatory psychosocial treatment was established by the Ministry of Justice in January 2019. The Expert Commission adopts standards for the implementation of the protective measure of mandatory psychosocial treatment (hereinafter referred to as: psychosocial treatment), improves the implementation of psychosocial treatment, develops draft contracts on the implementation of psychosocial treatment, and prepares a draft for the issuance of licences for carrying out psychosocial treatment. In addition, the Commission also monitors and supervises the work of natural and legal persons who conduct psychosocial treatment.

Work is underway on amendments to the Protection Against Domestic Violence Act and also modifications and amendments to the Criminal Code relating to the revision of the legal description of the criminal act of domestic violence (Article 179.a) regarding aggravated forms of individual criminal acts when committed by people close to the victim, in order to determine more clearly the demarcation between a criminal offence and the misdemeanour offence of domestic violence. The intention is also to strengthen sanctions in relation to domestic violence.

For the purpose of implementing Article 24 of the Council of Europe's Convention on the Prevention and Combating of Violence against Women and Domestic Violence, preparations for the project "Stop violence against women and domestic violence – There is no excuse for violence" are in progress. During 2019, the Ministry for Demography, Family, Youth and Social Policy in partnership with the Ministry of Justice will apply for funding from the European Social Fund (ESF), and it is projected that one of the activities of the project will be to ensure a 24-hour free telephone helpline for victims. This activity will be implemented through the improvement and expansion of the services provided by the national call centre for victims of criminal offences and violations (116 006) and the free telephone helpline for assistance and support to victims of criminal offences and other offences, which is now open from 8 am to 8 pm but which is planned to be available to victims on a 24-hour basis.

The Ministry of Demography, Family, Youth and Social Policy is continuously working to improve the competencies of professionals involved in protecting victims of violence.

Special importance is given to the education of experts. The Ministry adopts an annual plan for the professional development of professionals in social care institutions.

The continuation of training for the professional staff of social welfare centres on "Domestic Violence, with an Emphasis on Violence against Older Persons and Persons with Disabilities" is planned for 2019.

A round table on "Domestic Violence - Everyday Challenges in Practice", held in June 2019 on the premises of the Police College at the Police Academy, was attended by the Gender Equality Ombudsperson, the Minister for Demography, Family, Youth and Social Policy, the Minister of Justice, and the Minister of the Interior. In addition to experts and the representatives of competent institutions, the round table was attended by the General Police Director and Head of the Police Academy. The topic of the round table included, among other issues, raising the awareness of both male and female police officers, and raising public awareness of the importance of an appropriate response and reaction by the public to the phenomenon of gender-based violence.

In October 2018, the General Police Directorate sent an official announcement to all police administrations that the provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence need to be complied with in a consistent manner. These instructions were delivered as a follow-up to previously sent guidelines instructing that domestic violence be reported on a priority basis as a criminal and not a misdemeanour offence.

The internet site of the Ministry of the Interior, containing useful advice for victims of domestic violence and other victims of punishable offences, as well as guidelines on reporting offences, has been updated. A Calendar of Violence application has been developed in 2019 to enable the general public to follow up the occurrence of misdemeanour and criminal offences of violence in order to make the public aware of the fact that in order to protect the privacy and dignity of victims, in such cases the police take action far away from the public, which, however, does not mean that they do not take a whole range of measures aimed at preventing violence, protecting victims, and prosecuting perpetrators.

In April 2019, a female police officer from the Criminal Police Directorate held training for 112 operators on the obligations and procedures of operations centres in cases of domestic violence. Training was also held by lecturers from the Ministry of Demography, Family, Youth and Social

Policy, the Police Operations and Communications Centre, and civil society organisations which provide assistance to victims on a daily basis. The topics included the forms and dynamics of domestic violence, the new Protocol of Procedures in Cases of Domestic Violence, minimum standards in exercising victims' rights and the protection of victims, and the assessment of needs and the guiding of women who are victims of domestic violence during SOS calls.

In May 2019, a female police officer from the Criminal Police Directorate held training for disciplinary court judges in cases of domestic violence.

The topics of the specialist course on juvenile delinquency and crimes against young people and the family, organised for 25 criminal investigation police officers from February to April 2019, included domestic violence and violence against women, and lasted 60 classroom periods.

5 basic courses on domestic violence were held for police officers working in operations centres at police stations. The courses were provided for a total of 143 officers - shift leaders and their assistants from 20 police administrations and 6 members of the Military Police Regiment of the Ministry of Defence - for a duration of 36 classroom periods per course. A five-day professional development seminar for police officers working with young people was held in May 2019 for 17 police officers working with young people. The topics of domestic violence and violence against women were covered in 7 classroom periods.

Pursuant to Measure 2 of the National Strategy for Protection against Domestic Violence for 2017-2022, and based on the Police Training Plan for 2018 and 2019, the Police Academy organised, in co-operation with the Judicial Academy, 4 expert workshops for the judiciary and the police on the provisions of domestic and European legislation aimed at combating and preventing domestic violence. The workshops introduced new features in European and national regulations related to domestic violence (the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L, 315, 14.11.2012), the Protection against Domestic Violence Act, the Criminal Procedure Act, the Criminal Code, the Ordinance on How to Make Individual Assessments of Victims). They also covered action taken by the police, the state attorney's office, and the courts in concrete cases of domestic violence. Four (out of the 5 planned) workshops have been organised since October 2018. There was a total of 126 attendees.

The Ministry of Science and Education supported the implementation of the European project "Sexual Violence – Educational and Prevention Programme" (SVEP Programme). The project co-ordinator is the NGO The Women's Room – Centre for Sexual Rights. The project is implemented for two years and is financed by the European Commission in the area of prevention and combating gender-based violence and violence against children, REC-AG-2017/REC-RDAP-GBV-AG-2017.

The Ministry of Science and Education has informed all primary and secondary schools about the importance of acting in accordance with the Rules of Procedure in Cases of Sexual Violence, with a particular emphasis on the prevention of sexual violence and inter-sectoral co-operation in cases of sexual violence against students.

As part of the project of curricular reform and the School for Life Project, 7 curricula of interrelated topics for primary and secondary school have been adopted, including the curriculum for Civic Education. One of the aims of the Civic Education curriculum is to develop the following core values: freedom, equality, ethics, morality, family values and the value of marriage, national equality and

gender equality, peace of being, social justice, respect for human rights, inviolability of ownership and home, preservation of nature and the human environment, the rule of law, and the democratic multi-party system.

Within the framework of the tender for grants provided to NGO projects in the field of extra-institutional education of children and young people, the Ministry of Science and Education has defined three priorities: P1: promoting social inclusion and the preservation of national and local identity; P2: improving the quality of life of children and young people; P3: fostering the development of competences in the field of natural sciences and mathematics. In tenders for co-financing projects carried out by NGOs in co-operation with schools, special attention is paid to the financing of projects and activities promoting gender equality.

The Ombudsperson for Gender Equality is the co-ordinator of the EU-funded project “Building more effective protection: transforming the system for combating violence against women” and it is going to be implemented in the period from 1 April 2017 to 31 December 2019. The project is funded by the Rights, Equality and Citizenship Programme (REC) of the European Union. The project deals with the role of the police, judiciary and media in cases of violence against women, with an emphasis on cases of femicide. As part of the project, in March 2019, the Ombudsperson for Gender Equality issued and promoted a “Media Codex - Guidelines for Professional and Sensitised Reporting on Violence Against Women and Femicide”. The representatives of 12 media houses signed the Agreement on the Acceptance of the Media Codex Guidelines.

As part of the regional inter-sectoral training implemented by the project co-beneficiary, the Women’s Room, attended by judges of the Municipal Courts and County Courts of the Republic of Croatia, social workers, police officers, and representatives of NGOs, the Ombudsperson held lectures as part of:

- the third inter-sectoral training on violence against women, Rijeka, October 2018
- the fourth inter-sectoral training on violence against women, Split, May 2019 (the first and second inter-sectoral training was held in 2017 and earlier in 2018).

The second phase, related to media activities in the reporting of violence against women, was aimed specifically at journalists and editors. The Ombudsperson for Gender Equality held presentations of the “Analysis of Media Reporting on Violence Against Women 2012-2016” (created by the Electronic Media Agency) and “The Media Codex - Guidelines for Professional and Sensitised Reporting on Violence Against Women and Femicide” at the following public events: a two-day workshop for media professionals on professional and sensitised reporting on violence against women and femicide (April 2019); the round table “The Role of the Media in Forming Perceptions on Violence Against Women and Femicide – the Impact on Society and Victims of Violence” (February 2019).

### **3. Strategic objective: Ensure the equal access of women to justice**

#### **3.4 Research and awareness-raising**

In May 2019, the Ombudsperson for Gender Equality held a lecture at the Faculty of Law in Zagreb, organised by the Jean Monnet Centre of Excellence at the Faculty of Law of the University of Zagreb. The Ombudsperson presented the importance of gender equality as a constitutional principle, and also national legislation and international documents in the context of gender equality policy and the authority of the Ombudsperson for Gender Equality.

The Ombudsperson for Gender Equality also carried out research entitled “Analysis of criminal and

misdeemeanour court decisions on violence against women cases 2012-2016”, visiting 22 courts and looking at 3,295 criminal and 1,092 misdemeanour decisions, of which she analysed 906 criminal decisions and 557 misdemeanour court decisions. A quantitative analysis of the empirical research was completed in 2018, while the qualitative, in-depth analysis has continued in 2019, and will be followed by the final phase of the project related to the training target groups: judicial bodies (judges in criminal proceedings and misdemeanour proceedings, and state attorneys) and police officers, which is planned for September 2019 to November 2019. At the invitation of the Police Directorate, the Ombudsperson for Gender Equality held a lecture for judges of the disciplinary courts of the Ministry of the Interior entitled “The importance of the police system in preventing domestic violence and violence against women - recommendations of the Ombudsperson for Gender Equality”.

### 3.5 Other pertinent developments

In 2018, the Ministry of Justice financed a total of 16 projects of authorised civil society organisations and law faculties for the operation of legal clinics for the purpose of providing primary legal aid. Projects were related to the provision of primary legal aid to vulnerable social groups, such as the socially disadvantaged, persons with disabilities, persons belonging to national minorities, victims of violence, and seekers of international protection, and certain authorised civil society organisations particularly focused on the protection of women’s rights. In 2019, the Ministry of Justice also allocated funds to authorised associations and law faculties for the operation of legal clinics, financing a total of 25 projects.

## 4 Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.1 Legislative changes

To encourage a balanced representation of genders, the Financing of Political Activities, Electoral Campaigns and Referendums Act (Official Gazette No. 29/2019), which entered into force in March 2019, contains the following provision in Article 9, Paragraph (1): “For each elected MP or member of the representative body of a self-government unit who belongs to the underrepresented gender, political parties, independent MPs and independent councillors shall also be entitled to a bonus of 10% of the amount allocated for each MP or member of the representative body of the relevant self-government unit.” Paragraph (2) of the same Article clarifies: “Underrepresentation of a gender within the meaning of paragraph (1) of this Article means that the representation of a gender in the Croatian Parliament or the representative body of a self-government unit is lower than 40%.”

The above provision establishes the right to a bonus for the underrepresented gender, and, as opposed to the previous law, which stipulated that political parties were entitled to a bonus for the underrepresented gender for each elected MP or a member of a representative body, the current provision establishes that political parties are entitled to the underrepresented gender bonus for each MP or member of the representative body of that gender. In other words, the provision includes persons of the underrepresented gender who assume office as substitutes for MPs or members of representative bodies. As the representation of genders continues to change during a term (due to termination of office or registering one’s term as inactive and designating a substitute), this is a more precise way of ensuring that the bonus for the underrepresented gender may also change depending on the change in the representation of genders during a term instead of allocating it only once according to the originally elected MPs or members of representative bodies. Moreover, as opposed to the previous solution, the bonus for the underrepresented gender is now the entitlement of not only political parties but of independent MPs and councillors, too. A further new feature is that the Act precisely defines the cases in which a gender is considered underrepresented.

#### 4.3 Institutional changes

The Ministry of Justice, in accordance with the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 82/16, 67/18) and the State Attorneys Act (Official Gazette No. 67/18), keeps records on all persons employed in courts and state attorneys' offices on the basis of data provided by judicial bodies. The statistical overview of judicial bodies for 2018 contains different data related to judicial bodies, including data about the structure of human resources employed as at 31 December 2018. ([https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/izvje%C5%A1%C4%87a/Statisti%C4%8Dko\\_izvjesce\\_2018.pdf](https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/izvje%C5%A1%C4%87a/Statisti%C4%8Dko_izvjesce_2018.pdf))

Furthermore, there is no difference in salaries between the two genders employed in judicial bodies.

In March 2019, the Ombudsperson for Gender Equality made a public announcement concerning gender mainstreaming in the 2019 elections to the European Parliament from the Republic of Croatia, and recommended that political parties (and other authorised proposers of candidate lists) use a quota of at least 40% of one gender and a "zip model" when drawing up lists.

#### 4.5 Other pertinent developments

After the election for the EU Parliament, the Republic of Croatia is represented in the EU Parliament with 11 members in total (7 men and currently 5 women, with another woman to join after a possible Brexit).

The former vice president of the Government and minister of European and foreign affairs Marija Pejčinović Burić was elected for the secretary general of the Council of Europe and the previous EU parliament MP Dubravka Šuica was appointed to EC commissioner for democracy and demography.

The Ombudsperson for Gender Equality recommended that counties in Croatia sign the European Charter on Gender Equality at the Local Level. Governmental Office for gender Equality held a workshops for some county committees on gender equality on implementation of the Charter.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.4 Research and awareness-raising

In December 2018 the Ombudsperson for Gender Equality with a representative of Governmental Office for Gender Equality held a meeting with representatives of the International Organisation for Migration (IOM), Zagreb Office, regarding the implementation of the project by the IOM, entitled "Preventing SGBV against migrants and strengthening support to victims".

#### 5.5 Other pertinent developments

In the reporting period, the Department for Professional Development and Specialisation of the Police Academy carried out the following training for police officers, aimed at protecting the rights of female adult and minor migrants, refugees and asylum seekers:

- a specialist training course on juvenile delinquency and crime against young people and the family, held for 25 criminal investigation police officers from February to April 2019, covered topics related to the protection of the rights of female adult and minor migrants, refugees and asylum seekers, lasting 4 classroom periods (implementation of the Istanbul Convention, the Protocol on the Treatment of Unaccompanied Minors and Treatment of Minors Separated from their Parents (UNICEF lecturer)).

The Croatian Employment Service, in co-operation with the Ministry of Education and Science and

the City of Zagreb, implements career guidance activities for pupil asylum seekers for the purpose of their integration into the Croatian education system. Career guidance experts provide individualised support and advice for pupils, recommending them the most suitable education programmes that are in line with the pupils' capabilities, interests, and other relevant factors.

## **6. Strategic objective: Achieve gender mainstreaming in all policies and measures**

### **6.1 Legislative changes**

The Amendments to the Pension Insurance Act entered into force on 1 January 2019 and provide progressive acceleration of age equalisation for the old-age pension and early-age pension for women in relation to men in the transition period from 2019 until 2027, and raise the age requirement until 2033 to 67 years of age for an old-age pension and 62 years for an early pension. This provides equal access to the exercising of rights to men and women. A longer active working period will have a positive impact on the amount of pensions and a higher income in old age. The amendments introduce the category of a supplementary contribution period for mothers, for each born and adopted child, for when they are entitled to retire under general and special pension insurance schemes and when they meet the age and contribution period requirements. In order to calculate the amount of their pension according to the total contribution periods they have acquired, a six-month period is added. This is a demographic measure within the framework of a pension system that adequately protects motherhood in accordance with economic capabilities and seeks to eliminate differences in the level of pensions between men and women. Exceptionally, this option is also envisaged for the father if he has used a major part of his paternity leave (additional paternity leave may be used by a father for a period of 70 days after the birth of a child up to the child reaching 6 months of age).

In the legislative framework that regulates the capitalised pension system, it is explicitly prescribed that no inequality in rights or the exclusion of rights based on gender difference may be established or implemented when calculating a pension. Since pension calculation is based on a gender-neutral basis, there is no difference in the amount of the pension.

### **6.3 Institutional changes**

An Introductory Meeting of Representatives of the Office for Gender Equality and the Central Office for Development of the Digital Society was held in July 2019 to identify guidelines and co-operate on the implementation of the Declaration of Commitment to Women in the Digital World.

In addition, the Republic of Croatia signed the Declaration on Commitment to Women in the Digital World in May 2019 in Brussels, and the Government of the Republic of Croatia adopted a Conclusion approving the Declaration on Commitment to the Issue of Women in the Digital World. The Central Office for the Development of the Digital Society and the Office for Gender Equality are responsible for co-ordinating the implementation of the Declaration. By means of an operational group of national representatives initiated by the European Commission (DG CNCT), the Central State Office for the Development of the Digital Society and Office for Gender Equality are obliged to create an operational short-term plan for implementing the activities of the Declaration. A number of similar roundtable events are planned to encourage secondary school students to choose ICT studies.

### **6.4 Research and awareness-raising measures taken in relation to the development of gender-mainstreaming approaches**

As part of the programme "Anti-discrimination, gender equality and implementation of the UN Convention on the Rights of Persons with Disabilities in ESI funds" in state schools, seminars were continued in 2018 (they have been held since 2015) for public servants in charge of the management, implementation and evaluation of ESI funds. Representatives of the Office for Gender

Equality held training on gender equality, which is also a horizontal issue. A round table discussion, co-organised by OGE and Central State Office for the Development of Digital Society, was held with the aim of introducing the theme of women's representation in the digital world to the public and to encourage third grade and fourth grade secondary school girls to enrol at the relevant faculties. During the reporting period, 10 workshops were held.

### 6.5 Other pertinent developments

From May until November 2018, Croatia chaired the Committee of Ministers of the Council of Europe. One of the priorities of the Croatian Chairmanship was the efficient protection of rights of national minorities and vulnerable groups. Under the auspices of the Croatian Presidency of the Committee of Ministers, Croatia hosted the Conference "Addressing Inequality in Sport: Positioning Women in Leadership Positions and Preventing Violence against Women in Sports" in Zagreb on 25 October 2018. Experts dealing with issues of gender equality in managerial positions in sport, with a special emphasis on strengthening gender equality and women's leadership in managerial positions in sport organisations at the international and national level, from Norway, Austria, Iceland and Spain attended the conference. The conference programme also included the testimony of victims of violence against women in sports, and also interactive workshops focusing on policies, programmes and action on gender equality in management positions and the prevention of violence against women in sport.

In addition to this Chairmanship, Croatia's membership on the UN Human Rights Council (2017-2019) was and still is a very important opportunity for Croatia to contribute to the promotion and protection of human rights. During the 41st session of the Human Rights Council in Geneva, the Republic of Croatia co-sponsored resolutions and a side event relating to gender equality and the prevention of violence against women. In February 2019, the Republic of Croatia submitted a voluntary mid-term report on following up the recommendations of the second universal periodic report (UPR) cycle and is currently preparing its third universal periodic report, which will be presented to the Human Rights Council in May 2020.

On the global scene, Croatia continues its engagement in the promotion of the overall empowerment of women as a part of the 2030 Agenda and its 17 Sustainable Development Goals (in particular Goal 5 "Gender Equality" and Goal 16 "Peace, Justice and Strong Institutions") based on the gender-responsive implementation of the 2030 Agenda. In July 2019, Croatia presented its first voluntary national review (VNR) on implementation of the 2030 Agenda and its 17 Sustainable Development Goals at the High-level Political Forum on Sustainable Development held under the auspices of the UN Economic and Social Council (ECOSOC) in New York.

The Croatian Parliament adopted the "National Strategy for Development Co-operation of the Republic of Croatia for the Period 2017-2021", establishing a national policy for international development co-operation and humanitarian aid as one of the key components and important instruments of foreign policy. The sector priorities include the protection and empowerment of women, children and young people under Agenda 2030 – Sustainable Development Goal 5. In April 2019, the Republic of Croatia submitted an annual report on the implementation of the EU Gender Action Plan (GAP II) to the European Commission.

The new National Action Plan for the Implementation of UN Security Council Resolution 1325 on Women, Peace and Security, and Related Resolutions (2019 to 2023) was adopted in August 2019. The policies and measures implemented so far have resulted in an increased number of women involved in the activities of the security system (40%), including intelligence agencies, and their increased presence at decision-making levels. The President of the Republic of Croatia and the Supreme Commander of the Armed Forces is a woman and her former National Security Advisor,

who now leads the National Security Council, is also a woman. In the Croatian Armed Forces, 12.1% of women are on active duty, and women fill 9.1% of all leadership and command posts in the Ministry of Defence. In addition, 10% of candidates selected for voluntary military service are women, and currently 30% of cadets are women. Female officers have been actively engaged in peacekeeping missions and operations worldwide. Since 2003, when the first female members of the Croatian Armed Forces joined the first contingent of the ISAF mission in Afghanistan, more than 350 women have participated in peace missions and operations around the world. Gender-related topics, with a special emphasis on WPS resolutions, have been integrated into military and police education and training at all levels, with an increasing number of certified gender advisers/instructors. In this context, we place special emphasis on measures to combat gender-based and sexual violence, both at the national level and internationally. Croatia strongly supports all international efforts to prevent sexual exploitation and abuse (SEA), and has contributed to these efforts by signing the SEA Voluntary Compact with the UN Secretary General.

As part of a G7 initiative, Deputy Prime Minister and Minister of Foreign and European Affairs Pejčinović Burić participated in the First World Meeting of Women Ministers of Foreign Affairs in Canada in September 2018. During the 64<sup>th</sup> session of the Commission on the Status of Women, held in New York in March 2019, President of the Republic of Croatia Grabar-Kitarović took over the Chair of the Council of Women World Leaders from Lithuanian President Dalia Grybauskaitė. In addition, the Permanent Mission of the Republic of Croatia to the UN in New York and the Office of the Special Rapporteur on Violence Against Women organised a side event to mark the 25<sup>th</sup> anniversary of the Special Rapporteur on Violence against Women, Dubravka Šimonović. Croatian President Grabar-Kitarović attended this event.

Before the meeting of the EU Employment, Social Policy, Health and Consumer Affairs Council (EPSCO Council) on 15 March, the Joint TRIO Declaration on Gender Equality of the EU Member States was presented and signed in January 2019 by the Member States that will chair the Council of the European Union up to June 2020. The declaration was signed by ministers of the TRIO Presidency – the Minister for Demography, Family, Youth and Social Policy of the Republic of Croatia, the Minister of Labour and Social Justice of Romania, and the Minister of Employment of Finland. The Declaration shows the determination of governments to support women's participation in the labour market and entrepreneurship, and also to support women in vulnerable situations.

An example of good practice is the Gender Equality Committee of the City of Zagreb, which in its Work Programme for 2018 included measures for the adoption of a gender-sensitive budget and measures for the advancement of the status of women in the public procurement process through: analysing the impact of the City of Zagreb budget on men and women; analysing existing programmes and projects funded by the City of Zagreb budget in terms of gender equality; proposing measures for the gradual introduction of a gender budget; analysis of the public procurement process and proposing measures for the introduction and improvement of the position of women in the public procurement process; training of members of the Commission and employees of the City Administration of the City of Zagreb on gender sensitive budgetary management and the advancement of the position of women in the public procurement process.

In the period between 1 October 2018 and 31 July 2019, HZZ included 33,689 people in active labour market policy programmes: 15,037 men (45%) and 18,652 women (55%). Newly included people have been covered by the following measures: training of the unemployed for 4,596 people, including 2,700 women (59%), on-the-job-training without commencing employment for 4,033 people, including 3,196 women (79%), training of the employed for 611 people, including 282 women (46%), workplace training for 419 people, including 248 women (59%), and training to acquire relevant work experience for 106 people, including 90 women (85%); employment

incentives for 8,454 people, including 4,571 women (54%), public works for 3,316 people, including 1,463 women (44%), self-employment incentives for 6,465 people, including 2,406 women (37%), and job preservation subsidies for 5,689 people, including 3,696 women (65%).

In addition, in the period between 1 October 2018 and 31 July 2019, as part of active labour market policy measures, a total of 378 unemployed Roma, of whom 166 were women, were included in the programme for the Roma national minority.

As a previous years the State Agency for Statistics edited a new regular annual report “Women and man in Croatia, 2018”. The Report covers the following topics: Population, Health care, Education, Employment and earnings, Pension insurance, Administration of Justice and Political power.

[https://www.dzs.hr/Hrv\\_Eng/menandwomen/men\\_and\\_women\\_2018.pdf](https://www.dzs.hr/Hrv_Eng/menandwomen/men_and_women_2018.pdf)

### **8. Additional comments, if any**

The Ministry for Demography, Family, Youth and Social Policy every year conducts a competition for civil society organisation projects in the area of prevention and suppression of various forms of domestic violence as part of the work of counselling centres. Selected high-quality projects receive financial support from the Ministry for Demography, Family, Youth and Social Policy.

Since June 2017, the Ministry of Labour and the Pension System have implemented the “ZAŽELI-Women Employment Programme”, intended for the employment of women who are in a disadvantaged position on the labour market, with the purpose of taking care of and providing support to older and disadvantaged people in their households. The project is funded from the European Social Fund as part of the Operational Programme Efficient Human Resources 2014-2020. The programme plans to employ 7,500 women to provide support for and take care of 30,000 elderly and disadvantaged people. The total value of this grant is approximately 135 million euros. The programme is implemented by local self-government units and/or civil society organisations. By the end of August, 293 contracts had been concluded and 5,920 women employed (taking care of and providing support to 28,081 elderly and disadvantaged people), while 269 women have undergone some form of education/training.

In November 2018, the Ministry of Foreign and European Affairs, together with the Office for Gender Equality had a joint booth at the biggest national book fair (Interliber). On this occasion, Ministry and Office editions of Council of Europe publications were shared with visitors to the fair. The aim of this project is to present the Council of Europe’s work, popularise Council of Europe projects, and raise public awareness of important areas in human rights protection.

In June 2019, the Office for Gender Equality produced a Comprehensive National Review on the Twenty-fifth Anniversary of the Fourth World Conference on Women and the Adoption of the Beijing Declaration and Platform for Action (1995) - Beijing +25, and forwarded it to the UN Economic Commission for Europe (UNECE).

CYPRUS

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.2 Policy changes****MINISTRY OF EDUCATION AND CULTURE****Policy Changes**

The Ministry of Education and Culture (M.O.E.C) promotes an antiracist policy, which is also supported by the Pedagogical Institute with teacher training related to antiracist policies and practices in education. Specifically, the Ministry, following a recommendation by the European Commission against Racism and Intolerance, and in collaboration with the Anti-Discrimination Body, has drafted a *“Code of Conduct Against Racism & Guide for Managing and Reporting Racist Incidents”* in schools. The Code discusses research and policy which identifies the need for a whole-school antiracist policy, with a broad conceptualisation of racism in all forms, in order to include all sorts of discrimination. It also provides schools and teachers with a detailed plan on how to deal with and prevent racist incidents, which they may adjust to their specific needs before they adopt it and begin its implementation. It includes definitions of basic concepts (e.g. racism, racist incident, homophobia, transphobia, bullying, discrimination, gender stereotypes, sexism, etc.), outlines the responsibilities and commitments expected by each member of the school community and provides the steps to be followed by schools for dealing with racist incidents in a practical rubric.

**Other activities**

1. The Ministry of Education and Culture (M.O.E.C) is focused on ensuring equal opportunities in education for both genders on a non-discriminatory basis at all levels of education. The Ministry has formed an Interdepartmental Committee with representatives from all the Ministry’s departments and services. This Committee oversees and co-ordinates all gender equality issues related to actions taken by the M.O.E.C.
2. There is also a website dedicated to Gender Equality (Pedagogical Institute), which includes useful information, bibliography and teaching material for promoting equal opportunities of both genders and gender mainstreaming in the educational process. The content of the website is frequently updated.  
[http://www.pi.ac.cy/pi/index.php?option=com\\_content&view=article&id=910&Itemid=383&lang=en](http://www.pi.ac.cy/pi/index.php?option=com_content&view=article&id=910&Itemid=383&lang=en)
3. The recently revised curricula have developed modern educational materials which will include a gender perspective aimed at combating gender stereotypes from an early age, especially by encouraging boys’ greater involvement in family life and women’s participation in politics/public life and develop relationships based on gender equality and mutual respect between the sexes.
4. Implementing programmes in schools with the aim of promoting gender equality and respect among all children in class, irrespective of their background or gender (Educational Psychology Service).
5. Training of teachers and parents on issues related to active citizenship, multiculturalism, social inclusion/exclusion, identities and relationships between girls and boys, gender equality awareness through school based training seminars and programmes (Pedagogical Institute).
6. Workshops for teachers (Primary and Secondary Education) organised by the Pedagogical Institute.
7. Organising conferences/seminars on gender issues for teachers of all levels by the Pedagogical Institute.

8. Workshops for teachers and students aiming at the promotion of equality and inclusion (Career Counselling and Educational Services).
9. Collaboration of the Interdepartmental Committee with the Gender Equality in Employment and Vocational Training Committee and various NGOs.
10. In collaboration with the Interdepartmental Committee with the Gender Equality in Employment and Vocational Training Committee is organising an annual competition for pupils at all levels of education concerning combating gender stereotypes in the field of workplace or their career path.

### 1.3 Institutional changes.

#### **COMMISSIONER FOR ADMINISTRATION AND PROTECTION OF HUMAN RIGHTS (OMBUDS)**

Report of the Commissioner regarding gender discrimination in employment – the complainant's tender was selected and the employer denied to amend the starting period of the contract to include the maternity leave.

- 1) Commissioner's intervention regarding the state funding of a private company for the refinement and disposal in the market of a specific product (urinal).
- 2) 2 Reports of the Commissioner regarding sexual harassment/harassment in the workplace.
- 3) Report of the Commissioner regarding the direct gender discrimination of an employee, due to the extension of her sick leave, due to her pregnancy.
- 4) Intervention of the Commissioner regarding the statement of a member of the Cyprus church, offending, among other, women and maternity.
- 5) Intervention with the occasion of the International Women's Day.

### 1.4 Research and awareness-raising

#### **MINISTRY OF JUSTICE AND PUBLIC ORDER- OFFICE OF THE COMMISSIONER FOR GENDER EQUALITY**

The National Machinery for Women's Rights (NMWR) organised an event to eliminate stereotypes and social prejudices in the public service. This involved a large number of women and non-government organisations. They further organised a campaign to inform journalists and those who work in the media about gender stereotypes that flood the media. Similar awareness-raising actions were planned in the framework of the European elections, with the aim of promoting and supporting female candidates.

### 1.5 Other pertinent developments

#### **GENDER EQUALITY COMMITTEE IN EMPLOYMENT AND VOCATIONAL TRAINING (EIF)**

In collaboration with the Pedagogical Institute of Cyprus, for 6th year we organised, a competition for painting and comics was conducted in Primary, Secondary and Technical Education about the gender occupational segregation. An award ceremony with the exhibition of the student's work took place on 30/5/2018 in the presence of the Minister and the General Director of the Ministry of Education and Culture and the General Manager of the Ministry of Labour, Welfare and Social Insurance. Over 80 people (parents, teachers and children) participated in the award ceremony.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

#### **MINISTRY OF JUSTICE AND PUBLIC ORDER- OFFICE OF THE COMMISSIONER FOR GENDER EQUALITY**

In January 2019 the Ministry of Justice and Public Order presented during a press conference, the bill on violence against women and girls, which is currently at the Law Service of the Republic for legal audit. The bill that has been prepared covers gaps identified in the legislative framework of Cyprus and complies fully with the extensive provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), ratified by the Republic in 2017. The bill has been perceived by the public and civil society as an innovative legislative tool which will bring positive changes in the field, proving at the same time that the Republic will no longer tolerate any form of violence against women and girls. More specifically, the bill:

1. Covers all forms of violence against women and girls as these are stated in the Istanbul Convention;
2. Strengthens the protections and assistance of women and girls victims of violence;
3. Sets out proportionate, deterrent and effective sanctions;
4. Lays concrete basis for the provision of specialised assistance to victims;
5. Sets out a comprehensive, holistic, women centred approach [while recognising the individual agency of women], as well as preventative actions and enforcement measures;
6. Provides for the establishment of a co-ordinated body to implement the Istanbul convention, which amongst others, will undertake the responsibility for the creation of a unified data collection system on all forms of violence against women which will include desegregated data by sex and age of the victims and perpetrators and the relationship between them as well as the type of violence;
7. Sets the basis to establish international and national co-operation in the field of violence against women.

With regards to stalking and harassment, the bill will regulate the protection of individuals from behaviour such as harassing and stalking, as well as behaviour that constitutes harassment, as well as other related offenses. The purpose of the bill is to criminalize the offenses of harassment by varying the penalties imposed and its consequences on the victim, as defined in the bill. The bill also provides for the possibility for the court to issue decrees with a view to protecting the victim or other persons in his/her environment. A special section on urban therapies is included and, in particular, the right of the victim to compensation and rehabilitation after a final conviction is provided for. This bill has been tabled before Parliament.

#### **MINISTRY OF EDUCATION AND CULTURE**

##### **Legislative Changes**

In national laws, general references are made to the responsibility of the Ministry of Education and Culture for the provision of information on sexuality education to children and provision of training to educators. Sexuality Education is included in the Health Education curriculum as a thematic area frame “Family Planning – Sexual and Reproductive Health”.

#### **THE ADVISORY COMMITTEE FOR THE PREVENTION AND CMBATING OF VIOLENCE IN THE FAMILY (ACPCVF)**

The Violence in the Family (Prevention and Protection of Victims) Law 2000 was amended on 9 July

2019, allowing victims/witnesses to testify by video outside the courtroom, as specified by the Court.

## **2.2 Policy changes e.g.**

### ***MINISTRY OF JUSTICE AND PUBLIC ORDER- OFFICE OF THE COMMISSIONER FOR GENDER EQUALITY***

As part of the implementation of the obligations under the Istanbul Convention, the Council of Ministers of Cyprus has approved on 23 January 2019 the operation of a “Women’s House” which will function as an interdisciplinary centre, where professionals from various disciplines and state officials such as Clinical Psychologists, Social Workers, specially trained Police Officers will work under the same roof to provide appropriate support and treatment to women who are victims of violence. Victims of violence will be referred to the House by the Social Welfare Services, the Police and non-governmental organisations, or other State agencies as well as directly by the victims themselves and their families.

The services which will be provided to victims by the House include:

- Counselling and support
- Psychosocial counselling support.
- Legal counselling and guidance on their rights
- Referral to the relevant services.

A step forward in the right direction was also the signing of bilateral co-operation protocol between the Ministry of Justice and Public Order (MJPO) and the Association for the Prevention and Handling of Domestic Violence (APHDV). The APHDV runs a 24 hour telephone helpline for women victims of violence, funded by the MJPO. In addition, the Police has adopted a special Risk Assessment Protocol for cases related to intimate partner violence. The protocol is used in cases of allegations of violence, involving (former) spouses, cohabitee or partners.

The Cyprus Police has also been making continuous and systematic efforts, aiming at higher levels of sensitivity, awareness and professionalism among police members handling cases of domestic violence. Within this framework, specialised training programmes are carried out, aimed at police members dealing with these issues, as well as newly recruited police officers. This training took place within the framework of a two-year Project (2017-19), entitled “Circle of Change” (JUST/2016/RGEN/AG/VAWA/9945). Funds of the project have been also used for drafting a police training manual on violence against women, with an emphasis on domestic violence.

### ***MINISTRY OF EDUCATION AND CULTURE***

#### **Policy Changes**

1. The Ministry of Education and Culture (MOEC), recognising its responsibility and influence in the field of primary prevention, has proceeded to the setting up and operation of a Co-ordinating Committee for the Prevention and Combating of Sexual Abuse and Exploitation of Children with representatives of all MOEC departments and services. The Committee co-ordinates all matters concerning the Protection of Children from Sexual Exploitation, Sexual Abuse and Child Pornography relating to the actions of the Ministry.

2. The National Strategy and Action Plan to Combat Sexual Abuse and Exploitation of Children and Child Pornography (“NS”) constitutes the basic policy text and guides the actions and initiatives of the Authorities of the Republic of Cyprus for the next three years. The elaboration of the NS was decided by the Council of Ministers on 13 July 2015 and for this purpose an Inter-ministerial Committee has been established, comprising the Ministers of Education and Culture, Labour,

Welfare and Social Security, Justice and Public Order and Health. The National Strategy and Action Plan to Combat Sexual Abuse and Exploitation of Children and Child Pornography 2016-2019, seeks to recognise the scope and scale of this social problem, to identify the priorities for addressing it properly and to determine the necessary actions and policies in order to achieve the primary goal which can be described as follows: "All children should have the opportunity to grow up in conditions of security, equipped with all the tools that would allow them to develop healthy relationships, without having to face any form of sexual exploitation or abuse, free from all forms of sexual injury"

#### **Other activities**

1. In-service training of teachers on issues related to preventing and combating delinquency (Department of Primary Education, Department of Secondary General Education, Department of Secondary Technical and Vocational Education, the Pedagogical Institute).
2. Workshops for teachers (Primary and Secondary Education) organised by the Pedagogical Institute and the Mediterranean Institute of Gender Studies (MIGS).
3. Workshops for teachers (Primary and Secondary Education) organised by the Pedagogical Institute on gender relations topics.
4. Collaboration of the Interdepartmental Committee with various NGOs.
5. A research on sexuality education was conducted by the Centre of Educational Research and Evaluation (of the CPI) between October and December 2017. The research aimed at providing clues about what is happening at school in classroom teaching, but also in the wider environment of the school, by highlighting the views of teachers on these sensitive issues. Focus on teachers has been considered important, as teachers' abilities, perceptions and beliefs influence their teaching and their whole approach of these particularly sensitive issues. The suggestion to investigate the matter was raised by the Co-ordinating Committee for the Prevention and Combating of Sexual Abuse and Exploitation of Children, members of which contributed both in terms of methodological planning and feedback to the conclusions of this research. The Cypriot Family Planning Association also contributed to the design and final form of research, giving feedback. The research conducted as part of the action plan of the National Strategy to Combat Sexual Abuse and Exploitation of Children and Child Pornography (2016-2019) in order to investigate the needs of the teachers in teaching the subject and to set related training (mandatory) for the next years.

#### **Target Group**

1. Students
2. Teachers

#### **THE ADVISORY COMMITTEE FOR THE PREVENTION AND COMBATING OF VIOLENCE IN THE FAMILY (ACPCVF)**

National Action Plan for the Prevention and Combating of Domestic Violence (2017-2019)

The Advisory Committee for the Prevention & Combating of Violence in the Family drafted the 2nd National Action Plan for the Prevention and Combating of Domestic Violence (2017-2019) which is approved by the Cyprus Council of Ministers on May 25, 2017 (Decision No.82.656). The National Action Plan focuses mainly on the following objectives:

- o Revision/Updating of the Manual of Interdepartmental Procedures prepared by the Advisory Committee for the Prevention & Combating of Violence in the Family and approved by the Council of Ministers in 2002.
- o Promoting systematic specialised and also interdepartmental training for front-line professionals, dealing with incidents/ cases of domestic violence.
- o Reinstatement of the specialisation of Family Counsellors within the Social Welfare Services.
- o The development and adoption of a multi-agency Risk Assessment Mechanism for more effective management of incidents/cases of domestic violence.

o Promoting the ratification of the Istanbul Convention by the Cyprus Parliament with national legislation.

o Promoting the effective implementation of the new national legislation on Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime 2016 [N.51 (I)/2016].

(You can find the full text of the Action Plan at [www.familyviolence.gov.cy](http://www.familyviolence.gov.cy))

- Woman's House

On 24.01.2019, the Council of Ministers approved the proposal of the Minister of Labour, Welfare & Social Insurance for the creation of the "Woman's House", a crisis centre for women victims of violence and their children. The unit will operate as a 'one-stop-shop' providing integrated services for victims of violence against women. The Council of Ministers appointed the Advisory Committee for the Prevention & Combating of Violence in the Family (ACPCVF) as the Co-ordinator for the issue. This ministerial decision is based on the proposal that ACPCVF, had submitted, in 2016, to the Ministry of Labour, Welfare & Social Insurance, regarding the urgent need of bringing together all the involved services in supporting and protecting women victims of violence under one roof. It is important to note that the "Woman's House" will provide services to migrant women on the principle of none discrimination, regardless of their migrant/ legal status.

- Centralized data collection mechanism for domestic violence

The Advisory Committee for the Prevention & Combating of Violence in the Family has drafted a proposal regarding the implementation of a centralized data mechanism for the collection and processing of administrative data on domestic violence as foreseen by the Istanbul Convention and the Victims' Rights Directive. The proposal was submitted on November 30, 2016 to the Ministry of Justice and Public Order of the Republic of Cyprus for approval. The issue is still pending.

## 2.4 Research and awareness-raising

### **COMMISSIONER FOR ADMINISTRATION AND PROTECTION OF HUMAN RIGHTS (OMBUDS**

The Code of Conduct on Preventing and Combating Sexual Harassment and Harassment in the public sector, drafted by the Commissioner for Administration and Protection of Human Rights, was approved by the Council of Ministers in July 2018. The Commissioner informed all public authorities for the approved Code of Conduct and asked them to support its implementation. As per the Code, each public authority should designate an Equality Committee and the Commissioner asked them to do so, as soon as possible, in order to proceed with the training of the members of the Committees. Since January 2019, our Office, in co-operation with other authorities, started 2 types of training: a general training to inform employees in the public sector about the Code of Conduct and a specialised training for the members of the Equality Committees. In the first semester of 2019, 22 training sessions were held, in which almost 700 employees participated.

Following a request, our Office organised a number of training sessions on sexual harassment and harassment in workplace for the members (employees and workers in the private sector) of the trade union in all the cities.

### **THE ADVISORY COMMITTEE FOR THE PREVENTION AND COMBATING OF VIOLENCE IN THE FAMILY (ACPCVF)**

- Circle of Change: Preventing and combating violence against women and girls through Gender Equality Awareness" (Apr. 2017- Sept. 2019)

The Advisory Committee for the Prevention & Combating of Violence in the Family participates as an Associate Partner to the two year European Funded project entitled, "Circle of CHANGE: Preventing and combating violence against women and girls through gender equality awareness". The aim of the project is to support the development and implementation of practical and targeted information, awareness raising and education activities to eliminate Intimate Partner Violence/Sexual Violence (IPV/SV) in different levels: teen relationships, stakeholders and the wider

public.

Co-ordinator of the project is Cyprus Police (Criminal Investigation Department) with the following partners: Mediterranean Institute of Gender Studies (MIGS), the Association for the Prevention and Handling of Violence in the Family (SPAVO) and Enoros Consulting Ltd.

The objective of the project is to develop a curriculum that will be implemented in specialised training to front-line professionals in order to prevent and respond more effectively to violence against women in Cyprus. The Circle of CHANGE project involves the training of front-line professionals, teachers and related professionals from all major cities in Cyprus and adolescents will be empowered through student implementation workshops.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.1 Legislative changes

##### ***MINISTRY OF JUSTICE AND PUBLIC ORDER- OFFICE OF THE COMMISSIONER FOR G.E***

The reform of the Family Law has been among the priorities of the Government of Cyprus during the last years. To this end, the Ministry of Justice and Public Order, calling upon the expertise of judges, lawyers, the Commissioner for Children's Rights and academics in the field proceeded to the preparation of seven bills, which are now under discussion in Parliament.

These bills aim to modify the Family Law in an effort to safeguard the rights of women and men, as well as the best interest of the child, thus achieving full harmonisation with relevant international and European Human Rights Instruments, including the UN Convention on Children's Rights.

This modernisation of family law will particularly benefit women, in many ways: (a) the protection of family home is strengthened, with the provision that neither of the spouses will be able to dispose of the family home without the consent of the other, (b) Efficient procedures for gathering information on spousal property are established for the purpose of calculating alimony and (c) the presumption of one spouse's contribution to the increase in assets will be revised and reassessed.

In particular, the main thrust of these bills is as follows:

- ✓ Introduction of consensual divorce.
- ✓ Joint child custody, with equal time spent.
- ✓ Children's interests will be seriously considered by the Court and they will be called to testify to their wishes.
- ✓ Parents will be obliged to ensure a child's right to contact with both parents.
- ✓ The family home will be protected in that neither parent will be able to mortgage or otherwise set it at risk, even if it should be in their name, without the consent of the other parent. Neither can family members be evicted.
- ✓ In order to calculate alimony, each parent will be obliged to submit all information relating to property and financial status to the Court, including bank account details.
- ✓ Property acquired during the marriage is halved between the spouses, rather than divided into thirds, as hitherto.
- ✓ Parents will be obliged to participate in educational or therapeutic programmes, which aim to keep good relations between themselves and their children.
- ✓ Divorces will be granted by decision of a single Judge, rather than the present three. This will speed up the existing process.
- ✓ Family courts will adjudicate in cases of marriages between different religious groups.

### 3.4 Research and awareness-raising

#### **MINISTRY OF LABOUR, WELFARE AND SOCIAL INSURANCE**

The Labour Relations Department of the Ministry of Labour, Welfare and Social Insurance, the Gender Equality Committee for Employment and Vocational Training, and the Office of the Commissioner for Administration and Human Rights (Ombudsman), organised a Forum on Equal Pay for Men and Women. On 7 February 2019. Among the participants were workers' and employers' organisations, as well as governmental representatives and NGOs engaged in promoting gender equality at the workplace. The Equal Pay between Men and Women for the Same Work, or for Work to which Equal Value is Attributed Law was presented and thoroughly discussed at the Forum, together with relevant case-law of the European Court of Justice. In-depth discussion on three particular cases took place in separate workshops, in order for participants to gain some insight of legislation interpretation issues, and judicial procedures to be encouraged in the future.

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.2 Policy changes

#### **MINISTRY OF EDUCATION AND CULTURE**

##### **Policy Changes**

The Social Welfare Services of the Ministry of Labour, Welfare and Social Insurance have been put under their guardianship a number of unaccompanied minors, applicants for international protection. Subsequently, the Ministry of Education and Culture of Cyprus is applying European directives and the action plan of the Interdepartmental Committee for the Integration of children with a migrant background, for the education of all underage persons, especially children with a migrant background, prepared a special programme for the education of unaccompanied minors in schools. As part of their studies at school and during the asylum procedure, there is an effort to empower these children especially in education, technical training, work and employment, access to basic services and the active participation and social inclusion with a view to obtaining further educational and professional qualification. Unaccompanied minors are refugee children group have the highest vulnerability, due to both their recent traumatic experience having lived and the lack of support from their family in their place of arrival. Therefore, the Ministry of Education efforts focused on further support and integration of these children.

In the current school year 2018-2019 five (5) classes of unaccompanied minors are operating in Cyprus in five (5) schools in Nicosia, Larnaca and Limassol. Lessons are attended by about 76 unaccompanied minors.

Also, in the Educational Programme for Unaccompanied Minors/ who are Applicants for International Protection a Certificate of Attendance was granted to children who would attend the particular programme and in addition the MOEC established three afternoon classes at the State Institutes of Further Education. Such classes ran on a full time schedule of 20 periods per week and were staffed with teachers employed through the purchase of services (the basic criterion for recruitment being experience and professional qualifications for teaching Greek as an additional language).

##### **Other activities**

- Participation in a project co-funded by Asylum, Immigration and Integration Fund and Cyprus government (in co-operation with CARDET and Innovade) that offers Greek language lessons for third country minors as part of the measures to integrate asylum-seeking, refugee, and women and girls from migrant background into the education system (primary and secondary level).

### 5.3 Institutional changes

#### **COMMISSIONER FOR ADMINISTRATION AND PROTECTION OF HUMAN RIGHTS (OMBUDS**

- Report of the Commissioner on the framework regarding the accommodation conditions of asylum seekers who reside outside the Kofinou Reception Centre

### 5.4 Research and awareness-raising e.g. production and dissemination of information on the support structures, services, NGOs and legal aid available.

#### **COMMISSIONER FOR ADMINISTRATION AND PROTECTION OF HUMAN RIGHTS (OMBUDS**

- Organised an event entitled “Woman refugee, woman migrant in Cyprus”
- Report of the Commissioner regarding the reopening of asylum applications based on new evidence

## 6. Objective : Achieve gender mainstreaming in all policies and measures

### 6.2 Policy changes

#### **MINISTRY OF JUSTICE AND PUBLIC ORDER- OFFICE OF THE COMMISSIONER FOR G.E**

When it comes to horizontal actions the promotion of gender mainstreaming in the public administration is one of the main priorities of the government of the Republic of Cyprus. The horizontal promotion of gender mainstreaming was one of the main activities of the National Action Plan on Gender Equality for the last years. For its implementation an ad-hoc committee was set up aiming at the drafting of an educational handbook on the issue. The ad-hoc committee is comprised by representatives of the Ministry of Justice and Public Order, the Office of the Commissioner for Gender Equality, the Gender Equality Committee in Employment and Vocational Training, the Cyprus Academy of Public Administration and the Commissioner for Administration (Ombudsman) and the Protection of Human Rights. Beside the handbook, which was commissioned to an NGO, an Action Plan has been drafted for the training/education of civil officers responsible for the design and strategic development plans of all ministries including those designing the budget of each ministry. It is envisioned that such training will begin in September 2019 with the support of the Cyprus Academy of Public Administration.

The NMWR plays a leading role in ensuring the introduction of gender mainstreaming in all national policies and programmes. This is done through the encouragement of training of relevant professionals within the public service on gender equality issues, the support of the development of research on gender-related issues, the promotion of data collection and gender-disaggregated statistics, and the organisation of relevant training workshops, seminars, and conferences with the participation of international experts.

In accordance with the decision of the Council of Ministers No. 61.649, dated 24 February 2005, the NMWR has been involved in the procedure for ensuring that gender mainstreaming is incorporated in all stages of the utilisation of the funds granted to Cyprus from the Structural Funds (programming, selection of projects, implementation and evaluation). In particular, it is responsible for evaluating and certifying that projects funded by the Structural Funds comply with the national and EU legislation/policies on gender equality.

### 6.3 Institutional changes

#### **MINISTRY OF JUSTICE AND PUBLIC ORDER- OFFICE OF THE COMMISSIONER FOR G.E**

A milestone in the Ministry of Foreign Affairs' efforts to introduce new horizontal themes that reinforce and enrich the foreign policy pillars of the Republic of Cyprus has been the appointment of an Advisor to the Minister of Foreign Affairs on the mainstreaming of the Gender Dimension in foreign policy. In this framework, the Ministry has started designing and implementing targeted actions and initiatives at a regional, European and international level with the aim of contributing to efforts to eliminate inequality between women and men in all sectors and to accelerate progress internationally. 2019 will become a landmark year for gender equality through a number of actions, including, inter alia:

Organising seminars for all staff on the effective integration of the gender dimension into foreign policy; organising a specialised training seminar exclusively addressed to Women working at the Ministry of Foreign Affairs on "Women and Leadership", aiming at narrowing the gap between women and men in decision-making positions at the Ministry of Foreign Affairs'; organising a Public Consultation on gender mainstreaming with the involvement of civil society, in particular bodies and organisations specializing in the promotion of equality between women and men; organising together with other UN member states, the European Union and a United Nations Agency an event on the sidelines of the 74th Session of the UN General Assembly dedicated to the promotion of gender equality.

### 6.4 Research and awareness-raising measures

#### **MINISTRY OF LABOUR, WELFARE AND SOCIAL INSURANCE**

Please see answer to question 3.4. above.

#### **COMMISSIONER FOR ADMINISTRATION AND PROTECTION OF HUMAN RIGHTS (OMBUDS**

Following the preparation of the Handbook on the integration of gender mainstreaming in public policies, a specific training plan was designed for a 6-day training sessions, which are expected to start by the end of September. Participants in this training are going to be members of the budget and strategic plan teams of the public authorities, equality officers and officers responsible for the education and training of the public servants.

## 7. Main challenges and lessons learned

#### **THE ADVISORY COMMITTEE FOR THE PREVENTION AND CMBATING OF VIOLENCE IN THE FAMILY (ACPCVF)**

Multi-agency co-operation and co-ordination in responding to domestic violence and violence against women remains weak, despite relatively comprehensive legislation and the adoption of an updated Manual of Interdepartmental Procedures for responding to family violence with focus on the child victim. In order to improve co-ordinated responses, systemic training of front-line professionals is needed, improved data collection and information sharing, as well as the monitoring and evaluation mechanisms.

**8. Additional comments, if any****MINISTRY OF JUSTICE AND PUBLIC ORDER- OFFICE OF THE COMMISSIONER FOR G.E**

At present, the third National Action Plan on Gender Equality 2019-2022 has been prepared, as a project of close collaboration of the Government, Local Authorities, the Commissioner for Gender Equality, women's organisations, NGOs, academic institutions and human rights bodies.

The new Action Plan will include the following seven thematic areas/objectives that could form the key priorities for action over the next three years:

- ✓ Combating all forms of violence against women and gradual implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention).
- ✓ Promoting balanced participation between women and men in decision-making positions in public, political, social and economic life;
- ✓ Modernising/Improving the Legislative Framework;
- ✓ Protecting and Empowering Vulnerable Groups of Women;
- ✓ Promoting equality between men and women in employment;
- ✓ Eliminating Gender Stereotypes and Social Prejudices and

Education and Training of Women in Information and Communication Technologies.

## CZECH REPUBLIC

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.4 Research and awareness-raising**

No progress in data collection was made in the monitored period. Projects aimed at the prevention and combating of gender stereotypes were, however, supported from the Support of Charitable Activities of Non-Governmental Organisations in the Area of Gender Equality grant programme, which is administered by the Department of Gender Equality at the Office of the Government of the Czech Republic. The supported initiatives included the Genderman project,<sup>43</sup> the Invisible Power campaign,<sup>44</sup> which focuses on Roma women, and the Migrant among Women – Health and Protection from Violence project,<sup>45</sup> which focuses on migrant women.

Furthermore, in September 2019, the Department of Gender Equality published a handbook named *Prevention of Sexual Harassment at Workplace in the State Sector*. The handbook, which aims to help bodies of state administration to prevent cases of sexual harassment and provide information on how to sensitively and effectively treat such cases, will be distributed to ministries and other bodies of state administration in the upcoming weeks.

**2. Strategic objective: Prevent and combat violence against women and domestic violence****2.2 Policy changes**

On 6 May 2019, the Czech Government adopted the Action Plan for the Prevention of Domestic and Gender-based Violence for 2019 – 2022. The Action Plan focuses primarily on partner, intergenerational and sexual violence. It brings 24 concrete measures that should lead to more consistent prevention and more accessible help to victims.

The measures of the Action Plan are divided into three strategic areas: (i) prevention, (ii) protecting and supporting persons at risk (including children), and (iii) ensuring access to justice. Ensuring the availability of specialised services for persons at risk of violence and their children (especially shelters) is one of the main priorities of the Action Plan. The support of vulnerable persons such as elderly men and women, migrants, Roma women and others are cross-sectional priority of the Action plan.

**2.3 Institutional changes**

No changes. The Committee for the Prevention of Domestic and Gender-based Violence, which is an advisory committee to the Government Council for Equality of Women and Men, continued its work in the monitored period. Members of the Committee include representatives of the state sector, NGOs, and the academia.

**2.4 Research and awareness-raising**

In 2018, the Amnesty International repeated representative survey on violence against women (the first survey was realised in 2015). The current survey shows that Czech population estimates that up to 10,000 women will become a victim of rape, which is 5 times higher than three years ago. The survey also confirmed other stereotypes about rape - an absolute majority of the population (58%) continues to believe that in certain cases or situations the woman is at least partly responsible for

<sup>43</sup> More information at: <http://www.otevrenaspolecnost.cz/dokumenty/pravidla-genderman-2018.pdf>

<sup>44</sup> More information at: <http://www.slovo21.cz/aktuality/649-neviditelna-sila-romskych-zen>

<sup>45</sup> More information at: <https://www.migrace.com/cs/delame/projekty>

her rape. The research also showed that over 70% of respondents think the current situation in the area of violence against women in the Czech Republic is a problem. People even more strongly perceive the need to intensify prevention – 84 % of all respondents call for the Czech Republic to focus more on preventing violence against women.<sup>46</sup>

ProFem research carried out in 2019 focused on the issue of partnership violence between young people and adolescents and its impact on the lives of young people in Czech Republic. Research has shown that 43% of young people who have experienced or experiencing the violence in a relationship, suffer from long-term inability to concentrate in school or study. Every fourth girl or boy experiencing violence in a relationship suffer from anorexia or significant weight loss, 18% is worried about their own lives, and 16% of victims think of suicide. The research also included a comparative analysis of the incidence of this violence in other states. In Georgia, Spain, Croatia and Austria with violence in their partner<sup>23</sup> - 33% of young people met the relationship. Research results point to seriousness and the global nature of the phenomenon of partner violence among young people.<sup>47</sup>

There have also been multiple awareness-raising activities concerning the ratification of the Istanbul Convention in the monitored period, as the Public Opinion Research Centre's survey revealed that those with the knowledge of what the Istanbul Convention is about are more likely to support its ratification<sup>48</sup>. Helena Válková, MP, the newly appointed Government Commissioner for Human Rights, considers the topic of the ratification of the Istanbul Convention to be her priority. The Department of Gender Equality has launched a website [www.istanbulska-umluva.cz](http://www.istanbulska-umluva.cz) and facebook page Istanbulská úmluva<sup>49</sup> to address the main misinterpretations regarding the Istanbul Convention. *The Analysis of the Implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) in Selected Countries of the Council of Europe*<sup>50</sup> was also published by the Department in July 2019. The Analysis looks at the countries, which ratified the Istanbul Convention in 2013 and 2014 and has thus undergone the entire monitoring cycle, and evaluates whether the worries, which are being brought up in the Czech public discussion, are founded on reality. A new translation of the Istanbul Convention was also finalised by the Department in July 2019.

#### 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

##### 4.2 Policy changes

The Action Plan for Equal Representation of Women and Men in Decision-making Positions for 2016 - 2018<sup>51</sup> (the first comprehensive strategic document of the Government of the Czech Republic focusing specifically on the area of balanced participation of women and men in political and public decision-making) expired in December 2018. This Action Plan was not extended for the next period. The Action Plan included general tasks for promotion of balanced representation of women and men in decision making positions, tasks for the area of politics, the area of public administration and other public institutions and for commercial companies. Measures aiming at increasing women's

<sup>46</sup> Amnesty International. 2018. The issue of violence against women through the lens of the Czech population. Available at: [https://www.amnesty.cz/data/file/4254-vvm\\_problematika-nasili-na-zenach-optikou-ceskepopulace.pptx?version=1541109702](https://www.amnesty.cz/data/file/4254-vvm_problematika-nasili-na-zenach-optikou-ceskepopulace.pptx?version=1541109702)

<sup>47</sup> More information at: <http://new.profem.cz/shared/clanky/670/V%C3%BDstupy%20z%20v%C3%BDzkumu.pdf>

<sup>48</sup> More information at: [https://cvvm.soc.cas.cz/media/com\\_form2content/documents/c2/a4797/f9/pm190111.pdf](https://cvvm.soc.cas.cz/media/com_form2content/documents/c2/a4797/f9/pm190111.pdf)

<sup>49</sup> More information at: <https://www.facebook.com/istanbulskaumluva>

<sup>50</sup> The Analysis is available at: [https://www.vlada.cz/assets/ppov/rovne-prilezitosti-zen-a-muzu/Aktuality/Rozbor-dopadu-istanbulske-umluvy\\_3.pdf](https://www.vlada.cz/assets/ppov/rovne-prilezitosti-zen-a-muzu/Aktuality/Rozbor-dopadu-istanbulske-umluvy_3.pdf)

<sup>51</sup> The Action Plan is available in English at: [http://www.vlada.cz/assets/ppov/rovne-prilezitosti-zen-a-muzu/dokumenty/Action\\_plan\\_for\\_Equal\\_Representation\\_Decision\\_Making\\_Positions.pdf](http://www.vlada.cz/assets/ppov/rovne-prilezitosti-zen-a-muzu/dokumenty/Action_plan_for_Equal_Representation_Decision_Making_Positions.pdf)

participation in decision making positions will be included into the Action Plan for Gender Equality for 2019 – 2020, which is expected to be approved by the government in September 2019.

#### 4.3 Institutional changes

No changes. The Committee for Balanced Representation of Women and Men in Politics and Decision-making, which is an advisory committee to the Government Council for Equality of Women and Men, continued its work in the monitored period. Members of the Committee include representatives of political parties, NGOs, unions, and the academia.

#### 4.4 Research and awareness-raising

In June 2019, the Department of Gender Equality organised an international conference focused on the 100th anniversary of Women's Right to Vote in Czechoslovakia. The conference was focused on the challenges and obstacles which women face in politics, on the experiences of women politicians, and on the support for women politicians in political parties. Many politicians and MPs expressed their support to quotas and other measures facilitating higher participation of women in politics.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.2 Policy changes

The updated *Conception of the Integration of Foreigners – In Mutual Respect 2019* was adopted by the Czech government in January 2019. As in the previous years, the document names the priorities of the Czech Republic's integration policy for the upcoming year and names migrant women among the vulnerable groups.<sup>52</sup>

### 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

#### 6.4 Research and awareness-raising

Two workshops on gender impact assessment, which are run by the Department of Gender Equality, took place in the monitored period. The workshops were established in 2018 following a quantitative analysis, which had been carried out by the Department and which had uncovered that the impact on women and men had been inadequately considered in a large proportion of the materials presented to the government. The workshops, which are aimed at state employees, teach the attendees about gender impact assessment and the usage of the Methodology on Gender Impact Assessment for Materials Presented to the Government, which was adopted by the government in 2016. The Department aims to run 3 workshops on gender impact assessment every year until 2020.

### 7. Main challenges and lessons learned

#### a) Factors which influence the implementation of policies and measures

Positive factors:

- the placement of the Department of Gender Equality, which is the national gender equality body, at the Office of the Government of the Czech Republic, which emphasises the cross-sectional character of the agenda and its importance, thus allowing easier implementation of measures within ministries and other relevant subjects.
- the involvement of influencers in the communication of important topics to the public, as it

<sup>52</sup> More information at: <https://www.mvcr.cz/migrace/soubor/2019-postup-pri-realizaci-kic-2019-usneseni-vlady-c-6-2019-pdf>

brings wider attention to the topics and helps to articulate their importance to the political parties.

Negative factors:

- the lack of political will
- insufficient financial and human resources
- insufficient capacities of NGOs, as the trend in the Czech Republic is to provide financing for specific projects rather than for capacity-building.

## DENMARK

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.1 Legislative changes**

In December 2018, the Danish Parliament adopted a bill that amended the Criminal Code by expanding the prohibition on disclosing intimate photographs and/or videos. The bill entered into force on 1 January 2019. As a result of the bill, it is now illegal to disclose pictures of naked people taken in public spaces.

On 27 December 2018, the Danish Parliament amended the Act on Equal Treatment of Men and Women with regards to Employment in order to strengthen the prohibition of sexual harassment in the workplace.

The changes in legislation are two-fold:

1) The Parliament wanted to ensure that the workplace environment or atmosphere cannot be used as an excuse for a hostile or degrading tone or conduct in the workplace. Thus, an “informal” workplace environment cannot justify conduct which in other circumstances would be considered harassment or sexual harassment. The amendment is a direct response to case-law which has referred to the workplace environment when assessing complaints of sexual harassment.

2) Furthermore, the average level of compensation for victims of sexual harassment in the workplace was increased by 1/3 of the existing average level of compensation.

Please find the amendment (in Danish) in the link below:

<https://www.retsinformation.dk/Forms/R0710.aspx?id=206295>

The Danish Working Environment Authority (WEA) has amended the Executive Order on the Performance of Work (Executive Order No. 1234 of 15 November 2018) in order to specifically address sexual harassment in the workplace.

On 26 February 2019, following the amendment of the Executive Order, the WEA – in close cooperation with the Danish Social Partners – also amended the WEA Guidelines on Offensive Acts including Harassment and Sexual Harassment. The Guidelines are aimed at employers and employees and offer general advice and guidance on how to prevent and handle harassment and sexual harassment in the workplace.

Please find the Executive Order and the WEA Guidelines (in Danish) in the links below:

<https://amid.dk/regler/bekendtgoerelser/arbejdets-udfoerelse-1234/>

<https://amid.dk/regler/at-vejledninger/kraenkende-handlinger-4-3-1/>

**2. Strategic objective: Prevent and combat violence against women and domestic violence****2.1 Legislative changes**

In March 2019, the Danish Parliament adopted a bill on psychological violence in close relations (family etc.), which entered into force on 1 April 2019. The bill amends the Criminal Code by introducing a new separate act on psychological violence in close relations (family, etc.). Civil society has played an important role in the preparatory legislative process.

Furthermore, the Government recently announced that it will introduce a consent-based definition on rape in the Criminal Code. The amendment will be based on recommendations of the Standing Committee on Criminal Matters.

Rape and psychological intimate partner violence affect women disproportionately.

## 2.2 Policy changes

The Government is currently implementing the *National action plan to combat psychological and physical violence in close relationships (2019-2022)*, which is the fifth national action plan on domestic violence. The action plan aims to:

- Prevent psychological and physical violence in close relations through awareness raising activities
- Initiate research to inform future policies
- Provide counselling services for victims and perpetrators of violence

The action plan has 18 initiatives under the heading of 3 focus areas:

- Prevention and recognition of psychological violence: This includes awareness raising in the general population and specifically among children and young people. This focus is in line with the Government's bill on introducing a separate section concerning psychological violence in the criminal code.
- Further strengthening of ambulatory counselling and treatment programmes: The action plan finances and develops a number of specialised programmes that provides counselling, treatment and support for victims and perpetrators of different forms of violence including dating violence, intimate partner violence, stalking and digital harassment.
- Increased knowledge: This includes a nationwide study of the prevalence of physical and psychological violence in intimate relations, which allows for comparisons over time.

The action plan is available in English here: <http://um.dk/~media/UM/Danish-site/Documents/Ligestilling/Publikationer/2019/Handlingsplan%20til%20bekmpelse%20af%20psykisk%20og%20fysisk%20vold%202019%20-2022.pdf?la=da>

## 2.3 Institutional changes e.g. setting-up of a co-ordinating body to deal with violence against women and domestic violence

The Istanbul Convention obligates Denmark to designate a body responsible for the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of domestic violence and violence against women. *The inter-ministerial working group for the prevention of violence against women and violence in intimate relationships* is responsible for co-ordination while the different ministries are responsible for implementation, monitoring, and evaluation within their own areas of responsibility.

The inter-ministerial working group consists of representatives from the Ministry of Justice, the Ministry for Children and Social Affairs, the Ministry of Health, the Ministry of Immigration and Integration, the Ministry of Education, the Ministry of Employment and the Department for Gender Equality at the Ministry of Foreign Affairs, which is chairing the working group.

## 2.4 Research and awareness-raising

As part of the National action plan to combat psychological and physical violence in close relationships (2019-2022) the government will initiate a research project using survey methodology to estimate the prevalence of intimate partner violence (IPV). The study will enable comparison of the prevalence rates of physical IPV in 2005, 2010, 2017 and 2021 and will create a baseline estimate of the prevalence of psychological IPV.

In February 2019, the Danish Ministry of Justice arranged a full day workshop within the area of sexual assault and abuse in order to address and discuss current systemic and cultural challenges and in order to invite victims of rape and sexual assault to contribute with their views.

The workshop was organised in collaboration with Amnesty International Denmark and Danner (a Women's Rights Organisation and shelter for women and children subjected to violence).

Among others, a large group of victim-assistance lawyers and professional experts working within the police, the health sector and the educational sector attended the workshop. Furthermore, a number of victims of rape and sexual assault attended the workshop to contribute with their views.

### **2.5 Other pertinent developments**

In October 2018, the Danish Minister for Justice appointed a panel of experts within the area of sexual assault and abuse in order to gain further knowledge and recommendations within the area. The panel provided its first recommendations to the Minister in the beginning of 2019 focusing on improving how the system handles and helps victims of rape. The panel recommended an increased focus on different forms of emotional trauma shown – or not shown – by the victim when talking to the police, in court etc.

Furthermore, the panel recommended a closer examination of the benefits of and access to conducting video interviews by the police when receiving a complaint of sexual assault or abuse.

Finally, the panel recommended a set of minimum investigation standards for the police to conduct when receiving a complaint of sexual assault or abuse. The minimum standards are meant to provide the victim with a set of guidelines as to what to expect from the police.

The Minister for Justice has decided to look further into all three recommendations.

The panel is expected to provide further recommendations within the next couple of months.

## **3. Strategic objective: Ensure the equal access of women to justice**

### **3.5 Other pertinent developments**

It remains a strong focus point for the Danish Minister of Justice to continuously improve the conditions for victims of rape and victims of other sexual assault offenses. Therefore, as mentioned under point 2.5, the Danish Minister of Justice in October 2018 appointed a panel of experts within the area of sexual assault and abuse in order to gain further knowledge and recommendations within the area.

The panel provided its first recommendations to the Minister in the beginning of 2019 focusing on improving how the system handles and helps victims of rape. The Minister of Justice has decided to look further into all current recommendations.

The panel is expected to provide further recommendations within the next couple of months.

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.3 Institutional changes**

According to the Act on Gender Equality, public committees should have balanced participation of women and men. Authorities or Organisations are obliged to nominate a male and a female candidate.

In April 2019, The Minister for Equal Opportunities together with Copenhagen Business School and seven major recruitment agencies launched a code of conduct for recruitment agencies about diversity in management and boards. It consists of eight principles for diversity in recruitment and they include presenting clients with at least 33% female candidates and raising awareness about the effects of unconscious bias. Copenhagen Business School monitors the development in companies that have signed up to the code of conduct.

##### **4.4 Research and awareness-raising**

In 2018 the Minister for Equal Opportunities helped launch the campaign “Lead the Future” in cooperation with Above & Beyond and a number of large Danish companies. The campaign uses role models to inspire young women to choose an education that will help them reach management positions. 33 women managers take part in the campaign on social media and by presenting their stories at educational institutions.

In January 2019, the Minister for Equal Opportunities launched a research report on the effects of parental leave for fathers including the positive effects on women’s pay and careers.

Statistics Denmark is currently collecting data on the gender distribution in different levels of management in the public and private sector. The results will be published before the end of 2019.

#### **5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls**

##### **5.4 Research and awareness-raising**

###### **Initiatives concerning Islamic marriage and divorce**

In September 2018, the Minister of Gender Equality and the Minister of Immigration and Integration launched three initiatives to raise awareness among Muslim women of their rights when entering into an Islamic marriage. The initiatives are:

- 1) Training of professionals, primarily social workers, on religious marriages and the Danish law
- 2) Research on the phenomenon in a Danish context and the women’s knowledge of their rights
- 3) An awareness campaign based on education and dialogue with 2000 muslim women in Denmark.

1) The training will introduce the participants to one of the most experienced NGOs working with vulnerable refugee women in Denmark, FAKTI. The NGO will share their knowledge and experience on the difficulties and dilemmas arising from Muslim marriages and divorces. Furthermore, one of the leading Danish researchers on Islamic history and religion will provide religious perspectives on the dilemmas and how to address and understand them in the social work with immigrant women. The training will address a wide range of professionals, mostly social workers working with the target group of Muslim women on a daily basis. Approximately 300 social workers are expected to participate in the training.

2) The Ministry of Immigration and Integration is in the process of establishing a research project about the dissolution of religious marriages and women's knowledge of their rights. The research is based on the results of a research project about parallel legal beliefs from 2011. The research project from 2011 showed that many imams are conducting religious marriages that are not legally valid. In many cases it can be very hard for Muslim women to dissolve the marriage if the husband and the imam are not willing to grant divorce. Many women are thus held back in religious marriages against their will and are subjected to violence and psychological pressure.

3) The campaign aims to expand Muslim women's knowledge on their individual rights concerning marriage and divorce and bring awareness on how to use these rights within the Danish welfare system. The campaign will consist of an online platform and dialogue workshops with the target group consisting of volunteering immigrant women. As a part of the initiative the participating women will be offered individual consultations with professionals who can provide personalised guidance and support to the women on the issue. This campaign will be linked to an already existing campaign on equal rights among young and adult immigrants.

Link to the existing campaign, *Ret til ligestilling*: <http://ret-til-ligestilling.dk/>

Link to the press release on the initiatives:

<http://uim.dk/nyheder/2018/2018-09/nye-initiativer-om-ophaevelse-af-religiose-aegteskaber>

#### **Initiatives launched by the Council for Ethnic Minorities**

The Council for Ethnic Minorities contributes to policy developments on issues of relevance for refugees and migrants in Denmark. Their main objective is to provide counseling to the Minister for Immigration and Integration. The Council published a pamphlet containing information on voters' rights, regardless of gender. The pamphlet was distributed all over Denmark during the election to the EU Parliament and the national election in June 2019.

### **6. Strategic objective: Achieve gender mainstreaming in all policies and measures**

#### **6.1 Legislative changes**

Since 2013 the government has screened proposed legislation for gender equality issues before it is presented in Parliament.

#### **6.3 Institutional changes**

All public authorities are obliged to report to the Minister on their efforts on gender equality and gender mainstreaming. Their efforts are collected, monitored, and made public in a report and online. The purpose of this mechanism is to

- To give authorities an overview of their own gender equality efforts and help them promote their work
- To monitor and compare gender equality efforts across authorities
- To facilitate collection and sharing of good practices
- To make efforts visible to the public

In April 2019, the Parliament passed a bill simplifying the monitoring mechanism. Now authorities are obliged to submit reports every 3 years compared to every 2 years before. Furthermore, reporting requirements are simplified focusing on gender distribution in management, part time employment and parental leave. This simplification is meant to make the reporting format more useful to authorities.

**8. Additional comments, if any**

The Minister for Equal Opportunities is currently co-operating with the Ministry of Justice to prepare an awareness raising campaign about online harassment including the penalties for non-consensual sharing of sexual images. The campaign will be launched in the beginning of 2020 and will target young people in secondary education and focus on what is illegal online, including image sharing, online threats, hacking, pornographic image manipulation, fake dating profiles and digital nudity.

In recent years, there has been increasing awareness of digital violations among young people. Surveys show that 30 per cent of young people have experienced that others have taken sexual pictures of someone and shared them online. Especially young women are subjected to digital harassment.

## ESTONIA

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.1 Legislative changes**

In 2017-2018, two sets of amendments were adopted by the parliament to the legislation concerning parental leave and benefits system, coming into force gradually in 2018-2022.

The first part of changes in the Family Benefits Act were adopted by the parliament in December 2017 and come into force gradually in 2018-2020. According to the new system, from July 2020, fathers will have an individual right for paternity leave and benefit for 30 days (until that time, the paternity leave duration is 10 working days). Also, several new work-life balance measures will be established. For example, parents may receive parental benefit as well as earn income and the parental benefit will be reduced only when the monthly income exceeds 1.5 times Estonian average salary (1660 euros in 2019). This would enable, both parents to work part-time and share the care responsibility accordingly. Additionally, 19 months of parental benefit and leave can be used in one part or in several parts at any time until the child turns 3 years.

The second stage of amendments to the parental leave and benefits system were adopted by the parliament in October 2018. The amendments to the law include renaming of the pregnancy and maternity leave as maternity leave and the introduction of changes to the terms and conditions of the leave. Compared to pregnancy and maternity leave, the period of maternity leave will be shortened from 140 to 100 days, but as a result the parents will have a longer paid parental leave period (current childcare leave). Whereas the pregnancy and maternity leave was reimbursed as maternity benefit from the budget of the Estonian Health Insurance Fund, the maternity leave will be paid as mother's parental benefit through the Social Insurance Board from the state budget. In addition, the amendments of the law included also changing the conditions for child leave and adoptive parent leave as well as providing more flexibility for the conditions and compensation of parental leave. The amendments of the second stage will come into force on 1 April 2022.

**1.2 Policy changes**

At the end of 2018, the Government discussed a further action plan for changes in the long-term care system. The main aim of the changes is to increase the availability of long-term care services to reduce the care burden on informal carers and through that, support the reconciliation of work and care. In June 2019, the newly formed Government agreed that the Ministry of Social Affairs should continue to develop long-term care reform plan and should submit planned policy measures to Government for decision in November 2019.

**1.4 Research and awareness-raising**

From 2017 to mid-2019, the Gender Equality and Equal Treatment Commissioners' Office implemented a project "BREAK! – overcoming gender stereotypes in Europe through cross-media learning"<sup>53</sup>, in co-operation with Estonian Public Broadcasting, Foundation Innove, Tallinn University, Estonian Ministry of Education and Research, Office of the Equal Opportunities Ombudsperson in Lithuania and the Centre for Gender Equality in Iceland. The project was co-financed by the European Commission through the Rights, Equality and Citizenship Programme. The aim of the project was to contribute to overcoming educational and occupational gender segregation by reaching out to young people aged 13-30 through innovative cross-media tools and practices that are familiar for the youth. The main activity of the project was the creation and airing of a 10-

<sup>53</sup> More information about the project is available through its homepage at: <https://brea-k.eu/en/>

episode TV-series “Why Not?!” about a journey of a young woman becoming a rap-artist. Moreover, study materials for teachers on how to talk about (gender) stereotypes to the students in different classes and in different age groups, were produced in Estonia and made freely accessible through the project’s website and the digital study materials portal. Additionally, training took place for teachers and career counsellors on the use of the produced study materials. Also, a series of radio shows was aired in Estonian and in Russian where different equality topics were discussed. The project was introduced to young people all over Estonia also through 15 county visits to schools in 2018.

From January 2019 to the end of 2021, a project is carried out by a research consortium led by Tallinn University with an aim to decrease the still unexplained part of the gender pay gap by clearing up further reasons for it through linking together different existing databases, adding qualitative analysis and using simulation and prognosis models to design evidence-based policy scenarios. The project also creates a low-administrative-cost database for up-to-date data on gender pay gap. Based on the analysis, user-friendly digital awareness-raising features will be developed. As the studies show, women in Estonia often enter the pay negotiation process with a lower pay expectation than men. The digital solutions can have an empowering effect on women, providing information about the average pay level and pay gap in a certain field or position-level. The 615 789 EUR project is co-financed from the Regional Development Fund.

In 2019-2020, the Gender Equality and Equal Treatment Commissioners Office is implementing a project “InWeGe - Income, Wealth and Gender” in a collaboration with the University of Tartu and the TalTech (Tallinn Technical University). The project with a total budget of over 700 000 euros is co-financed by the European Commission through the Rights, Equality and Citizenship Programme. The project has three objectives. First, it analyses gender gap in financial and pension assets, focusing on Estonia, but using data also from other European countries. Second, the project aims to reveal new factors behind gender income gap in Estonia. Additionally, a free of charge and evidence-based innovative web application that predicts wages and pension entitlements is planned to be developed. In spring 2019, scientists from the TalTech and the University of Tartu presented a study about the gender gap in net wealth in Estonia. Administrative data on wealth that is linked to the Estonian Household Finance and Consumption Survey provides an individual-level wealth data for all household types.

In September 2019, an 18-month research project will start that will concentrate on developing and piloting nudging methods to increase the share of women among ICT sector students and employees. The project is co-funded by the Ministry of Social Affairs and the Estonian Research Council.

### **1.5 Other pertinent developments**

In September 2019, two seminars were organised by the Ministry of Social Affairs in co-operation with the Nordic Council of Ministers' Office in Estonia to support tackling hate-speech (including gender-based hate speech). The seminar targeted at journalists gave insights and know-how for dealing with hate-speech directed at journalists themselves, for covering certain sensitive topics and for refraining from using language and approaches that might encourage or even incite hate-speech. The second seminar tackling the same issue was targeted at civil servants.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

According to the amendments to the Penal Code that came into force on 1 July 2019, the maximum imprisonment term for rape (without aggravating circumstances) was extended by 1 year and is now up to six years. Additionally, using narcotic or psychotropic substances to commit rape or an act of sexual nature against will was added to the list of aggravating circumstances which can bring along a maximum imprisonment of fifteen years.

The description of an offence of trafficking in human beings underwent some changes in 2019. A clear reference was added to the description that for the activity to be considered trafficking in human beings, it does not have to have the purpose of gaining economic benefits. According to the present regulation, placing a person, for the purpose of gaining economic benefits or without it, in a situation where he or she is forced to marry, work under unusual conditions, engage in prostitution, beg, commit a criminal offence or perform other disagreeable duties, and keeping a person in such situation, if such act is performed through deprivation of liberty, violence, deceit, threatening to cause damage, by taking advantage of dependence on another person, helpless or vulnerable situation of the person, is punishable by one to seven years' imprisonment.

### 2.2 Policy changes

In 2017, a pilot project was initiated by the Minister of Interior and the Minister of Health and Labour to better protect victims of domestic violence by an enhanced co-operation and improved everyday practices of police, law enforcement, social and child protection, women's shelters and other relevant counterparts. The pilot was implemented in 2018 in the city of Pärnu. The aim was to provide a co-ordinated and integrated response to domestic violence by focusing on both victims and perpetrators and to ensure victim's security and empowerment, rapid intervention and case management, and effective need-based social and psychological support. Based on the analysis of the results of the pilot project, its steering group made proposals for changes in the Organisation, resources and legislation regarding law enforcement and social affairs, local government and victim support Organisations that were agreed by the Government. From 2019, the new intervention approach will be spread systematically all over Estonia.

A key feature of the piloted intervention logic is the removal from and denial of access to a particular address for a period of time of the alleged perpetrator, thereby enabling victims to remain in their own homes, provided it is considered safe to do so. It enables to provide immediate emergency protection. The piloted approach also provides victims with immediate crisis counselling from National Victim Support system and women's shelters, as the call to the 24/7 Victim Support Helpline 116 006 is made on the scene together with the police.

As a result of implementation of the improved approach, the rise in the number of initiated criminal investigations is visible, as the police treats domestic violence cases even more seriously than before. The new approach has increased also victims' trust in the state's victim support services and their willingness to co-operate. Increased coherence of co-operation and promptness of information exchange enables also to speed up provision of restraining orders.

In addition, Multi-Agency Risk Assessment Conferences (MARAC) method is being used in more serious cases of domestic violence. The two approaches together will provide safety and security for victims of domestic violence and their children.

Since the beginning of 2019, support for prostituted persons includes more services, including

support person service and labour market related counselling to enable exiting prostitution. An outreach work is carried out now in all four regions of Estonia in order to find trafficking victims more efficiently. Also, the budget for services has increased, being 100 000 euro per year in 2018 and 160 000 euro in 2019. In addition, for identified victims there is a special additional budget.

Changes have taken place also with regard to prevention and counselling. Since April 2019, the anti-trafficking hotline service, previously provided with state financing by an NGO, has been provided by the Social Insurance Board.

Additionally, new guideline on how to identify victims and how to guarantee their arrival to social services and shelter was finalised in 2019 and were introduced and disseminated to the anti-trafficking network in June 2019. The guideline was composed in co-operation of all the relevant counterparts, including the police, prosecutors, victim support, NGOs etc. and is valuable tool for making sure victims' rights are fully protected.

### 2.3 Institutional changes

In 2019-2023, the cross-sectoral co-operation will be co-ordinated within the framework of the Governmental Action Plan for Preventing Domestic Violence, approved by the new Government in July 2019. The tasks of the police, prosecutor's office and victim support are listed and the implementation of the action plan is monitored by the Government.

### 2.4 Research and awareness-raising

In 2018- 2019, Estonia participated in testing and piloting of an EU survey on Gender-Based Violence. Actions included translation and pre-testing of the questionnaire, conducting a pilot survey on GBV at national level, comparing the methodology to conduct GBV survey at national level with the proposal of common methodology of EU-wide survey and analysing the impact of the methodological choices.

## 3. Strategic objective: Ensure the equal access of women to justice

### 3.1 Legislative changes

According to the amendments of the Code of Criminal Procedure that came into force on 1 July 2019, victims were given the following additional rights: 1) to apply for an opportunity to state an opinion on release on parole of an offender in the case of a criminal offence of the first degree provided for in Chapter 9 (offences against the person) or 11 (offences against the family and minors) of the Penal Code; 2) to express an opinion on the impact associated with the criminal offence on him or her and on taking of responsibility for the criminal offence.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.4 Research and awareness-raising

In 2018, a project "The Role of Women and Men in Local Governments and Councils"<sup>54</sup>, co-financed by the state through the Council of the Gambling Tax, was carried out by a think tank Praxis. The aim of the project was to give an overview of the role of women and men in shaping the local life by collecting and analysing data of the education level, age, pay and occupation of the employees of local governments. The results were published in 2019 as a policy brief which can be used to

<sup>54</sup> „The Role of Women and Men in Local Governments and Councils“, Praxis: <http://www.praxis.ee/en/works/women-and-men-local-governments/>

improve the situation of women in local governments in the future.

In 2019-2020, the think tank Praxis is implementing a project “Nudging Women to Power”<sup>55</sup> financed from the European Commissions` Rights, Equality and Citizenship Programme, with a co-financing from the Ministry of Social Affairs, the National Foundation of Civil Society and the Nordic Council of Ministers.

The general objective of the project is to improve women’s access to high-level political decision-making. It aims to increase knowledge, awareness and understanding of the importance of gender equality in public policy making and how the media as well as political Organisations can help to empower women in achieving higher positions as well as visibility and credibility in public domains. For this, literature and policy reviews, media analysis and interviews with politicians and journalists to analyse the main impediments for Estonian women to speak up in public debates, to enter politics, or to ascend to leadership positions will be carried out. Building on the research results interactive seminars for Estonian politicians and journalists will be organised to compile and design online behavioural toolkits that can be used continuously by political parties and journalists to help to improve the situation. The direct target group of the project are Estonian journalists and national policy makers participating in seminars organised during the project. The wider target audience will be all journalists, policy makers, women interested in decision-making and the whole society benefitting from more equal representation of women and men in politics.

## 6. Objective: Achieve gender mainstreaming in all policies and measures

### 6.4 Research and awareness-raising

In May 2019, the Gender Equality and Equal Treatment Competence Centre for the use of the Cohesion Policy Funding published a user-friendly online report “Europe 2020 and Equal Opportunities”<sup>56</sup> which draws together data on the situation of different social groups, including women and men, young and older people, people with special needs or of different ethnic background, in a variety of fields of life, e.g. at the labour market, in education, in entrepreneurship, concerning health etc., and trends concerning their situation in the period of 2014 and onwards.

An analytical compilation of statistics based on national set of indicators for monitoring progress on the SDGs was published at the end of 2018. National set of indicators for monitoring progress on the SDGs includes 87 indicators, 3 of which are gender-specific (gender pay gap, women in managerial positions, time-use of women and men).

<sup>55</sup> Homepage of the Praxis project “Nudging Women to Power”: <http://www.praxis.ee/en/works/14338/>

<sup>56</sup> The report is available in Estonian at: <https://vordsedvoimalused2020.ee/>

FINLAND
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.4 Research and awareness-raising

As part of its Presidency of the Committee of Ministers of the Council of Europe, Finland organised a conference on the elimination of gender stereotypes and sexism in Helsinki in March 2019. The conference “Tackling Gender Stereotypes and Sexism” examined gender stereotypes and charted methods for getting rid of how they manifest themselves in working life, the media, violence against women and hate speech.

### 1.5 Other pertinent developments

In the reporting period an independent expert working group was appointed by the Ministry of the Interior, the Ministry of Justice and the Ministry of Education and Culture. The working group included representatives from the Office of the Prosecutor General, the Council for Mass Media, the Helsinki Police Department, the Advisory Board for Ethnic Relations, and the Union of Local Youth Councils in Finland, among others. Several researchers also participated in the work of the working group. The working group handed over its report in May 2019.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.2 Policy changes

The Istanbul Convention Action plan 2018-2021 was drawn up by the Committee for Combating Violence against Women and Domestic Violence (NAPE), which is the co-ordinating body in Finland required under Article 10 of the Istanbul Convention and was established 2017.

Shelters have been state-funded in Finland since 2015. The funding has increased since 2016 annually with 2 million euros resulting in 2019 in 19,55 million euros. The government appointed in June 2019 has decided to increase the funding to 24,55 million euros by 2023.

### 2.4 Research and awareness-raising

The study ‘Ruled by hate: Hate speech aiming to influence decision-making in society’ was published on 4 October 2019. The study explored the extent and nature of hate speech and its impact on decision-making. This is the first study in Finland on how decision-making in society may be influenced by hate speech. A third of municipal decision-makers and almost half of the Members of Finnish Parliament or their assistants have been subjected to hate speech due to their official duties or positions of trust. In addition, about a third of the decision-makers consider that hate speech in public debate has increased in recent years. There was a strong gender perspective in the study. The study was conducted by Open Knowledge Finland, University of Jyväskylä and Punos Research as part of the implementation of the Government’s plan for the analysis, assessment and research activities in 2018.

### 2.5 Other pertinent developments e.g. on promising policy reforms, the issue of resourcing etc.

There are many measures concerning violence against women and domestic violence included in the new programme of the Government:

“Criminal policy aims to reduce the total crime rate and recidivism, strengthen effective rehabilitative activities, and increase co-operation between the authorities responsible for criminal sanctions and other sectors. Work to prevent violence will be targeted especially at people of all

genders who recognise violent tendencies in themselves.

“Crime victims and persons close to homicide victims will be provided with better support and better opportunities to receive compensation from the State Treasury. Low-threshold channels for reporting crime and the related practices of the public authorities will be strengthened. The legislation concerning a restraining order will be reformed to better protect the rights of the victim. Gender will be added among the motives that constitute grounds for increasing the punishment as specified in chapter 6, section 5 of the Criminal Code.”

“The Government will draw up an action plan for combating violence against women. The action plan will bring the support services for victims, the number of places in shelters, and the resources allocated to shelters into line with the level required by the Council of Europe. The Government will establish a post for an independent rapporteur on violence against women and ensure the implementation of the Istanbul Treaty. Violence against men will also be prevented in all its forms.”

“The Government will ensure sufficient resources for the work against genital mutilation. Annulment of forced marriages will be enabled and the possibility to criminalise forced marriage will be examined.”

“We will enact an act on assistance to victims of human trafficking so that local authorities can assist the victims. A reference to victims of human trafficking will be added to the acts 95 that concern healthcare and social welfare. The Act on the Reception of Persons Applying for International Protection and on Identifying and Assisting Victims of Trafficking in Human Beings will be updated so that it will no longer be so closely connected to the criminal procedure, as required by international obligations. Provisions on safe and supported housing services for victims of human trafficking will be enacted and the services will be provided in the manner required by EU law. The responsibility for supervising and overseeing the services will be assigned to the National Institute for Health and Welfare.

“We will carry out a comprehensive reform of legislation governing sexual offences based on the principle of physical integrity and the right to sexual self-determination. The definition of rape in the Criminal Code will be amended so that it will be based on the absence of consent while simultaneously ensuring appropriate legal safeguards. The range of services offered at support centres for victims of sexual violence will be extended and their availability across Finland will be improved.”

“To prevent sexual violence against children, the Government will draw up a plan for the national implementation of the Lanzarote Convention in Finland in co-operation with the relevant organisations. We will ensure all necessary services for victims of such offences. The Government will assess the punishments for the most aggravated violent and sexual offences in order to ensure that they are proportional both to the degree of harmfulness of the offence and to the punishments imposed for other offences. The minimum punishments for aggravated sexual offences against children will be increased. The prerequisites for releasing the most dangerous offenders sentenced for violent crime will be thoroughly assessed.”

“During the government term, we will take horizontal measures to more effectively address systematic harassment, threats and targeting that pose a threat to the freedom of expression, official activities, research, and media freedom. The Government will ensure sufficient resources and competence for the prevention and detection of the offences mentioned above. Systematic monitoring of the situation in relation to discrimination and hate crime will be promoted both at national and international level.”

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.3 Institutional changes**

The Finnish Equality Act includes (since 1995) a quota provision that applies to state-administration committees, advisory boards, working groups and other similar bodies as well as municipal boards, committees and inter-municipal co-operation bodies. According to this provision, the bodies must have at least 40 percent of both men and women. The quotas do not apply to bodies chosen via elections.

The Government passed a Resolution on the equal representation of genders on the boards of directors of state-owned companies: 40 percent of women and men should be included on the boards of directors of large and medium-sized public limited companies by 2020. The Government monitored the situation and assess legislative needs in the autumn of 2018, it concluded that the development has been positive and that there is no need for legislative change.

##### **4.5 Other pertinent developments**

Finland had parliament election in April 2019. In the new parliament 47 % percent of the MP's are women. A new government was appointed in June, which of 11 out of 19 cabinet ministers are women. The Finnish government has a cabinet minister with 'gender equality' in their title for the first time (Minister for Nordic Co-operation and Equality Thomas Blomqvist).

#### **5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls**

##### **5.4 Research and awareness-raising**

The PALOMA project (Developing National Mental Health Policies for Refugees) (2016-2018) conducted by the Finnish Institute of Health and Welfare has developed the refugees' mental health work in Finland. As a result of the PALOMA project "Supporting refugees' mental health in Finland - PALOMA -handbook" was published in 2018. The book offers an extensive information package about refugees' resources and risk factors relevant to mental health. The handbook also includes recommendations targeted at different fields as well as methods and tools for decision-makers, supervisors and professionals for promoting refugees' mental health and preventing, identifying and treating problems. Instructions are also provided for supporting the mental health of refugees in a particularly vulnerable position, including children or victims of torture or trafficking in human beings.

European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI) and Setlementti Puijola, Finland took part in 2017-2019 in a project titled "Co-creating a counselling method for refugee women GBV victims (CCM-GBV)" funded by the European Commission through the Rights, Equality and Citizenship (REC) Programme. In August 2019 the project published a handbook to describe a counselling method who have been victims of gender-based violence.

#### **6. Objective 6: Achieve gender mainstreaming in all policies and measures**

##### **6.2 Policy changes**

In the new programme of government (adopted in June 2019) there are several measures regarding gender mainstreaming, such as:

- Finland aims to strengthen the gender perspective in its development co-operation in order to gradually reach the EU's target of gender-targeted and mainstreamed actions across 85 per cent

of its new programmes.

- Gender equality will be promoted within the EU budget, and the mechanisms for monitoring funding will be made more effective. The EU budget will promote gender equality.
- An action plan will be drawn up for gender equality. The Government is committed to promoting gender equality, for example in the Budget process and in all key reforms.
- A monitoring system covering all state administrative sectors will be created for monitoring equality.
- A gender impact assessment will be a compulsory part of public administrative functions in all government departments.

### **6.3 Institutional changes**

There is no change during the evaluation period. There are gender mainstreaming co-ordinators and gender mainstreaming working groups in each ministry.

### **6.4 Research and awareness-raising**

There is ongoing training of civil servants in the state administration. Gender mainstreaming is included in the orientation training of many ministries.

### **6.5 Other pertinent developments,**

An e-learning course on gender mainstreaming is being developed and the handbook on gender mainstreaming is being renewed.

FRANCE

## 1. Objectif stratégique: prévenir et combattre les stéréotypes de genres et le sexisme

### 1.1 changements législatifs

- **Loi n° 2019-828 du 6 août 2019 de transformation de la fonction publique**

Le titre V de la loi vient renforcer l'égalité professionnelle entre les femmes et les hommes dans la fonction publique. Il prévoit des obligations nouvelles pour les employeurs en matière d'égalité professionnelle entre les femmes et les hommes, visant à structurer et à renforcer la politique d'égalité professionnelle menée dans ce domaine dans les trois versants de la fonction publique.

- **Décret n° 2019-15 du 8 janvier 2019 portant application des dispositions visant à supprimer les écarts de rémunération entre les femmes et les hommes dans l'entreprise et relatives à la lutte contre les violences sexuelles et les agissements sexistes au travail.**

Ce décret précise la méthodologie de calcul des indicateurs relatifs aux écarts de rémunération entre les femmes et les hommes et aux actions mises en œuvre pour les supprimer, ainsi que leurs modalités de publication. Il précise les délais de publication du niveau de résultat par l'entreprise au regard des indicateurs, qui est publié annuellement, au plus tard le 1er mars de l'année en cours, au titre de l'année précédente. Il définit les conditions de fixation de la pénalité financière pouvant être appliquée en l'absence de résultats trois ans après la première publication des indicateurs par l'entreprise d'un niveau de résultat inférieur à soixante-quinze points. Il précise également le niveau de résultat en deçà duquel des mesures de correction doivent être mises en œuvre et l'employeur peut se voir appliquer une pénalité financière à l'issue d'un délai de trois ans. Il détermine, enfin, la liste des services et des autorités compétentes en matière de harcèlement sexuel. Il définit les mesures transitoires applicables en matière de publication du niveau de résultat obtenu par l'entreprise.

- **La loi n°2018-703 renforçant la lutte contre les violences sexuelles et sexistes** a été adoptée le du 3 août 2018. Cette loi modifie l'arsenal législatif sur quatre séries de points :

**Allonger le délai de prescription pour les crimes sexuels commis sur mineurs** : il passe de 20 à 30 ans. Ainsi, une personne aura désormais jusqu'à ses 48 ans pour porter plainte. Ce temps supplémentaire permet de laisser davantage de temps à la victime pour porter plainte et de faciliter la répression de ces actes, notamment lorsqu'ils sont incestueux et qu'ils ont provoqué une amnésie traumatique.

**Renforcer l'arsenal juridique permettant de punir les viols et agressions sexuelles commis à l'encontre des mineurs de 15 ans**, pour mieux protéger les enfants : les éléments du code pénal permettant d'établir le viol ou l'agression sexuelle sur un mineur de 15 ans sont précisés, en prévoyant que "la contrainte morale ou la surprise sont caractérisées par l'abus de la vulnérabilité de la victime ne disposant pas du discernement nécessaire pour ces actes". Les moyens juridiques mis à la disposition du juge sont ainsi considérablement renforcés. La loi établit également que "lorsque les faits sont commis sur un mineur de quinze ans ou une personne particulièrement vulnérable, les peines sont portées à sept ans d'emprisonnement et à 100 000 € d'amende".

**Élargir la définition du harcèlement en ligne** pour combler un vide juridique et permettre la répression des "raids numériques" (pratiques concertées de harcèlement en ligne par plusieurs individus), qui se développent sur les réseaux sociaux. Cette disposition de la loi est une proposition citoyenne, née pendant le tour de France de l'égalité.

**Créer une nouvelle infraction, "l'outrage sexiste",** pour lutter contre le harcèlement de rue : sa définition est inspirée de celle du délit de harcèlement sexuel, mais sans l'exigence de répétition des faits, qui interdisait de réprimer des actes commis de façon isolée. Pour que cela soit efficace, il s'agit d'une contravention de catégorie 4, d'un montant forfaitaire de 90 € si réglée immédiatement, passant à 750 € voire 1 500 € en cas de circonstances aggravantes et à 3 000 € en cas de récidive. Les faits seront constatés en flagrance, pas de dépôt de plainte nécessaire de la part de la victime, contrairement à ce qui se pratique dans d'autres pays. Les auteurs de ces faits pourront être condamnés à des peines complémentaires, dont une nouvelle peine de "stage de lutte contre le sexisme et de sensibilisation à l'égalité entre les femmes et les hommes".

## 1.2 changements dans les politiques publiques

- **La cinquième Convention interministérielle 2019-2024 pour l'égalité dans le système éducatif, en cours de signature**, associe tous les ministères responsables de missions d'enseignement (ministère de l'Education nationale et de la Jeunesse, ministère de l'Enseignement supérieur, de la Recherche et de l'Innovation, ministère des Armées, ministère de la Culture, ministère de l'Agriculture et de l'Alimentation et secrétariat d'État chargé de l'Égalité entre les femmes et les hommes et de la Lutte contre les discriminations). Elle adopte une approche intégrée de l'égalité en définissant cinq axes d'intervention:
  - piloter la politique d'égalité au plus près des élèves et des étudiantes et étudiants ;
  - former l'ensemble des personnels à l'égalité ;
  - transmettre aux jeunes une culture de l'égalité et du respect mutuel ;
  - lutter contre les violences sexistes et sexuelles ;
  - s'orienter vers une plus grande mixité des filières de formation.
- **Le 13 mars 2019**, à l'initiative de l'association « Pour les femmes dans les médias », **une charte a été signée, en présence du Ministre de la Culture, par 18 représentants de grandes entreprises de médias.** La charte engage les grands groupes de médias français à lutter contre les harcèlements sexistes et sexuels.
- Le Président de la République a décrété l'égalité entre les femmes et les hommes Grande cause du quinquennat avec trois priorités : l'éducation et le combat culturel en faveur de l'égalité, un meilleur accompagnement des victimes et un renforcement de l'arsenal répressif. La lutte contre les violences faites aux femmes est aussi le thème de la "Grande cause" 2018, label décerné tous les ans par le Premier ministre. S'agissant plus particulièrement du ministère de la justice, une Haute fonctionnaire à l'égalité Femmes-Hommes est nommée à temps plein au sein du ministère depuis le 1er juin 2018.

## 1.3 changements institutionnels

Un « **comité égalité Femmes-Hommes** » a été mis en place au sein du ministère de la Justice en octobre 2018. Constitué sous l'impulsion de la haute-fonctionnaire à l'égalité femmes-hommes du ministère de la justice, cet organe représentatif de toutes les directions, du Secrétariat général et de l'Inspection générale de la Justice a pour ambition d'être un moteur dans la politique d'égalité femmes-hommes du ministère de la justice. Comité de réflexion mais aussi d'action, il est composé de neuf référent(e)s égalité femmes-hommes, désignés par leurs directions. Chacune et chacun pourra émettre ses observations et formuler toute proposition afin de promouvoir de manière plus efficiente l'égalité entre les femmes et les hommes. Le comité est aussi chargé du suivi des différentes mesures mises en œuvre. L'une des premiers chantiers a porté sur le besoin de se doter d'outils statistiques permettant d'effectuer un bilan sexué des nominations et d'alimenter un baromètre de l'égalité du ministère de la justice.

#### 1.4 recherche et sensibilisation

- **Premier état des lieux du sexisme en France (Haut conseil à l'égalité entre les femmes et les hommes)**

Le Haut conseil à l'égalité entre les femmes et les hommes a publié le 17 janvier 2019 le premier rapport sur l'état des lieux sur le sexisme en France. La loi relative à l'égalité et la citoyenneté du 27 janvier 2017 a en effet confié au Haut conseil à l'Égalité la mission d'élaborer et de remettre « tous les ans, au Premier ministre et au ministre chargé des droits des femmes un rapport sur l'état du sexisme en France. Ce rapport est rendu public. » (article 181).

- **1<sup>er</sup> baromètre égalité du ministère de la Justice** : <http://www.justice.gouv.fr/haute-fonctionnaire-a-legalite-femmes-hommes-12939/barometre-de-legalite-femmes-hommes-12944/>
- **Texte d'engagement pour une parole non sexiste** : <http://www.justice.gouv.fr/haute-fonctionnaire-a-legalite-femmes-hommes-12939/texte-dengagement-pour-une-parole-non-sexiste-12945/>

#### 1.5 autres développements pertinents

b) l'internet, les réseaux sociaux et la violence sexiste en ligne

- **Réunion des ministres de l'Égalité femmes-hommes du G7** - 9 et 10 mai 2019  
 Cette réunion s'est conclue par l'adoption par les sept Etats d'une déclaration commune visant à faire concrètement de l'égalité femmes-hommes une grande cause mondiale. La réunion a permis de travailler sur la question du cyber-harcèlement. Dans leur déclaration, les ministres exhortent les plateformes à retirer les contenus illégaux dans des délais rapides et à mettre en place des mécanismes de signalement simples et intuitif  
[https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/05/Declaration\\_Egalite\\_2019\\_G7\\_Vfran.pdf](https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/05/Declaration_Egalite_2019_G7_Vfran.pdf)

i) sphère privée

- **Décret n° 2019-591 du 14 juin 2019 relatif à l'amélioration de la protection maternité pour les exploitantes agricoles.**  
 Le décret prévoit un allongement de durée d'arrêt de travail minimale des non-salariées des professions agricoles en congé maternité qui est fixée à huit semaines par l'article 71 de la loi de financement de la sécurité sociale pour 2019.
- **Décret n° 2019-630 du 24 juin 2019 relatif à la création d'un congé de paternité en cas d'hospitalisation de l'enfant.**  
 Le décret prévoit un allongement de la durée maximale du congé de paternité en cas d'hospitalisation immédiate de l'enfant.

## 2. Objectif stratégique: prévenir et combattre la violence contre les femmes et la violence domestique

### 2.1 changements

- **Loi n° 2018-1021 du 23 novembre 2018 portant évolution du logement, de l'aménagement et du numérique dite « loi ELAN »**

Insère un nouvel article 8-2 au sein de la loi du 6 juillet 1989 tendant à améliorer les rapports locatifs et créé une nouvelle exception au principe de solidarité entre conjoints et partenaires de PACS. Est désormais prévu, sous certaines conditions, que le départ du logement d'une victime de violences conjugales fait cesser la solidarité entre les locataires, permettant ainsi au membre du couple victime de violences de ne pas régler sa part des loyers.

### - Loi n° 2019-222 du 23 mars 2019 de programmation 2018-2022 et de réforme pour la justice

Cette loi comporte un titre IV relatif aux dispositions portant simplification et renforcement de la procédure pénale dont des dispositions améliorent le dispositif existant de lutte contre les violences sexuelles. Notamment, elle crée la plainte en ligne pour les faits de violences, assure l'effectivité des ordonnances de protection qui sont inscrites au fichier des personnes recherchées, et permet au procureur de la République, hors décision de poursuite, d'interdire à un individu la fréquentation d'un lieu, et de mieux protéger les victimes. Elle a également étendu les possibilités de placement sous surveillance électronique mobile des condamnés pour violences conjugales, permis l'éviction de l'auteur de violences conjugales du domicile conjugal dans le cadre des alternatives aux poursuites et créé une cour criminelle départementale en première instance, pour 3 ans, à titre expérimental pour limiter le recours aux correctionnalisations.

## 2.2 changements dans les politiques publiques

- **Circulaire du 9 mai 2019** préconisant un plus grand recours à l'ordonnance de protection, sous l'égide du juge aux affaires familiales. Cet outil est utile et doit être remis aux femmes qui subissent des violences : <http://www.justice.gouv.fr/bo/2019/20190531/JUSD1913750C.pdf>
- **Contrats locaux de lutte contre les violences mis en place en 2019**  
Dispositif de partage d'alertes entre professionnels de la justice, de la santé, les forces de l'ordre et les travailleurs sociaux, autour des préfets et en partenariat avec les deux grandes associations de défense des femmes, le FNCIDFF et la FNSF, ces contrats ont pour objectif d'intervenir « avant qu'il ne soit trop tard ». D'ici la fin de l'année, chaque département sera doté d'au minimum un contrat local. police, de la santé, des élus, des associations et des travailleurs sociaux (déjà deux signés en Corse).
- En **juin 2019, mise en place d'un plan d'éradication des mutilations sexuelles féminines**, construit avec des partenaires et les associations spécialistes du sujet. Il vise à renforcer la détection des risques d'excision, à former les professionnels et à sensibiliser la société à cette pratique néfaste. [https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/06/Mutilations-sexuelles-feminines\\_2019\\_plan-national\\_FINAL.pdf](https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/06/Mutilations-sexuelles-feminines_2019_plan-national_FINAL.pdf)
- Le **5<sup>ème</sup> plan interministériel de mobilisation et de lutte contre toutes les violences faites aux femmes (2017-2019)** prévoit une série de mesures pour permettre à toutes les femmes victimes de violences d'accéder à leur droit d'être protégées et accompagnées, pour sortir des violences et se reconstruire. Pour cela, le plan fixe trois objectifs :  
**Assurer l'accès aux droits et sécuriser les dispositifs** qui ont fait leurs preuves pour améliorer le parcours des femmes victimes de violences (violences conjugales, sexuelles, psychologiques, etc.) ;  
**Renforcer l'action publique là où les besoins sont les plus importants ;**  
**Déraciner les violences en luttant contre le sexisme**, qui banalise la culture des violences et du viol.

Cette feuille de route renforce les dispositifs existants et ayant fait leur preuve, tels le dispositif de téléprotection pour les personnes en grave danger (TGD, voir *infra*). Elle vise également à amplifier l'action publique là où les besoins sont les plus importants, vers les publics et les territoires les plus fragiles, et vers toutes les formes de violences.

Le ministère de la justice contribue à la mise en œuvre du plan par le biais de son programme d'accès au droit et à la justice (ligne budgétaire : aide aux victimes), en soutenant les actions des associations d'aide aux victimes généralistes et spécialisées travaillant sur les violences faites aux femmes. **Le montant du budget destiné aux violences faites aux femmes est estimé à 6 317 282€ en 2018 (en crédits de paiement), soit 23,3% du budget total.** En 2018, sur 286 993 victimes d'infractions pénales accueillies par des associations, 63 % étaient des femmes. Parmi ces femmes, 83 636 ont été accueillies (contre 76 374 en 2017, soit une

augmentation de 9,5 %) pour des faits subis dans le cadre conjugal (77,6 %) ou familial (22,4 %).

Les déclinaisons de cette politique à destination des femmes victimes de violences domestiques, sexuelles, des personnes âgées sont les suivantes :

- adopter une **démarche pro-active** en allant « au-devant » des victimes pour se mettre à leur disposition et proposer une prise en charge la plus précoce possible, afin de prévenir la dégradation de la situation, et d'accompagner la victime sur les plans juridique, psychologique, sociale, tout au long de son parcours en tenant compte de la spécificité de sa situation ;
- soutenir le **développement des permanences** des associations d'aide aux victimes au sein des hôpitaux, commissariats, gendarmerie, mairie, maisons de la justice et du droit ;
- soutenir le **développement des interventions en urgence des associations locales d'aide aux victimes (AAV)**, notamment le soir et le week end lorsque les services de droit commun sont fermés. En tenant compte des besoins et des spécificités du territoire (*ruralité, démographie, accessibilité aux services publics, disponibilité des lieux d'accueil..*) :certaines associations ont développé des astreintes d'urgence : sur saisine des services de police et de gendarmerie, l'AAV se déplace auprès de la victime, que ce soit en journée ou en soirée, au commissariat, à domicile, à l'hôpital, subvient aux premiers besoins (*mise à l'abri, fourniture de tickets service pour achat de nourriture et biens de première nécessité*) et l'accompagne dans les premières démarches juridiques, administratives, sociales, médico-légale, tout en assurant un premier soutien moral, primordial dans cette période de crise.
- mettre en place de « **bons de transports** » à destination des victimes éloignées des services publics.
- **Systématiser l'évaluation précoce et approfondie de la situation d'une victime particulièrement vulnérable** (en raison de la nature de l'infraction et/ou de sa situation personnelle : personne âgée, isolée, menacée, en situation de handicap) en favorisant la conclusion de protocoles, ces derniers facilitant la coordination entre les forces de l'ordre qui procèdent à cette première évaluation lors de la plainte, et les associations d'aide aux victimes qui prendront ensuite en charge la victime sur saisine des forces de l'ordre et après avoir procédé à une évaluation approfondie dans un cadre adapté.
- soutenir le développement d'une **application gratuite (AP-ELLES)** permettant à une victime (notamment les jeunes filles) d'alerter trois proches de confiance mais aussi le 112, le 114 (pour les victimes sourdes), ou encore la plate-forme du MININT dédiée aux victimes de violences sexuelles et sexistes, si elle se sent menacée dans la rue, dans les transports, à son domicile, sur son lieu de travail. Le portable de la victime est géo localisé, et dès le déclenchement de l'alerte, la conversation est enregistrée et conservée 14 jours. Cette application d'alerte de première intention fonctionne en France métropolitaine, dans certains territoires ultra-marins (dont Mayotte) ainsi que dans 10 pays étrangers.
- maintenir et développer le **dispositif de protection « téléphone grave danger »** (TGD) pour les victimes de violences conjugales et victimes de viol en situation de très grave danger. Il s'agit d'un téléphone portable disposant d'une touche dédiée permettant à la victime de joindre, en cas de grave danger, le service de téléassistance disponible 7jours/7 et 24heures/24. Cette plate-forme téléphonique reçoit les appels et évalue la situation. Après l'analyse de la situation, le téléassiste, relié par un canal dédié aux services de la police nationale et aux unités de la gendarmerie nationale, demande immédiatement l'intervention des forces de l'ordre. Ce dispositif permet également la géolocalisation du bénéficiaire. Expérimenté sur certains ressorts depuis 2009, le TGD a été généralisé en 2014. A ce jour, 927 téléphones ont été déployés en juridiction et 570 effectivement attribués à

des victimes. La circulaire de la Garde des Sceaux du 9 mai 2019 relative à l'amélioration du traitement des violences conjugales et à la protection des victimes invite les juridictions à veiller à une attribution plus large des TGD ; une fiche focus consacrée au dispositif a été rédigée en ce sens par la DACG. Depuis la diffusion de cette fiche et de la circulaire, le déploiement et les attributions effectives de TGD n'ont cessé d'augmenter.

En outre, **le gouvernement a lancé le 3 septembre 2019 un Grenelle contre les violences conjugales** réunissant les ministres et ministères concernés, les acteurs de terrain, les services publics, les associations et familles de victimes, afin de co-construire des mesures efficaces pour lutte ce fléau.

Dans ce cadre, le ministère de la justice s'est engagé dans **10 actions** phares, mobilisant chacune des directions du ministère et coordonnées par la haute fonctionnaire à l'égalité femmes-hommes. Ce travail s'accompagnera d'expérimentations en juridictions ainsi que de concertations régulières avec les acteurs judiciaires et leurs différents partenaires, sur l'ensemble du territoire national.

- 1) Mettre en œuvre une filière d'urgence pro-active et réactive de traitement judiciaire des violences au sein du couple : Expérimentation de chambres d'urgences au sein de juridictions pilotes.** Il s'agit de construire une méthode visant à un traitement optimum de l'urgence et de la spécificité des faits de violence conjugale. Au pénal, les outils utilisés sont les suivants : comparution immédiate, convocation par procès-verbal avec contrôle judiciaire ordonnant par exemple l'éviction du conjoint violent, attribution d'un Téléphone Grave Danger à la victime, puis – lorsque ce dispositif existera – mise en place d'un bracelet anti-rapprochement de l'auteur (cf infra); Au civil : un traitement d'urgence des requêtes en ordonnances de protection par l'organisation d'une chambre des urgences familiales.
- 2) Soutenir le déploiement et encourager l'attribution de Téléphones Grave danger :** déploiement de nouveaux postes, portant leur nombre de 892 à 1100 est prévu d'ici 2020. Une attention particulière sera apportée aux DOM-TOM
- 3) Encourager et faciliter le recours à l'ordonnance de protection :** il s'agira de promouvoir ce dispositif auprès des acteurs judiciaires afin qu'il y soit fait davantage recours.
- 4) Renforcer les formations pluridisciplinaires de proximité et introduire un volet lutte contre les violences au sein du couple dans les formations obligatoires au changement de fonction :** élaboration d'un kit de formation pédagogique d'une journée, développement de la formation continue obligatoire des magistrats sur les violences faites aux femmes, organisation d'un colloque, en lien avec l'école nationale de la magistrature et la cour de cassation sur les violences au sein du couple.
- 5) Instaurer au civil ou en pré-sentenciel au pénal, la possibilité d'ordonner la mise en place d'un bracelet anti-rapprochement des auteurs de violences conjugales :** ce dispositif, qui ne pourra être ordonné qu'à la demande ou avec l'accord de la victime, imposera à l'auteur des violences le port d'un bracelet intégrant un émetteur permettant à tout moment de déterminer à distance sa localisation sur l'ensemble du territoire national et de contrôler s'il s'approche de la victime à qui aura été attribué un dispositif de télé-protection permettant également sa localisation. Il interviendra à titre présentenciel, post-sentenciel mais aussi en l'absence de poursuites pénales (ordonnances civiles de protection).
- 6) Améliorer la protection des enfants, par une possible remise en cause de l'exercice de l'autorité parentale du conjoint violent ;**
- 7) Favoriser le recours aux espaces de rencontre, développer les dispositifs d'accompagnement protégé ;**
- 8) Retours d'expériences sur les homicides conjugaux :** une mission d'inspection a été confiée à l'inspection générale de la justice dès le mois de juin 2019 visant à examiner tous les dossiers d'homicides conjugaux commis en 2015 et 2016, et définitivement jugés. Des pistes d'amélioration dans la prise en charge et la protection des victimes en amont des faits criminels en seront dégagées,

en lien avec le Ministère de l'intérieur. Cette mission doit également permettre de mettre en place une méthode de retour d'expérience sur l'ensemble des dossiers d'homicides conjugaux, y compris les dossiers en cours.

**9) Améliorer le suivi des auteurs de violences conjugales** - afin de prévenir la récurrence- et expertiser la possibilité de développer des partenariats locaux de solutions pour leur hébergement -afin de permettre aux femmes victimes de rester au domicile conjugal ;

**10) Réunir l'ensemble des comités locaux d'aide aux victimes au format « Lutte contre les violences conjugales ».**

- Les annonces du Président de la République le 25 novembre 2017 à l'occasion de la journée internationale pour l'élimination des violences à l'égard des femmes et du lancement de la grande cause du quinquennat, portant notamment **création du portail de signalement des violences sexuelles et sexistes.**

**Inauguré le 25 novembre 2018**, ce portail de signalement est accessible 24 heures sur 24 et 7 jours sur 7 via les sites Internet [www.signalement-violences-sexuelles-sexistes.gouv.fr](http://www.signalement-violences-sexuelles-sexistes.gouv.fr) et [www.service-public.fr](http://www.service-public.fr), depuis un ordinateur, une tablette ou un Smartphone. Sous la forme d'un « chat » ou discussion interactive instantanée, l'internaute peut échanger directement avec un policier ou un gendarme spécifiquement formé à la thématique des violences sexuelles et sexistes. Cet accès facilité, sans obligation de déclarer son identité s'inscrit dans l'objectif de permettre à un maximum de victimes d'entrer en contact avec des agents dont la mission consiste à les accompagner vers le dépôt d'une plainte et, dans l'hypothèse où elles n'y seraient pas prêtes, à les orienter vers les partenaires institutionnels et faciliter ainsi leur prise en charge sociale et psychologique.

### 2.3 changements institutionnels

- **En 2018, dix unités spécialisées dans la prise en charge globale psycho-traumatique des femmes victimes de violences sexistes ou sexuelles ont été créées.** Ces unités regroupent une équipe de professionnels spécifiquement formés au trauma, des psychiatres et psychologues, mais aussi des médecins généralistes, des infirmiers, des assistantes sociales... La prise en charge y est gratuite.

A cet effet, en décembre 2018, la secrétaire d'Etat chargée de l'Égalité entre les femmes et les hommes et de la lutte contre les discriminations a inauguré à Tours d'un centre d'accueil (dans les locaux de SOS Médecins) et de prise en charge des femmes victimes de violences, ouvert et disponible 24h/24 et 7 jours/7. S'il existe des dispositifs similaires en région (ex : Chartres), Tours est un site unique qui rassemble tous les services disponibles pour les victimes.

- **Des comités de pilotage locaux du dispositif « Téléphone Grave Danger »** sont mis en place depuis de nombreuses années et réunissent chaque trimestre les acteurs associatifs et institutionnels intervenant en coordination sur ce dispositif. Une revue des situations est systématiquement faite, ainsi qu'un examen des nouvelles situations signalées comme pouvant potentiellement nécessiter l'attribution d'un TGD. Plus largement, les schémas départementaux d'aide aux victimes déclinés localement coordonnent l'action des acteurs locaux en matière de lutte contre les violences faites aux femmes et violences domestiques.

### 2.4 recherche et sensibilisation

- **En 2018, grande campagne de communication intitulée « Ne rien laisser passer » en direction des témoins** de violences sexistes et sexuelles d'une ampleur et d'un budget sans précédent : le Premier Ministre y a consacré 4 millions d'euros.

- **L'enquête VIRAGE dans les Outre-mer** : l'enquête nationale menée par l'Institut national des études démographiques sur les violences faites aux femmes et les rapports de genre dans les territoires d'Outre-mer (La Réunion, Martinique et Guadeloupe) est cofinancée par le Service des droits des femmes. Les premiers résultats ont été présentés à la Réunion le 8 mars 2018 lors d'une présentation présidée par le préfet de la Réunion. Concernant les deux territoires des Antilles, les résultats seront

publiés à l'automne 2019. L'enquête permet d'obtenir les taux de prévalence des violences faites aux femmes et aux hommes dans différents lieux de vie : travail, au sein du couple, espace public, etc...

- Retours d'expériences sur les homicides conjugaux : **une mission d'inspection a été confiée à l'inspection générale de la justice dès le mois de juin 2019 visant à examiner tous les dossiers d'homicides conjugaux commis en 2015 et 2016, et définitivement jugés.** Des pistes d'amélioration dans la prise en charge et la protection des victimes en amont des faits criminels en seront dégagées, en lien avec le Ministère de l'intérieur. Cette mission doit également permettre de mettre en place une méthode de retour d'expérience sur l'ensemble des dossiers d'homicides conjugaux, y compris les dossiers en cours.

## 2.5 autres développements pertinents

- La lutte contre les violences au sein des couples constituant une priorité majeure du Gouvernement, le secrétariat d'État chargé de l'égalité entre les femmes et les hommes et de la lutte contre les discriminations a ouvert, le 3 septembre 2019, un « Grenelle » consacré à la lutte contre les violences conjugales. Il est destiné à organiser une mobilisation toute particulière des acteurs qui concourent à la lutte contre ces violences et s'achèvera le 25 novembre 2019, journée internationale pour l'élimination des violences faites aux femmes.

Dans ce cadre, une série de mesures a été annoncée par le Premier ministre dont certaines impliquent directement le ministère de l'Intérieur et particulièrement les forces de sécurité intérieure :

**Améliorer l'accueil des victimes de violences conjugales avec le lancement d'une campagne d'évaluation de la qualité de l'accueil dans les services de police et de gendarmerie.** Un bilan annuel de ces campagnes avec un focus particulier sur l'accueil des victimes de violences conjugales sera réalisé.

Pour ce faire, un **audit de l'accueil des victimes va être lancé dans 400 commissariats et unités de la Gendarmerie nationale (au moyen de visites mystère) et auprès de 500 victimes de violence.** Un protocole unique d'évaluation du danger pour les policiers et les gendarmes va être mis en place grâce à 3 grilles d'évaluation : une pour l'accueil, une pour la plainte, une pour l'enquête. Elles devront être finalisées pour le 25 novembre.

- **Renforcer la formation des policiers et gendarmes pour une meilleure prise en compte de ces victimes** grâce à la mise en place progressive, à partir du 2ème semestre 2019, de trois modules de formation continue :
  - formations à l'utilisation de la grille d'évaluation du danger pour améliorer le premier accueil des femmes victimes ;
  - formations déconcentrées réunissant magistrats et enquêteurs pour développer les pratiques d'enquête ;
  - formations interprofessionnelles au cours du 1er semestre 2020 en association avec l'école nationale de la magistrature.
- Un guide des outils de prise en charge devra également être décliné par département.
- **Développer les partenariats avec les structures hospitalières**, afin de faciliter la prise de plainte pour les victimes de violences conjugales dans l'incapacité de se déplacer notamment lorsqu'elles sont hospitalisées.
- **Remettre un document d'information aux victimes recensant la procédure, les recours, les possibilités d'accompagnement existant pour les violences conjugales.**
- Dans chaque département sera mis en place un **groupe de travail local animé par le préfet et le procureur** pour évoquer les situations particulières de femmes victimes de violences conjugales

(procédures/situation posant problème).

- Sur la scène internationale, la France conduit une diplomatie féministe, en faisant de l'égalité entre les femmes et les hommes une priorité de l'agenda de la Présidence française du G7 et du Comité des ministres du Conseil de l'Europe en 2019. Elle mène ainsi une campagne pour l'universalisation de la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique. **Lancée par Marlène Schiappa le 19 Novembre 2018 à Strasbourg, la campagne encourage tous les Etats, membres comme non-membres du Conseil de l'Europe, à adhérer à la Convention, qui constitue un instrument d'harmonisation par le haut des législations sur la protection des femmes et un outil pour mettre en exergue les bonnes pratiques de chacun.**

### 3. Objectif stratégique : garantir aux femmes l'égalité d'accès à la justice

#### 3.1 changements législatifs

Pas de changements intervenus pendant la période de référence.

#### 3.2 changements dans les politiques publiques

- De manière générale, **les Conseil départementaux d'accès au droit (CDAD)**, pilotes locaux de l'accès au droit, contribuent, à travers les nombreux lieux d'accès au droit (1632 Points d'accès au droit et Relai de l'accès au droit, 147 maisons de la justice et du droit, où interviennent professionnels du droit, associations, conciliateur, etc.) et leurs actions (colloques, forum, journée, d'échanges, accueil de scolaire, etc.) à garantir aux femmes l'égalité d'accès à la justice.

Le rapport national d'activité des CDAD 2017 (celui de 2018 est en cours d'élaboration) fait état de nombreuses permanences et actions en faveur des femmes victimes de violences conjugales. Certains CDAD ont mis en place des permanences spécifiques dans des lieux d'accès au droit (ex. CDAD des Bouches-du-Rhône, CDAD de Loire-Atlantique, CDAD de l'Oise) voire dans des centres d'hébergement (ex. le CDAD du Cher organise des permanences au sein d'un château à l'Ineuil qui héberge des femmes victimes de violence et leurs enfants). D'autres CDAD (ex. Gard) ont mis en place une permanence téléphonique spécialisée dans les violences conjugales et affaires familiales, assurée par le Centre national d'information sur les droits des femmes et des familles (CIDFF). Ces actions reposent sur des partenariats avec le secteur associatif (ex. Droits d'urgence, le CIDFF) et avec des professionnels du droit (avocats). Certains CDAD (ex. CDAD du Calvados, de la Haute-Garonne, des Hautes-Pyrénées) ont mis en place en 2017 des colloques ou journées en faveur de la lutte contre les violences conjugales et les incidences sur les enfants.

#### 3.3 changements institutionnels

Voir éléments de réponses 1.3 et 1.4 sur le comité égalité femmes-hommes du ministère de la justice et le Baromètre de l'égalité.

### 4. Objectif stratégique : assurer une participation équilibrée des femmes et des hommes à la prise de décision politique et publique

#### 4.1 changements législatifs

**Loi n° 2019-486 du 22 mai 2019 relative à la croissance et la transformation des entreprises.**

**Cette loi prévoit des mesures en faveur de la parité dans les sociétés.**

- **Équilibre entre les directeurs généraux délégués ou les membres du directoire**

Dans toutes les sociétés anonymes, sociétés européennes et dans toutes les sociétés en commandite par actions, les membres du directoire et les directeurs généraux délégués doivent être nommés en recherchant une représentation équilibrée des femmes et des hommes (article 188 de la loi PACTE modifiant les articles L. 225-53 et L. 22558 du code de commerce). Cette obligation a été étendue à ces personnes sur le modèle des obligations relatives aux membres du conseil d'administration ou du conseil de surveillance (article L. 225-17,

al. 2, article L. 225-69, al. 2 et article L. 226-4 al. 2 du code de commerce).

- **Processus de sélection paritaire pour les dirigeants exécutifs**

L'article 188 de la loi PACTE complète le régime juridique applicable aux sociétés anonymes, sociétés européennes et sociétés en commandite par actions pour favoriser la parité des dirigeants exécutifs. À ce titre, il est demandé à ces sociétés de mettre en place un « processus de sélection qui garantit jusqu'à son terme la présence d'au moins une personne de chaque sexe parmi les candidats », pour assurer le recrutement des directeurs généraux délégués et des membres du directoire.

- **Nullité des décisions des conseils ne respectant pas leurs obligations de parité**

L'article 189 de la loi PACTE introduit la sanction de la nullité des délibérations rendues par des conseils d'administration ou de surveillance des sociétés cotées ne respectant pas leurs obligations de parité, c'est-à-dire d'être composés à 40% au minimum d'hommes ou de femmes.

#### 4.3 changements institutionnels

- **Décret n°2019-134 du 26 février 2019 relatif à la composition et au fonctionnement du Haut Conseil à l'Égalité entre les femmes et les hommes**

Le décret modifie la composition du Haut Conseil à l'égalité entre les femmes et les hommes, en application de l'article 181 de la loi n°2017-86 du 27 janvier 2017 relative à l'égalité et à la citoyenneté au terme duquel le Haut Conseil à l'égalité entre les femmes et les hommes comporte un nombre égal de femmes et d'hommes.

### 5. Objectif stratégique : protéger les droits des femmes et des filles migrantes, réfugiées et demandeuses d'asile

#### 5.1 changements législatifs

**Modifications introduites dans le code de l'entrée et du séjour des étrangers et du droit d'asile (CESEDA) par la loi n°2018-778 du 10 septembre 2018** pour une immigration maîtrisée, un droit d'asile effectif et une intégration réussie :

- **Modification des articles L.723-5 et L.752-3 du CESEDA** relatifs aux protections sollicitées par, ou octroyées à, des mineures en raison d'un risque de mutilation sexuelle dans leur pays d'origine : transmission directe à l'Ofpra, par le médecin qui l'a rédigé, du certificat médical exigible pour les mineures concernées et constatant leur intégrité physique.

Voir sur ce point, sur le site internet de l'Ofpra [[www.ofpra.gouv.fr](http://www.ofpra.gouv.fr)] la rubrique « *Demander l'asile en cas de mutilation sexuelle féminine* » [<https://www.ofpra.gouv.fr/fr/asile/la-procedure-de-demande-d-asile-et>]

- **Modification de l'article L.722-1, 4ème alinéa du CESEDA** : il est ajouté dans la définition du pays d'origine sûr que l'absence de persécution, de torture ou de traitements inhumains qui doit caractériser ce pays est démontrée uniformément pour les hommes comme pour les femmes et quelle que soit leur orientation sexuelle.

A ces modifications s'ajoutent les dispositions, introduites par la même loi qui, si elles ne sont pas spécifiques aux femmes en demande d'asile ou bénéficiaires d'une protection internationale (BPI), les concernent :

1) Garanties procédurales générales :

**Modification de l'article L.723-6 du CESEDA relatif à l'accompagnement des personnes en situation de handicap** lors des entretiens conduits à l'Ofpra

Pour rappel, la **loi n° 2015-925 du 29 juillet 2015, relative à la réforme du droit d'asile**, avait introduit dans le CESEDA le fait pour le demandeur d'asile d'être entendu à sa demande, et dans la mesure du possible, par un

officier de protection et un interprète du sexe de son choix lorsque cela apparaît manifestement justifié par sa difficulté à exposer l'ensemble des motifs de sa demande, notamment ceux liés à des violences à caractère sexuel. En pratique, cette possibilité est mobilisée en priorité au bénéfice de femmes et jeunes filles en demande d'asile.

## 2) Dispositions relatives à l'intégration des BPI ;

- Droits au séjour des BPI et des membres de famille des réfugiés - **relevant de la compétence du ministère de l'Intérieur**

- Prise en compte de la vulnérabilité dans l'accès aux centres provisoires d'hébergement (articles L.349-2 et L.349-3 du CAF) – **relevant de la compétence de l'OFII**

## 5.2 changements dans les politiques publiques

L'Ofpra est membre des différentes instances de la MIPROF. A ce titre, il participe notamment aux comités d'élaboration et de suivi des Plans nationaux de lutte contre la traite des êtres humains et est partie prenante à la Convention de Paris pour la protection des mineurs victimes de traite des êtres humains.

**5.3 changements institutionnels** par ex. en relation avec les politiques ci-dessus: structures d'accueil et d'hébergement, services d'assistance et lignes téléphoniques, avec une approche prenant en compte les différences de genre; lieux de détention + équipements + éléments d'hygiène propres aux femmes (lorsque la détention des femmes demandeuses d'asile est inévitable) et recours à des personnels et gardiens de sexe féminin.

L'Ofpra participe actuellement à un groupe de travail national et à des groupes de travail thématiques pilotés par la Direction générale des étrangers en France (Ministère de l'Intérieur) et réunissant, outre l'Ofpra, l'OFII et d'autres interlocuteurs institutionnels ainsi que des acteurs de la société civile, en vue d'un Plan national d'action pour la prise en compte des vulnérabilités des demandeurs d'asile et des réfugiés, lequel est, à ce stade, en cours de négociation. Parmi les mesures de ce Plan, une action dont la réalisation est d'ores et déjà partiellement réalisée peut, à titre d'exemple, être citée : il s'agit de la spécialisation de 300 places d'hébergement dédiées aux femmes victimes de violences et aux victimes de la traite des êtres humains.

## 5.4 recherche et sensibilisation

- **Renouvellement de l'enquête nationale « Trajectoires et Origines 2 ».** Menée par l'Institut national des études démographiques (INED) et l'Institut national des statistiques et des études économiques (INSEE), cette nouvelle enquête permettra d'analyser l'évolution depuis 2008 des chiffres sur la situation des immigrés à la fois sur le marché de l'emploi, mais aussi dans l'accès à l'éducation, au logement, aux loisirs, etc... Contrairement à la première, cette deuxième vague analysera entre autre un échantillon d'immigrés de troisième génération. Une attention particulière sera donnée aux inégalités intersectionnelles de genre et d'origine ethniques.
- **Voir également Point 5.5 sur les actions de sensibilisation et de formation menées par l'Ofpra.**

Depuis 2017, un outil à vocation interne, élaboré par les référents thématiques de l'Ofpra sur les vulnérabilités, est à la disposition des agents de l'Office, en particulier les officiers de protection instructeurs, pour pouvoir proposer aux demandeurs identifiés comme particulièrement vulnérables et ne bénéficiant d'aucun accompagnement social ou psycho-social approprié, les coordonnées d'associations spécialisées pertinentes.

[voir sur ce point Ofpra, Rapport d'activité 2017, 2.4 « La prise en compte des vulnérabilités et l'action des référents », pp. 64 à 68, consultable sur le site internet [www.ofpra.gouv.fr](http://www.ofpra.gouv.fr), rubrique « Nos publications / Rapports d'activité » [https://ofpra.gouv.fr/sites/default/files/atoms/files/rapport\\_dactivite-\\_ofpra\\_2017.pdf](https://ofpra.gouv.fr/sites/default/files/atoms/files/rapport_dactivite-_ofpra_2017.pdf)]

### 5.5 autres développements pertinents

Depuis le 1er septembre 2013, cinq groupes de référents ont été mis en place au sein de l'Ofpra, respectivement dédiés aux thématiques des violences faites aux femmes, de la traite des êtres humains (qui est avant tout invoquée par les femmes et jeunes filles en demande d'asile), des persécutés à raison de leur orientation sexuelle ou de leur identité de genre, des mineurs non accompagnés et des victimes de torture et de traumatismes. Leurs missions principales sont l'appui à l'instruction et la formation des agents de l'Ofpra.

- En 2016 un poste de chargé de mission Vulnérabilités a été créé pour coordonner l'ensemble de la prise en compte des vulnérabilités par l'Ofpra.

- Des formations initiales et continues sur la prise en compte des vulnérabilités sont assurées par les groupes de référents thématiques auprès de l'ensemble des agents concernés au sein de l'établissement. Elles sont complétées par d'autres dispositifs de formation.

- Depuis 2015, les groupes de référents thématiques animent des sessions de sensibilisation aux différentes vulnérabilités au bénéfice des interprètes avec lesquels l'Office travaille

[voir également sur le site internet de l'Ofpra les rapports annuels d'activité depuis 2015 ainsi que la Charte de l'interprétariat

[[https://ofpra.gouv.fr/sites/default/files/atoms/files/charte\\_interpretariat\\_dg\\_2018\\_09\\_26\\_ter.pdf](https://ofpra.gouv.fr/sites/default/files/atoms/files/charte_interpretariat_dg_2018_09_26_ter.pdf)]

Pour des informations plus détaillées, il est conseillé de consulter, sur le site internet de l'Ofpra [www.ofpra.gouv.fr](http://www.ofpra.gouv.fr),

- Les rapports annuels d'activités depuis 2013

- Le Guide des procédures à l'Ofpra, en particulier son chapitre 6 consacré à la prise en compte des besoins particuliers liés notamment à des vulnérabilités

[https://www.ofpra.gouv.fr/sites/default/files/atoms/files/guide\\_des\\_procedures\\_a\\_lofpra\\_-\\_2019.pdf](https://www.ofpra.gouv.fr/sites/default/files/atoms/files/guide_des_procedures_a_lofpra_-_2019.pdf)

A noter : l'actualisation 2019 du « Guide de l'asile pour les mineurs non accompagnés [anciennement « isolés » en France », élaboré par l'Ofpra, sera prochainement accessible en ligne.

- En application de l'**article L.723-6 du CESEDA, le demandeur d'asile peut être accompagné lors de son entretien personnel à l'Ofpra** par un avocat ou par le représentant d'une association habilitée par l'Ofpra. La liste de ces associations est librement accessible sur le site internet [www.ofpra.gouv.fr](http://www.ofpra.gouv.fr) :

[https://www.ofpra.gouv.fr/sites/default/files/atoms/files/181218\\_-\\_liste\\_des\\_associations\\_habilitees.pdf](https://www.ofpra.gouv.fr/sites/default/files/atoms/files/181218_-_liste_des_associations_habilitees.pdf)

Elle est régulièrement actualisée. Il est à souligner qu'y figurent notamment plusieurs associations spécialisées dans l'accompagnement des personnes LGBTI, dont les lesbiennes, ou des victimes de la traite des êtres humains à des fins d'exploitation sexuelle.

## 6. Objectif : intégrer les questions d'égalité entre les femmes et les hommes dans toutes les politiques et mesures

### 6.4 recherche et sensibilisation

Il n'existe pas à ce jour et à proprement parlé de budgétisation intégrant l'égalité (ou *gender budgeting*). Toutefois une **expérimentation « Budget intégrant l'égalité » (BIE) a été inscrite au quatrième axe du comité interministériel à l'égalité entre les femmes et les hommes du 8 mars 2018<sup>57</sup>** ; « Développer une approche intégrée de l'égalité dans le fonctionnement de l'État : expérimenter puis généraliser le principe « budget intégrant l'égalité » dans toutes les administrations, pour faire des financements publics un levier de promotion des droits des femmes et de l'égalité femmes/hommes. »

<sup>57</sup> Comité Interministériel aux droits des femmes et à l'égalité entre les femmes et les hommes, *Dossier de presse* (8 mars 2018). Accessible à [https://www.gouvernement.fr/sites/default/files/contenu/piece-joincte/2018/03/dp\\_comite\\_interministeriel\\_egalite\\_-\\_08.03.2018.pdf](https://www.gouvernement.fr/sites/default/files/contenu/piece-joincte/2018/03/dp_comite_interministeriel_egalite_-_08.03.2018.pdf)

Cette **expérimentation, débutée en 2018 et en cours durant l'année 2019**, est pilotée par la direction du budget et le service des droits des femmes et de l'égalité. Les ministères expérimentateurs sont le ministère de l'Agriculture, le ministère de la culture, le ministère de la cohésion des territoires/CGET et le ministère des affaires sociales. Il s'agit de développer une approche intégrée de l'égalité dans le fonctionnement de l'État d'abord en expérimentant puis en généralisant le principe "budget intégrant l'égalité" dans toutes les administrations. Il s'agit de faire des financements publics un levier de promotion des droits des femmes de l'égalité femmes.

Les outils mis en place pour la généralisation de l'expérimentation sont les suivants :

- **circulaire de la direction du budget n° DF6-2PERF-19-3083 du 18 avril 2019** relative à la préparation des volets performance des projets annuels de performance (PAP) du PLF 2020 et élaboration des documents de politiques transversales (DPT) comprend, pour la première fois, une section dédiée au Budget intégrant l'égalité en mentionnant l'expérimentation en cours. En complément, il est demandé à l'ensemble des ministères, de prendre en compte dans la définition ou la revue des indicateurs (pour le PAP et/ou pour le DPT « Egalité entre les femmes et les hommes ») le besoin de disposer d'indicateurs de performance visant les publics d'un sous indicateur sexué, lorsque cela est pertinent, afin de permettre un suivi du BIE au-delà de cette première expérimentation.
- **circulaire CGET du 7 août 2019** relative à la mise en place d'une approche budgétaire intégrée relative à l'égalité entre les femmes et les hommes dans la programmation des crédits de la politique de la ville - Expérimentation d'un budget intégrant l'égalité entre les femmes et les hommes appliqué au programme 147 Politique de la ville.
- outil de sensibilisation aux enjeux de l'égalité entre les femmes et les supports élaboré par le SDFE à usage des agents des ministères

Un bilan et des préconisations en vue d'une généralisation à tous les programmes annuels de performance (PAP) seront tirés de cette expérimentation.

#### 6.5 Autres développements pertinents

La Secrétaire d'Etat Marlène Schiappa a annoncé que dans la future loi pour l'émancipation économique des femmes, l'expérimentation du budget sensible au genre sera généralisée à l'ensemble du budget de l'Etat.

#### 8. Commentaires additionnels, le cas échéant

- **En juillet 2019, l'Assemblée nationale a voté en première lecture la proposition de loi de la députée Laetitia Avia pour mieux lutter contre la haine en ligne.** La proposition sera présentée au Sénat, en vue d'une adoption définitive rapide. La mesure phare du projet, sur le modèle allemand est d'obliger les plateformes et moteurs de recherche à retirer les contenus « manifestation » illicites sous 24 heures, sous peine d'être condamnés à des amendes allant jusqu'à 1,25 million d'euros. Sont visées les incitations à la haine, à la violence, les injures à caractère raciste ou encore religieuses.
- A l'occasion du G7, qui se tenait à Biarritz du 24 au 26 août 2019, **la France s'est engagée à proposer, en 2020, une loi pour l'émancipation économique des femmes.** Lundi 26 août 2019, Marlène Schiappa, secrétaire d'État à l'Égalité entre les femmes et les hommes, a dévoilé les contours du projet de loi.

Le projet de loi sera porté en collaboration avec le ministre de l'Economie et des Finances, Bruno Le Maire, et fera l'objet d'une grande concertation. Parmi les pistes évoquées par Marlène Schiappa, le projet de loi devrait :

- **encourager les banques à soutenir les créatrices d'entreprises.** Des actions sont déjà menées

en ce sens notamment par la signature de l'accord-cadre visant à augmenter la part des femmes créatrices d'entreprise, signé par Marlène Schiappa avec la Caisse des Dépôts et Consignations, BNP Paribas, La Fédération Nationale des Caisses d'Épargne et les Caisses d'Épargne au Havre le 6 octobre 2017. Le projet de loi permettra d'encourager la multiplication de ces initiatives.

- **imaginer un système de quotas dans les entreprises pour plus de parité.** Un rapport a été commandité en ce sens auprès du Haut Conseil à l'égalité femmes-hommes, instance de dialogue avec la société civile.
- **faciliter la reprise d'activité des femmes,** notamment après une période dédiée à la maternité. Le projet de loi facilitera le parcours des femmes vers le travail. Seront concernées les femmes qui reprennent une activité après une période dédiée à la maternité, les femmes au foyer, les parents de familles nombreuses ou les épouses de militaires contraintes à des déménagements réguliers. Un parcours de validation des acquis de l'expérience devrait leur être dédié.
- **améliorer la place des femmes dans les métiers d'avenir.** C'est Chiara Corazza, directrice générale du Women's Forum, qui a été choisie pour formuler des préconisations en ce sens.
- **multiplier par cinq les pénalités infligées aux partis politiques qui ne respectent pas la parité.** L'objectif principal de cette mesure est d'en faire une pénalité réellement dissuasive et ainsi tendre vers une plus grande parité en politique.

GEORGIA
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

On February 25, 2019, the Law of Georgia on the Elimination of All Forms of Discrimination was amended to include the definition of harassment and sexual harassment, which reads as follows:

3<sup>1</sup>. Harassment is the persecution, coercion and/or undesirable behaviour of a person by any means aimed at or causing harm to the dignity of the person and to create a threatening, hostile, Humiliating, degrading or insulting environment.

3<sup>2</sup>. Sexual harassment is any undesirable verbal, non-verbal, or physical behaviour of a sexual nature aimed at or causing harm to a person's dignity or to create a threatening, hostile, Humiliating, degrading or insulting environment.

On May 3, 2019 legislative changes were also introduced in the Labour Code of Georgia. It now classifies sexual harassment as a form of unlawful discrimination in the workplace and defines the term as “an unwelcome sexual conduct aiming at/or causing intimidating, hostile, humiliating or degrading environment.”

The amendments mandate the Public Defender (Ombudsman) to examine alleged cases of sexual harassment, seek explanations from employers and issue recommendations. The Public Defender is also entitled to refer the cases to court, shall it decide that recommendations have not been fulfilled.

Another batch of amendments, introduced to the Administrative Offenses Code, sets penalties for sexual harassment in public spaces. The law uses identical definition of the term as in the Labour Code, but clarifies the meaning of “sexual conduct,” which is understood as verbal and/or physical conduct of sexual nature.

Furthermore, in 2019 the Law of Georgia on Elimination of all Forms of Discrimination was amended and now it covers labour and pre-contractual relations, education, social protection and healthcare spheres, sets prohibitions on directing one individual to discriminate the other, obliges employer to protect individual equality principles in labour relations, as well as in pre-contractual relations- this includes vacancy announcement and prohibition of discrimination during interview, ensuring access to supplier or services, including provision and access to financial services and insurance benefits without gender-based discrimination.

Hate speech and/or sexist speech is not explicitly criminalised under Georgian legislation. However, article 2, paragraph 5 of the anti-discrimination law prohibits incitement to discrimination, thus can be interpreted as a provision encompassing sexist hate speech.

### 1.2 Policy changes

Government of Georgia pays particular attention to ensuring equal rights between women and men and improving women's participation in the political, economic and social processes and recognise the need for specific actions in order to achieve equality between women and men and eliminate inequality in Georgia.

Gender equality is the core principle that is underlined not only under the Constitution of Georgia,

but also under the Law of Georgia on Gender Equality and the Anti-Discrimination Law adopted respectfully in 2010 and 2014.

Furthermore, it is reflected in the Human Rights Strategy for 2014-2020 and its action plan for 2018-2020.

The Human Rights Action Plan of Georgia for 2018-2020 contains a separate chapter on Gender Equality and the Empowerment of women and identifies 18 objectives to ensure Gender equality in different fields of public and private life, including but not limited to strengthening the gender equality mechanisms on national and local level, supporting the women's participation in political and economic processes, ensuring Gender equality in the field of education, culture and sports, awareness raising of population on importance of gender equality, eliminate of malicious practices, etc.

Notably, one of the main objectives of the Gender Equality Chapter of the Human Rights Action Plan for 2018-2020 is strengthening each Governmental Agency to ensure the Gender equality. Under this objective, each Governmental Agency is committed to identify an employee specifically working on Gender Equality Issues.

Georgia has strengthened its national institutional framework to monitor and advance equality. Georgia's national machinery for gender equality consists of three key bodies:

1. Gender Equality Council of the Parliament established in 2004;
2. Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues set up in 2017,<sup>58</sup> and
3. Gender Department of the Public Defender's Office established in 2013.

When it comes to the municipal level, in 2016, the law on Gender Equality was amended to include a requirement for each municipality or city council (sakrebulo) to designate a gender equality council and equip it with the mandate of promoting gender equality and countering gender discrimination at the local level. By 2019 Gender Equality Councils are created in all 64 city councils (sakrebulo) and person responsible for gender equality issues are identified in all municipalities in Georgia.

Parliamentarian Gender Equality Council plans to approve the new state concept on gender equality in Georgia by the end of 2019 which has not been updated since its adoption in 2006. Gender mainstreaming, gender impact assessments, gender audits and gender-responsive budgeting constitute internationally recognised tools for fostering gender equality. Government of Georgia plans to develop tools on gender mainstreaming and gender responsive budgeting, a training module for public officials to introduce common approach throughout the state institutions, gender training of human resources managers of the public institutions and ensuring equal access for men and women to participate in vocation training. Gender Impact Analysis (GIA) methodology will be institutionalised in the Parliament. GIA was launched in 2017 and the gender analysis of two draft laws was completed – Law of Georgia on Narcotic Drugs, Psychotropic Substances, Precursors and Neurological Assistance” and Labour Code. Georgia, based on the International Labour Organization standards, is planning to develop and pilot the pay gap calculation methodology and to institutionalise methodology for gender analysis of the state budget.

As for the rules of conduct, the innovative e-learning course for the prevention of sexual harassment in the workplace was launched in fall, 2017 by the Civil Service Bureau of Georgia and the Public Defender's Office (PDO). The e-learning course was developed by UN Women and funded by the

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<sup>58</sup> The Commission replaced the Inter-Agency Council, which was previously focused only on Domestic Violence

European Union. The e-learning course aims to raise awareness and promote the prevention of sexual harassment in the workplace. Although the course is designed primarily for civil servants. The private telecommunications company GeoCell also joined the launch with the message that they will implement the course internally, hopefully inspiring other private sector actors to do the same. Representatives of the Government, Parliament, public agencies and the private sector are committed to promote the e-learning course. The course is available at the following web.page: [www.sexualharassment.ombudsman.ge](http://www.sexualharassment.ombudsman.ge).

The Ministry of Defence of Georgia amended the Disciplinary Code of the Defence System by Governmental Decree No. 537. Article 501 of the Code introduced for the first time the notion of sexual harassment within the Defence System of Georgia and articulated sanctions for the perpetrators. The Ministry of Defence of Georgia adopted set of procedures that outlines how to make and handle complaints about unacceptable behaviour, including bullying, sexual discrimination, sexual harassment and sexual abuse. There are several ways of filing complaints on different forms of discrimination at the Ministry of Defence, including through the Inspectorate General or via hotline, e-mail and a box for complaints. It is important to have clear and standardized procedures for filing and addressing such complaints. Such mechanism is of paramount importance for protecting and promoting gender equality in the security sector and armed forces.

### 1.3 Institutional changes

Following the adoption of the anti-discrimination law, victims of discrimination have two independent mechanisms to seek remedy - the Public Defender of Georgia and the national courts. While there is no time limit to submit a complaint before the Public Defender, a complaint before the court shall be lodged within one year after the fact of discrimination has occurred. The Public Defender of Georgia is equipped with the function to monitor the elimination of all forms of discrimination and ensure equality in the country. As noted above, it also responds to hate speech, including sexism and homo/transphobic speech. Equality Department of the Public Defender of Georgia is a quasi-judicial entity, which studies individual/collective complaints on the alleged facts of discrimination and/or practices/acts that incite discrimination. All alleged perpetrators of discrimination are under the obligation to provide the Public Defender with the requested information and materials that are necessary for the examination of the case. It is noteworthy that following recent legislative amendments in May 2019, the Public Defender is entitled to refer to the national courts and demand the enforcement of the recommendation addressed to both - public authorities/institutions and legal persons of private law, in cases where the perpetrator fails to take into consideration and fulfil the recommendation. Alleged victims of discrimination can only claim a compensation for material and moral damages at the court.

Furthermore, since the sexual harassment in public spaces has also become the administrative offence, the Ministry of Internal Affairs of Georgia has become another body to respond to such cases.

Apart from it, as mentioned above under question 1.2. on national level there is Gender Equality Council of the Parliament and Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence set up in the executive branch.

Given its placement within the Parliament, the Gender Equality Council plays an important role in monitoring legislative developments. Since January 2017 Gender Equality Council is chaired by the first Vice Speaker of the Parliament of Georgia and comprised by the representatives of all the political parties in the 9th convocation of the Parliament of Georgia.

As for the Inter-Agency Commission on Executive level, it is chaired by the Assistant of Prime Minister on Human Rights and Gender Equality Issues and co-chaired by the Deputy Justice Minister

and it involves, inter alia, representatives of Ministries, the Public Defender’s Office, the Legal Aid Service, the Public Broadcaster, the Gender Equality Council of Parliament, the State Fund for the Protection and Assistance of Victims of Human Trafficking and the Supreme Court. Thus, under its auspices, Gender Focal Points have been identified at all government institutions as major partners responsible for implementation of the gender mainstreaming within the State institutions.

The Inter – Agency Commission monitors the implementation of the Gender equality chapter of the Human Rights Action Plan for 2018-2020, as well as the National Action Plans for 2018-2020 on Domestic Violence and Violence against Women and UN Security Council Resolutions on Women, Peace and Security.

On local level, Gender Equality Councils are created in all 64 city councils (sakrebulo) and person responsible for gender equality issues are identified in all municipalities in Georgia.

#### **1.4 Research and awareness-raising**

Collecting and providing access to sex disaggregated data is a key priority in advancing gender equality.

Article 5 of the Gender Equality Law states: “Official statistical reports on gender issues shall contain sex-disaggregated data”. Without disaggregating statistics by gender and other categories, it is impossible to determine issues of concern related to gender equality and develop evidence-based policies to address them.

National Statistics Office of Georgia (GeoStat), the legal entity of public law, is an institution established to produce the statistics and disseminate the statistical information according to the Georgian legislation. “Women and Men in Georgia” is the statistical publication dedicated to gender problems produced by GeoStat with the support of different donors including the UN Women, Swedish Development Agency (SIDA).

GeoStat collects certain data in a sex disaggregated fashion. Major statistical publication “Women and Men in Georgia” dedicated to the gender equality issues provides information disaggregation by following topics: population, healthcare, education, social security, households, employment and unemployment, income and expenditures, ICT, business statistics, crime, influence and power, agriculture and land/assets ownership, Entrepreneurship, domestic tourism, violence against women. The expansion of indicators happened gradually. The 2017 issue of “Woman and Man” has been expanded with such important issues as agriculture, domestic tourism and ICT and 2018 edition includes a number of new indicators such as asset ownership and entrepreneurship, violence against women.

In 2018 UN Women has supported the assessment of the National Statistical System from the gender perspective in Georgia, with the aim of identifying gaps and opportunities for the improvement of methodology, collection, distribution and application of sex-disaggregated data for informed policymaking. Some of the recommendations of the assessment include development of a national strategy and action plan for gender statistics; adoption of a national set of gender indicators for reporting on national and international commitments, such as the SDGs, the Istanbul Convention, CEDAW and the Beijing Platform for Action; establishment of the basis for what gender-related data are to be produced, analysed and used; Introduce regulations and amend national policies and plans so that government ministries collect, analyse, produce and disseminate sex-disaggregated and gender-related statistics from administrative records; transforming the Women and Men in Georgia publication into a national gender profile that could provide more comprehensive information to complement the latest key gender indicators.

UN Women has been supporting the advancement of gender statistics in Georgia in close cooperation with the National Statistical System since 2014. Support for the improved methodology and Gender Pay Gap calculation, facilitation of user-producer dialogues, and investment in wide dissemination of user-friendly sex-disaggregated statistics are a few examples of the ongoing cooperation between UN Women and GeoStat, with the support of the EU and the Governments of Austria and Switzerland.

In response to awareness raising, as mentioned above, one of the main objectives of the Gender equality Chapter of the Human Rights Action Plan from 2018-2020 is to eliminate malicious practices existing with regard to the roles of men and women. Under the mentioned objective various awareness raising activities on different topics such as early marriage, Gender-based sex selection, etc. are planned and being implemented by different State Agencies.

Awareness raising activities on malicious practices and violence against women is also enshrined from the National Action Plan for 2018-2020 on Domestic Violence and Violence against Women.

Notably, with support from UN Women the Inter-Agency Commission developed a national communication strategy and action plan on violence against women and domestic violence, which specifies details about the awareness raising activities to be carried out during the period from 2018 to 2020. The communication strategy aims at consolidating resources and improving joint planning and co-ordination to ensure that government's awareness raising interventions are evidence based, targeted and address root and structural causes of violence. The strategy is informed by the findings of the Nation-Wide Survey on Violence against Women. The initiative responds directly to the commitments undertaken by the Government of Georgia under the Istanbul Convention, which amongst others, places the responsibility on the Government of Georgia to regularly promote and conduct awareness-raising campaigns and programmes to increase awareness and understanding among the general public on all forms of violence against women and girls, including domestic violence.

Apart from it, in 2018 Gender Equality Council of the Parliament of Georgia adopted communication strategy for 2018-2020, which defines the communication vision and mission of Gender Equality Council, as well as its goals, principles and tasks, identifies targeted audience, major issues of concern to be addressed by the awareness raising campaigns.

To raise awareness on non-discrimination and equality, including sexist, homophobic/transphobic speech issues, the Public Defender conducts training with various target groups such as legal and other professionals, law enforcement authorities, local authorities and stakeholders, journalists, teachers and pupils; organises outreach meetings with people living in the regions and produces video clips and booklets; and carries out outdoor campaigns. In 2018, the Public defender of Georgia has started to conduct an informational meeting with private companies and educational institutions, about gender-based discrimination and available judicial and non-judicial remedies for the alleged victims.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

In 2017, by ratifying a Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence government of Georgia took a significant step towards the enhancement of mechanisms of combating domestic violence and violence against women and protecting and assisting the victims of the violence.

In the reporting period, the Ministry of Internal Affairs initiated legislative amendments in order to severe criminal liability for Domestic violence and crimes committed on the basis of gender. According to the amendments that entered into force in 2018:

- ✓ Criminal penalty for domestic crime and gender based violence has been increased;
- ✓ Criminal penalty for crimes committed against a family member has been increased;
- ✓ The person who violates a restrictive order for the first time is a subject to criminal liability.

In 2018, the Ministry of Internal Affairs of Georgia in co-operation with UN Women made milestone changes regarding law enforcement's response to domestic violence cases. The new tool assessing risks of domestic violence was approved by the decree of the Minister of Internal Affairs and entered into force in September 2018. Prior to the enactment of this tool, police officers were required to determine the questions to ask a victim of domestic violence at the crime scene, and usually investigators had their own, non-standardized approaches to this process.

In co-operation with UN Women, the Ministry of Internal Affairs works to establish GPS monitoring system (electronic bracelets) that will be applied only to high risk offenders. With the help of the system, the location of the offender will be traced on a permanent basis to protect the victim from an assault in public and non-public spaces.

## 2.2 Policy changes

The Government of Georgia has demonstrated its political commitment to addressing discrimination and eradicating violence against women and girls recognising domestic violence as a problem of public concern. To ensure development of a comprehensive legislative framework for the prevention and elimination of domestic violence, including establishment of efficient mechanisms for the protection of, assistance to and rehabilitation of the victims/survivors, as well as public awareness raising, and its due enforcement, the Government has established special Inter-Agency platform and adopted special action plans.

As mentioned above, in June 2017, the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence in the executive branch was established. The Commission replaced the Inter-Agency Council, which was previously focused only on Domestic Violence. The Commission was created in order to meet the requirements of Article 10 of the Istanbul Convention. The Commission is chaired by the Assistant of Prime Minister on Human Rights and Gender Equality Issues and co-chaired by the Deputy Justice Minister and it involves, inter alia, representatives of Ministries, the Public Defender's Office, the Legal Aid Service, the Public Broadcaster, the Gender Equality Council of Parliament, the State Fund for the Protection and Assistance of Victims of Human Trafficking and the Supreme Court. With regard to civil involvement, the participation of civil society groups is ensured. Its mandate covers gender equality, violence against women and domestic violence, as well as implementation of the UN Security Council resolutions on Women, Peace and Security. It is responsible for the adoption, implementation and monitoring of the National Action Plans on Gender Equality, Violence against Women/Domestic Violence and UN Security Council Resolutions on Women, Peace and Security. In addition, the Commission is mandated to support the effective functioning of, and co-ordination between, the activities of respective state bodies in the field of gender equality, violence against women, domestic violence and women's empowerment. With respect to violence against women and domestic violence, the Commission functions as a domestic monitoring mechanism required by Article 10 of the Istanbul Convention. Its mandate includes developing proposals on these issues and submitting them to the Government of Georgia for their review and further action.

In 2016 the Government of Georgia made important step forward by expansion of the scope of the National Action Plan on the Measures to be Implemented for Combating Violence against Women and Domestic Violence and Protection of Victims/Survivors, which significantly broadens the obligations undertaken by Georgia, as well as ensure increases protection of DV victims/survivors. Previous National Action Plans adopted in Georgia have focused solely on domestic violence. The VAWG/DV NAPs for 2016-2017 and 2018-2020 cover violence against women more broadly, including both, domestic and sexual violence issues.

The current National Action Plan for 2018-2020 on the Measures to be Implemented for Combating Violence against Women and Domestic Violence and protection of victims/survivors foresees activities related to prevention, awareness raising, the establishment of a national referral mechanism, the establishment of a crisis centre, the expansion of a hotline and the establishment of a system for data collection, making legislation and state policy documents in compliance with the international standards, creation of co-operation platform with local municipalities, measures supporting change of attitudes, social norms and behaviours towards the domestic violence and violence against women.

The process of drafting the actions plans is co-ordinated by Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues. The Inter-agency Commission collects and analyses relevant documents such as PDO reports, studies of local and international organisations. The Plans take into account key international commitments of the government of Georgia concerning VAWG: the Council of Europe's Istanbul Convention, CEDAW Committee recommendations, as well as UN Sustainable Development Goal 5, where one of the key targets is to eliminate all forms of VAWG by 2030. The meetings with the representatives of state and non-state organisations are held, recommendations presented by non-governmental and international organisations and PDO are reflected in the NAP. The Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues is responsible for co-ordinating the implementation of the NAP in close co-operation with line ministries and state agencies.

In 2018, General Prosecutor's order determined specialised prosecutors and prosecutor-investigators in order to carry out efficient investigation of domestic violence-based crimes, provide effective support to state prosecution. These prosecutors have completed specialised training course on domestic violence. The course covers the psycho-emotional aspects of working with survivors, witnesses and perpetrators of domestic violence and provides an overview of current domestic and international legislative frameworks related to domestic violence. The training course has been developed with the support of and in close co-operation with UN Women component of UN Joint Programme for Gender Equality supported by the government of Sweden. In 2018 three specialisation courses were conducted on the issue of domestic violence and violence against women, within the ambit of which 83 employees of the prosecution service were trained. For the time being, there are 155 specialised prosecutors and prosecution service investigators in total. Only specialised prosecutors and investigators handle the cases of domestic violence in Georgia.

Besides, the functions of the witness and victim co-ordinator services under the General Prosecutor's Office of Georgia have been increased to protect the interests of witnesses and victims involved in the criminal proceedings, to support them and prevent their secondary victimisation and revictimisation. Co-ordinator became a participant in the proceedings and was equipped with important functions, including attending the investigative and procedural activities ongoing with the attendance of a witness or a victim as well as the function of their emotional support.

Furthermore, the LEPL-State Fund for the Protection and Assistance of (Statutory) Victims of Human Trafficking" (hereinafter the State Fund) has been functioning under the state control of the Ministry

of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

The State Fund provides the victim and/or statutory victim and/or alleged victim of human trafficking and/or domestic violence and/or violence against women and/or sexual abuse with the following services within the Shelters and the Crisis Centres:

- Providing psychological-social assistance/rehabilitation;
- Organising/receiving medical service;
- Providing Legal assistance (including legal representation in court and in law enforcement agencies);
- Translator service, if necessary;
- Promoting reintegration in a family and society and other services;
- Daily accommodation in the shelter (only for victim and/or statutory victim with his/her dependent(s)), including: nutrition, hygiene and other essentials;
- Daily accommodation in the crisis centre (for alleged victim with his/her dependent(s)), including: nutrition, hygiene and other essentials;
- Compensation in the amount 1.000 (one thousand) GEL in case of trafficking.

There are five Shelters: in Batumi (opened in 2006), in Tbilisi (opened in 2010), in Kutaisi (opened in 2016), in Sighnagi (opened in 2016), in Gori (opened 2010) and 5 Crisis Centres - in Tbilisi (opened in 2016), in Gori (opened in 2018) and in Kutaisi (opened in 2018), in Ozurgeti (opened 2018), in Marneuli (opened 2019) functioning under the State Fund.

A 24-hour hotline for the victims of violence is functioning at the State Fund. Anyone can call on the hotline: **116 006** (Euro number) and get professional consultations from qualified operators and information about the services of the State Fund. Since 2017, the consultations of the State Fund's hotline on the issues of domestic violence, violence against women, human trafficking, sexual violence have been available in 8 languages: in Georgian as well as in English, Russian, Azerbaijani, Turkish, Armenian, Arabic and Persian languages. The service is free and anonymous.

The state fund developed the Guidelines for Social Work and Psychological Rehabilitation/Assistance of beneficiaries of the structural units (shelters and crisis centers) and their integration into internal regulations and plans for rehabilitation and reintegration (case management). The guidelines provide practical guides for rehabilitation of victims including children and people with disabilities. In 2018-2019 special training-sessions were provided to philologists and social workers of the State Fund for institutionalisation of guidelines.

### 2.3 Institutional changes

Please see detailed information on co-ordinating body to deal with violence against women and domestic violence under question 2.2.

In addition, in January 2018 Department of Human Rights Protection was created in the Ministry of Internal Affairs with the intend to monitor investigation quality of domestic violence, violence against women, crimes committed on the grounds of discrimination, crimes committed by and towards juveniles and Human trafficking. Consequently, with the co-ordinated work of the department and the territorial agencies of the MIA, the quality of investigation of these crimes has significantly improved and the confidence in police has been increased.

Functions of the Department are:

- Identifying gaps in the process of investigation and administrative case proceedings and

elaborating guidelines;

- Providing consultations to police officers;
- Improving statistical data in co-ordination with the Analytical Department;
- Increasing qualification of specialised investigators in co-operation with the Police Academy;
- Co-operating with relevant state agencies, Public Defender's Office and NGOs;
- Studying and analysing relevant recommendations;
- Developing proposals for planning and carrying out preventive measures;
- Providing proposals to the General Inspection and the Minister on the incentives and disciplinary measures.

Since its creation, the Department elaborated internal and external monitoring mechanisms (Internal monitoring mechanism - Criminal case investigation is monitored through the electronic case management system "CRIMCASE"; External monitoring mechanism – co-operation with the NGOs are in place and information/report is received on a daily basis). The Department also receives information on incidents/reports from all police departments throughout the country. In case the employee of the Department reveals gaps or problems in the investigation process or investigation was not launched when necessary, he/she reacts promptly, contacts the relevant police officer, provides legal consultations, discusses the issue with co-workers and decides on the future course of action. Cases of misconducts or neglects are forwarded to the General Inspection of the Ministry for further response.

Along with the abovementioned, the Department serves as a consultative body for the police and stands as a contact point for civil society and pertinent public agencies.

Hereby, on 4 February 2019, the mandate of Department of Human Rights Protection was extended. It transformed into Human Rights Protection and Investigation Quality Monitoring Department structured as the Human Rights protection Division, the Tbilisi and Regional Divisions of Investigation Quality Monitoring and the Division of Quality Analysis and Evaluation of Investigations.

During the reporting period, the department implemented numerous measures to combat domestic violence:

In order to ensure effective implementation of risk assessment tool as well the monitoring process of the restrictive orders, the Department of Human Rights Protection and Quality Monitoring Department and the Academy of the Ministry, elaborated distance learning course for the police officers who are authorised to issue restrictive order as well as complete monitoring of the obedience of requirement of restrictive order. About 10,000 police officers went through distance learning course before the ministerial orders entered into force;

A 5-day long course has been elaborated for investigators specialising on domestic violence and gender based violence. The module of the special course envisages sophisticated session of the physiologist, who teaches investigators of skills how to gain trust of the victim/witnesses and avoid re-victimisation. Representatives of MIA, Prosecutions office, Ombudsmen's office, deliver sessions on legal mechanism as well as international obligations. The courses were organised for the investigators from the regions of Georgia. Currently, 150 investigators have received the course;

Simultaneously, one-day training for patrol police are permanently held in Tbilisi and regions of Georgia. The aim of the training is to update officers about the legislative amendments and raise their qualification on the legal mechanisms against gender-based violence. During the reporting period about 500 officers were trained;

In January 2019, the Department of Human Rights Protection and Quality Monitoring Department reviewed approximately 5,000 restraining orders. The inspection revealed that the orders issued by the patrol-inspectors did not fully comply with the requirements of the law. Therefore, in order to increase the qualification of patrol-inspectors, more than 600 patrol-inspectors were trained by the Department of Human Rights Protection and Quality Monitoring Department.

#### **2.4 Research and awareness-raising**

National study on Violence against Women in Georgia 2017 constitutes the first nation-wide research on violence against women conducted in Georgia since 2009 and explores the prevalence of domestic violence, non-partner physical and sexual violence, as well as perceptions and awareness of women and men on gender and violence in Georgia. For the first time in Georgia, the study also generated data on prevalence of sexual harassment and stalking at the national level.

The study was conducted in 2017 and combined quantitative and qualitative research methods. In total, 6,006 women aged of 15-64 and 1,601 men aged of 15-64 were interviewed across the country.

The study indicates some positive trends as well. There has been a significant increase in the percentage of women who have reported to the police an act of violence committed by an intimate partner: 18% in 2017, compared to 1.5% in 2009. Also, the percentage of women who believe that domestic violence is a private matter and that no one should interfere has decreased from 78% in 2009 to 33% in 2017. The study shows that women in Georgia are at greatest risk of violence from male intimate partners. Women also experience violence by non-partners, particularly in the form of sexual harassment and stalking.

Nevertheless, there have been clear positive improvements in attitudes and practices since the 2009 study in Georgia: Gender attitudes are less conservative. Men and women in the younger generation show more non-discriminatory attitudes. There has been a decrease in the rate of women who stayed with violent husbands because they believed the violence to be normal. There has been a significant increase in the percentage of women who have experienced intimate partner violence who have reported it to the police. 77% of population of Georgia is aware that there are laws protecting victims of domestic violence, services for survivors of violence and anti-violence/domestic violence campaigns. All of this suggests that the concerted efforts to raise awareness and promote women's empowerment and rights in the country over the past decade are having a positive impact. The study was carried out by UN Women in Georgia in partnership with the National Statistics Office in the framework of the project "Unite to Fight Violence against Women" generously supported by the European Union. The National Study on Violence against Women provides baselines for a number of SDG indicators and it allows to measure over time the effectiveness of state policies and development interventions in this field.

Apart from it, in 2019 the State Fund officially announced procurement to conduct the research to assess the effectiveness of the shelters and crisis centres of services (within USAID Project). The Monitoring, Evaluation and Project Design Division developed a special questionnaire to assess and evaluate the services provided by the shelters and crisis centres under the Fund, as well as to conduct a beneficiary satisfaction survey. It will allow the State Fund to find out more about clients' opinion on different aspects of the service such as relevance, effectiveness, efficiency, coverage, impact, coherence, sustainability etc. The results of the assessment will guide further enhancement of the quality of the operations and the services provided by the Fund based on the feedback gathered from the clients.

In order to respond to the findings of the Nation-Wide Survey on Violence against Women the Inter-Agency Commission developed a national communication strategy and action plan on violence against women and domestic violence, which specifies details about the awareness activities to be

carried out during the period from 2018 to 2020. The communication strategy aims at consolidating resources and improving joint planning and co-ordination to ensure that government's awareness raising interventions are evidence based, targeted and address root and structural causes of violence. The initiative responds directly to the commitments undertaken by the Government of Georgia under the Istanbul Convention, which amongst others, places the responsibility on the Government of Georgia to regularly promote and conduct awareness-raising campaigns and programmes to increase awareness and understanding among the general public on all forms of violence against women and girls, including domestic violence.

Within the Communication Strategy and Action Plan developed and adopted in 2018, Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues in partnership with line ministries and state agencies and with the support of UN Women and the European Union implemented a comprehensive governmental campaign "16 Days of Activism against Gender-Based Violence 2018."

The campaign was implemented from 25 November to 10 December 2018 and focused on promoting zero tolerance for VAWG and increasing awareness of the laws and services available for victims/survivors. The overarching theme of the campaign was that ending violence against women and girls (VAWG) is a national priority and that the Government of Georgia is committed to supporting victims and holding perpetrators accountable.

During the campaign workshops were conducted for government officials and community members in general. Study cards and orange ribbons were distributed at these workshops thus encouraging community dialogue and raising awareness about the responsibility of each individual in safeguarding their communities from violence.

- 11 training were conducted by LEPL Training Center of Justice of Georgia in Batumi, Zugdidi, Kutaisi, Gori, Tsnori, Rustavi, Tbilisi respectively, reaching approximately 135 people. Orange ribbons, posters and fact sheets were handed out to training participants and generated a lot of discussion;
- Civil Service Bureau of Georgia conducted training of public servants on code of conduct including on sexual harassment and distributed special announcement on Sexual Harassment online course among all public servants;
- LEPL Training Center of Justice of Georgia and The Ministry of Education, Science, Culture and Sport of Georgia launched two different essay competitions on Violence against Women. The main aim of this kind of activity was to raise awareness about violence against women and to emphasise that it is a problem for us all, even the youth and to show the importance of peace and kindness in relationships.
- The Ministry of Education, Science, Culture and Sport of Georgia with the support of the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues and UN Women ensured involvement of various sportsmen in the campaign. Totally 116 sportsmen joined the campaign „Sportsmen UNiTE against violence against women“. 2 matches were live streamed on public broadcasting and on YouTube channel. Before the match sportsmen wore t-shirts with special logos and message: „Sportsmen UNiTE against violence against women“.
- The Ministry of Internal Affairs conducted 12 meetings in Tbilisi, Kakheti, Shida Kartli, Kvemo Kartli, Adjara and Samegrelo. The main goal of the meetings was to raise public awareness about domestic violence/violence against women, as well as to inform society about existing state services and legislation.

State agencies used media to call for everyone to advocate for non-violent behaviour. Media

campaigns were held in Social media with special logos and hashtags - such as #GeorgiaAgainstVAW, #endingVAWisajointresponsibility, #GeorgiaCares and others - that were designed by the Government for this occasion. Social Media campaign was widespread, and hundreds of people get involved.

It should be noted that the State Fund conducts and will continue to organise different outdoor activities for the awareness raising campaign on the issues of violence against women/domestic violence and human trafficking. The activities include:

- Disseminate information multilingual leaflets, T-shirts and bags of the State Fund in streets, Metro stations, Public Service halls, Border Crossing Points Tourism Information Centres and etc;
- Organise information meetings with public school pupils and teachers for the prevention of human trafficking, raising awareness of youth and popularisation of the State Fund services. The meetings are held at public schools of the capital and regions;
- Hold public meetings, lectures with the students of different Universities in Georgia;
- Train the personnel of the shelters/crisis centre for the purpose of developing their qualifications and skills;
- Co-operation with different NGOs and International Organisations;
- Participation in TV and radio shows and advertisements dedicated to Human Trafficking on central and regional TV stations within the State Fund activities;
- Creation and dissemination informational brochures on the issues of Human Trafficking produced by State Fund.

There were 23 information meetings conducted for the reporting period by the State Fund; also, the State Fund organised 16 days' campaign against gender violence in 2018.

For 2018-2019 years, MoIA Human Rights Protection and Quality Monitoring Department held numerous meetings in various regions, in regard to raise public awareness about domestic violence and child marriage. Also, the staff of the ministry are actively involved in television and radio broadcastings.

In addition, MIA created a Facebook page that plays a vital role in raising awareness and providing information to society.

In May 2019, under the auspices of project "community prosecution service", prosecutor of Telavi Prosecutor's Office together with witness/victim co-ordinator conducted a meeting with the inhabitants of Telavi municipality. The meeting concerned domestic violence and violence against women.

Under active co-operation of the Prosecution Service of Georgia and the US Embassy, in March 2019 prosecutors and witness/victim co-ordinators conducted informational meetings with pupils in 8 cities of Georgia, within the ambit of combating domestic violence and violence against women week.

In the year of 2018 Legal Aid Service (LAS) organised 48 consultation meetings in different parts of Georgia concerning matters of domestic violence and violence against women, whereas, in 2019 LAS has so far organised around 80 meetings. Among them 870 were women and 429 were men.

Several meetings were carried out in Rustavi Prison Colony #5 (women's prison), National Probation Agency, Temporary Accommodation Centre of Migration Department, Temporary Accommodation

Centre for Asylum seekers and the densely populated internally displaced persons.

The main purpose of these meetings is to convey information to the women on how to protect their rights and how to act in case of violence. Moreover, in order to provide effective and immediate legal protection we have 24/7 emergency line for the victims/alleged victims of violence.

It is worth mentioning that during every consultation meeting LAS disseminates informative flyers and brochures indicating the contact information of our offices across the whole country so that they can freely address them and receive qualified consultation. Abovementioned Brochures are intended for ethnical minorities living in Georgia as well; therefore, they are available in three different languages: Georgian, Azerbaijani and Armenian languages.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.1 Legislative changes

Before the year of 2018, protection of the victims/alleged victims of domestic violence and violence against women fell within the general mandate of the law of Georgia on Legal Aid. The law stipulated that the victims/alleged victims were provided with free legal aid in case of indigence.

In February 2018, a new amendment of the law of Georgia on Legal Aid has been introduced. New provisions ensure full legal service (consultation, drafting documentation and representation in court) for victims/alleged victims of violence and domestic violence, irrespective of their financial conditions.

Following the positive legislative amendments, the number of beneficiaries seeking legal aid has drastically increased. Specifically, according to the statistics of the LEPL Legal Aid Service (LAS), in October 2018 - September 2019 209 victims/alleged victims of violence benefited from the legal consultations of the Legal Aid Service; additionally, LAS drafted legal documentation for 18 beneficiaries.

Since August 2018, Legal Aid Service with the financial assistance of UN WOMEN carries out a project to combat violence against women. For this purpose, LAS hired two specialists on gender issues, one in Tbilisi and the other in Kvemo Kartli.

#### 3.2 Policy changes

The comprehensive Judiciary Strategy (*hereinafter – the Strategy*) for 2017-2021 years sets forth the obligation of the High Council of Justice to promote gender-sensitive issues, as well as to raise awareness of judges on domestic violence and violence against women.

In order to address the harmful impact of gender stereotypes in judicial decision-making processes, a number of awareness-raising activities have been implemented. Specifically, the High School of Justice has developed the following training modules: “Promotion of Justice through Gender Equality” and “Violence Against Women and Domestic Violence”. The elaborated training modules have been integrated into the curriculum and the sitting judges have been trained on a regular basis. Furthermore, the workshops with the involvement of judges have been held on “litigation and legal regulation of sexual harassment” and “the challenges for legal practitioners in Georgia in terms of implementing the CEDAW Convention”.

In order to increase the gender sensitivity and empower the women judges in Georgia, an international conference on “The Role of Women Judges in the Judiciary” was held in November 2018. The conference referred to the importance of the equal representation of women in the

judiciary, the formation of gender stereotypes, the impact of gender diversity on the judicial decision-making process, etc. It should be also noted, that in August 2019 the “Georgian Women Judges Association (GWJA)” was established aiming at further enhancing the role of women judges within the judiciary, increasing gender-sensitivity, promoting the independence, impartiality and irremovability of judges and increasing public trust towards the judiciary in general.

Promoting gender-related issues will remain as a priority for the Georgian judiciary. The High Council of Justice has already elaborated the draft action plan for 2019-2020 years for the implementation of the Strategy. The draft action plan envisages various activities, such as conducting a research on the representation of women judges in managerial positions within the Common Courts system, participation in the events/discussions on gender equality, analysing the application practice of the CEDAW Convention and conducting training for judges on domestic violence and violence against women in all common courts.

The judiciary is actively involved in fulfilling its obligations under Article 11 of the European Convention on the Prevention of Violence against Domestic Violence and Domestic Violence that commits the state parties to collect data on all forms of gender-based violence.

Since October 2018 the district (city) courts in test mode introduced a new statistical reporting forms for registering the protective orders issued by the courts and appealed restrictive orders issued by the Ministry Internal Affairs of Georgia. The same statistical reporting form on appealed restrictive and protective orders was introduced in the court of appeals.

Accordingly, it has been possible to obtain and process annual data for 2018 on a gender basis - taking into account the sex of victim and abuser. The data for 2018 was published on the Supreme Court’s website (<http://www.supremecourt.ge/ojaxshizaladobisstatistika/>). This information is currently updated for the 6 months of 2019 that will be published on the website as well.

In addition, during the reporting period, the judiciary worked closely with the EU funded project on supporting the Interagency Commission on Gender Equality, Violence against Women and Domestic Violence. One of the components of the project was promotion of gender-segregated data collection. Within the framework of this project the following activities were carried out with the involvement of a local expert:

- A list of indicators was created according to which the judicial system should produce statistics on all forms of violence against women and domestic violence;
- The above indicators were compared with the existing database of the Ministry of Internal Affairs;
- In view of the above, a list of variables necessary to obtain future electronically completed data from the court records system has been established.

Apart from it, since 1 October 2019 the updated recording forms of civil/administrative cases filed and heard in the courts on discrimination, including gender discrimination is available in the courts. The later enables the courts to produce comprehensive data on discrimination cases.

At the same time, work is underway to amend the existing forms of primary accounting in criminal cases on discrimination. Updated forms will be available shortly.

### 3.3 Institutional changes

In May 2019, the Public Defender's mandate has been strengthened relating to the cases of discrimination. The earlier legislative framework could not provide the Public Defender with the necessary leverage to study the cases of discrimination in the private sector. Private individuals were not obliged to provide the Public Defender with necessary information for studying a case, to consider the Public Defender's recommendations or to notify the Public Defender's Office of the results. According to the new amendments, private individuals will be obliged to provide information to the Public Defender, as well as to consider the Public Defender's recommendations and provide information about the results. Non-fulfilment of these obligations will be regarded as an administrative offense and will be punished with a fine. At the same time, the Public Defender will have the opportunity to sue legal entities if they do not implement the recommendation. Earlier, the Public Defender could use such a possibility only in relation to the public sector.

The strengthening of enforcement mechanisms relating to the cases of sexual harassment is also another positive development. Determination of sexual harassment as an administrative offense and introduction of fines is a step forward for the protection of the rights of women, girls and each member of the society.

### 3.4 Research and awareness-raising

In March 2019 with support of the Council of Europe, a joint three months training course started for representatives of the Prosecutor's Office of Georgia and the Ministry of Internal Affairs on issues violence against women and domestic violence. Distant learning will be held through HELP e-programme of the Council of Europe and it aims to assist representatives of the law enforcements to get acquainted with the European standards for human rights protection. Training courses developed by the Council of Europe aim to enhance the quality of the response to cases of violence against women and provide victims with access to justice during prosecution of accused persons. The course consists of seven modules and covers international as well as European legal frameworks, standards of Istanbul Convention and case law that aims at prevention of violence against women and girls and their protection from violence. In 2018 two learning courses were conducted for the prosecutors using the European Council HELP distance learning platform on the topic of combating domestic violence and violence against women. Within the ambit of the said training course 32 prosecutors were trained. The training course included United Nations Security Council Resolution 1325, on women, peace, and security.

In order to encourage co-operation between the agencies and integrated approach, within the frame of the phase I of the European Council project "Preventing and Combating Violence against Women and Domestic Violence in Georgia", on 30 November 2018 a working meeting was held with the representatives of the legal profession, which was aimed at enhancing co-ordination between the agencies and professionals dealing with cases of violence against women and domestic violence. The meeting was particularly beneficial for the participants and revealed the need to conduct such meeting.

In addition, within the frame of the phase I of the project an expert of the European Council reviewed and elaborated recommendations with a view to improve guidelines of the prosecution service on "conduct of procedural supervision over investigation of crimes under articles 11' and 126' of the Criminal Code of Georgia ("the CCG" - hereafter). The presentation of the expert's report was held at the General Prosecutor's Office of Georgia on 29 November 2019. The report emphasised the need to consult with the representatives of the Ministry of Internal Affairs and the judiciary in the course of refinement of the mentioned guidelines.

Within the framework of the same project, on a working meeting held on 29-30 March 2019, specialised prosecutors, judges and representatives of the MIA discussed challenges regarding investigation and prosecution on cases of violence against women and domestic violence and methods of responding to those challenges. Furthermore, they shared to each other the examples of the best practices. Another meeting was held on 1 May 2019 with the involvement of prosecutors, judges and representatives of the MIA and Public Defender's Office. The discussion on the meeting touched upon the following issues: challenges with respect to violence against women and domestic violence, statistics on cases of sexual violence, initial report to the police and practical challenges at the stage of investigation, trying cases of sexual violence by courts, relevant statistics and practice, judicial proceedings on sexual violence and other crimes provided for by the Istanbul Convention - methodology of research and monitoring.

In addition, during the reporting period, within the frame of the European Council project, a number of meetings were held involving representatives of the Prosecution Service of Georgia, the MIA and an expert of the EU in order to improve statistical data collection on the crimes of violence against women and domestic violence. As a result, this summer an expert elaborated project for the Prosecution Service of Georgia and the MIA on methodology of efficient statistical data collection regarding crimes of violence against women and domestic violence. The document is aiming at studying current situation of statistical data collection on crimes of violence against women and domestic violence in the MIA and the Prosecution Service of Georgia and elaborating a new methodology in order to facilitate the mentioned agencies to discharge their duties under the Istanbul Convention and to ensure effective prevention of this crimes on the basis of relevant analysis.

From October 2018 to September 2019 14 training activities were conducted on domestic violence, family crime, gender-based discrimination and violence against women. Totally 200 employees of Prosecution Service (including managers, prosecutors, investigators of the prosecution service, witness and victim co-ordinators and advisers) underwent this training. In addition, 2 groups of interns, involving 38 participants, participated in training on the said topics within the ambit of internship preparation course.

Furthermore, during the reporting period 22 learning activities were conducted, involving 332 participants (including managers, prosecutors, investigators of the prosecution service, witness and victim co-ordinators), on the issues regarding investigation of hate crimes and crimes committed with discrimination motive. In addition, 2 groups of interns, involving 38 participants, underwent training on the said topics within the ambit of internship preparation course.

Additionally, in this period with the assistance of UN Women in total 57 LAS lawyers received training on domestic violence and violence against women. Training concerned not only legal service but also psychological support of the victims.

Please see information on training for the police under question 2.3. Information on training for judges is available under question 3.2.

#### 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

##### 4.1 Legislative changes

The Gender Equality Council of the Parliament of Georgia, in the 9th convocation Parliament, has been active in advocating for legislative changes in support of women's political participation. During the reporting period, the Council prepared a package of legislative amendments to the gender quota, however, the shift to a proportional system also requires some changes in this regard, so this issue is subject to internal scrutiny at this stage.

Furthermore, National Human Rights Action Plan, Activity 13.1.7.1, calls for initiating “legislative amendments in order to increase the representation of women in elected bodies”.

##### 4.2 Policy changes

The index of women’s political participation and their involvement in the decision-making process is directly linked with the quality of democracy in the country. The National Strategy for the Protection of Human Rights in Georgia 2014-2020 is a key policy document that promotes a human rights-based approach in all policy development and implementation, including considering the different needs of women and men in any given situation. Objective 14 (of 23) is dedicated to the “Promotion of gender equality, protection of women’s rights and prevention of domestic violence, as well as the consequences resulting from such violence”. With a view to achieving the long-term goals, the strategy envisages implementation of effective measures across all spheres to ensure and promote the concept of gender equality. In particular, encourage greater involvement of women in political life, as well as decision-making process; ensure prompt and effective response to all reported cases of gender discrimination; ensure the full compliance of existing mechanisms with international standards for the protection and assistance of victims of domestic violence; conduct awareness-raising campaigns, especially for civil servants, on issues of gender equality and domestic violence; ensure access to legal protection, psycho/social rehabilitative facilities and shelters for victims of domestic violence.

Two stand-alone National Action Plans and one chapter of the Human Rights Action Plan: Gender Equality Women’s Empowerment for supporting gender equality and women’s empowerment approved by the government include: National Action Plan on the Implementation of the UN Security Council resolutions on Women, Peace and Security, and the National Action Plan on the Measures to be Implemented for Combating Violence against Women and Domestic Violence and Protection of Victims/Survivors covering period from 2018 to 2020. The Government formed the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues represents an accountability mechanism for the advanced implementation, monitoring and co-ordination of drafting the National Action Plans on Gender Equality, Violence against Women/Domestic Violence and the UN Security Council Resolutions on Women, Peace and Security. Thus, the development of both action plans and mentioned chapter has been co-ordinated by the Commission, which comprises deputy ministers and gender focal points from line ministries as well as the Thematic Consultative Working Group with representatives from municipalities, civil society and international organisations.

Despite the gender equality ensured under the Legislative framework, as well as under various strategic documents, according to the Global Gender Gap Index 2018, based on the political empowerment and women in parliament, Georgia is ranked 119 among 149 countries; whereas according to the data of the Inter-Parliamentary Union, with 22 women in the parliament, Georgia is ranked 139 among 193 countries.

The Parliamentary Elections in October 2016 was a step forward for women's political participation considering that previous Parliament had a fewer number of women. In 2012-2016, there were only 18 women MPs in Georgia, accounting for as low as 12% of all 150 MPs. Following the elections in 2016, 24 women were able to gain seats, accounting for 16% of the total number of MPs. The number of women MPs remained 22 after the process of formation of the government, after some candidates turned down their Parliamentary seats and Presidential Elections in 2018.

On December 16, 2018 Salome Zourabishvili has been sworn into office as Georgia's first woman President.

Election Administration of Georgia (CESKO) carries out relevant activities based on equality principles. 2015-2019 strategic plan and annual action plans elaborated by the administration, imply balanced gender and equality-based environment along with other aspects. Election administration also has a gender equality policy document, according to which, three major target groups of the administration are as follows: women voters, women candidates and election administration female staff.

It is important to note that Central Election Commission processes gender segregated data which is available on the website at <http://cesko.ge/statistic/>. By segregation of information on gender basis, administration creates important instrument for establishment of gender balanced election environment and provides additional information resources for all individuals engaged in election process.

There are five female ministers in the government of 11 ministers, including the Prime Minister. As to the state representatives, none of the nine governors is female. Furthermore, women are also under-represented in local self-government bodies.

Georgia acknowledges that the low participation of women in political and other decision making processes can be addressed, first and for most, by awareness raising of the population on importance of equality of women and men in every field of life, including public and political life aiming at changing gender stereotypes rooted in the Georgian society. Therefore, Gender Equality Council of the Parliament is actively discussing and advocating the importance of Increasing Women's Political Engagement not only among the members of the parliament, but also among different target groups, including students, NGOs, Gender equality councils of the municipalities, etc.

#### **4.3 Institutional changes**

See above

#### **4.4 Research and awareness-raising**

See above

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.1 Legislative changes

The Law on International Protection stipulates special articles of non-discrimination. In accordance to the article 10 of the abovementioned law, the provisions of this law shall apply to asylum seekers, and persons under international protection without discrimination as to race, colour of skin, language, sex, nationality, origin, place of birth, place of residence, property or social status, religion, national, ethnic and social affiliation, profession, family status, health, disability, sexual orientation, gender identity and expression, political or other opinions, or other grounds. The same law includes article 31 on acts of persecution and serious harm in which the acts of gender-specific nature shall be qualified as persecution.

The Law of Georgia on the Legal Status of Aliens and Stateless Persons stipulates article 1 (aim, objectives and scope of the Law) in accordance with, the law protect universally recognised rights of aliens and stateless persons irrespective of race, colour, language, gender, religion, political, and other views, nationality, ethnic and social belonging, origin, property status and rank; also according to the article 25 of the Law on Equality of aliens with citizens of Georgia in rights and duties, guarantees of protection of their rights and freedoms, aliens in Georgia shall be equal before the law irrespective of origin, social and property status, race, nationality, gender, education, language, religion, political, or other views, activity, and other circumstances. With regard to placement condition for detained aliens/migrants, they are treated with consideration of their gender, and cultural specificities (article 66 of the Law of Georgia on the Legal Status of Aliens and Stateless Persons).

### 5.2 Policy changes

Government of Georgia pays attention to prevent and protects asylum seekers and refugees from becoming the victims of human trafficking/exploitation. To address the issue, on 19 December 2017 the THB Council also approved the Guidelines on Identification of Victims of Trafficking in human beings at the Border of Georgia (border crossing and customs crossing points, land and coastal border). These **Guidelines were adopted for border police officers and Customs officials** and sets forth indicators of alleged victims and standards of interrogation/interview of THB victims, including minors and to whom to refer for assistance of alleged victim.

For effective use of the Guidelines on 26-27 June 2018 training on human trafficking issues were held for border police and customs officials. The training was delivered by the Swedish experts and the representative of the Ministry of Justice of Georgia aiming at discussion of both Swedish and Georgian experience on identification of potential victims of THB at borders. One of the sessions of the Training was also dedicated to detailed discussion of the Guidelines on Identification of Victims of Trafficking in Persons for border police officers and Customs officials.

GOG also acknowledges the training of staff working with and interviewing with asylum seekers and refugees.

### 5.3 Institutional changes

According to the Georgian Law on “Legal Status of Aliens and Stateless Persons” and Order of the Minister of Internal Affairs of Georgia “On approval of the rule of detention and placement of aliens in the Temporary Accommodation Centre” considers best interests of women especially pregnant women and women with children. The applicable legislation provides for the detention of the pregnant women and women with children in exceptional cases and for a short period, considering their best interests.

Before placement at Temporary Accommodation Center, a person of the same gender conducts inspection of detained women in presence of an individual of the same gender.

In addition, an authorised person (medical personnel of the centre) questions detainees concerning their health condition; examination performed carefully in a separate room without presence of other persons (in case of request the issue of gender is taken into consideration).

In the Temporary Accommodation Centre, there are separate blocks for women and families where the women with children are placed.

Moreover, the services of the State Fund are available regardless of the race, skin colour, language, sex, religion, political or other opinions, national, ethnic, and social affiliation, origin, property or social status, place of residence. The Georgian legislation prohibits any kind of discrimination in public and private spheres. The internal regulations of the State Fund are in accordance with the Georgian legislation.

Also, if the migrant, refugee or asylum-seeking women/girls are victims/alleged victims of violence and/or human trafficking, they can use the State Funds’ services (for services see – question 2.2).

### 5.4 Research and awareness-raising

During the asylum procedure, all registered asylum-seekers are provided with the information on the available services, their rights and obligations, including the right of free legal aid regarding their asylum claim.

Additionally, during the reporting period, there have been held 3 meetings at the asylum-seekers Reception Centre in order to inform asylum-seeker women about their legal guarantees, rights and obligations in Georgia.

Information meeting on domestic violence and violence against women was held in the Migration Department for employees and beneficiaries of the asylum-seekers reception centre.

It should be noted that multilingual information leaflets on human trafficking (Georgian, English, Turkish, Azeri, Armenian, Arab and Russian languages) are widely disseminated at state border, airports, shelter for asylum seekers and the Temporary Accommodation Centre (TAC) for detained migrants.

In addition, since 2017 IOM with the financial support of INL and in close co-operation with the Government of Georgia has started an information campaign in Sarpi and Vale border check points. The information campaign has been conducted within the project “Combating Trafficking in Persons in Georgia and Addressing the Demand Side of Trafficking.” The leaflets, Banners, Stands and videos were produced and distributed in five languages (Georgian, Russian, Turkish, English and Persian).

GOG also acknowledges the training of staff working with and interviewing with asylum seekers and refugees. During the reporting period, there has been conducted capacity building training on the consideration of cultural sensitivity in asylum procedure.

As for training on human trafficking the last one for the staff of Migration Department of the Ministry of Internal Affairs of Georgia working with and interviewing with asylum seekers and refugees was held on 5 July 2018. The name of the workshop was “Human Trafficking and Domestic Violence in the Context of Determining Refugee Status”. The representative of the Ministry of Justice, Ministry of Internal Affairs and State Fund covered the Anti-Trafficking Policy and Legal mechanisms, as well as the state funded services available for (potential) victims and statutory victims of THB (Number of Attendees-20).

Joint project of the Office of the Public Defender (PDO) and United Nations High Commissionaire of Refugees in the South Caucasus (UNHCR) “Support to the Office of the Public Defender to Enhance its Capacity to address the Situation of Project’s Beneficiaries”(asylum seekers, refugees, humanitarian status holders, stateless persons and those who are in stateless determination procedures), has been functioning since 2015. The aim of the project is to monitor human rights situation of beneficiaries, collect information from all stakeholders and advocate on behalf of these persons in order to promote compliance with the existing Georgian legislation and practices as provided by international standards.

Within this project, Public Defender’s Office conducts monitoring in closed institutions including penitentiary establishments and Temporary Accommodation Centre that are mainly accommodated by the irregular migrants and asylum seekers; PDO provides legal counselling of beneficiaries with all necessary information about services; During 2018-2019 PDO conducted awareness-raising events dedicated to the World Refugee Day and Human Rights Day. During the events, representatives of Public Defender disseminated information leaflets on asylum issues and project’s activities in order to sensitised general public/citizens on rights of persons of concerns.

### **5.5 Other pertinent developments**

Migration Department has its own internal monitoring mechanism and the rights of foreigners at TAC overseen by Foreigners Rights Protection and Monitoring Unit. Also, TAC of MIA is overseen by General Inspection of the Ministry of Internal Affairs and Public Defender (Ombudsmen) of Georgia.

Representatives of Public Defender attended refugee status determination procedures conducted by the asylum authority (Migration Department of the Ministry of Internal Affairs), pay special attention to the content and procedures and processing of the case by the responsible specialist and if necessary, provide relevant recommendations.

United Nations Refugee Agency (UNHCR) conducts permanent visits to monitor protection of rights of detained asylum seekers and existing conditions at TAC. Upon detention foreign nationals are informed of available ways of complaint (both internal and external) and could make use of confidential complaints boxes located in the corridors of the TAC beyond the CCTV coverage. Further, the Centre received frequent visits by a range of bodies including the relevant international and non-governmental organisations.

## **6. Strategic objective : Achieve gender mainstreaming in all policies and measures**

### **6.1 Legislative changes**

No legislative changes during the reporting period

## 6.2 Policy changes

As already mentioned above Gender Equality Council of Parliament plans to approve the new state concept on gender equality in Georgia by the end of 2019. Government of Georgia plans to develop tools on gender mainstreaming and gender responsive budgeting, a training module for public officials to introduce common approach throughout the state institutions, gender training of human resources managers of the public institutions and ensuring equal access for men and women to participate in vocation training. Gender Impact Analysis (GIA) methodology will be institutionalised in the Parliament. Georgia, based on the International Labour Organization standards, is planning to develop and pilot the pay gap calculation methodology and to institutionalise methodology for gender analysis of the state budget.

In order to facilitate municipalities' efficient actions towards gender equality issues and co-ordinated work with the Gender Equality Council of the Parliament of Georgia, the Municipal Gender Equality Council is set up in the municipalities. The composition, status, functions and authorisation of the Council is defined by the local self-governance "Sakrebulo" by law and the statute of the Municipal Gender Equality Council, approved by the respective "Sakrebulo".

Gender Focal Points have been identified at all government institutions, line ministries, at the sub-national level in each of the district mayor's offices as major partners responsible for implementation of the gender mainstreaming within the state institutions. As of 2019, Gender Equality Councils exist in all 64 local self-governing bodies to support the advancement gender equality at sub-national levels.

Creation of gender councils at the legislative branch, the local self-governance level and appointment of gender focal point public officers at the executive branch, line ministries is important step made forward to ensure strengthening of gender equality mechanisms in local and executive governments.

Women's rooms in four regions of Georgia represent the working space for these people. "Women's rooms" are open spaces, information-consultation resource centres created by local self-governing executive body, municipality city halls. The goal of the women's rooms is to increase, strengthen and support equal participation of men and women at local self-governance level in decision making process and to give them additional information-consultation services for social-economic activities. Women's rooms were established in Samtske-Javakheti, Kvemo Kartli, Adjara and Kakheti regions during 2012-2018 by Mercy Corps with SDC support.

## 6.3 Institutional changes

Please see information under Question 6.2.

Furthermore, as mentioned under question 1.2 on the executive level, the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence involves, inter alia, representatives of all Ministries, the Public Defender's Office, the Legal Aid Service, the Public Broadcaster, the Gender Equality Council of Parliament, the State Fund for the Protection and Assistance of Victims of Human Trafficking and the Supreme Court. Thus, under its auspices, Gender Focal Points have been identified at all government institutions as major partners responsible for implementation of the gender mainstreaming within the State institutions.

#### 6.4 Research and awareness-raising

As mentioned above different Governmental agencies as well as Public Defender's Office carries out information meetings, training and seminars with the population, local municipalities, law enforcement representatives, students, pupils, media representatives and other relevant service providers and target groups to raise awareness on the importance of Gender Equality, services and mechanisms for the protection and assistance available for victims/survivors of gender based violence.

Government of Georgia is implementing a programme for training/retraining and increasing the qualification of job seekers, which aim at training and retraining the job seekers, placing them at the corresponding internships, therefore increasing the competitiveness on the local market and thus promoting their employment. In co-operation with the Ministry of Education, Science, Culture and Sport of Georgia, The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia has approved list of most desired professions, which is part of the list for the job seekers state programme professions. In addition, The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia also approved a registry for the vocational educational institutions and training programs. LEPL Social Service Agency of the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia provides the display of the job seeking individuals on the following website –<http://worknet.gov.ge> where the beneficiaries will undergo training with the different industries in various specialties. The programme is financed by the government-issued vouchers, and the maximum value of each beneficiary, in accordance with the profession is 1000 GEL. In case of internship the candidate receives 200 GEL monthly for maximum 3-month period. Main goal of the programme is to provide professional training in the fields highly demanded by the labour market and/or provide internship for employment seekers in order to increase their competitiveness and support future employment. Preconditions for obtaining services of State programs on training and qualification of employment seekers includes: presentation of basic education completion certificate, but this limitation does not apply to women, who were not able to complete basic education course due to early marriage. Also, in case of even opportunities, women are given priority and granted a right to participate in the programme.

The Ministry of Economy and Sustainable Development in co-operation with the Ministry of Environmental Protection and Agriculture of Georgia launched the state programme "Produce in Georgia", the main objective of which are: promotion of entrepreneurship in Georgia; stimulating local production - especially in least economically developed regions; new enterprises development; creation of new jobs; and increase export potential. Although this programme is not designed to address gender issues directly, it creates new opportunities for women. In 2015-2018, the number of beneficiaries within the framework of the Micro and Small Entrepreneurship Promotion Programme of Georgia "Produce in Georgia" amounted to 9389 people, including 3783 women that makes 40.3% of total applicants.

In 2018, the Office of the State Minister in partnership with the Academy of the Ministry of Finance, conducted a training course "How to Start and Develop Business" for 16 women residing in Kvemo Kartli region and 14 women from the Pankisi Gorge. As a result of the training the participants were given the opportunity to expand theoretical knowledge and develop practical skills of entrepreneurship, also elaborate specific business- plans. The successful projects were financially supported by the UN Women (Tbilisi Office); A large scale door-to-door information /awareness raising campaign is regularly conducted for ethnic minority women on state programs and services as well as various issues (women's rights, antidiscrimination, domestic violence, early marriages, human trafficking, Georgia's European integration process, etc.)

The Strategy of Agricultural Development of Georgia 2015-2020 provides a vision for the development of the agricultural sector in Georgia and considers seven main directions of development. The strategy mentions gender in two directions: Direction 1 – increasing the competitiveness of those employed in the agrarian sector, and Direction 2 – institutional development. The development of co-operatives is planned under the first direction, which states that the development of co-operatives improves the involvement of women in social and economic activities. The development of information databases and gender disaggregated data collection is planned under the second direction. Similarly, the National Action Plan accompanying the Strategy contains two references to gender: a recommendation to collect gender-disaggregated data for the development of a market information system, and a recommendation to involve women in the development of agricultural co-operatives.

Georgia’s Rural Development Strategy 2017-2020 lists its three priorities: Economy and competitiveness, Social conditions and living standards and Environmental protection and sustainable management of natural resources. It references women in one priority area: social conditions and living standards. Objective 1 reads: “Raising awareness in innovation and entrepreneurship as well as promotion of co-operation through contributing to the skills development and employment issues (especially for young people and women)”. Objective 3 reads: “Local population engagement. Increase the involvement of rural population (especially youth and women) in the identification of local needs and the determination of solutions to these needs”.

The accompanying Action Plan foresees 70 newly constructed or rehabilitated kindergartens. Provision of affordable kindergarten schools is vital to encourage more women to enter the formal market. One researcher in Georgia determined that women dedicate 13 times more time to housework than men”. This results in increased pressure on women to accomplish a greater workload and limits opportunities to attend qualification courses or to build their professional capacity in general. It is particularly difficult for women who have taken time off to have a child to remain competitive. Women are expected to undertake the majority of unpaid care work within the household, and there are few examples of men and women sharing care responsibilities.

The regional development strategies of Kakheti, Kvemo Kartli, Samegrelo, Samtskhe-Javakheti and Shida Kartli for the years 2014-2021 present thorough descriptions of local problems. Kakheti Regional Development Strategy document mentions gender equality challenges to be addressed in two spheres: the gender wage gap and the feminisation of migration. Kvemo Kartli and Samegrelo strategies provide data on women in decision-making bodies and contain a goal on “planning and implementing gender equality supporting activities”.

PDO also closely collaborates with the trade and professional unions, as well as employer organisations on gender based discrimination at workplace. In order to involve in the decision making process women, especially from marginalised groups (women victims of violence, conflict-affected women and girls, women living in rural communities, etc.), PDO conducts focus groups and one on one interviews and reflects the results in special and parliamentary reports.

## 7. Main challenges and lessons learned

Several factors that has positively influenced on improvement of the environment of gender equality:

1. Ratification of the Istanbul Convention that was led by the improvement of the Legislative

and Institutional Mechanisms to combat violence against women and domestic violence

2. Set up of the Inter-Agency Commission on Gender Equality, Violence against women and domestic violence on the executive level that replaced the Inter-Agency Council, which was previously focused only on Domestic Violence. The Commission ensures the effective coordination among all governmental agencies, as well as with NGOs and IOs working in the field of promoting Gender equality and combating violence against women and domestic violence.
3. Establishment of Human Rights Protection Department of the Ministry of Internal Affairs of Georgia which monitors investigation quality of domestic violence, violence against women, and crimes committed on the grounds of discrimination.
4. Expanding the services of the State Fund not only for the victims of domestic violence, but also for the victims of violence against women, sexual abuse and alleged victims of violence.
5. Strengthened awareness raising campaigns on Gender equality, Violence against women and domestic violence.

Despite of all the activities implemented by Government of Georgia some barriers and challenges still remain in terms of women's equality with men, such as economic dependence, cultural barriers, fear and shame, lack of awareness regarding women's rights and legal safeguards, gender stereotypes, etc.

In some cases, due to the traditions and cultural bases people consider that violence against women including domestic violence is private and "family matter". In addition, women victims of violence including sexual violence often face to fear and shame to report the crime and sexual violence against them.

## GERMANY

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.2 Policy changes**

In August 2019, Germany completed its new report on the implementation of the Beijing Platform for Action. It outlines “Gender equality in working life” as well as “Balanced reconciliation of family, care and work” as priorities of gender equality policy in Germany and points out a number of projects in detail. It can be found at: [https://www.unece.org/fileadmin/DAM/Gender/Beijing\\_20/Germany.pdf](https://www.unece.org/fileadmin/DAM/Gender/Beijing_20/Germany.pdf)

**1.4 Research and awareness-raising****Monitoring project “Werbemelder\*in”**

From 2017 to 2019, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) has financially promoted the monitoring project “Werbemelder\*in” from Pinkstinks e.V.. Citizens can help call out sexist advertising by taking pictures of it, for instance using their smartphone, and sharing them with Pinkstinks via a web form. The monitoring project is an effort to make sexism in advertising visible, document it in a data base and reduce it through various sensitisation and education modules. The results of the monitoring project will be published in October 2019.

**Online platform "Schule gegen Sexismus"**

Starting in July 2019, BMFSFJ is financially promoting the online platform "Schule gegen Sexismus" (school against sexism). This digital adult education center is intended to reach and sensitise citizens how to deal with gender stereotypes and how to combat sexism.

**1.5 Other pertinent developments****Web page [www.genderleicht.de](http://www.genderleicht.de)**

From 2018 to 2021, BMFSFJ is financially supporting the web page [www.genderleicht.de](http://www.genderleicht.de). This web page, developed by the union of female journalists, explains why it is important to use a language that does not discriminate because of gender. The web page shows how non-sexist language can be established with practical examples. This is an important contribution to stop sexist language.

**2. Strategic objective: Prevent and combat violence against women and domestic violence****2.1 Legislative changes****ILO-Convention (no. 190) concerning the elimination of violence and harassment in the world of work+ Recommendation (no. 206)**

On July 5, 2019, the International Labour Conference adopted a convention supplemented by a recommendation concerning violence and harassment at work. It recognises the right of everyone to a world of work free from violence and harassment and defines rights and obligations to ensure that protection. The convention recognises the impact of domestic violence on the world of work and procedures to protect and assist victims in the workplace.

**Reform of the Social Compensation Law**

On June 26, 2019, the Federal Cabinet passed a bill to reform the social compensation law. The law provides important improvements for those affected by sexual violence, trafficking and domestic violence. Through new services of rapid aids (trauma ambulances and case management) and easier access to services, victims of violence should in future receive the benefits of social compensation faster and more targeted.

## 2.2 Policy changes

The protection of women against violence is to be promoted in a sustainable way during the 19th legislative period (Sept. 2017 – 2021) with the help of a co-ordinated policy at the federal level.

Current measures to further develop the support system are:

- **National programme of action** of the Federal Government functioning as a framework for all measures targeted at preventing and combating violence against women and domestic violence.
- **Round Table “Together to end violence against women”**. Exchange of views between Federal Government, *Länder* and municipalities to further develop the support system for women affected by violence and their children. The Round Table held his first meeting in September 2018, and will continue its work throughout the legislative period.

### Evaluation of crime statistics on violence in partner relationships 2016

On 20 **November 2018**, the Federal Criminal Police Office (BKA) issued and published, for the third time, the "**Criminal Statistics Situation Report on violence in partner relationships**" (2017) on the basis of data from the Police Criminal Statistics, available at: [https://www.bka.de/DE/AktuelleInformationen/StatistikenLagebilder/Lagebilder/Partnerschaftsgewalt/partnerschaftsgewalt\\_node.html](https://www.bka.de/DE/AktuelleInformationen/StatistikenLagebilder/Lagebilder/Partnerschaftsgewalt/partnerschaftsgewalt_node.html).

To assess violence in partner relationships, the BKA used the data on victims and suspects for the following selected criminal offences: Murder and manslaughter, grievous bodily harm, aggravated assault, bodily harm resulting in death, deliberate physical assault, rape, sexual assault, intimidation and stalking. The figures provide an overview of the extent and the forms of violence in partner relationships as reported to the police (“Hellfeld”).

### Pilot Project – Analysis and Planning of Requirements for further Development of the Support System for Women Affected by Violence and Domestic Violence

The Federal Government Report on the situation of women's refuges, specialist advice centres and other support services for women affected by violence and their children (BT-Drs.17/10500) showed that continuous, demand-based, co-ordinated further development of the system of support for women affected by violence and their children is required.

Following on from this, the proposal of a federal pilot project for the analysis and planning of requirements was developed as a possible course of action on the part of the Federal Government. The aim of the **pilot project** is to work with the federal states to develop and try out in practice tools which would allow the federal states to plan their support systems better in the future and adapt them to the needs of women affected by violence.

The project, started in 2017, will end in 2019. It is being provided with scientific support. The pilot project is intended to be a useful tool in helping the Federal Ministry for Family Affairs, Senior Citizens Women and Youth to support the federal states in implementing their obligations under the European Council Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention).

## 2.4 Research and awareness-raising

Fulfilling a mandate from the coalition agreement, the **Federal funding programme "Ending Violence against Women together"** is a constituent element of the overall programme launched by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) to prevent

gender based violence, support women victims of violence and their children as well as enhance the relevant assistance structures.

With the Federal Funding Programme, the Federal Government seeks to help, within its funding competences, to fill the gaps known to exist in the assistance system. This includes innovative ways to improve both access to the support system and services for target groups that have been insufficiently reached so far. The aim is to contribute to the needs-based expansion of services provided by women's shelters and the relevant drop-in counselling centres.

To attain these goals, the Programme will be comprised of **two strands**. One will provide funding for **innovative projects** in an effort to reach all violence-affected women and their children and to support them with target group-specific services. The other strand of the Programme will finance **construction measures** to expand existing capacities and enhance the access to women's shelters and counselling centres.

In **2019**, the Federal Government will be launching the first innovative and pilot projects plus accompanying measures that are relevant for the entire assistance and counselling system. An awareness-raising campaign "Ending Violence against Women together" will also be starting at the end of the year.

**Project GeSA – Co-operation model to improve the care system for women drug users facing violence** (funded from January 2015 to December 2018 by the Federal Ministry of Health)

Women facing violence and being addicted to substances so far cannot be adequately reached by the existing care system: support facilities for women affected by violence cannot deal with continued drug use or relapse, in turn, the addiction help system often cannot sufficiently meet the special requirements arising from violence. The objective of the GeSA-project was therefore to provide professionals in both systems with knowledge and skills on addiction, violence and trauma and to establish a functioning network in the regions of Rostock and Stralsund (North-eastern Germany) in order to ensure an effective and sustainable care for drug using women facing violence and for their children. The project results demonstrate that by reducing interface problems between the two systems it is possible to better support drug using women facing violence and their children.

With a view to current developments in the field of human trafficking, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, in co-operation with the German Network and Co-ordination Office Against Trafficking In Human Beings (KOK), organised two **webinars on "Introduction to the Phenomenon of Human Trafficking - Backgrounds, Identification and Protection of Trafficked Persons"** attended by almost 500 people. The webinar addressed employees of the authorities responsible for the registration procedure under the Act on the Regulation of the Prostitution Trade and the Protection of Persons Engaged in Prostitution (ProstSchG). The aim of the webinars was to provide a basic introduction to the subject of human trafficking, to provide information on existing support services, to raise awareness of the phenomenon of human trafficking and especially to raise awareness of the identification of victims of human trafficking. In addition, the participants were able to ask questions to the speakers during the webinar. It is planned to continue the webinars in 2019/2020.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.1 Legislative changes

Article 3 of the German Basic Law stipulates as follows: "Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist."

Equal access of women to judicial legal protection is guaranteed in German procedural law without discrimination.

With a draft law to modernise criminal proceedings, which was sent to countries and associations for comments in July 2019, Germany wants to extend the possibilities for victims of rape to obtain a free victim's lawyer. It is planned to amend § 397a Paragraph 1 of the Code of Criminal Procedure for this purpose. Victims of criminal offences according to Section 177 of the Criminal Code, which has been significantly expanded and revised since the last reform of sexual criminal law, should also be able to be assigned a victim lawyer in accordance with Section 397a Paragraph 1 of the Code of Criminal Procedure if they fulfil the requirements of a rule example for a particularly serious case (Section 177 (6) of the Criminal Code). This provision will be of particular benefit to female victims.

### 3.3 Institutional changes

The percentage of woman is still growing in all parts of justice, from passed exams to lawyers, prosecutors and judges. In 2016 about 45% of judges and prosecutors were women; while only 34% of the lawyers. On the other hand, at the same time more than 56% of the students who passed their second state exam were women. This can be expected to be reflected in a further increase of the percentage of females in the numbers of lawyers, prosecutors and judges in the next years.

### 3.4 Research and awareness-raising

Judges and prosecutors receive regular training, including awareness and capacity-building programmes against gender stereotyping. The German Judicial Academy – a joint training facility of the federation and the states for the training of judges and prosecutors – offers a wide range of training activities which also comprise training on communication in the court room and with parties to the proceedings. Due to the federal structure of the German judiciary the responsibility for the training of judges and prosecutors lies however mainly with the states. Indeed the states also offer training activities on this field in their own training facilities.

### 3.5 Other pertinent developments

At the moment there are no further reforms planned.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.1 Legislative changes

#### Parity-laws at Länder level

To ensure balanced political representation at Länder level, Brandenburg has become the first German Land or state to introduce a legally-binding quota. On 31 January 2019, the Brandenburg State Parliament adopted the Act on Inclusive Parity (“Inklusives Parité-Gesetz” – Third Act Amending the Brandenburg Act on State Elections). Under the Act, women and men will in future be given equal consideration when drawing up the state list of electoral candidates. When drawing up the lists, equal representation will be prescribed by alternate listing of women and men.

In July 2019 a similar law passed the State Parliament in Thuringia.

### 4.3 Institutional changes

The entry into force of the **Act on Equal Participation of Women and Men in Leadership Positions in the Private and Public Sectors** (FüPoG) in 2015 marked a milestone in increasing the number of women in top management positions. Since 1 January 2016, the Act has prescribed a mandatory

gender quota of 30 percent for supervisory boards of German companies which are publicly listed and fully codetermined. German companies which are either listed or subject to codetermination are required to set quotas for the supervisory board, the management board and the first and second tier management levels below the management board. In addition, since 1 January 2016, a gender quota of 30 percent applies when appointing members of supervisory bodies on which the Federal Government has at least three seats. This quota was increased to 50 percent in 2018. Experience has shown that the quota for companies which are publicly listed and subject to parity codetermination works because since the Act entered into force, the share of women on the supervisory boards of such companies has risen by 13 percentage points, to 34 percent. By way of contrast, with a share of 6.1 percent, women still remain greatly under-represented on company management boards. (Figures for the period 2015-2018)

The share of women in leadership positions in the federal civil service overall was 35 percent in 2017, while the share of women in the workforce amounted to 52 percent. With regard to leadership positions, this represents an increase of five percentage points compared with 2009. Additional measures to further increase this share are contained in the current Coalition Agreement. A positive trend can also be seen with regard to bodies. The share of women on bodies to which the Federal Government can appoint members is 41 percent.

The Act on Equal Participation of Women and Men in Leadership Positions in the Private and Public Sectors (FüPoG) will be evaluated and reviewed in 2019. Also in 2019, changes to provisions in the public and private sector sections are planned to improve the effectiveness of the Act. This applies in particular to the provisions on target quotas and failure to report targets set for management boards and other management levels. In future, sanctions are to be used if companies report a zero target without providing a justification as to why. At present, of the companies covered by the Act, 81 percent fail to report target quotas or report a zero target for their management board (BT-Drs. 18/13333, p. 32).

#### 4.4 Research and awareness-raising

##### Helene-Weber-College and Helene-Weber-Prize

The BMFSFJ is financially supporting Helene-Weber-College and Helene-Weber-Prize. One component of the Helene-Weber-College are mentoring and empowerment programs for women, who want to start in local politics. Another part of Helene-Weber-College are confidence building workshops. Young women e.g. learn how to react, when they are confronted with hate speech in parliament or social media. There are also shadowing programs, where young women can learn from experienced female politicians.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.1 Legislative changes

##### New regulation to protect women and other vulnerable persons in refugee accommodation centres

As of 21 August 2019, a new law has been introduced which makes the protection of women and other vulnerable persons such as children in refugee accommodation centers mandatory.

Section 44 (2a) Asylum Act: *“The Laender shall take appropriate measures to ensure the protection of women and vulnerable persons when accommodating persons requesting asylum pursuant to subsection 1”.*

Rationale: *“Women and vulnerable persons are in need of particular protection when it comes to their accommodation. For the purposes of this law, vulnerable persons are, in particular, minors, persons with disabilities, elderly persons, pregnant women, lesbian, gay, bi, trans or intersex persons,*

*single parents with minor children, survivors of human trafficking, persons with serious physical conditions, persons with mental health conditions and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence such as gender-specific violence, female genital mutilation, forced marriage or violence on sexual, gender-related, racist or religious grounds.”*

#### **Joint Circular concerning the Residence Rule**

When the Law to make the Integration Act permanent became effective on 12 July 2019, it removed the sunset clause from the Residence rule which the Integration Act (*Integrationsgesetz*) had added to the Residence Act (*Aufenthaltsgesetz*) in 2016 as section 12a. The Residence rule serves to promote the integration of foreign nationals and beneficiaries of protection into life in the Federal Republic of Germany. In an effort to properly address the specific needs and concerns of refugees affected by gender-related and domestic violence and to ensure a nationally consistent, effective implementation on the ground, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has teamed up with the Federal Ministry of the Interior to draft a joint circular. The circular is intended to provide guidance for the consistent handling of options to override the Residence rule as a protective measure in cases of violence.

### **5.2 Policy changes**

#### **DaMigra**

Since 2014, the umbrella organisation of women migrant organisations - DaMigra - has been operating as a nationwide, independent and women-specific umbrella organisation of migrant organisations. DaMigra is a representative of more than 70 women migrant organisations and advocates its interests nationwide in politics, the public, the media and the economy. The central goal of DaMigra is the empowerment of migrant women and female refugees, which includes the equal political, social, professional and cultural participation in the social life in Germany. The development of DaMigra is and will be supported by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth

## **6. Strategic objective: Achieve gender mainstreaming in all policies and measures**

### **6.2 Policy changes**

As appointed by the government coalition, a gender equality strategy of the federal government has been prepared.

A third federal gender equality report is assigned (see also 8.3.).

### **6.4 Research and awareness-raising**

There is an update of the handout to implement gender impact assessment in legislation.

## **8. Additional comments, if any**

### **Project “Active Against Digital Violence”**

The project “Active Against Digital Violence” focuses its activities on the qualification of the women's support system and on the protection of women and girls as victims. The project promoter, “Bundesverband der Frauenberatungsstellen und Frauennotrufe (bff)” (federal association of rape crisis centres and women’s counselling centres), plans to take action in the following areas:

- Information on harassment, coercion, stalking in the close digital social environment
- Information on harassment, coercion, discrimination in the public digital space
- Qualification of the support system
- Strengthening legal compliance

- Strengthening networking, skills of the specialist public, increased communication via digital violence

The project is funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ). Term: January 2017 until December 2021. Further information: (<https://www.aktiv-gegen-digitale-gewalt.de/de/>)

#### **Comprehensive Gender Equality Report planned for 2021**

The next comprehensive Gender Equality Report is also pending preparation. The Third Gender Equality Report of the Federal Government addresses the steps needed in order to steer developments in the digital economy so that women and men have the same career opportunities. The report, comprising the report of an expert commission and a position statement by the Federal Government, is expected to be presented to Cabinet in spring 2021.

GREECE
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

In terms of legislative work, a very important and groundbreaking law has been introduced under the initiative of the General Secretariat for Family Policy and Gender Equality (GSFPGE), trying to implement a gender mainstreaming approach and eliminate gender inequalities in the public and private sphere. The first part of this Law (Law 4604/2019) is dedicated to the issues of substantive gender equality and sexual and gender-based violence. The notions of gender mainstreaming and gender budgeting are introduced for the first time into a legislative text. In fact, all basic notions, mechanisms, institutions and stakeholders are explicitly clarified aiming at the implementation of the principle of gender mainstreaming and at preventing and combating violence against women. The panhellenic gender-based violence network by the GSFPGE and the Municipalities is institutionalised (counseling centres, shelters, a 24-hour SOS 15900 helpline). There are also specific articles concerning social dialogue, the drafting of “Equality Plans” in the workplaces by employers and the establishment of Equality Signs and Gender Awards for enterprises that adopt gender equality corporate policies as a reward for their engagement in favor of equal treatment and equal opportunities for their employees. The use of gender-neutral language in official documents is incorporated as a distinctive task of the public administration.

Special provisions have been put in place in the crucial field of education (primary, secondary and tertiary education) aiming at the elimination of gender stereotypes and the advancement of healthy attitudes for the future citizens of the country. In addition, the principle of gender mainstreaming is set in the fields of health and social solidarity (e.g. special attention to the status and the needs of vulnerable groups of women), while a special leave of seven working days is attributed to female employees who attend prescribed programmes of medically supported fertility. Finally, in the fields of mass media and advertisement special provisions are activated against gender stereotypes and discriminations.

The official translation of the Law in English can be found in the GSFPGE website: <http://www.isotita.gr/en/law-4604-2019-substantive-gender-equality-preventing-combating-gender-based-violence/>

### 1.3 Institutional changes

It should be mentioned that after the recent national elections in Greece in July 2019, the General Secretariat for Gender Equality has been renamed to General Secretariat for Family Policy and Gender Equality (GSFPGE) and transferred to the Ministry of Labour and Social Affairs. Still, the GSFPGE is Greece’s governmental agency competent to plan, implement, and monitor the implementation of policies on equality between women and men in all sectors. Our vision is of a society in which men and women equally share goods, obligations and rights - in work, politics, power, leisure time, care, family and personal life. A society in which men and women decide what they are going to study, which types of work they are going to undertake, how many children they will have, whether they will participate in public affairs – all without the burden of gender stereotypes and discriminations that proscribe professions, salaries, tasks and earnings, and also the minutiae of daily life.

Even if the General Secretariat was renamed and transferred to a new Ministry, we are not holding back from our previous commitments and horizontal policies, thus we are not reducing the competencies of the General Secretariat for Family Policy and Gender Equality. To the contrary,

following the example of most European countries, Greece is now trying to put more effort in equality in all aspects of family, professional and social life, by putting gender equality under the oversight of a ministry dedicated to social policies (such as labour, social affairs and family issues). We would like to focus on politics for

- promoting employment for women and their inclusion in the labour market;
- work-life balance;
- breaking gender stereotypes through programmes in education.

We strongly believe that by the aforementioned politics, substantive (de facto) and not just legislative equality will be further promoted.

#### **1.4 Research and awareness-raising**

Students visit regularly - and in co-operation with the Ministry of Education and Religious Affairs - the premises of the GSFPGE and are briefed by its staff on issues related to the concept of gender equality, such as gender balanced participation in decision-making, gender-based violence, discrimination in the workplace, gender-based health, among others.

From November 2018 to May 2019, the GSFPGE has participated for the 3rd school year in a row in the so-called "Educational Thematic Week: Body and Identity" with presentations on gender equality and ways on combating stereotypes in secondary public schools. The concept and the basic Organisation of the Thematic Week belongs to the Institute of Educational Policy of the Ministry of Education and the GSFPGE policy officers involved had the opportunity to present the main GSFPGE policy initiatives, get in touch with the students, and raise their awareness on gender stereotypes in all aspects of everyday life.

#### **1.5 Other pertinent developments**

- In June 2018, under the 2018 Rights, Equality and Citizenship Work Programme, the GSFPGE submitted as partner of a consortium a proposal to the Commission titled "Capacity building for women candidates and media stakeholders in public debates in Greece". The proposal was approved by the European Commission on October 2018 and addresses the call priority A which aims to support projects promoting equality for women and men in public debates, in leadership positions in politics and in the corporate sector. It specifically aims to address existing barriers for journalists and women in public debates. The Project called "GENDER\_PUBLIC DEBATE" started at April 2019 and its duration will be 22 months.

The project proposes a range of activities tailored to the Greek context and in view of the 2019 elections in Greece. The expected results of these interventions are the following:

✓ R1: Train & sensitise 120 media stakeholders in identifying, responding and preventing sexism and gender discrimination in public debates through targeted experiential workshops (dealing with real scenarios and making use of experiential methodologies) for journalists, media practitioners and students of media faculties. The participants of the training are expected to act as multipliers and to communicate the problem to society in order to raise awareness and sensitise men and women towards gender balance in the media.

✓ R2: Enhanced skills of 100 women politicians and candidates in elections in identifying and responding to sexism and gender discrimination in public debates. This will allow them to stop hesitating taking part in public debates with the fear of becoming victims of sexism and thus increase the representation of women in the media.

✓ R3: Produce and disseminate practical tools for identifying, responding and preventing sexism and gender discrimination in public debates and in the media. This will highlight the usage of gender-neutral language and behavior in public debates and will provide the necessary tools to relevant

stakeholders and the general public to avoid using stereotypes and phrases that imply sexist behaviors.

✓ R4: Forming sustainable alliances for further action. As a long term and sustainable result the project will support the signature of a Memorandum of Agreement between different stakeholders to engage them to promote the project goals. The Memorandum will commit all parts (and particularly the Media) to participate to the dissemination of the project (broadcasting of the TV spot, promotion through social media, etc). This will ultimately lead to raising the issue in the agenda of multiple stakeholders and promote gender balance policy.

A website will be developed especially for the project, which will act as a node of all information, deliverables and awareness raising material concerning the project throughout its duration and will be under the administration of GSFPGE (under construction).

A press release on the launching of the project can be found in Greek in the GSFPGE website: <http://www.isotita.gr/%ce%b4%ce%b5%ce%bb%cf%84%ce%af%ce%bf-%cf%84%cf%8d%cf%80%ce%bf%cf%85-%ce%b5%ce%bd%ce%b9%cf%83%cf%87%cf%8d%ce%bf%ce%bd%cf%84%ce%b1%cf%82-%cf%84%ce%b7-%cf%83%cf%85%ce%bc%ce%bc%ce%b5%cf%84%ce%bf%cf%87/>

- In November 2018 the GSFPGE together with the Ministry of Education and Religious Affairs organised the first Panhellenic Student Creative Writing Competition for junior high school and high school students in Greece titled “Say it with a poem, say it with a story, does the heart have a gender?”, offering students a chance to express themselves on gender equality and diversity issues, on sexism, gender stereotypes and gender based violence. The closing and awarding ceremony took place in June 2019.

Relevant press releases can be found in greek in the GSFPGE website:

[-http://www.isotita.gr/%ce%b4%ce%b5%ce%bb%cf%84%ce%af%ce%bf-%cf%84%cf%8d%cf%80%ce%bf%cf%85-%cf%80%cf%81%ce%bf%ce%ba%ce%ae%cf%81%cf%85%ce%be%ce%b7-%cf%84%ce%bf%cf%85-1%ce%bf%cf%85-%cf%80%ce%b1%ce%bd%ce%b5%ce%bb%ce%bb%ce%ae/](http://www.isotita.gr/%ce%b4%ce%b5%ce%bb%cf%84%ce%af%ce%bf-%cf%84%cf%8d%cf%80%ce%bf%cf%85-%cf%80%cf%81%ce%bf%ce%ba%ce%ae%cf%81%cf%85%ce%be%ce%b7-%cf%84%ce%bf%cf%85-1%ce%bf%cf%85-%cf%80%ce%b1%ce%bd%ce%b5%ce%bb%ce%bb%ce%ae/)  
[-http://www.isotita.gr/%ce%b4%ce%b5%ce%bb%cf%84%ce%af%ce%bf-%cf%84%cf%8d%cf%80%ce%bf%cf%85-%ce%ba%ce%b1%cf%84%ce%ac%ce%bc%ce%b5%cf%83%cf%84%ce%b7-%ce%b7-%ce%b2%ce%b9%ce%b2%ce%bb%ce%b9%ce%bf%ce%b8%ce%ae%ce%ba%ce%b7-%ce%b8/](http://www.isotita.gr/%ce%b4%ce%b5%ce%bb%cf%84%ce%af%ce%bf-%cf%84%cf%8d%cf%80%ce%bf%cf%85-%ce%ba%ce%b1%cf%84%ce%ac%ce%bc%ce%b5%cf%83%cf%84%ce%b7-%ce%b7-%ce%b2%ce%b9%ce%b2%ce%bb%ce%b9%ce%bf%ce%b8%ce%ae%ce%ba%ce%b7-%ce%b8/)

An edition of all the students’ pieces sent for the competition in greek can be found here:

<http://www.isotita.gr/wp-content/uploads/2019/07/%CE%88%CF%87%CE%B5%CE%B9-%CF%86%CF%8D%CE%BB%CE%BF-%CE%B7-%CE%BA%CE%B1%CF%81%CE%B4%CE%B9%CE%AC.pdf>

- In October 2018, the GSFGE also co-organised with the Olympia International Film Festival for Children and Young People the first Panhellenic Student Digital Film Competition titled “Gender on the foreground”. The subject of the Competition was the production of digital films, the content of which will suggest the need to eliminate gender stereotypes, gender discrimination and inequality, as well as respect for human rights in general. The competition addressed junior high school and high school students in Greece and the awarding ceremony will be held in Olympia Greece on December 2019.

Relevant press releases can be found in the GSFPGE website:

<http://www.isotita.gr/%ce%b4%ce%b5%ce%bb%cf%84%ce%af%ce%bf-%cf%84%cf%8d%cf%80%ce%bf%cf%85-1%ce%bf%cf%82->

<http://www.isotita.gr/wp-content/uploads/2019/05/%CE%94%CE%B5%CE%BB%CF%84%CE%AF%CE%BF-%CE%A4%CF%8D%CF%80%CE%BF%CF%85-%CE%91%CF%80%CE%BF%CF%84%CE%B5%CE%BB%CE%AD%CF%83%CE%BC%CE%B1%CF%84%CE%B1-%CE%94%CE%B9%CE%B1%CE%B3%CF%89%CE%BD%CE%B9%CF%83%CE%BC%CE%BF%CF%8D-%CE%A8%CE%B7%CF%86%CE%B9%CE%B1%CE%BA%CF%8E%CE%BD-%CE%A4%CE%B1%CE%B9%CE%BD%CE%B9%CF%8E%CE%BD-%CE%A4%CE%BF-%CE%A6%CF%8D%CE%BB%CE%BF-%CF%83%CE%B5-%CF%80%CF%81%CF%8E%CF%84%CE%BF-%CF%80%CE%BB%CE%AC%CE%BD%CE%BF.pdf>

<http://www.isotita.gr/wp-content/uploads/2019/05/%CE%94%CE%B5%CE%BB%CF%84%CE%AF%CE%BF-%CE%A4%CF%8D%CF%80%CE%BF%CF%85-%CE%91%CF%80%CE%BF%CF%84%CE%B5%CE%BB%CE%AD%CF%83%CE%BC%CE%B1%CF%84%CE%B1-%CE%94%CE%B9%CE%B1%CE%B3%CF%89%CE%BD%CE%B9%CF%83%CE%BC%CE%BF%CF%8D-%CE%A8%CE%B7%CF%86%CE%B9%CE%B1%CE%BA%CF%8E%CE%BD-%CE%A4%CE%B1%CE%B9%CE%BD%CE%B9%CF%8E%CE%BD-%CE%A4%CE%BF-%CE%A6%CF%8D%CE%BB%CE%BF-%CF%83%CE%B5-%CF%80%CF%81%CF%8E%CF%84%CE%BF-%CF%80%CE%BB%CE%AC%CE%BD%CE%BF.pdf>

<http://www.isotita.gr/wp-content/uploads/2019/05/%CE%94%CE%B5%CE%BB%CF%84%CE%AF%CE%BF-%CE%A4%CF%8D%CF%80%CE%BF%CF%85-%CE%91%CF%80%CE%BF%CF%84%CE%B5%CE%BB%CE%AD%CF%83%CE%BC%CE%B1%CF%84%CE%B1-%CE%94%CE%B9%CE%B1%CE%B3%CF%89%CE%BD%CE%B9%CF%83%CE%BC%CE%BF%CF%8D-%CE%A8%CE%B7%CF%86%CE%B9%CE%B1%CE%BA%CF%8E%CE%BD-%CE%A4%CE%B1%CE%B9%CE%BD%CE%B9%CF%8E%CE%BD-%CE%A4%CE%BF-%CE%A6%CF%8D%CE%BB%CE%BF-%CF%83%CE%B5-%CF%80%CF%81%CF%8E%CF%84%CE%BF-%CF%80%CE%BB%CE%AC%CE%BD%CE%BF.pdf>

<http://www.isotita.gr/wp-content/uploads/2019/05/%CE%94%CE%B5%CE%BB%CF%84%CE%AF%CE%BF-%CE%A4%CF%8D%CF%80%CE%BF%CF%85-%CE%91%CF%80%CE%BF%CF%84%CE%B5%CE%BB%CE%AD%CF%83%CE%BC%CE%B1%CF%84%CE%B1-%CE%94%CE%B9%CE%B1%CE%B3%CF%89%CE%BD%CE%B9%CF%83%CE%BC%CE%BF%CF%8D-%CE%A8%CE%B7%CF%86%CE%B9%CE%B1%CE%BA%CF%8E%CE%BD-%CE%A4%CE%B1%CE%B9%CE%BD%CE%B9%CF%8E%CE%BD-%CE%A4%CE%BF-%CE%A6%CF%8D%CE%BB%CE%BF-%CF%83%CE%B5-%CF%80%CF%81%CF%8E%CF%84%CE%BF-%CF%80%CE%BB%CE%AC%CE%BD%CE%BF.pdf>

<http://www.isotita.gr/wp-content/uploads/2019/05/%CE%94%CE%B5%CE%BB%CF%84%CE%AF%CE%BF-%CE%A4%CF%8D%CF%80%CE%BF%CF%85-%CE%91%CF%80%CE%BF%CF%84%CE%B5%CE%BB%CE%AD%CF%83%CE%BC%CE%B1%CF%84%CE%B1-%CE%94%CE%B9%CE%B1%CE%B3%CF%89%CE%BD%CE%B9%CF%83%CE%BC%CE%BF%CF%8D-%CE%A8%CE%B7%CF%86%CE%B9%CE%B1%CE%BA%CF%8E%CE%BD-%CE%A4%CE%B1%CE%B9%CE%BD%CE%B9%CF%8E%CE%BD-%CE%A4%CE%BF-%CE%A6%CF%8D%CE%BB%CE%BF-%CF%83%CE%B5-%CF%80%CF%81%CF%8E%CF%84%CE%BF-%CF%80%CE%BB%CE%AC%CE%BD%CE%BF.pdf>

## 2. Strategic objective: Prevent and combat violence against women and.

### 2.1 Legislative changes

- As already known from the previous reporting period, in 2018, Greece ratified by national Law the Council of Europe's Istanbul Convention on preventing and combating violence against women and domestic violence (Law 4351/2018), which is so far the most far-reaching legal instrument to prevent and combat violence against women and domestic violence as a violation of human rights. Introducing modifications to the existing legal framework [e.g. the law on domestic violence (Law 3500/2006) and the greek Penal Code], the new law underlines the obligation of the state to fully address gender-based violence in all its forms and to take measures to prevent violence against women, protect its victims and prosecute the perpetrators. As the Law designates the GSFPGE as the competent authority for the Convention monitoring, we have actually set up a twelve-member Working Group, with specialised scientists in order to monitor the Convention's implementation in the Greek territory and also propose actions in all its areas of application.

The Law may be found in the GSFPGE website in greek: <http://www.isotita.gr/wp-content/uploads/2018/04/4531-2018.IstanbulConvention.pdf>

- The other important legislative change that occurred in 2019 was the Law 4604/2019 on substantive gender equality and preventing and combating violence against women, trying to implement a gender mainstreaming approach and eliminate gender inequalities in the public and private sphere. All basic notions, mechanisms, institutions and stakeholders are explicitly clarified aiming at the implementation of the principle of gender mainstreaming and at preventing and combating violence against women. The panhellenic gender-based violence network by the GSFPGE and the Municipalities is institutionalised (counseling centres, shelters, a 24-hour SOS 15900 helpline).

The official translation of the Law in English can be found in the GSFPGE website : <http://www.isotita.gr/en/law-4604-2019-substantive-gender-equality-preventing-combating-gender-based-violence/>

### 2.2 Policy changes

The prevention and combating of violence against all women regardless of their status, race, origin, physical or mental health, in Greece has traditionally been top priority for the GSFPGE, which is implementing since 2010 the «National Programme on Preventing and Combating Violence against Women». This was the first comprehensive and coherent national action plan against gender based violence. The “National Programme on Preventing and Combating Violence against Women”, refers

to all forms of gender based violence (e.g. domestic violence, rape, sexual harassment, trafficking in women) and is part of the National Action Plan on Gender Equality 2016-2020 mentioned above. Within this program, a network of 62 structures was established and operates for women victims of gender based violence (again for all women). The network includes:

-the bilingual SOS telephone helpline 15900 and the e-mail address [sos15900@isotita.gr](mailto:sos15900@isotita.gr) (in Greek and English) which operates 24 hours/day and 365 days/year. It is a low-cost nationwide helpline, confidential and staffed by gender-trained counselors.

-40 counseling centres and 21 shelters all over Greece.

The services provided by the abovementioned structures are free of charge and include psychosocial support, legal counseling as well as counseling in labour issues, emergency shelter and, where necessary, legal aid in co-operation with local Bar Associations. In addition to safe accommodation to women victims of violence and their children, the Shelters provide additional psychosocial support, and facilitate access to health services and the enrollment of children in schools

In designing and delivering these services, due consideration is given to the need to respond to different social, ethnic, and cultural backgrounds, faiths, states of health, etc. Our goal is to empower women victims of violence and help them to regain self-esteem, thus enabling them to make sound decisions for their future, and ultimately gain independence in their jobs and in their personal and family lives. The tasks of the structures also include networking with local agencies and relevant associations for joint communication and public awareness programme.

Apart from our structures, a public awareness campaign is being implemented and includes seminars, conferences, informational material in several languages (Greek, English, French, Albanian), TV and radio spots, cultural events, publicity on public transport, entries in Press, a webpage ([www.womensos.gr](http://www.womensos.gr)) and a facebook page as well as banners in web pages. Special events (information sessions and conferences) have been organised as part of the launching of the regional infrastructures. Furthermore, funding has been secured so that the structures and actions of the above described programme will continue to operate.

During the current period, the target group of all services has been expanded to include apart from women victims of gender-based violence, women victims of multiple discrimination (refugees, single parents, Roma, women with disabilities, etc.) as well. To this end, to essentially contribute to the refugee crisis, safe accommodation is provided to refugee women victims of violence or to refugee women at serious risk of gender-based violence and to heads of single parent families with their children.

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.1 Legislative changes**

- In terms of legislative work concerning electoral procedures at the local and regional level, the recent Law 4555/2018 on the Reform of the Local Government institutional Framework (Kleisthenis I Programme - Government Gazette 133/A/19.07.2018) finally adopted the General Secretariat for Family Policy and Gender Equality proposal on a 40% gender quota on the total number of candidate regional, municipal counselors and community counselors (articles 14, 15 and 51). The former respective quota was 1/3.

Official Gazette website:

<http://www.et.gr/idoes-nph/search/pdfViewerForm.html?args=5C7QrtC22wG3UHK->

[ZeQumndtvSoClrL8NXGWS3cU8Kt5MXD0LzQTLWPU9yLzB8V68knBzLCmTXKaO6fpVZ6Lx3UnKl3nP8NxdnJ5r9cmWyJWelDvWS\\_18kAEhATUkJb0x1LldQ163nV9K--td6SluRwXcEVmoJKVw-Yab2gXq\\_V1eqvjRbp9PfpDu0enVf9b](http://www.isotita.gr/en/law-4604-2019-substantive-gender-equality-preventing-combating-gender-based-violence/)

- Also, the Law 4604/2019 on substantive gender equality and prevention and combating gender based violence already mentioned before, introduces the system of quota 40% in favour of women for the lists of candidates in each electoral prefecture at the parliamentary elections and also for the election of the members of the European Parliament. This is a clear measure for women's empowerment in political decision-making increasing the gender quota from 1/3 to 40% of each sex. Furthermore, with the same the absence of quota system in the composition of Councils of the Public Administration arouses legal penalties.

The official translation of the Law in English can be found in the GSFPGE website: <http://www.isotita.gr/en/law-4604-2019-substantive-gender-equality-preventing-combating-gender-based-violence/>

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.3 Institutional changes

Since 2016, the GSFPGE has set up an Inter-ministerial Co-ordination Group on refugee issues aiming at co-ordinating all competent bodies to identify, host and provide counseling services to refugee women, victims or potential victims of violence, as well as to their children. The Inter-ministerial Co-ordination Group on refugee issues in the first phase of its operation in end 2016, proceeded to the signing of the Protocol of Co-operation among all the competent bodies. The Protocol defines the procedure for identification, referral, provision of support services and accommodation of women refugees, victims of gender-based violence and their children in the Shelters of the GSFPGE.

In particular, the services provided by the Network of Structures (counseling centres, shelters and SOS 15900 Helpline) to refugee women and their children focus on the primary problems faced by the particular social group, such as safe stay at the Shelters, social and psychological support, legal and employment counseling, referral to health services, social services, facilitation of enrollment of children in schools, etc. At the same time, the interpreters of the Research Centre for Gender Equality (KETHI) cover the interpretation needs of the GSFPGE Network. At this point though, this action is facing serious funding problems. The SOS15900 help line is nationwide, addresses women who are victims of all forms of gender based violence, offering information and telephone counseling services through their psychologists and social scientists. The services are currently provided by the SOS Helpline in English and Farsi, with regard to the female population of that target group, and up until recently in Arabic.

The Protocol of Co-operation was recognised as a good practice: a) in the European Commission Report on Equality between Women and Men in the EU; (March 2017) and b) by the Council of Europe (April 2017).

**In the second phase, launched in January 2018, the Inter-ministerial Co-ordination Group on refugee issues was reconstructed** and undertook the co-ordination and follow-up of the process already set out in the Co-operation Protocol, by developing actions to raise awareness and inform professionals in the field, the refugee population and local communities. At the same time, it co-ordinated its actions with other services aimed at defending the rights of refugee women and to design targeted social inclusion actions in co-operation with other agencies.

The GSFPGE, in co-operation with UNICEF, held a series of 5 awareness raising seminars (Lamia,

Lesvos, Thessaloniki, Kavala, Ioannina) on the Protocol of Co-operation, addressed to elected officials of the Local government (Municipalities and Regions) as well as professionals of public bodies or NGOs working on refugee issues.

During the current period, the Inter-ministerial Co-ordination Group on refugee issues drafted a revised version of the Protocol of Co-operation on the basis of new data, while expanding its scope to include social inclusion issues.

In the years 2016-2018 the GSFPGE collaborated with a great number of public bodies, non-governmental Organisations and international Organisations to protect refugee women. Particular mention should be made of the co-operation through bilateral protocols with the UNHCR (United Nations High Commissioner for Refugees) and UNICEF.

-A Memorandum of Understanding that has been signed with UNHCR for joint actions to protect refugee women and their children at risk, victims of violence or multiple discrimination.

-The GSFPGE since January 2019, is chairing the Working Group on Sexual and Gender-based Violence, which was set up in 2017.

-Jointly the GSFPGE and UNHCR have issued the revised Guidelines for the Protection of Women and Girls at First Admission, Asylum Procedures and Refugee Status in Greece.

- Jointly the GSFPGE and the UNHCR have drawn up and issued a brochure for refugee women in which women can find information and description of the services provided by Region, for them and their children in case of domestic or gender-based violence (in Greek, English, Farsi, Arabic, French).

- The UNHCR has translated the documents of the Shelters in the languages of the refugees (Arabic, Farsi, French, Urdu, Sorani).

-A Memorandum of Understanding has been signed with UNICEF for joint actions to protect refugee women and their children at risk, victims of violence or multiple discrimination.

-Together, the GSFPGE and UNICEF have implemented 5 awareness-raising seminars on the topic: "We join forces for refugee women and their children - Presentation of the Co-operation Protocol of the GSFPGE (30/06/2018), Mytilene (15/06/2018), Thessaloniki (27/06/2018), Kavala (28/06/2018) and Ioannina (5/7/2018).

-At the same time, awareness activities were carried out in the framework of dissemination activities in 139 schools in 13 regions, from 24 GSFPGE structures with target group teachers, pupils and their parents.

- Together, the GSFPGE and UNICEF organised the donation by UNICEF of educational, recreational and other material to the shelters of the GSFPGE's Network to promote psychosocial development and non-formal learning.

- UNICEF has translated the forms of the GSFPGE's counseling guide into Farsi, Arabic and French.

- Recruitment by UNICEF for the Department for Social Protection and Combating of Multiple Discriminations of the GSFPGE of an Advisor on Refugee issues and Gender-based Violence (1/1/2019-30/9/2019).

In terms of training, currently as the revision of the Co-operation Protocol is ongoing, the Inter-ministerial Co-ordination Group on refugee issues approved the creation of a new training

programme to be implemented by the National Centre for Public Administration (EKDDA) and includes training in the thematic areas covered by the relevant departments of the Ministry of Citizen Protection (that now has the competence on migration policy after the recent elections), the Ministry of Health and the General Secretariat for Health. The target group is the staff of the GSFPGE, KETHI and the Network of Structures (counseling centres, shelters, SOS15900 Line) dealing with refugee issues, as well as the public administration and local government staff, employed at the Reception and Identification Centres, in the Open Temporary Reception Structures and Open Temporary Accommodation Structures, in the Social Services of Municipalities and Hospitals, so they can co-ordinate with each other in managing gender-based violence or women refugees in need of immediate support and assistance.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

As already mentioned before, a very important and groundbreaking law has been introduced under the initiative of the GSFPGE, trying to implement a gender mainstreaming approach and eliminate gender inequalities in the public and private sphere. The first part of this Law (Law 4604/2019) is dedicated to the issues of substantive gender equality and sexual and gender-based violence. The notions of gender mainstreaming and gender budgeting are introduced for the first time into a legislative text. In fact, all basic notions, mechanisms, institutions and stakeholders are explicitly clarified aiming at the implementation of the principle of gender mainstreaming and at preventing and combating violence against women. The system of quota 40% in favour of women is institutionalised for the lists of candidates in each electoral prefecture at the parliamentary elections and also for the election of the members of the European Parliament. This is a clear measure for women's empowerment in political decision-making. Furthermore, with the same the absence of quota system in the composition of Councils of the Public Administration arouses legal penalties.

Special provisions have been put in place in the crucial field of education (primary, secondary and tertiary education) aiming at the elimination of gender stereotypes and the advancement of healthy attitudes for the future citizens of the country. In addition, the principle of gender mainstreaming is set in the fields of health and social solidarity (e.g. special attention to the status and the needs of vulnerable groups of women), while a special leave of seven working days is attributed to female employees who attend prescribed programmes of medically supported fertility. Finally, in the fields of mass media and advertisement special provisions are activated against gender stereotypes and discriminations.

### 6.3 Institutional changes

- The GSFPGE, aiming at the elimination of inequalities between women and men, incorporates in the current National Action Plan for Gender Equality 2016-2020 (NAPGE) the basic principles and strategic objectives set by the previous NAPGE 2010-2013 and updates them, taking into account the particular needs and conditions that emerged and shaped the field of gender equality at the time of the economic crisis.

The updated NAPGE was formulated through a process of consultation with gender equality experts and representatives of the civil society, the academia, politics and public administration and it was presented to the public early in 2017. The NAPGE is of national scope and the strategic objectives set for the current period are as follows:

- Protecting the rights of women, with a focus on vulnerable population groups, migrant women and women refugees/social inclusion/dealing with multiple discrimination.

- Preventing and tackling violence against women in family, work, and society.
- Supporting the employment of women and tackling the consequences of decreasing male employment with regard to gender identities and gender relations.
- Promoting gender equality in education, culture, the media and sports.
- Eliminating gender inequalities in health.
- Balanced participation of women in decision-making centres.

The Plan includes a series of horizontal interventions across the range of public policy, as well as vertical specialised policies aimed at women and men in areas where inequalities are identified. The combination of the interventions follows the strategy established in 1995 at the UN Beijing Platform, as well as the Communication of the High-Level Group on gender mainstreaming (European Commission).

The above distinction of the different policy fields is indicative and is made with the purpose of organising the proposals and actions of this National Plan. In the context of producing integrated policies for specific problems and population groups, proposals and actions are intertwined and complemented. Also the National Action Plan is not static and the GSFPGE is always seeking for collaborations and common initiatives with all relevant stakeholders.

Even after the renaming and transfer of the GSFPGE to another ministry, the new leadership shall not hold back from its previous commitments and horizontal policies, thus the competencies of the GSFPGE shall not be reduced but the objective will be for them to be further enriched and enhanced.

- In December 2018, the GSFPGE published an annual report on the progress of gender equality policies in Greece with reference year 2017, with an emphasis on gender equality in local government. Taking up after a previous relevant EU-funded project, the GSFPGE took upon the administrative and substantive responsibility of preparing and publishing these reports every year to the direction of monitoring and assessing the National Action Plan on Gender Equality 2016-2020. A second report is currently being prepared for the year 2018.

The report in greek can be found on the GSFPGE website : <http://www.isotita.gr/wp-content/uploads/2018/12/%CE%95%CF%84%CE%AE%CF%83%CE%B9%CE%B1-%CE%88%CE%BA%CE%B8%CE%B5%CF%83%CE%B7-%CE%93%CE%93%CE%99%CE%A6-2018.pdf>

#### 6.4 Research and awareness-raising

The “Observatory on Gender Equality”, set up in the GSFPGE, continues its operation as a mechanism to support Public Administration and Local Authorities to design, implement and evaluate policies concerning gender equality through detailed gender-segregated data on equality issues (statistics and surveys) deriving from the development and function of relevant tools. The structure of the Observatory is based on the twelve critical areas of concern of the Beijing Platform for Action (BPfA) thus touching upon gender mainstreaming promotion.

The GSGE’s Observatory has an online portal “[paratiritirio.isotita.gr](http://paratiritirio.isotita.gr)” designed to include, analyse, process and diffuse statistical data and indicators on gender equality policies. E-bulletins on areas like Women in power and decision-making, Women in education, Women entrepreneurship, Female unemployment are available in English in the following link [http://paratiritirio.isotita.gr/genqua\\_portal/en/index](http://paratiritirio.isotita.gr/genqua_portal/en/index)

## 7. Main challenges and lessons learned

One of the main challenges is the implementation of the new Law on substantive gender equality, preventing and combating gender-based violence, as the specific Law is still a bit general in some parts, it sets a framework of policies and it is going to take time and a lot of effort to further elaborate on its provisions and implement them, through awareness raising initiatives, collaborations, consultations and administrative actions with many different stakeholders from the public and private sphere.

The full implementation of the Law is among the priorities of the GSFPE and its new leadership will take immediate actions to that direction.

## 8. Additional comments, if any

Greece would very much welcome “artificial intelligence – threats and opportunities for gender equality” as a new thematic section for the GEC annual report. Even if it is an emerging issue posing questions about the gender bias in machine learning, the workforce and the overrepresentation of men in new technologies, their design and the relevant research, Greece would be actually very keen on learning from other countries experience and policies on the issue, since it still remains fairly uncharted in the country.

HUNGARY

## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.2 Policy changes

#### Nursery development programme

The availability of adequate accommodation and daycare of children in all settlements is of key importance for the re-entry of women to the labour market.

The current number of 50 thousand nursery places **will be increased to 70,000 by 2022 by the Government according to a Government Resolution No. 1110/2019. (III. 12.),** in order to provide day-care facilities for the nursery aged children of all the parents wishing to return to the labour market. Private service providers should be involved to a greater extent in the project. A ministerial commissioner in the Ministry for Human Resources will be responsible for the completion of the programme. **The development programme starts from 2019 and will be accomplished until 2022.**

#### Provisions supporting women in the public sector

Act CXXV of 2018 on Governmental Administration (in force as of 1 January 2019) supports female employees in a number of ways.

**The protection against dismissal** applies to pregnant women, women on maternity leave, women incapable of work due to taking care of their sick child/children and women receiving treatment related to a human reproduction procedure.

Nursing mothers shall be **exempted from work duties** for one hour twice daily, or two hours twice daily in the case of twins during the first six months of breastfeeding, and thereafter for one hour daily, or two hours daily in the case of twins until the end of the ninth month. Women shall be also exempted from work duties for the duration of mandatory medical examinations or for the duration of a treatment in a healthcare institution related to a human reproduction procedure.

As for leave of absence, time spent at work shall include the first six months of leave of absence without pay for caring for a child and the duration of leave of absence without pay – not exceeding 30 days – for providing care for a relative. **The extra days off granted for people with children** are also beneficial for mothers and fathers. Parents are entitled to take off 4 extra days in the case of one child, 8 days in the case of 2 children and 14 days altogether in the case of more than 2 children, regarding children below the age of 16.

Government officials also receive support for training courses, language training courses and specialist **training courses during maternity leave** and during absence without pay for caring for a child.

The **involvement of fathers in childcare** seeks to promote equal opportunities for men and women to an even greater extent. Fathers can apply for 8 extra days off (10 days in the case of twins) following the birth of their child/children.

As for the provisions regarding **working from home**, governmental employees with children at or under the age of 10 may work from home on more favourable terms.

#### Family-Friendly Obstetric Care

During the last two years several significant steps were taken in the field of infertility treatment,

artificial insemination support and ensuring a positive birth experience. The **“Development of infrastructural conditions for family-friendly and family-centred obstetrics and the intensive care for premature infants”** tender announced in 2018 played a significant role in these developments, the planned budget of which at the time of announcement was HUF 8 billion (EUR 24 million). The key objective to be achieved with the investments was the positive birth experience, the creation and extension of family-friendly provision and to realise a mother-baby, family-friendly and family-centred obstetrics, focusing on the unity of the baby, mother and father.

As a three-priority principle a good professional programme, a complex and unified, standard obstetrics procedure-targeting development was defined, and the family-friendly feature was assessed based on a 16-element criteria system. Based on the above out of 59 healthcare institutions submitting the application the Assessment Committee found the application of 44 institutions worthy for support. Based on this the awarded resource is altogether HUF 6.3592 billion (EUR 19,122,000), which fundamentally serves to cover the costs of infrastructural construction investments and equipment procurement.

**Based on the decision of the Government the extent of resources has changed, and the amount was increased by an additional HUF 2 billion (EUR 6 million), so the total available budget for 2018, 2019 and 2020 is HUF 10 billion (EUR 30 million), out of which HUF 6.3592 billion (EUR 19,122,000) has been distributed so far.**

From the remaining amount the preparation of the family-friendly directive is becoming possible by the 4 basic pillars, i.e. the family, methodology, educational and infrastructural pillar according to the already started principles. With this directive additional institutions can be integrated, qualified as baby, mother and family-friendly, by this standardising the quality standard of the service, as well as the announcement and support for all programmes, which ensure the spreading and active practice for this mindset in addition to the already ensured infrastructural background, therefore it is related to supporting pregnancy, giving birth and nursing, psychological guidance and the training of the concerned professionals, vocational workers and families. In connection with the tasks specified in Government Resolution No. 1098/2018. (III. 19.) the preparation for the regulation regarding the development of graduate and post-graduate training system based on modern theoretical and practical knowledge in connection with mother and baby-friendly obstetrics and supporting nursing is in progress, as well as the development of obstetrics and infant nutrition professional guideline based on mother and baby-friendly principles and the preparation of the required methodology.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.2 Policy changes**

#### **Prevention**

The supporting of victims has the priority ambition to give aid in the shortest notice so that problems may be arranged before violent actions get worse. In this way, the forced leaving of the home may be avoided, and a chance is left to resolve the domestic conflicts. This purpose is served by the **Crisis Management Ambulances** that function on a regional level. **The ambulances were established from development and budgetary resources in 2018.**

#### **Crisis intervention**

**The National Crisis Management and Information Telephone Service (OKIT)** is available 24/7 from all of Hungary, calls are free of charge at all providers. The hotline service gives information to victims of domestic violence, and helps the abused to find a safe shelter (from the abuser/ponce/exploiter) in an acute crisis situation. The professional staff of the National Crisis Management and Information Telephone Service was supplemented by an attorney in 2018.

In Hungary there are so-called **Crisis Centres** providing accommodation and complex services to those victims of domestic violence who have been forced to leave their home – either alone or with their children – on grounds of abuse.

The Crisis Centre provide the following:

- sheltered accommodation and full physical attendance, if necessary;
- expert help (lawyer, psychological assistant, social worker);
- assistance through social work.

Key services of the Crisis Centre:

- search for a safe home,
- assistance in resolving lifestyle problems,
- search for and administration of income sources,
- the mapping of external family relations,
- the strengthening of parental role,
- psychological counselling,
- mediation of health care services,
- provision of community programmes,
- legal counselling and consultation on child care.

The Crisis Centre liaises with OKIT, as well as with the competent family support and child welfare service in the location and in the region based on the victim's place of residence. They also keep in touch with the police, the Temporary Home for Families, the local healthcare system, the local educational institutions and, if necessary, with the custodian office and other authorities.

Based on the Act XXXI of 1997 on Child Protection and Guardianship Management Crisis Centres can be operated by Temporary Home for Families, and they typically have a capacity of 6 spaces. The caring time is 4 weeks, which can be extended by one more time in justified cases and maximum by further 4 weeks.

Previously from a budgetary resource 15 Crisis Centre were operating in Hungary. **From a development resource the construction of another 5 Crisis Centre commenced in 2018.**

The **Secret Shelters** are accommodating the severe victims of domestic violence being in life danger. The provided services are equal to the services of the Crisis Centres, however, protection in case of the Secret Shelters is even more accentuated. From a budgetary resource previously one such institution existed (with 29 spaces), **and the opening of another 7 shelters were facilitated from development resources in 2018-2019.**

The victims of human trafficking (prostitution and work-related exploitation) are supported by the Temporary Accommodations. The **Temporary Accommodations** were created based on the image of the benefit scheme helping the victims of domestic violence, and there are 2 such institutions with state support with 12 spaces each. **In 2019 the Government assigned a new resource to open a third Temporary Accommodation and to purchase and operate a rescue car.**

### **Social integration**

**Halfway Houses** are available to support the social reintegration of the victims of domestic violence and human trafficking, which provide long-term housing (up to 5 years) and professional (mainly legal and psychological) assistance to their tenants. The victims leaving the crisis management system spend, on average, 2 years in Halfway Houses. After that, they typically rent a flat or move to

social housing units, i.e. they leave the social welfare system. Halfway Houses are properties with 4 spaces in the proximity of Crisis Centre /Secret Shelters or Temporary Accommodations, suitable for creating an independent living. So far 6 Crisis Centres were operating a Halfway House service. **In 2018 and in the first quarter of 2019 an additional 19 Halfway Houses started operating from development resources.** (15 Halfway Houses provide an opportunity to restart for the victims of domestic violence and 4 for the victims of human trafficking.)

#### **Awareness-raising**

The "Notice it!" campaign was revived **in 2018, and it received a new slogan "Love doesn't hurt!"** ([www.aszeretnemart.hu](http://www.aszeretnemart.hu)) and a new image. It wishes to stress the unacceptability of domestic violence and underlines the importance of the timely notification of the problem. The key elements of the campaign are: television and radio spots, billboards, city lights, paid newspaper ads, Facebook campaign, press releases and local PR actions.

#### **Measures from development resources**

The priority **project of 'Family Friendly Country' (EFOP-1.2.6-VEKOP-17) is connected to combating domestic violence in three aspects.** It supports a national representative survey, which measures the concernedness in domestic violence, the general knowledge and attitude related to the topic and it describes the complexity of domestic violence. The project ensures the accomplishment of a complex, awareness-raising campaign and the preparation of information materials that can be distributed on a broad scale and can be updated continuously. **The preparation of research plans has been completed in 2018 and the campaign will be built upon the results of the 2019-survey.**

The **'Development of Crisis Management Services' (EFOP-1.2.4-VEKOP-16)** priority project is implemented from an amount of HUF 1.16 billion (EUR 3.5 million) resources; the project includes the development of the National Crisis Management and Information Telephone Service. The development has multiple activities, the database system of the National Crisis Management and Information Telephone Service is getting renewed, and the possibility of online advice service is established as a new service element. The project also ensures the human resource needed for the multiple tasks. **The education of the members of the child protection alarm system has started from March 2019 with the involvement of 5,000 persons in the framework of the priority project.**

The Government has set an amount of HUF 3 billion (EUR 9 million) from development resources to combat domestic violence and human trafficking and in the next phase an amount of HUF 7 billion (EUR 21 million) is set.

### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

#### **4.4 Research and awareness-raising**

##### **Women's Public Leadership Training Programme**

The Women's Public Leadership Training Programme was launched in 2018 as a free training for such young women between 18–36 speaking Hungarian and English languages, who are ambitious to take a role in public life. The aim of the training is to provide practical leadership knowledge for the participants and to create a community, which facilitates the female executives, who were educated in Hungary to make advantage of their knowledge in the long-term in Hungary, primarily at domestic or regional institutions or companies. Furthermore, the programme highlights the importance of female executives as well as their impact on the economy, society and public life. The training includes four weekends, during which the participants take part in presentations and skill developing training. In addition to the above, they have to submit some tasks and study e-learning materials to help the acquisition of knowledge.

The explicit aim of the programme is to provide an opportunity beyond classroom education to **acquire practical experience** as well, therefore the participants join in a small-team project work and can meet with national and foreign professionals, executives and politicians. By inviting foreign experts the programme offers an education, which is also recognised in international relations and the meeting with national presenters facilitates **the reflecting on local public life**.

#### 4.5 Other pertinent developments

##### **Involvement of Hungarian women in the public life**

The Women for Hungary Club was founded in 2018, the members of which form a tight community, where women taking responsibility in the field of arts, science, business life, sports, public life and diplomacy contemplate on what to do for a better and stronger Hungary.

The **Women for the Hungarian Nation Campaign** was established in 2019, the creed of which is that men and women are equal, but not identical. The aim of the campaign is to act jointly in strengthening the Hungarian nation, take responsibility for the next generations, and to express that the respect for life and family is important for them. Anyone can join the campaign, who agrees with the above mentioned objectives. The Women for the Hungarian Nation Evening Ceremony was held in September 2019 in order to gather women who would like to be part of the community in order to strengthen each other and their commitments.

### 6. Objective : Achieve gender mainstreaming in all policies and measures

#### 6.2 Policy changes

##### **Support of young married couples to have children**

Every married couple where the wife's age is between 18 and 40 will be eligible for an interest-free, general purpose loan of EUR 31,360, which can be requested at commercial banks. The amount of the monthly instalment of the loan may not exceed EUR 1567, and it is to be repaid within 20 years. If at least one child is born during the first five years, the instalment scheme will remain interest-free and repayment will be suspended for three years. After the birth of the second child, the repayment will be suspended for another 3 years, and 30% of the outstanding principal will be written off. Following the birth of the third child, the remaining debt will be entirely cancelled. (Only those children will be considered who are born or adopted after the actual application.) The loan will be guaranteed by the state.

##### **Diminution of mortgage loans**

From 2018, when having a third or a further child, families with mortgage loans can reduce their mortgage loans (from the total amount of both their principal and interest debts) by HUF 1 million per child, from the 3rd month of the pregnancy. From 1 July 2019 this diminution is extended to families having their second child HUF 1 million (EUR 3,007) and in the case of families having their third children, the amount of diminution is increased to HUF 4 million (EUR 12,028) (for each additional child the Government takes over HUF 1-1 million).

##### **Introduction of childcare fee (GYED) for grandparents**

From January 1, 2020 non-retired grandparents will also be eligible for childcare fee (GYED), if both parents are (or the single parent is) employed. Childcare fee will be provided for the grandparent, not the parents. The purpose of the programme is to encourage grandparents to become more involved in the raising of grandchildren. Only one of the grandparents will be allowed to apply, but the fee can be requested after more grandchildren too.

**Exemption from personal income tax for women with four or more children**

As announced in the Family Protection Action Plan in 2019, complete exemption from personal income tax for women with four or more children: From January 1, 2020, all women with at least four children will be completely exempt from personal income tax (15% currently) until retirement. This exemption concerns income derived from labour income.

ICELAND
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

In June 2019, a comprehensive action plan to address violence and its consequences for the period 2019–2022, was adopted by the Icelandic parliament (Althingi). It addresses prevention against gender-based and sexual violence perpetrated by digital means. In addition, under the auspices of the steering group on comprehensive reforms pertaining to the status and rights of survivors of sexual violence, a policy including recommendations on legal reforms is being developed to better address digital violence both prevention and protection.

### 1.2 Policy changes

In March 2018, a Steering Group was appointed by the Prime Minister on comprehensive reforms pertaining to the status and rights of survivors of sexual violence. The Group has also on its agenda to form a policy to address digital violence. In February 2019, under the auspices of the Group, a conference was hosted on digital violence with a group of experts addressing the manifestation of such violence, prevention and protection against it both by law and otherwise, shortcomings and required reforms. Currently, the Group is forming a policy with the assistance of an expert to be completed in 2020, including legal amendments.

### 1.3 Institutional changes

See above, nothing new to report.

### 1.4 Research and awareness-raising

The SAGA (Stress-And-Gene-Analysis) cohort is a unique nationwide study on the impact of trauma on women's health lead by the University of Iceland, in collaboration with deCODE Genetics. All women living in Iceland, 18-69 years were invited to participate in an extensive online questionnaire assessing health and trauma history. Participating women provided an informed consent for record linkage to the nationwide health registers as well as to genetic data at deCODE Genetics. In July 2019, approximately 32,000 women had enrolled in the study. The SAGA cohort aims to be one of the largest scientific undertakings specifically designed for improved understanding the impact of trauma on women's health and the potential genetic underpinnings of varying trajectories of health after exposure to such trauma. As such, the results may in the future contribute to prevention and treatment of adverse health consequences suffered by the large populations exposed to trauma. The study is funded by the European Research Council and the Icelandic Research Fund.

### 1.5 Other pertinent developments.

The past years a few movements against sexual assault and violence have taken place in Iceland. The focus of these movements has been on sexual abuse or violence taking place in women 's private lives. The #metoo movement came with a new perspective as it exposed the prevalence of systematic harassment, violence and everyday sexism that women across various layers of society are subjected to.

In Iceland, the #MeToo pioneers were female politicians, doctors, priests and women in sport who spoke up about sexual harassment, discrimination, gender-based violence and everyday sexism that women across various layers of society still are subjected to. The movement also shed a light on intersectional realities of migrant women and women in low paid jobs while there are still groups of women whose stories have not yet surfaced, such as women with disabilities who may be subjected to different forms of discrimination. The demand of the voices, who spoke up, was to shift the

shame from the survivors over to those responsible for the violence. They did not focus on an individual person or on a singular crime, but instead highlighted the social malignancy and the structural inequalities as such.

Following the #metoo movement, the government in Iceland signed an agreement with representatives of labour market Organisations to jointly take a decisive action against sexual harassment, bullying and violence at work. Furthermore, the Ministry of Welfare has set up two task forces, one with the aim to work on further improvements in preventing sexual and gendered harassment, bullying and violence in the Icelandic labour market and a committee whose main task is to investigate how common sexual harassment, gendered harassment, violence and bullying are in Icelandic workplaces and how employers are doing in preventing any such incidents taking place. Previously no such research has been done with a representative sample from the Icelandic population. The group started working in 2018 and the research will be conducted in several stages.

As a part of the Icelandic Presidency of the Nordic Council of Ministers in 2019, the Government will host a Nordic/International Conference titled '#MeToo – Moving forward', which will take place in Reykjavik between the 17–19 September 2019.

The conference will explore the #MeToo movement in an international context: Why it gained such momentum in 2017 and different impact on sectors, societies and countries. What the movement tells us about the intersections of gender, sex, race, class, religion, ethnicity, age, disability and sexualities. As well what impact the #MeToo movement has already had and might have in the upcoming years. Furthermore, the Icelandic presidency in the Nordic Council of Ministers has initiated a joint Nordic Project which aims at developing a three-years research programme on sexual harassment in the Nordic Labour Market. The goal is a research driven knowledge boost to strengthen the quality of preventive measures and promote a sustainable work environment free from sexual harassment and includes all the Nordic Countries and several sectors within the Nordic co-operation focusing on the question why sexual harassment and violence is underreported in the Nordic Countries.

During the autumn of 2017, the #MeToo movement spread across the world. Women from different educational and occupational backgrounds shared their experience of sexual harassment, violence and abuse that accumulated into a joint call for action. That resulted in a range of measures, from new legislation, to surveys as well as awareness raising and training efforts.

In the wake of the #MeToo, the administration of Occupational Safety and Health has undertaken several initiatives to increase the awareness and impact of the laws and regulations relating to mobbing, gender based and sexual harassment, and violence in the workplace. From February through May 2018, it hosted for instance seminars for senior-level ministerial employees and lectures for ministerial employees in co-operation with the government office of Iceland and the Directorate for Equality. These two agencies also produced a 2018 calendar displaying the definitions of mobbing, gender-based and sexual harassment and violence in the workplace.

The social partners have also taken action on their own and jointly. At the end of December 2017, women within the labour union sent a letter to the leadership of the labour movement (Icelandic Confederation of Labour, Icelandic Confederation of University Graduates, Federation of State and Municipal Employees and Icelandic Teachers' Union calling for increased equality education for the employees of the labour movement, improved regulation on safety and security in the workplace and within the movement and plan to improve management of cases of sexual harassment, abuse and violence.

In January 2018, Business Iceland (the federation of employers) issued a declaration stressing respectful communication and relations as key values and zero tolerance to harassment and abuse. It also stressed the collective responsibility of employers ensuring proper response to and prevention of harassment and abuse. Poster was produced with the declaration.

Representatives of labour market Organisations together with the government have also signed an agreement to jointly take decisive action against sexual harassment, bullying and violence at work. The Prime Minister's Office has as well sent a letter to government institutions where they are asked to comply with the legislation and the regulation in this area.

In November 2017 the Minister of Social Affairs and Equality announced the establishment of two working groups and one task force. A working group to map and assess the following: (1) the level or prevalence of sexual harassment, intimidation, abuse and violence, as well as bullying in the labour market (survey among employees and employers categorising the respondents as victims (survivors), witnesses and perpetrators); and (2) the plans in place to prevent and respond to actual or alleged violations (survey among employers). A special task force will have the role to ensure the implementation of the proposals of the working group.

A working group to map and define the treatment needs of persons at risk of becoming or actual violent offenders in their intimate relationships and suggest ways to improve violence prevention and education.

In December 2017 the Ministry of Welfare and the Administration of Occupational Safety and Health hosted a meeting on the need to improve measures aimed at primary prevention of sexual and gender-based harassment, abuse and violence focusing on the culture and the associated risks in the workplace, as well as risk mitigation and management.

In January 2018 the Prime Minister and Minister of Social Affairs and Equality representing the Government and the representatives of the social partners signed a Declaration of Will on taking serious action against sexual harassment, abuse and violence in the workplace in a meeting initiated by the Administration of Occupational Safety and Health under the heading: *Workplace Harassment – No Thanks!*

In January 2018, the Ministry of Education, Culture and Sports announced the establishment of a working group in response to the #MeToo stories of women in sports. The working group began its work in March and in August issued a report including recommendations on how to improve the prevention and response to gender-based sexual harassment, abuse and violence within the sports movement. Following the report, the Minister submitted a bill of law establishing an independent body to receive and manage complaints pertaining to mobbing, gender-based and sexual harassment and violence in sports and recreational pursuits for youth and adults which was approved as law on 25 May 2019. The new body also has the role to disseminate information and guide the respective associations and parties on how to prevent, report and respond to violations.

Lastly, Capacent in Iceland began working with companies that want to address the fact that fewer women compared to men get ahead inside companies by analysing and addressing the implications of the working culture in place, including the level of sexism; communication and organisational structure; equality policy and salary structure; and role models, all of which can have implications for women's careers and gender equality within companies.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

In 2018, an amendment to the first paragraph of Article 194 of the General Penal Code pertaining to sexual offences entered into force stressing the importance of consent entered into force. The paragraph prior to the amendment was as follows: “Any person who has sexual intercourse or other sexual relations with a person by means of using violence, threats or other unlawful coercion shall be guilty of rape and shall be imprisoned for a minimum of 1 year and a maximum of 16 years. ‘Violence’ here refers to the deprivation of independence by means of confinement, drugs or other comparable means.” The Article as amended: “Any person who has sexual intercourse or other sexual relations with a person without her/his consent shall be guilty of rape and shall be imprisoned for a minimum of 1 year and a maximum of 16 years. Consent is only relevant if given freely. Consent is considered irrelevant if given after using violence, threats or other unlawful coercion. Violence refers to the deprivation of personal liberty by means of confinement, drugs or other comparable means.” The amendment is in line with 2016 recommendation from the Icelandic Human Rights Office arguing that the Article as it was put more emphasis on technical aspects of rape or how the rape was committed rather than on the issue of consent referring to the Istanbul Convention which recommends that sexual assault laws emphasise that “consent must be given voluntarily as the result of the person’s free will assessed in the context of the surrounding circumstances.”

In April 2018, Iceland ratified the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence of 2011. The Convention provides for the rights of victims and the obligations of public bodies to protect and assist women subjected to violence, to educate the public, government and professionals, to take preventive measures against violence, and provide solutions and treatment for abusers.

### 2.2 Policy changes

See above

### 2.3 Institutional changes

At the beginning of 2018, the Prime Minister appointed a Steering Committee for Comprehensive Reforms concerning Sexual Violence. The group's main role is to promote progressive and harmonised governmental action against sexual violence and sexual and gender-based harassment, and to place Iceland at the forefront in combating all types of gender-based violence. The Steering Committee is to advise the Prime Minister and the Ministerial Committee on Gender Equality in formulating policy on sexual violence, gender-based violence and sexual harassment in Icelandic society. The Steering Committee is to pay particular attention to the multifaceted discrimination against women of foreign origin, women who live in economic insecurity, disabled women, and LGBTI women.

Among the Steering Committee's tasks is to make proposals for implementing actions provided for in a new action plan for improvements in the handling of sexual offences within the criminal justice system and to decide on further improvements. The Steering Committee is to monitor the implementation of the action plan and use its influence to provide adequate funding for it.

Moreover, the group is to promote the implementation of the Istanbul convention in a co-operation Department of Equality at the Prime Ministers Office. In the fall 2018, the group has presented a proposal for a co-ordinated response to the #metoo revolution in Government Offices and their institutions, as an employer, and will also make proposals for a community-wide response. In addition, the Steering Committee is developing a policy for action against digital/online sexual

violence.

#### 2.4 Research and awareness-raising

The Directorate of Equality project *Breaking the Silence* got funded by Rights, Equality and Citizenship Programme of the European Union. The general objective of the project is to send a clear message of no tolerance of violence against women and girls in order to eliminate violence against women. The specific objectives and planned activities to reach this goal are:

1. Increased awareness of men and boys: An awareness raising campaign in media especially targeted at men to motivate men to contribute actively in the fight against violence against women and girls and to reach potential offenders, get them to evaluate their behaviour and seek treatment.
2. Increased knowledge of professionals in key positions to stop violence against woman and girls: Specialised seminars with external experts who will teach professionals to recognise the symptoms of violence, know the consequences and the treatments and solutions that are available through stop violence day aimed at specific groups of professionals. As well to stop violence days in rural areas with information campaign and bringing together the professionals in the area and on-line information centre.
3. Reach vulnerable groups by making information material for vulnerable groups of woman and girls, such as disabled, immigrants, elderly and LGBTI people. As well have professionals work with the groups.
4. Learn from others and give back by organising European conference on good practices to end violence against women and girls and have on-line information centre where all information concerning the project will be in one place available to all.

The expected results of the project are an increased awareness of gender-based violence in society and an increased capacity to react to suspicion of gender-based violence, especially targeted at men and boys and professionals in direct contact with offenders and victims of gender-based violence. The project will increase knowledge about the existence and the need to stop violence against women and girls as well as making people aware of their civic duties when it comes to reporting violence or suspicion of violence not least against children.

The expected result of the awareness raising campaign is a more open debate on violence against women and girls in society, especially amongst men and boys. The campaign will motivate men to speak up, take a stand and work as a safeguard in the prevention of violence against women and girls. Hopefully the campaign will also increase the number of men willing to contribute actively in the fight against gender-based violence. Our aim is also to reach potential offenders and get them to rethink their behaviour and seek available help.

The focus on increased knowledge of professionals in key areas to stop violence against women and girls with targeted seminars is expected to leave us with better informed professionals that can react to signs of violence and intervene appropriately especially when it comes to vulnerable groups. Offering professionals open seminars all over the country will hopefully result in better informed professionals that are able to intervene if they suspect violence against women and girls.

The brochures with appropriate information for vulnerable groups, (disabled women, young women, pregnant women, the elderly, migrants and ethnic minorities and LGBTI people) about violence against women and girls, is expected to reach potential victims and inform them about their rights and how to seek assistance for themselves and others. The brochures will also inform relatives of battered women and girls and professionals about the danger, signs and consequences of violence and build better safeguards for vulnerable groups of women and girls.

The project's website will be opened and made assessable to all interested in learning about violence against women and girls. On the website visitors will be able to acquire knowledge about the signs of violence and the possible consequences, human rights and where to seek help in cases of gender-based violence. The website will provide invaluable education material and support for victims and professionals, NGOs, public officials, the police, the media and public and private institutions offering help and services for victims and treatment for offenders.

The expected results of the European conference are to show others the results of our project and to give us and others an opportunity to learn from others who are working on elimination of violence against women and girls.

*Domestic Peace* is a treatment for men and women who are violent relationships, located in Reykjavik. Domestic Peace is available for everyone that believes that he/she uses domestic violence and wants to do something about it. The project started in 1998 and since 2006 it has been funded by the Ministry of Welfare. Even though officially funded the clients pay a low consultation fee as a part of their motivation to enter therapy. From the beginning the project has been a part of ATV (Alternative to Violence), located in Oslo, Norway. Domestic Peace gets both supervision and training from ATV.

The ideological background that the project uses is to look at violence as a psychological problem that must be dealt with accordingly. Most of their clients have poor reaction-skills. Especially in challenging situations the only way they know how to react is to use aggressive/violent behaviour. The task is therefore to teach other methods/behaviour. Psychological methods are used to deal with the problem, such as CBT, Attachment theories, psychoeducation and trauma-treatment models.

Most of the clients are dealing with a mixture of the following types of violence:

- Physical violence
- Psychological violence
- Material violence
- Sexual violence
- Latent violence

The therapeutic process is that everyone begins in individual sessions and gets psychological evaluation. After this evaluation the person can either go into group therapy or continue in individual therapy. Due to the complexity of the situations being dealt with, the therapy is up to 2-3 years. The clients come voluntarily. So even though majority of them are referred to by official sectors such as the child welfare, women's shelter, Bjarkarhlíð (support for offers) and the police, they are voluntarily in therapy and can leave whenever they like. They are urged to take responsibility, and to see that they can change and hold out to be a better person.

The project serves the whole country. There is an outpost in Akureyri (Northern Iceland) and in some cases, skype sessions are used with clients if needed. Since the beginning of, over 1.100 clients and spouses have sought therapy. In 2014 the University of Iceland did a Survey on behaviour, quality of life and social relationships of clients and their spouses, based on clients and spouses attending treatment from 2006-2013. In short, the result showed that both clients and their spouses were satisfied attending the programme. The survey also showed that incidents of violence decreased considerably after therapy and the participants were better in dealing with challenging situations at home.

*Crazy love*

The last few years have seen an increase in actions and initiatives addressing sexual violence towards youth and violence in intimate relationships among youth in Iceland. It has, however, been pointed out that not only do prevention education initiatives need to be more extensive and sustainable, they also need to address more concretely the issues that youth are dealing with, not ignoring their realities but respecting and providing the appropriate information, skill sets and services. Stígamót developed an annual prevention campaign titled 'Crazy Love' in 2018. The campaign focuses on raising awareness amongst youth (ages 13 – 19) on violence in intimate relationships. The campaign stresses the importance of consent, boundaries and relationships. At the centre of the project is an extensive information resource/webpage that provides various educational materials about different forms of relationships and violence, including tools to identify and address abusive behaviour. Other topics include sex, pornography, gender equality and feminism, activism and information on how to seek help. The campaign takes place in February and March each year and includes a variety of actions done in co-operation with youth groups, centres and associations. The campaign also uses social media, in addition to traditional media and different print materials to raise awareness. Each year the aim is to highlight new issues relevant to youth – the 2020 campaign will focus on pornography, its effects and consequences, and provide tools for young people, to think critically about their porn use.

**2.5 Other pertinent developments**

In April 2018, Iceland ratified the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence of 2011. The Convention provides for the rights of victims and the obligations of public bodies to protect and assist women subjected to violence, to educate the public, government and professionals, to take preventive measures against violence, and provide solutions and treatment for abusers. In addition, the Minister of Justice has adopted an Action Plan on Handling of Sexual Offences by the Judicial System, and the Government has provided additional funding for implementation of actions based on it. They include increasing the number of employees of the police and District Prosecutor, increasing continuing education and improving police investigation facilities and procedures for handling sexual offences.

The Department of Equality at the Prime Minister's Office promotes the implementation of the Istanbul Convention.

**3. Strategic objective: Ensure the equal access of women to justice****3.1 Legislative changes**

In March 2016, Iceland amended its criminal law regarding domestic violence. Before the amendment there was only a reason for increasing sentence regarding close relationships, but no special article about the act itself. The article is gender neutral, but the goal of the amendment was to update the law with reference to the ratification of the Istanbul convention.

The article (no. 218 (b)) now says that any person who, repeatedly or seriously, poses a threat to the life, health or well-being of his or her present or former spouse or cohabiting partner, to his or her descendant or the descendant of his or her present or former spouse or cohabiting partner, to an older person in his or her direct blood-line, or to other persons who live with him or her in the home or are in his or her care, by means of violence, threats, deprivation of freedom, coercion or in another manner, shall be imprisoned for up to 6 years. A gross violation may be punishable by up to 16 years' imprisonment. When the seriousness of the violation is assessed, consideration shall be given to whether the injured party suffered major physical injury or damage to his or her health or whether the violation was fatal. Furthermore, consideration shall be given to whether the violation was committed in a particularly painful or injurious manner, whether it lasted a long time or

whether the perpetrator grossly abused his or her superior position vis-à-vis the injured party.

Iceland amended its criminal law in 2018 regarding rape. It stipulates that sexual intercourse or participation in a similar sexual act needs to be consensual. Otherwise, the act constitutes rape. The law also stipulates that consent is considered irrelevant if given as a result of the use of threats of violence or other unlawful coercion.

In 2018, the Minister of Justice has adopted an Action Plan on Handling of Sexual Offences by the Judicial System, and the Government has provided additional funding for implementation of actions based on it. They include increasing the number of employees of the police and District Prosecutor, increasing continuing education and improving police investigation facilities and procedures for handling sexual offences.

In March 2019 Iceland amended its restraining order and expulsion of abusers from their home act in order to clarify mild remedies, make a clear difference between restraining order and expulsion, as well to revise the law and update in accordance with development and implementation.

### 3.3 Institutional changes

*Keeping the Window Open* was a pioneering project on policing model dealing with domestic abuse which led to the introduction of a new standard operational procedure applying to the management of domestic violence cases by the National Commission of the Police at the end of year 2014. The new procedure is currently being introduced and implemented in all police districts through a follow up project titled *Breaking the Silence – End Violence Against Women* led by the Directorate of Equality and co-funded by the rights, equality and citizenship Programme of the EU. The model aims to improve procedures in dealing with cases of domestic and intimate partner violence in order to ensure safety in the home, improve services for victims/survivors and offer treatment to offenders. It is also intended to improve the position of children in violent households and place a special focus on providing services to immigrant women and victim with disabilities. Consequently, the number of cases in which the offender is removed from the home has risen as well as the number of restraining orders issued. Furthermore, parliament has adopted an amendment to the Penal Code which explicitly criminalises domestic violence in compliance with the Istanbul Convention.

In the current government agreement, it is stated that the new plan of action (see under 3.1) on improvement in the handling of sexual offences will be implemented and financed in full. Under the plan, allowance is made for strengthening the mechanisms in the criminal justice system with the aim of improving the position of victims/survivors in the system and upgrading and co-ordinating services to victims across the country, not least in the healthcare system. The legal environment in which sexual offences are processed will be examined with the aim of improving the standing of those who press charges regarding sexual offences.

### 3.4 Research and awareness-raising

See under point 1.4

### 3.5 Other pertinent developments

Bjarkarhlíð, a family justice centre for survivors of violence began its operation in February 2017. The centre brings together services for survivors of violence in one location. It provides support to a range of individuals belonging to different groups of people rendered vulnerable by their status such as persons with disabilities, migrant women, and the elderly people. The centre is the result of a cross-sector collaboration between government ministries, police, local government, and grassroots organisations. The different partners co-ordinate to provide an integrated service for survivors of violence in an accessible and approachable way. Similar centres have been successful in the United

States of America and across Europe, which demonstrates that this is a service which can be easily transferred to different locations. Integrated service makes it easier for people to reach out, so they are more likely to try to break the circle of violence they are in. It also creates trust in the “system”, has pre-emptive value, improves social culture and sends the message that violence will not be tolerated.

Bjarkarhlíð offers: 1) counselling, support and information for survivors of violence, 2) co-ordinated services under one roof, 3) individual interviews, 4) legal consultation, 5) consultation with social works and 6) service for survivors of human trafficking. All services in the centre are free of charge.

The Women’s Counselling is an NGO founded in 1985 and offers legal and social work counselling for women. Their main goal is to give counselling and support women, on any given matter. Women can receive services through a phone, email communication or in person. Their services are free of charge and those who seek their services do not have to give their name or any other personal data. The Women’s Counselling offers also counselling to official bodies on all matters regarding women and women’s rights and has a permanent seat with other women’s rights associations in Iceland on the Equal Rights council.

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.3 Institutional changes**

Under Article 15 of the Gender Equality Act, care is to be taken when making appointments to state and municipal committees, councils and governing boards, to ensure that the proportions between the genders are as even as is practicable, with not less than 40% of seats occupied by each gender when there are more than three members. This also applies to public limited companies and enterprises which are in majority state or municipal ownership. In 2008, women accounted for 37% of the members of committees, councils and boards within the Government ministries. In 2012 this figure reached the 40% limit and in 2017 women were 48% of all members in committees in all ministries.

No changes have been implemented during the reporting period.

##### **4.4 Research and awareness-raising**

The women’s right Association of Iceland organises regularly a seven-week course for migrant women living in Iceland, with the aim of giving them the tools to succeed in politics. The course is supported financially by the department of Equality at the PM office. This course introduces the women to the largest political parties and associations in Iceland and how to quickly start working within their chosen party. The students are introduced to the inner workings and “unwritten rules” of Icelandic politics, practiced how to speak clearly and publicly, and get the opportunity to meet other women who share your interests in politics. The goal of the course is that students leave with a concrete plan on how to run for office, whether it be in a civil society or political office.

##### **4.5 Other pertinent developments**

In the wake of the MeToo movement a Barbershop seminar was held in the Parliament of Iceland, Althingi. The aim of the conference was to open a dialogue between women and men on what could be done better in Parliament.

The Barbershop concept looks at innovative ways for men to mobilise and motivate other men to address discriminatory stereotypes of masculinity. It identifies ways for men to talk about gender equality in a comfortable and safe environment and addresses how male leaders can drive this

dialogue forward. Through their own behaviour, men can work toward the positive transformation of social norms, examine the role of men as change agents on gender equality who take responsibility for their actions and encourage other men to join in. This will help stimulate a grassroots dialogue among men and build on the progress made by recent movements such as the HeForShe campaign. The intended outcome of the Barbershop concept is a commitment by participants to assume their responsibility and realising gender equality. A special focus has been on efforts to eliminate violence against women and girls in the world of work.

## **5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls**

### **5.2 Policy changes**

The goal of the Icelandic integration policy is to ensure that all residents of the country enjoy equal opportunities and are active participants in all aspects of society. Social services, health care and education are provided on an equal basis to everyone registered in the country. The Immigrants Affairs Act, No. 116/2012 is aimed at promoting the active participation of all persons in society regardless of their nationality or origin. This objective is to be achieved in part by integrating the interests of immigrants into public policy formulation, administration and services, with broad-based co-operation and increased education and communication of information to the public on immigration matters.

The Minister responsible for immigration and refugees appoints a six-person Immigration Council to advise him/her professionally on drafting immigration policy and on encouraging co-ordination and consultation between ministries, local authorities and other areas of public administration, and undertake other tasks. The Minister presents a resolution to the Icelandic parliament proposing a four-year action Programme for immigrants' issues, after having received the comments of other ministries, agencies, the Multicultural and Information Centre and the Immigration Council.

The Multicultural and Information Centre is a special agency operating under the Immigrant Affairs Act and working towards its objectives. The agency has the fundamental role of facilitating communications between individuals of different backgrounds, and to enhance the services provided to foreign citizens residing in Iceland and to those interested in moving to Iceland. The Multicultural Centre offers assistance and counsel through phone in Icelandic, English, Polish, Serbian/Croatian, Thai, Spanish, Lithuanian and Russian.

No policy changes took place in the reporting period.

### **5.3 Institutional changes**

Early 2019, Statistic Iceland, in co-operation with the Immigrant Council, issued a report of analysis of pay gap, considering the worker's background. This is the first time that Statistics Iceland conducts this kind of analysis. The results show that immigrants have generally lower earnings than locals. It is estimated that immigrants have on average almost 8% lower earnings than locals, and that is considering key demographic and employment related factors, available in the databases of Statistics Iceland. However, the results show that pay gap's size varies between occupations. The pay gap is in general greater in occupations common for immigrant workers, or between 1% to 16% conditional pay gap. The results also show that immigrants have in general lower earnings than locals with the same education, or between 11% and 15% conditional pay gap. The results also indicate that there is a pay gap among immigrants. Most notably, immigrants from the other Nordic countries have on average higher earnings than other immigrants from different background. The research is based on 215,000 observations on earnings based on background, for the years 2008–2017, which come directly from companies' payroll systems and are uniform and precise. It is not common for an analysis of pay gap differences to be based on a sample this large encompassing

such a long period. The data does not fully cover all economic sectors in Iceland and is limited with regards to hotel and restaurant services. It is important to keep the strengths and weaknesses of the study in mind when the results are interpreted.<sup>59</sup>

The Multicultural Centre has also provided information of various types of immigrants, including public administration, family affairs, education and the school system, finance, and the health services. For example, under the heading *The Family* there is a discussion of various forms of families, the Marriage Act and the rules on divorce, the rights of queer people and single parents. Also, to be found there is information on maternity, paternity and parental leave, child maintenance payments and child benefit payments.

The Icelandic Human Rights Centre provides immigrants with legal counselling under an agreement with the Ministry of Social Affairs and Children and similar arrangements exist in some local authorities, e.g. Reykjavík City's Human Rights Office provides special services for immigrants regarding facilities and services provided by the city authorities, and in Akureyri (the main town in the north of the country), the International Centre provides information on various aspects of life and society in Iceland. All this information is similar to that which is available through the homepage of the Multicultural Centre, which is referred to above.

#### 5.4 Research and awareness-raising

In 2010, the Directorate for Equality published a booklet entitled *Your Rights. Important information for women of foreign origin in Iceland*. This was published with support from the EU Progress Fund and in collaboration with the Ministry of Welfare. It has been reprinted many times with revised text in 2014 and 2019. It contains information of various types on the Icelandic justice system and Icelandic society, and on gender equality, residence permits, separation and divorce, custody of children, parent-child access rights and finances, amongst other things. It also gives information on assistance, e.g. the addresses, telephone numbers and homepages of institutions and NGOs. The booklet is published in six languages in addition to Icelandic. It is available at the Directorate for Equality, at district commissioners' offices and municipal offices all over the countries. It is also accessible on-line via the homepage of the Directorate for Equality.

### 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

#### 6.1 Legislative changes

Two primary measures have been used by the Government to advance gender equality, namely the prioritisation made in its four-year Action Plan on Gender Equality and gradual steps towards gender mainstreaming. The Action Plan on Gender Equality has been stipulated by law since 1985 and its key contribution to the advancement of gender equality in its role in addressing gaps between the status of gender equality on the ground and the objectives of the Gender Equality Law. Secondly, the implementation of gender mainstreaming, which is a legal requirement according to Article 1 and 17 of the Gender Equality Act, began with gender-based assessment of the impact of proposed legislation. Such an assessment is one of the quality standards that governmental bills of law are measured against during the legislative process. Gender mainstreaming of other policies has gradually been implemented within the framework of gender budgeting as of 2009 and in conjunction with the entry into force of the Organic Budget Law in 2015 overseen by the Ministry of Finance and Economic Affairs in co-ordination with the Ministry responsible for equality policies. Continued and more comprehensive gender mainstreaming of policies and decisions of all ministries and state institutions is a work in process prioritised by the Prime Minister's Office and the Government.

<sup>59</sup> <https://statice.is/publications/news-archive/wages-and-income/analysis-on-pay-gap-by-background-2008-2017-10943/>

A handbook on preparation of bills of laws issued by the Prime Minister's Office is a guiding document stipulating gender assessment of governmental bills of laws. Gender impact assessments in legislative drafting are generally performed by public servants in charge of drafting a law or policy and in consultation with the gender equality expert in the ministry.

The 2019–2023 implementation plan for gender budgeting is another guiding document. As of 1 January 2016, the Organic Budget Law from 2015 entered into force. The law makes gender budgeting, which began in year 2009, a legal requirement in Iceland. Prior to the introduction of the law, gender budgeting had mainly been conducted through individual projects combined with education and skills building in the area of gender analysis. Today, the Government works with 34 expenditure areas and 101 functions and all these are connected to the budget in line with the principles of performance budgeting. Subsequently, the focus is on integrating gender budgeting into the budget cycle and thereby moving away from the previous project-based approach.

As such, the gender budgeting approach aims to ensure that gender and equality perspectives are considered while decisions around the expenditure (policy) areas and the functions are made, instead of doing the analysis afterwards.

This move has been implemented in steps. In 2017, the first steps towards incorporating gender perspective in the budget cycle was taken where the focus was placed on 10 expenditure areas. In the year 2018, the focus was on making analysis for all the 34 expenditure areas. The findings were incorporated into a single baseline report. Templates have been designed to improve policy making, namely template to use for baseline assessment and analysis of policy interventions from a gender and equality perspective and a template to use while formulating policies based on the findings from the assessment and the analysis. The intention is that the findings will inform in the decision-making/policy-making process in near future as to bring decision and policy making in line with the stipulations of the Gender Equality Act. How to do that is being developed by a working group appointed at the end of year 2017 to design a comprehensive implementation plan on gender mainstreaming in all policy and decision making of the ministries and state institutions.

No legislative changes have taken place in the reporting period.

## 6.2 Policy changes

New Action Plan on Gender Equality for the period 2020–2023 was agreed upon by the Government in its meeting 30th August 2019 and a resolution containing the plan submitted to Parliament for approval the same date. The Action Plan's point of departure are the objectives of the Act on the Equal Status and Equal Rights of Women and Men No. 10/2008 (the Gender Equality Act), the gender equality provisions of other legislation and the aspirations set out in the Agreement of the Coalition Partners. The Action Plan can be described as a compilation of "special measures" aimed at covering gender gaps or the gaps between the objectives of the laws and the political aspirations of the Government on one hand and the reality on the ground on the other. As such, the plan reflects the priorities of the Government in the field of gender equality.

The new Action Plan for Gender Equality consists of 24 interventions. Each of the 10 ministries is responsible for at least one intervention. Thereof, the Prime Minister's Office responsible for gender equality, the Ministry of Education and Culture and the Ministry for Foreign Affairs are responsible for ten, four and three interventions, respectively. Some of the interventions are continuation from the current 2016-2019 Action Plan on Gender Equality such as gender mainstreaming while others are new such as special prevention and protection measures in response to the #MeToo revelations addressing gender-based and sexual harassment, intimidation and violence in sports, recreation and

leisure activities for children, youth and adults.

### 6.3 Institutional changes

The policy area of gender equality moved from the auspices of the Ministry of Welfare to the Prime Minister's Office on 1 January 2019. The primary role of the Prime Minister's Office is the enforcement of the Gender Equality and Anti-discrimination Acts as well as overall governmental co-ordination. The move has also the potential to advance further policy making on gender equality and gender mainstreaming of policies and decision in all lines of ministries and state institutions.

### 6.4 Research and awareness-raising

Nothing new to report for this period

### 6.5 Other pertinent developments

See above

## 7. Main challenges and lessons learned

### Important co-operation and political leadership in the policy area:

In December 2017, the government approved the appointment of a Ministerial Committee on Gender Equality in accordance with the government's objective to increase the focus on gender equality issues. The Prime Minister chairs the Committee and other members are the Minister of Social Affairs and Children, the Minister of Justice, the Minister of Foreign Affairs, the Minister of Education, Science and Culture, and the Minister of Health.

Such a committee had first been established in 2009 consisting of the Prime Minister, the Minister of Social Affairs and the Minister of Finance and Economic Affairs. The aim was to elevate the status of gender equality issues within the Government, to ensure that gender perspectives were taken into account while considering measures to stimulate the economy and austerity measures, and close the gender pay gap. Its role, together with the Ministry of Justice, was also to combat human trafficking and intimate partner violence.

### Best practices in the period:

#### *Nordic network of women mediators*

Inspired by a similar initiative in southern Africa, the Nordic governments endorsed the creation of the Nordic Women Mediators (NWM) network at the Nordic-African Foreign Ministers' meeting in April 2015. The NWM was officially launched in Oslo on 27 November 2015, followed by an international launch at the United Nations in New York in March 2016.

The NWM is a network of women from the five Nordic countries - Denmark, Finland, Iceland, Norway and Sweden - with professional expertise relevant to conflict mediation, peacebuilding and negotiations. They share a commitment to sustaining peace through the inclusive and meaningful participation of women in all phases of peace processes. NWM is an instrument for the involvement of women in advocacy and operational engagement.

The NWM network aims to reach out to actors engaged in peace processes, transitional processes and post-political settlement processes and institutions. Interacting with other similar women's networks will be an important component. The NWM network also aims to make women's competence in this area more visible, to counter arguments about the shortage or low availability of women with mediation expertise.

The NWM mission is to enable Nordic women mediators and peacebuilders to advance the inclusion and meaningful participation of women in all phases of peace processes, to contribute to achieving and sustaining peace.

To achieve the mission of the network, the NWM will work according to the following objectives.

To strengthen women's participation in peace processes at all levels, including by:

- Amplifying the voices of women mediators and peacemakers in conflict affected areas
- Advocating for all peace processes to be inclusive;
- Developing and fostering partnerships with other mediation and peacebuilding networks and organisations; and
- Creating and supporting joint activities among members and with partners, as appropriate.
- To strengthen Nordic women actively involved in international peace-making efforts, including by:
  - Enabling the sharing of experiences, knowledge and know-how among members, including through networking opportunities;
  - Promoting and supporting members in their functions, as well as drawing on that expertise across networks.
  - Facilitating access and providing networking opportunities with mediating and peacebuilding actors globally.

The membership of the network comprises Nordic women with diverse professional experiences, ranging from foreign affairs and international law to multilateral or regional Organisations, such as the UN, the EU and the OSCE as well as civil society. Network members have expertise on a variety of issues relevant to all phases of peace processes, including mediation, ceasefire arrangements, constitutional reform, civil-military relations, international humanitarian law, human rights, communications and inclusive strategies. Promoting women in negotiations, mediation and all phases of peace-making is at the heart of the work of the NWM.

The NWM is a collaborative forum composed of national networks in each of the five Nordic countries. It meets once a year with around ten women participating from each country. Hosting of meetings rotates between the Nordic countries. A contact group representing participating Nordic ministries serves as a strategic-level co-ordinating body. A group of operational partners from the five Nordic countries (contact details below) are responsible for the organisation and implementation of all network activities whether at the national or at the Nordic level. The operational partners play a central role in convening and organising the annual Nordic-level meeting. An advisory group consisting of senior Nordic women mediators and peacebuilders provides input and advice on the overall substantive direction of the NWM. At the national level, each network may have its own profile.

#### *Gender Equality Studies and Training Programme*

The United Nations University Gender Equality Studies and Training Programme (UNU-GEST) is an important part of Icelandic development co-operation efforts. The objective of the programme is to promote gender equality and women's empowerment in developing countries and post-conflict societies through research and education. Its main target group is junior professionals working for government, educational institutions and civil society organisations in developing countries and post-conflict societies. The two main components of the Programme are a research programme and an educational programme, which ranges from short courses and on-site training, to a diploma programme in international gender studies and scholarships for masters and PhD programmes.

The GEST post-graduate diploma programme (30 ECTS) in international gender equality studies

consists of six teaching modules, taught by leading experts in their respective fields. From the outset, gender, peace and security has been an important part of the curricula, but fellows write an applied project proposal for implementation on an issue related to their work or area of interest and expertise. The focus is exceptionally practical as studies are geared towards generating sustainable change by fellows' activities in their home countries. To date, 132 fellows have graduated from the diploma programme, but an external evaluation from 2017 revealed many important macro-, meso-, and micro-level results in the partner developing countries that the UNU-GEST had contributed to and the programme was assessed to be an effective mechanism for capacity development of professionals in developing countries. As an example of its advocacy and outreach efforts, GEST has co-hosted three international conferences on Women, Peace and Security since 2009. GEST remains one of the primary partners for the Government of Iceland in its efforts to support training, education and advanced research in the field of women, peace and security.

#### **8. Additional comments, if any**

Act on Termination of Pregnancy was adopted by Parliament in May 2019, repealing the previous Act on Abortion dating back to 1975. The new legislation introduces two key amendments. Firstly, it codifies the personal autonomy and self-determination women have over their own bodies. Previously, women who wanted to have an abortion needed to have the abortion approved by either two doctors or a doctor and a social worker up until the end of the 16th week. After that a committee consisting of a doctor, a social worker and a lawyer decided on whether the abortion could be permitted by law. In practice, women had good access to abortions, while in legal terms they did not enjoy the right to decide for themselves. Secondly, the abolished legislation defined specific cases where abortion would be permitted after the end of the 16th week. These cases were when there was a strong likelihood of serious birth defects, genetic disorders or other serious defects. This was viewed as being in violation of article 8 of the UN convention on the rights of persons with disabilities and therefore the new legislation does not make any distinction to the reasons for a woman's choice to have an abortion. Women, including women under the age of 18 are, according to the new legislation, guaranteed the right to healthcare in relation to abortion on demand up until the end of the 22nd week of pregnancy. The legislation guarantees women the right to abortion, even when a healthcare worker is not willing to perform the abortion, and women's access to counselling from various healthcare workers, e.g. doctors, nurses, midwives and social workers.

The legislation on Medicinal Products was changed at the end of 2018 so that nurses and midwives will be allowed to prescribe medicinal products for birth control. It is also intended that the national health insurance will take part in the cost of birth control medicinal products for specific groups of women, those of vulnerable groups.

## IRELAND

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.2 Policy changes**

See 1.5

**1.4 Research and awareness-raising**

See 2.5

**1.5 Other pertinent developments**

On international Women's Day (8 March 2019) the Irish Government held a special cabinet meeting to consider and approve a number of measures to foster gender equality and to promote greater gender balance across a number of areas.

1. Publication of the Gender Pay Gap Information Bill where companies of 50 and more employees will be required to complete a wage survey. Greater transparency in this area will help to identify the factors that contribute to the gender pay gap and will incentivise employers to take measures to reduce that gap.
2. Inter-Departmental Working Group on State Boards where the Government has set a target of 40% female representation on all State Boards.
3. Balance for Better Business initiative which has reviewed the issue of gender balance in corporate boards and in senior management of companies and the intention to establish a Public Sector Network within the 30% Club to promote greater gender balance in the senior leadership of the public sector.
4. Progress Report on the National Strategy for Women and Girls 2017-2020 was launched in May 2017. It includes actions to advance socio-economic equality for women and girls and women's leadership at all levels, to advance the physical and mental health and wellbeing of women and girls, to ensure their visibility in society, to combat violence against women and to embed gender equality in decision-making. This first progress report covers the period from May 2017 to July 2018. A consultation process is also beginning on the mid-term review of the Strategy which will be completed by autumn 2019.

**2. Strategic objective: Prevent and combat violence against women and domestic violence****2.1 Legislative changes.**

In February 2019 the Irish Government introduced the Criminal Law (Sexual Offences) (Amendment) Bill. The main purposes are to:

- Introduce stricter penalties for repeat sexual offenders
- Equalise the maximum penalties for incest at 10 years for both male and female offenders.

In July 2019 the Irish Government announced the entering into force for Ireland of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention).

**2.2 Policy changes**

In July 2019 the Irish Government announced the publication of an information resource to raise awareness of human trafficking among the worldwide community of nurses. The comprehensive booklet was launched at the International Council of Nurses' Congress in Singapore this week, which

was attended by more than 5,000 nurses representing the national nursing bodies of over 120 countries.

#### **2.4 Research and awareness-raising**

In May 2019 the Irish Government announced that they are commissioning an independent specialist in-depth research study focussing on two pillars:

- i. the provision of supports to families who are victims of familicide; and
- ii. international best practice in the conduct of Domestic Homicide Reviews.

The study involves consultation with a wide range of stakeholders including State agencies, family members of victims and non-governmental organisations.

Also in May 2019 the Department for Justice and Equality launched three new radio ads as part of 'No Excuses', the major national awareness campaign on sexual harassment and sexual violence launched by Minister for Justice and Equality, Charlie Flanagan TD. Each of the ads featured an example of sexual harassment or sexual violence accompanied by some of the excuses which people often use to excuse such behaviour when they see it.

#### **2.5 Other pertinent developments**

In November 2018 the Irish Government approved proposals for a radical new approach to the collection of data on the prevalence of sexual violence in the State by undertaking a comprehensive national survey on the prevalence of sexual violence. This major survey will look in detail at the experience of women and men in Ireland of sexual violence. The survey will be repeated every decade to establish how these experiences are changing over time for the purpose of informing Government policy responses to these heinous crimes. The Government has agreed in principle that a range of supplementary data collection exercises will be undertaken in the interim periods between major surveys to determine the experience of sexual violence of certain vulnerable and minority groups.

### **3. Strategic objective: Ensure the equal access of women to justice**

#### **3.3 Institutional changes**

The Irish Government continues to fund the National Traveller Women's Forum (NTWF). The NTWF works collectively to address racism and sexism experienced by Traveller Women and promotes Traveller women's rights to self-determination, the attainment of human rights and equality in society through education and by developing and disseminating clear, relevant and accessible information to Traveller women and Traveller Women's Groups throughout Ireland.

[www.justice.ie/.../National Traveller and Roma Inclusion Strategy 2017-2021](http://www.justice.ie/.../National%20Traveller%20and%20Roma%20Inclusion%20Strategy%202017-2021)

#### **3.4 Research and awareness-raising**

In his speech to the Commission for the Status of Women, Minister David Stanton TD stated that advancing gender equality at home and overseas is and will continue to be a priority for the Irish Government. Through the National Strategy for Women and Girls 2017-2020, the Irish Government is working to address the issues of access to public services including justice.

### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

#### **4.2 Policy changes**

The Department of Justice and Equality continues in its committed to supporting the development of

mentoring programmes to build and develop the capacity of Travellers and Roma to represent their communities at a local, national and international level.

#### 4.3 Institutional changes

See 1.2

#### 4.4 Research and awareness-raising

In December 2018 a conference entitled “Politics needs women” was held marking 100 years since women were allowed both vote and stand for election in Ireland. The conference remembered the pioneers of the past; recognised the achievements of female public representatives past and present; and provided inspiration and momentum for the future.

#### 4.5 Other pertinent developments

See 5.2

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.2 Policy changes

A pilot initiative for Equality Budgeting was announced as part of Budget 2018. The paper Equality Budgeting: Proposed Next Steps in Ireland ([link](#)) was also published with the Budget to provide more information. Six equality objectives were identified in the pilot, and performance measurements for them were then included in the Revised Estimates 2018 (published at the end of that year). Five of the objectives related to gender equality, whilst the sixth related to socio-economic equality. An update on the pilot programme was included in the Public Service Performance Report 2017 (published in April 2018). Following the achievements of the pilot programme, Equality Budgeting will be expanded in 2019 to further develop the gender budgeting components, and the scope will be broadened to other dimensions of equality, including poverty, socioeconomic inequality and disability. The Revised Estimates 2019, published one year after the programme began, includes further developed and updated objectives, and an Appendix with performance indicators. The indicators have been grouped thematically to reflect government strategies that have an equality element.

#### 5.3 Institutional changes

The issue of period poverty has been raised in the Irish Parliament by the Irish Women’s Parliamentary Caucus, which tabled motions relating to period poverty passed in the Dáil on 13 March 2019 and in the Seanad on 27 March 2019. The Joint Committee on Public Petitions is also considering a petition seeking to have sanitary products provided free or at a reduced price in schools and colleges throughout Ireland. This petition has been referred to the Departments of Health and of Justice and Equality.

#### 5.5 Other pertinent developments

The HateTrack Project is an experimental, exploratory research project that combines social, scientific and computational methods to understand online racist speech in the Irish context. The project used insights from civil society and experts in the field of race, racism and hate speech to build a computational tool that harvests and classifies Facebook and Twitter posts in terms of their probability to contain racially-loaded toxic contents.

The tool is designed as a monitoring and diagnostic tool of the state of the Irish digital public sphere. While it is currently focused on racially-toxic contents, it can be scaled to other forms of hate and toxicity, such as misogyny and homophobia.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

See 5.2.

A policy scan on Gender and Equality Budgeting has been commissioned by the Irish Government from the OECD. The groundwork has been completed and it is expected that the report will be published in late 2019.

### 6.2 Policy changes.

Following a successful pilot project, the Irish Government is now rolling out equality budgeting.

### 6.5 Other pertinent developments

See 1.5

## 7. Main challenges and lessons learned

For the Beijing+25 report, a comprehensive national review was carried out. The Department of Justice and Equality consulted stakeholders for their views.

ITALY
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### , 1.1 Legislative changes.

Overcoming cultural prejudice and stereotypical concepts is one of the main goals of the National Anti-discrimination Office (UNAR). To this end, the Office strengthened its Contact Center, establishing the “Media and Internet Observatory” through which it works every day to detect the potential hate speech cases. The Observatory is supplied with a software, which works on the basis of a set of keywords search, as selected by the Office itself and based upon data from scientific literature and from the practical experience of the Office’s work against discriminations. Thousands of contents are analysed day-by-day: a substantial part of the contents is catalogued and included in thematic reports and another part, which numerically represents a lower proportion but, equally, considered of a strongly discriminatory nature, is reported to the social networks for the removal or for law enforcement’s investigation and prosecution. Furthermore, over the years, UNAR Contact Center operators have listened thousands of victims of discrimination based on race, ethnic origin, religious affiliation, age, conditions of disability, sexual orientation and gender identity grounds. The operators offer immediate assistance to victims of discrimination by providing information, guidance and psychological support, besides accompanying the victims of discrimination to the court if they decide to act for the purpose of detecting and repressing the injurious behaviour. A close co-operation has been established with OSCAD, by signing a Memorandum of Understanding in April 2011 by which to define co-operation - so as to optimise their results.

With the aim of combating gender-based violence online, it is important to recall a recent legislative proposal, currently under discussion in Parliament. It refers to the phenomenon of hate speech, or incitement to hatred and violence against persons or social groups on the basis of certain characteristics (ethnicity, religion, origin, particular physical or mental conditions), gender identity and sexual orientation included.

### 1.2 Policy changes

Equality Councillors for equal opportunities at work act as public officers under Arts. 12-20 of Legislative Decree No. 198/2006, as amended, and their tasks are the detection of gender discrimination in the workplace, during the phases of entering, career, training, salaries, dismissals and pensions. They can act for promoting the anti-discrimination principle in active policies, positives actions and any other useful initiative at this regard.

Furthermore, Arts. 36-37 attribute them, as public officers, the legitimacy to appear before a judge, or in conciliation out-of-court, when directly charged by the worker for discrimination cases in the workplace.

Equality Councillors work together with labour inspectors at all levels of local administration, and a Memorandum of Understanding between the Councillor and the Inspection service at all administrative levels, national and local regulates their co-operation.

Equality Councillors act on charge of the workers, directly in the place where the job place is situated, as they are established at all administrative levels, regional, provincial and national.

Since 2012, Italy is witnessing a significant revolution in women's leadership, thanks to the implementation of Law No. 120/2011, which introduced the requirement to equitable

representation of gender in the organs of management and control of listed companies and, in 2013, in those of the public companies. Following the entry into force of the law, the percentage of women in the management boards of listed companies, equal to 6% before the legislation, now stands at 33,5%, exceeding the one in three quota required by law. Equally important is the increase in public companies, where the presence of women in the boards has increased by 75% in about five years, approaching the share of one-third (32.1%). The law actually broke the glass ceiling lasted years, proving to be an effective tool for the purpose of increasing female presence in the apical positions and, as an additional consequence, for the improvement of corporate performance. In 2018 an inter-institutional Observatory was established by a 5-year Memorandum of Understanding signed between the Department for Equal Opportunities at the Presidency of the Council of Ministers, the CONSOB and the Italian National Bank to promote the concrete female participation to boards and to monitoring the implementation of Law No. 120/2011 through data collection and analysis by the same Observatory.

### 1.3 Institutional changes

Some years ago a first research has been produced by the National Institute for Statistics (ISTAT) titled "How women's lives change": it analyses the situation of women in all spheres of their lives and the transformations over the last 10 years particularly affected by a deep economic and social crisis, which has impacted less on women than men as for employment levels because they are more integrated into services, but that has worsened the quality of work in terms of involuntary part time, precariousness, reconciliation of life times. The gender gap in employment levels has decreased by 5 points: it is due to a male decrease and not a women advancement. The context has been also examined from a poverty point of view where single mothers and single elderly women emerge as the most at risk of poverty. Particularly relevant are the analyses on the reconciliation of life times and on gender stereotypes that highlight a structural gender discrimination based on cultural problems.

The institutional relationship between the Department for Equal Opportunities at the Prime Minister's Office and ISTAT has been improved and is at the core of the planning of strategic policies to tackle gender stereotypes according to a multi-faceted and comprehensive approach.

At the same time the aforementioned reference to the role and mandate of UNAR (1.1) replies to the question about a body in charge to receive first complaints about discriminatory cases on the grounds of race, ethnic origin, religious affiliation, age, conditions of disability, sexual orientation and gender identity grounds.

### 1.4 Research and awareness-raising

In line with the provisions established by the Extraordinary Action Plan Against Sexual and Gender-Based Violence 2015-2017, on 15 November 2016 the structure for the setting up of a specific National Database on gender-based violence was defined and will be implemented through the Memorandum of Understanding with ISTAT. It envisages inter alia that ISTAT be the co-ordinating body of the National Database and the entity mainly responsible for it. In its co-ordination activity, ISTAT has collaborated with experts from the Entities and Ministries producing administrative data on this topic, including shelters. The National Database has collected data deriving from sample surveys, as well as administrative data and data collected by shelters.

This commitment was reiterated within the National Strategic Plan on male violence against women for the period 2017-2020 for strengthening both the investigation and understanding of causes and consequences of violence against women and the data collection and related monitoring and assessment of the phenomenon all over the national territory. In this framework, on the occasion of the International Day against male violence against women, it was launched a new relevant

awareness-raising campaign, entitled #lapartitaditutti.

In the Operational Plan included within the National Strategic Plan, the Prevention Axis encompasses the following objectives:

- raise public awareness on the phenomenon of male violence against women, its causes and consequences;
- raise awareness and strengthen the knowledge of teaching and school staff on male violence against women and witnessing violence, their ability to identify the phenomenon and to intervene in collaboration with local anti-violence networks;
- promote training activities addressed to operators in the public and private social sectors, to promote recognition and intervention in support of women victims of male violence and their children;
- activate treatment paths for perpetrators of crimes of ill-treatment of women.

The key actions envisaged as for the 'Priority 3.1.1 Raising public awareness of the structural roots, causes and consequences of male violence against women' are:

- a. Implementation of the communication campaign against male violence against women – Department for Equal Opportunities
- b. Realisation of communication campaigns for the prevention of FGM - Department for Equal Opportunities (resources foreseen: 400.000 euros)
- c. Drawing up of guidelines for the implementation of information campaigns implemented by individual administrations with particular reference to women with disabilities victims of violence - Ministry for Family Policies and Disabilities.
- d. Realisation of an internal campaign of the Administration for the diffusion of the principles of the C.d.I. - Ministry of Defence.

Moreover, in 2017 the Department for Family Policies developed a specific awareness-raising campaign for the promotion of the taking up of parental leaves by fathers. The campaign consisted in an advert and was characterised by the slogan "Parental leave: Asking for it is easy and is your right – Because growing your child and make them happy can be the most beautiful job in the world!". The campaign was elaborated within the framework of the E.L.E.N.A. (Experimenting flexible Labour tools for Enterprises by eNgaging men And women) Project, a European project co-ordinated by the Department for Equal Opportunities of the Italian Presidency of the Council of Ministers and co-funded by the European Commission under the Rights, Equality and Citizenship (REC) Programme.

### 1.5 Other pertinent developments

**For point b),** please refer to 1.1.

**Point c):** The National Service Contract is an agreed Text of a five-year term concerning the activities that the concessionary company must perform to fulfil the task of serving the public in the territory of the Italian Republic. Within the above framework, the Service Contract stipulates that RAI promotes, within its own television programming, a real and non-stereotypical depiction of the women's situation. In fact, RAI must ensure the spread, on any platform and by any broadcasting system, of the most comprehensive and pluralist representation of the roles that women play in society, as well as the elaboration of contents aimed at preventing and combating all forms of violence against women.

As part of the activities implemented by RAI Corporation, the protection of fundamental rights and the dissemination of equal opportunities between genders guide the creation of editorial content. The attention RAI pays to women's depiction in its TV series is confirmed by the female roles represented.

In addition to RAI fiction-related production, mention has to be made also of RAI Cinema production and/or distribution, the so-called "factual", and the sports columns which are particularly attentive to the correct portrayal of women.

RAI also activates training courses for its employees, service providers and external collaborators so that in all the programmes, it is ensure the use of language and images that are respectful, non-discriminatory and non-stereotyped with regard to women. Along these lines, broadcasting discriminatory advertising messages or those that feed gender stereotypes is also prohibited.

The Corecoms (the Regional Communication Committees) perform some AGCOM delegated functions within the de-centralised communication system. Various Corecoms have promoted initiatives on "Women and the Media". For example, Corecom-Lazio and Corecom-Emilia Romagna issued official Protocols, on the correct and non-stereotyped representation of genders and standards of information, with full respect for women (Memorandum of Understanding "Women and the Media", proposed by Corecom Emilia Romagna in 2014 and Memorandum of Understanding "Women and the Media in Lazio", proposed by Corecom Lazio in 2016, respectively).

**Point g:** The Italian Government is aware that investing in actions that promote women's access to science, technology, engineering and mathematics (STEM) and research is essential to promoting gender equality and women's career advancement – besides being one of the main tools able to limit the risks for women to be exposed to poverty and discrimination.

So far Italy has started specific initiatives dedicated to students attending primary and secondary schools, with the aim of:

- Increasing their interest in the STEM subjects and combating gender stereotypes in education;
- Facilitating women's access to scientific and technical careers and professions with higher payment levels;
- Exploiting the potential of specific capabilities of women in these areas.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

In line with previous legislative measures (i.e. Law No. 154/2001 on intra-familial violence; Law No. 38/2009 on public security measures to countering sexual violence; Law No. 119/2013 providing urgent measures to countering gender violence) a new piece of legislation has been recently adopted to counter gender violence: the so called Red Code (Law No. 69 of 19 July 2019).

The text provides for a "fast track" to combat violence against women, with faster investigations. In addition, heavier penalties will be imposed in cases of sexual violence and stalking, and the crimes of facial scarring and stopping forced marriages are introduced.

More in detail, as far reporting and investigation the judicial police will have to communicate to the magistrate the factuality of the crime of mistreatment, sexual violence, persecution and aggravated injuries occurred in the family or between cohabitants and the victim must be heard in the following 3 days from the crime report.

As for sexual violence, penalties will rise to 6-12 years; sexual acts with children under 14 years is an aggravating circumstance. In relation to stalking, the imprisonment of the offender goes from a minimum of one year to a maximum of 6 years and six months. For ill-treatment against family

members or cohabiting partners, imprisonment increases from the current 2-6 years to 3-7 years; the penalty is increased by half if the act occurs in the presence of or against a minor, a pregnant woman, a person with disabilities or if the aggression is armed.

The Criminal Code is also enriched with a provision on cases of aggression against a person causing permanent facial injuries. The perpetrator is liable to imprisonment for a period of between eight and fourteen years. If the scarring causes the death of the victim, life imprisonment is imposed and it will be harder for offenders to get benefits such as work outside prison, reward permits and alternative measures.

A stronger punishment is provided for anyone who induces another to marry (even with civil union) using violence, threats or taking advantage of a psycho-physical inferiority or for religious precepts. The penalty ranges from one to five years and it rises to 2-6 years if it involves a minor and is aggravated by half if it damages those who are under 14 years of age at the time of the act.

## 2.2 Policy changes

Since 2015 Italy has developed a strategic approach on violence against women and girls supported with adequate human and financial resources.

The Extraordinary National Action Plan against Sexual and Gender-Based Violence 2015-2017 established a multi-level governance framework of public policies for combating the phenomenon and supporting its victims. A systematic funding mechanism was created to sustain the work of new anti-violence centers and shelters all over the national territory and the strengthening of those already existing, through a total allocation of 10 million euros per year and, starting from 2018, of 30 million euros each year. So far the number of shelters in Italy has increased from 163 in 2013 to 258 in 2017, as well as the number of anti-violence centers, which has grown from 188 in 2013 to 296 in 2017.

To further strengthen and reaffirm its concrete commitment towards women, the Italian Government has worked on the elaboration of a new National Strategic Plan on Male Violence against Women for 2017-2020. The structure of the aforementioned Plan follows the so-called “4 Ps” of the Istanbul Convention: Prevention; Protection and Support; Prosecution and Punishing; Integrated Policies.

This strategic document promotes a multilevel governance based on the interaction and responsibility of each central, regional and local administration.

Two main bodies have been entrusted with the objective to draw up an operational plan of the above mentioned actions: a Control Room to define the governmental strategy; a technical committee for the preparation of operational plan proposals developed according to the directions of the Control Room.

An operational Plan, approved by the Control Room session of 21 November 2018, being flexible and dynamic in nature indicates concrete actions to implement the objectives contained in the Strategic Plan. It also indicates the financial resources that the central and territorial Administrations have declared to allocate to this end, making them responsible in this context. It is on-going the assessment about the creation of new emergency facilities, the so-called safe houses, for the immediate and timely assistance for women victims of violence.

## 2.3 Institutional changes

The governance model of the National Strategic Plan on Male Violence against Women for 2017-

2020 is composed of 3 levels, to be considered mutually integrated:

1. the national Control Room, in charge for strategic political direction;
2. the Technical Committee, with special functions;
3. the local governance, with the function of linking central and local governmental authorities and of co-ordinating the local networks.

As provided for in the National strategic plan on male violence against women, the function of political direction and strategy is entrusted to the national Control Room, chaired by the delegated political authority for equal opportunities with the support of the Department for Equal Opportunities. It is attended by the political authorities designated for each central administration, listed below, and representatives from Regions and local authorities, including the Union of Provinces of Italy.

1. Prime Ministers' Office - Minister for Family Policies and Disabilities
2. Prime Ministers' Office - Minister for Public Administration
3. Ministry of Foreign Affairs and International Co-operation
4. Ministry of the Interior
5. Ministry of Justice
6. Ministry of Defence
7. Ministry of Economy and Finance
8. Ministry of Economic Development
9. Ministry of Labour and Social Policies
10. Ministry of Education, University and Research
11. Ministry of Health
12. Regions
13. Union of Italian Provinces
14. National Association of Italian Municipalities.

The support to the Control Room is ensured by the Technical Committee, chaired by the Head of the Department for Equal Opportunities, which is expected to be composed of qualified technical representatives from the same Administrations mentioned above.

In addition, the participation to the Committee is open to:

1. representatives of the most representative associations on the subject of violence against women;
2. representatives of the associations engaged in the prevention and care of the perpetrators of sexual violence and gender;
3. representatives of the trade unions and employers;
4. the National Equality Councillor;
5. representatives of the National Institute of Statistics (ISTAT);
6. representatives of the National Research Council - Institute for Population and Social Policy Research;
7. representatives of the Conference of Rectors of Italian Universities.

The Committee may avail itself of the collaboration of experts on specific issues and/or may convene external subjects for in-depth examination of certain topics.

In turn, the Autonomous Regions/Provinces guarantee a system of territorial governance compatible with the national one, in order to establish the connection between the central government and the local; it is based on the establishment of anti-violence territorial networks that guarantee the operational connection between general and specialised services, as listed below:

1. Anti-violence centres and shelters;
2. Social and territorial health services;
3. Law enforcement agencies;
4. Judiciary;
5. Hospital facilities;
6. Employment services;
7. Other institutional entities (Prefectures);
8. Other qualified persons competent on the issue.

The interaction between different subjects working for the prevention and fight against male violence against women is guaranteed through the formalisation of MoUs inspired by the principle of public-private partnership and the full involvement of all relevant bodies.

The level of local governance ensures at the political level the full integration and co-ordination of regional policies in support of women as victims of violence, as well as the widest sharing of objectives, actions and interventions with all relevant bodies through the establishment of interinstitutional control rooms, interdepartmental tables or other bodies being set up ad hoc.

#### **2.4 Research and awareness-raising.**

The above mentioned Operational Plan includes multidisciplinary and cross-cutting interventions for the prevention and support of women victims of violence and their children, as well as to ensure their protection, improve the effectiveness of judicial proceedings and strengthen the ability to prosecute and punish violence. In addition, interventions are foreseen for men who are perpetrators of violence in emotional relationships. All actions identified are consistent with the provisions of the Istanbul Convention.

In accordance with the Strategic Plan, the main axes of intervention have been identified as follows:

1. Axis Prevention with the aim of preventing cases of male violence against women and to raise public awareness of the phenomenon;
2. Axis Protection and support with the aim of supporting and protecting victims of violence, orienting them towards autonomy. This axis includes action to protect minors affected by intra-familial violence and/or orphan(s) of femicide.
3. Axis Prosecution and Punishment with the objective of protecting women from the point of view of effective management of the risk of lethality, seriousness, repetition and recidivism and to improve the effectiveness of judicial proceedings to protect victims of abuse and violence and of crimes related to male violence against women;
4. Axis Integrated and cross-cutting policy with the objective of building an integrated system of data collection, monitoring and evaluation activities.

As for Axis 1-Prevention, please refer to question 1.4

In relation to Axis 4 – Integrated Policies, the following actions are in progress:

- a. Development of an integrated qualitative and quantitative information system for data on the phenomenon of violence against women in its various forms
- b. Activation of an inter-institutional working group with ISTAT, the Department for Equal Opportunities and the associations active in the protection of persons with disabilities, aimed at identifying and defining indicators in the reporting for the evaluation of cases related to violence against persons with disabilities
- c. Activation of MoUs in order to: recognise the crime of gender-based violence according to its specificities; define tools to detect the type of relationship between the victim and the perpetrator

- of violence as well as for the collection of data on forms of violence currently available in health information flows (SDO, EMUR), including female genital mutilation
- d. Evaluation of interventions implemented under the 2015-2017 Special Action Plan against Sexual and Gender-based Violence
  - e. Evaluation of the interventions implemented under the National Strategic Plan on Male Violence against Women 2017-2020
  - f. Activation of a Task Force to monitor the resources invested in this Plan and to ensure its transparency and development of a web-based information system for monitoring the Plan
  - g. Preparation of the gender budget of the State Budget.

On a more general note, in relation to communication and awareness raising actions, in 2018 the campaign titled "This is not love" was renewed, also providing for targeted instructions to the Questure informed by the "New Operational Practices" in the field of gender-based violence, dated 21 May 2018 and focused on the victimological approach to this phenomenon. Conferences and events were planned, also in collaboration with local institutions, under the aegis of the campaign, on 25 November 2018 (i.e. the "Villaggio Azzurro" in Verona or the initiative of the Turin Police Headquarters in co-operation with the Unione Italiana Ciechi e Ipovedenti - UICI to print in Braille several copies of a leaflet containing information, suggestions and useful contacts). A second edition of the brochure entitled "This is not love" releasing information and explaining which tools are available to prevent and combat gender violence was disseminated throughout the country and was uploaded on the website [www.poliziadistato.it](http://www.poliziadistato.it). In July 2019, the Central Anti-Crime Service of the Ministry of the Interior published and distributed the "Guidelines on personal prevention measures" to advise on warning and monitoring measures applied to protect victims of stalking and domestic violence, as well as against minors over fourteen responsible for cyberbullying.

Finally, since 2016 the "CAMPER Project", a permanent awareness campaign on domestic violence and gender-based violence, has been launched with the aim to contact directly women in public spaces. A multidisciplinary team composed of specialists from the State Police, with the help of doctors and psychologists as well as local anti-violence networks active provides advice to women, explaining all the legislative available tools to be protected. Over the months, the Camper has made thousands of contacts not only with women, but also with young people in schools and universities, trying to raise awareness on these issues and collecting any evidence of violence or abuse suffered directly or in the family.

As for training activities in September 2018 the Central Anti-Crime Service of the Ministry of the Interior provided training and refresher courses for operators on gender-based violence and prevention measures. In addition, in March 2019, at the Institute for Superintendents of Spoleto, a course was released on warning and reception measures in favour of victims to 110 Police officers with the contribution of experts from State Police, psychologists, academics, representatives of the Department for Equal Opportunities of the Presidency of the Council of Ministers.

## 2.5 Other pertinent developments

The purpose of the above mentioned Operational Plan is to set out the objectives identified in the strategic document to be translated into concrete actions and to set up the financial commitments consistent with the resources that central and local authorities have declared to allocate for this purpose.

The main changes introduced through its approval in 2018 concern:

- the interventions of the Department for Equal Opportunities according to the resources allocated in 2019;
- the development of interventions by the competent Ministries through ad hoc financial resources that have been provided from the budget of the Presidency of the Council of Ministers - Department

for Equal Opportunities;

- the updating of the programming under the mandate of regional administrations;
- the strengthening of multi-level governance for the adoption of global and co-ordinated policies between central and local administrations together with civil society organisations according to their respective roles and areas of competence;
- the strengthening of the role and mandate of the delegated political authority and the Department for Equal Opportunities, which is counterbalanced by a strong enhancement of the operational role of Regions and local authorities.

As for the availability of financial resources to implement the Operational Plan, it significantly increases the allocation of resources available at the Department for Equal Opportunities for both 2018 and 2019. The Plan also indicates the actions that will be covered by the 2020 Stability Law financial budget.

In particular, 33.1 million euros have been allocated for 2019; in addition, a further 5.4 million euros have been identified by the delegated political authority on equal opportunities within other budget chapters, for a total of 38.5 million euros. These resources are allocated both for actions owned by the Department for Equal Opportunities and to support also the interventions of other central administrations, for which a total of 1.7 million euros are reserved. Within this framework, an allocation of approximately 14 million euro is envisaged for Regions (pursuant to Article 5 bis of Legislative Decree No. 93/2013), to which additional resources from the Department for Equal Opportunities will be added, up to a total allocation of 30 million euros.

The increase in the amounts to be allocated will make it possible to structurally consolidate the network of anti-violence territorial services from a systemic point of view. Part of these funds will also be allocated to the strengthening of programs addressed to perpetrators of violence as well as for the prevention of crime recidivism.

Among other actions owned by the Department for Equal Opportunities, it is worth mentioning the establishment of a Fund aimed at supporting women victims of violence in the activation of paths of autonomy, including economic autonomy (2 million euros) and the implementation of awareness campaigns (600,000 euros).

In addition, the actions of the Department in the field of STEM and for the eradication of female genital mutilation have been confirmed, for which a total of 1.4 million euros have been provided, coming from other budget chapters of the Presidency of the Council of Ministers - Department for Equal Opportunities.

Among some relevant and promising practices to countering gender violence, following the implementation of the Agreement signed by the Department for Equal Opportunities and the Head of Police Forces in 2017, at the premises of the Questure of the Municipalities of Trieste and Caltanissetta 2 rooms for protected hearings of victims were open in November 2018, followed by similar practicalities in other offices (Messina, Vercelli, Perugia, Terni, Castellammare di Stabia – Naples). Currently 53 rooms are available on the national territory.

Furthermore the EVA project, based on the collaboration of the Central Anti-Crime Directorate of the State Police with the Department of Psychology of the University of Campania "Luigi Vanvitelli", is worth of mentioning. It was created to highlight the reiteration of violence in order to incentive police officers to adopt precautionary measures against the perpetrator as well as appropriate measures for victims' protection. Initially tested by the Milan Police Headquarters in 2014, since January 2017 it has been spread throughout the country. In case of intervention for family disputes, the operating personnel is in a position to know how many other similar interventions have occurred

for that same family unit, if there are regularly held weapons or persons with police records. This information allows the operators to better assess and manage conflict situations, to hear separately the victim and the offender, to check whether minors have witnessed the facts and take all necessary measures. Information, data and details of the intervention are recorded and examined through the compilation of a check-list to provide an ad hoc complete and accurate file.

From 1 January to 31 July 2018, 3.287 cases were examined, followed by 64 detention orders in relation to 102 complaints and 28 forced removals from families. From 1 January to 31 July 2019 5.036 cases were examined, followed by 33 detention orders in relation to 74 complaints and 44 forced removals from families.

### **3. Strategic objective: Ensure the equal access of women to justice**

#### **3.1 Legislative changes**

As reported in question 2.1 in relation to the entry into force of the so called Red Code, as for the reporting of offences relating to crimes of domestic violence and gender-based violence, the judicial police, following the reception of the reported crime, immediately inform the public prosecutor, orally or by written communication. The latter, within 3 days from the registration of the report, assumes further information from the injured person or from who has reported the facts of crime; the term of 3 days can be extended only when basic needs of protection of minors of eighteen years or of the confidentiality of investigations are in place, also in the interest of the injured person. Meanwhile the judicial police proceeds without delay to carry out investigations de-linked by the public prosecutor and places, always without delay, at its disposal all the collected documentation.

The new crime of violation of measures of removal from the family home and the prohibition of approaching the places frequented by the injured party is introduced in the Red Code, providing for the punishment with imprisonment from six months to three years for anyone who violates the obligations or prohibitions deriving from precautionary measures of removal from the family home, the prohibition of approaching the places frequented by the injured party or the order of emergency removal from the family home.

Furthermore the activation of specific training courses for the personnel of the State Police, the Carabinieri Corps and the Prison Police is granted within the Red Code framework.

#### **3.4 Research and awareness-raising**

Two examples could be mentioned as for research and innovative tools in this field.

Since March 2019 an Interdisciplinary Working Group has been set up upon initiative of the Autonomous Province of Trento with the aim of creating an innovative model for "taking charge" of women who have suffered violence. The multi-agency Working Group, co-ordinated by a representative of the Trento Police Headquarters, is charged with the analysis of all critical cases of women victims of domestic violence or persecutory acts.

The collaboration between the Milan Police Headquarters and the Italian Centre for Promotion and Mediation (CIPM) is also an ongoing action following the agreement signed on 5 April 2018 - the "ZEUS" Protocol, introducing the so-called "treatment injunction" in warning decrees. The first implementing results were positive: in the first months of 2019 almost the 80% of the recipients reached the Mediation Centre and the Police Headquarters constantly monitor the most problematic situations in order to avoid dangerous recurrences.

#### 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

##### 4.1 Legislative changes.

Over the last few years, a number of actions have been taken at national level to improve gender equality in political decision-making. As a result of these measures, the number of women working in political institutions has increased considerably.

This increase was confirmed by the recent elections of 4 March 2018. 34% of new parliamentarians are women: this is the highest percentage in Republican history.

The current legislature sees more and more women elected, both in the Parliament, with the peak of a trend that has lasted since the last ten, in which the representation of women in both Chambers has always grown. In percentage terms, the presence of women in the last ten years has increased from 17.2% to 34.62% of the current legislature.

In the Italian legal system there are several national and regional laws aimed at promoting the participation of women in politics and access to elected offices, issued in compliance with Arts. 51, first paragraph and 117, seventh paragraph of the Constitution. In particular, in the last legislatures, the Parliament has approved regulatory measures to promote gender balance within local, European and national elective assemblies.

Among the legislative measures recently adopted by the Italian Government and aimed at improving the equal participation of women and men in political decision-making processes, the following ones are worth of mentioning:

- Law No. 165 of 3 November 2017 on "Changes to the system of election of the Chamber of Deputies and Senate of the Republic. Delegates to the Government for the determination of uninominal and plurinominal constituencies", which provides for a series of specific provisions on gender representation and establishes, among other things, the principle of gender alternation in the lists of candidates for each Plurinominal College for the Chamber of Deputies and the Senate of the Republic. The law also establishes that, within the Uninominal Colleges, neither sex can be represented to a greater extent than 60%.

- Law No. 65 of 22 April 2014, which lays down provisions for the election of Members of the European Parliament, and in particular establishes the principle of an adequate composition of the lists of candidates, as well as of 'triple gender preference'. Under this law, the voter may express up to 3 preferences. In the case of multiple preference, the same preference must be given to candidates of a different sex, otherwise the third preference will be cancelled.

- Law No. 56 of 7 April 2014 on "Provisions on metropolitan cities, provinces, unions and mergers of municipalities", which establishes that in the junctions of municipalities with a population of more than 3,000 inhabitants, neither sex may be represented to an extent of less than 40 percent, with arithmetical rounding.

Promotional measures for equal opportunities have also been introduced in the most recent legislations concerning the discipline of political parties.

##### 4.2 Policy changes

Article 14 of Law No. 124/2015 defines measures to promote the reconciliation of living and working times in the public administration to avoid penalisation in the professional career by means of mechanisms that favour a flexible work organisation no longer focused on physical presence but on measurable results, i.e. telework and new spatial and temporal alternative solutions to protect parental care.

In order to reconcile the living and working times of employees the aforementioned Article moreover provides that public administrations shall proceed to enter into agreements with nurseries and kindergartens and to make available to their employees parenting useful support services.

To this scope in 2017 the Directive of the President of the Council of Ministers containing guidelines for the implementation of paras. 1 and 2 of Article 14 of Law No. 124 of 7 August 2015 and guidelines containing rules on the organisation of work aimed at promoting the reconciliation of living and working times of employees was issued.

The Directive and the guidelines contain indications concerning the organisation of work and the management of personnel in order to promote the reconciliation of the living and working times of employees, promote organisational well-being and ensure the exercise of the rights of workers. Particular attention is given to organisational aspects, technological infrastructures, performance measurement and evaluation, as well as to health and safety at work.

In this field the promotion of initiatives concerning working life balance, strongly benefiting parents and children, represents one of the priorities of the Department for Family Policies of the Italian Presidency of the Council of Ministers. It is worth mentioning the Ministry for Family and Disabilities' decree, 31 January 2019, establishing "the Institutional Committee for the dialogue with companies aimed at the promotion of work life balance and supporting birth rates and maternity in business". In particular, within the Department for Family Policies - which is the central public Administration responsible for the elaboration and implementation of family policies, including actions for the promotion of work-life balance - an Institutional Committee on work-life balance policies has been established in order to facilitate the exchange of good practices and experiences on this topic among the 65 member companies. Along these lines, a public Call for proposals (#Conciliamo) for a total amount of 74 million euros has been published for the financing of projects aimed at promoting innovative and efficient actions on company welfare.

Under the administrative point of view, Italy has introduced both in the public and private sectors smart working (teleworking) and flexible working arrangements, that contribute to both meeting the organisational needs of companies and public administrations and ensuring the individual wellbeing of working women and men, with limited management costs and the resulting improvement of services especially for families. In particular, according to Law No. 145/2018, paragraph 486, Article 1 (2019 Budget Law) - amending Law No. 81/2017 on self-employment and smart working and establishing measures for the protection of non-entrepreneurial self-employment and measures to promote subordinate work flexibility in working times and places, public and private employers aiming at implementing smart working arrangements shall give priority to working women within three years after the end of the mandatory maternity leave, as well as to workers with a disabled children.

#### **4.3 Institutional changes**

The issue of gender equality in the workplace has also been the subject of many legislative initiatives aimed at recognising equal rights and greater protection for working women. In this direction many measures have been introduced to promote women's access to decision-making processes in the economic sector, to promote the work life balance (also through the introduction of smart-working, a bonus for babysitting services) and support for parenting, provisions to combat the so-called blank resignation and the introduction of a special leave for women victims of gender-based violence.

Since 2012, Italy is witnessing a significant revolution in women's leadership, thanks to the implementation of Law No. 120/2011, which introduced the requirement to equitable representation of gender in the organs of management and control of listed companies and, in 2013, in those of the public companies. Following the entry into force of the law, the percentage of women in the management boards of listed companies, equal to 6% before the legislation, now stands at 33,5%, exceeding the one in three quota required by law. Equally important is the increase

in public companies, where the presence of women in the boards has increased by 75% in about five years, approaching the share of one-third (32.1%). The law actually broke the glass ceiling lasted years, proving to be an effective tool for the purpose of increasing female presence in the apical positions and, as an additional consequence, for the improvement of corporate performance. In 2018 an inter-institutional Observatory was established by a 5-year Memorandum of Understanding signed between the Department for Equal Opportunities at the Presidency of the Council of Ministers, the CONSOB and the Italian National Bank to promote the concrete female participation to boards and to monitoring the implementation of Law No. 120/2011 through data collection and analysis by the same Observatory.

For the purpose to foster self-employment opportunities for women, the Italian government, starting from 2013, has launched a significant initiative to promote female entrepreneurship by providing a public guarantee to cover financial transactions aimed at the activities carried out by small and medium-sized female enterprises.

This initiative has proceeded to the removal of the difficulties of access to credit, which is the main problem that women encounter in undertaking business and self-employment activities.

In order to increase the participation of women in employment, promote the work-life balance, the Italian Government has pursued its commitment to promote actions aimed at redefining the organisation of work and to experiment new forms of work (as smart-working) that do not penalise women's career paths that allow them to balance work and family life.

## **5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls**

### **5.1 Legislative changes**

Some legislative changes could be mentioned in relation to the issue of asylum and refugees reception and assistance.

Article 30, paragraph 5 of the Consolidated Text on Immigration, concerning the issuing of a residence permit for family reasons in favour of the family member of a non-EU citizen provides that, in case of death of the family member who meets the requirements for reunification and of legal separation or dissolution of marriage, the residence permit may be converted into a permit for employment, for self-employment or study, without prejudice to the minimum age requirements for carrying out work activities. Arts. 11 and 12 of Legislative Decree No. 30/07, in relation to non-EU family members of EU or Italian citizens, also provide for the preservation of the rights of family members in the event of the death or departure of the EU citizen as well as in the event of divorce and annulment of marriage.

Following the entry into force of Law No. 132/2018, some amendments have been introduced on the issue of international protection and immigration, i.e. eliminating the reception for "humanitarian reasons" and the introduction of "special cases" of residence permits which ensure, however, special forms of protection against expulsion from the national territory, with a specific attention to foreign women – according to Article 18 residence permits for reasons of social protection and Article 18-bis residence permits for victims of domestic violence.

Article 18 of the Consolidated Text on Immigration provides that when during police operations, investigations or proceedings for any of the crimes referred to in Article 3 of Law No. 75/1958 or those provided for by Article 380 of the Code of Criminal Procedure, or in the course of interventions of local social services, situations of violence or serious exploitation against a foreigner are ascertained and concrete dangers emerge for his/her safety, the Questore, also on the

proposal/positive opinion of the Public Prosecutor, issues the aforementioned residence permit. The issue of such a residence permit allows the foreigner to escape from the violence and the criminal organisations as well as to enter into an assistance and social integration programme. This rule also applies to foreigners who are victims of crimes provided for in Arts. 600 and 601 of the Criminal Code.

The residence permit has a duration of six months and can be renewed for one year or for a longer period for the purposes of justice; it allows access to welfare services and study as well as to employment opportunities.

In this regard the SOPs (Standard Operating Procedures) in force in the Italian hotspots are relevant. These procedures guarantee the utmost attention to women victims of trafficking since their arrival on the Italian territory, including through information on their legal status and following steps. Once a possible case of trafficking in human beings has been identified, the person is separated from the remaining flow of persons undergoing identification and is moved into a special reception setting, the removal being reported to the Judicial Authority. The victim has the right not to lodge a complaint and to have access in any case to the protection path.

Another form of ‘social protection’ is also ensured by Article 18 bis, addressing special protection for domestic violence (“physical, sexual, psychological or economic violence that occurs within the family or the family unit or between married persons, currently or in the past, or being involved in an emotional relationship, regardless of whether the perpetrator of such acts shares or has shared the same residence of the victim”). The residence permit released according to Article 18 bis has a duration of one year and allows access to welfare services and study, as well as to employment and self-employment opportunities.

Moreover, in conformity with Article 32, paragraph 3, of the Legislative Decree No. 25/2008, the prohibition of expulsion of the foreigner to a country where the same could suffer persecution is stated. In this regard, the amendments introduced by the aforementioned Law No. 132/2018, eliminating the possibility that the Territorial Commissions for the Right to Asylum had to assess the existence of ‘serious humanitarian reasons’ during the hearings of asylum seekers, have limited their activities to the recognition of exclusive international protection, to be considered as right to asylum and to subsidiary protection. However the Commissions have preserved the mandate to evaluate the implementation of the principle of non-refoulement, i.e. examining the individual situations of the asylum seeker, taking into consideration every aspect of the individual position of the applicant and identifying possible risks in the event of application of the expulsion measure. In these circumstances the competent Territorial Commission submits all the documentation to the Questore for the issue of an annual residence permit for ‘special protection’, which allows to carry out work activity but is not convertible into a residence permit for work reasons.

Article 11, paragraph 1, letter e-bis, of the Presidential Decree No. 394/996 could be also considered as a relevant tool for the protection of migrant women: according to express requirement of the judicial authority, a residence permit may be issued for reasons of justice for a maximum and renewable period of three months.

Article 14, paragraph 1, of the Presidential Decree No. 394/99 allows the foreign citizen and holder of a residence permit for family to convert this permit into a residence permit based on a different reason if the conditions provided for by the immigration legislation are met.

## 5.2 Policy changes

The first National Action Plan against Trafficking in and Serious Exploitation of Human Beings was

adopted by the Council of Ministers on 26 February 2016, in line with Legislative Decree No. 24/2014 transposing Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. The Plan is aimed at identifying multiannual intervention strategies for the prevention and fight against these phenomena, as well as measures aimed at increasing public awareness, social prevention, emergence and social integration of victims.

Within this framework a political and institutional Control Room, chaired by the Undersecretary of State in charge of gender equality, was established. In the SC four ad hoc working groups have been created to work on the THB traditional dimensions of 'Prevention', 'Protection' and 'Co-operation', also covering the relation with the protection system for refugees and asylum seekers. The implementation of the Plan and the results achieved at the national, regional and local level have been monitored through a specific System of Monitoring and Verification.

The NAP reflects a multi-level governance approach encompassing the national level represented by the Department for Equal Opportunities at the Presidency of the Council of Ministers as well as the operational actions developed, performed and managed both at the regional and local level. Indeed many Regions have been involved as Leader Applicants or Partners in the framework of 'Article 18 assistance programmes' funded by the Department along the lines of the ESF Regional Operational Plans (e.g. Piedmont, Friuli Venezia Giulia, Emilia-Romagna, Tuscany, Liguria, Marche, Umbria, Lazio, Campania, Calabria, Apulia, Trentino Alto-Adige). In this role they provided a great support to victims' assistance, implementing professional training, social and employment integration and social inclusion actions according to a 'system actions' approach with the direct involvement of public administrations/institutional actors (Prefectures, Police headquarters, Carabinieri Corps and financial police provincial headquarters, health authorities, district attorney's offices – Procure) and educational institutions, professional associations, trade unions, private stakeholders.

Since the introduction, in 2014, of the new single programme of emergence, assistance and social integration aimed at victims of trafficking, the Department for Equal Opportunities has provided for the preparation of special calls for the identification of projects presented by accredited bodies for the implementation of social assistance and integration programs, registered in the second section of the Register of Bodies and Associations that carry out activities in favour of immigrants, established at the Ministry of Labour and Social Policies, giving rise to the Call for Proposals n. 1/2016 (15 million euros) and the n. 2/2017 Call for Proposals (22.5 million euros).

The current Government has continued and strengthened the interventions of the single program, increasing the financial resources available. The projects that were started last March 1, following the selection procedure referred to in the Call n. 3/2018, published on 21 December 2018, amount to 24 million euros. The selected projects are 21, corresponding to as many national territorial areas, 11 of which have been proposed by public bodies (Regions and Municipalities) and the remaining 10 by Associations specialised in combating trafficking. The project actions must be completed within the next 15 months and ensure continuity in terms of taking charge of the victims with the activities financed by the previous Call for Proposals. As soon as the process for registering the commitment decree has been completed, it will be possible to proceed with the disbursement of the first tranche of financing to the beneficiaries.

At the beginning of 2019, moreover, the collaboration agreement with the Municipality of Venice was renewed for the management of the anti-trafficking toll-free number (800 290 290). Already envisaged in the previous NAP, the anti-trafficking toll-free number is an important service of first telephone assistance and qualifies as an action system preparatory to interventions on behalf of victims of trafficking and serious exploitation, operating in close connection with the public subjects of the territory and with the projects that implement the unique Programme on the territory. The

toll-free number is also responsible for the implementation and management of the Computerised System for Collecting Information on the Slab (SIRIT) in collaboration with the Ministries concerned, the Regions and local authorities as well as with the relevant associations in order to monitor the cases treated and the protection and prevention measures for victims' rights, also to allow Italy to fully the data collection and analysis function required by EU Directive 36/2011.

In support of the Control Room, the Technical Committee operates, appointed with Prime Ministerial Decree of 10 April 2019 and composed of representatives of central and local administrations, law enforcement, third sector bodies involved in the fight against human trafficking and unions. The Committee will have to support the Control room in all its functions, first of all collaborating in the drafting of the new National Anti-trafficking Action Plan 2019-2021.

While the task of identifying the strategic guidelines is under the responsibility of the Control Room, it is possible to identify some areas for improvement for the forthcoming Plan:

- a) improving the reliability and availability of data on trafficking, which is a prerequisite for adequate monitoring of the phenomenon and to ensure better definition of policies;
- b) intensify interventions to tackle trafficking in all its purposes (sexual exploitation, forced marriages, begging, forced crime, trafficking in human organs and tissues, sale of babies of pregnant women) by strengthening those interventions aimed at combating labour exploitation;
- c) address trafficking in the new context of the migration crisis, also by carefully assessing the effects of the new national measures in force over the security on the asylum system;
- d) intensify the training of operators who come into contact with the victims of trafficking in various ways;
- e) contrast the culture of impunity of those who consciously use the services provided by the victims of trafficking;
- (f) strengthen efforts to prevent trafficking in children for different types of exploitation;
- (g) take further measures to improve the identification of trafficked persons;
- (h) facilitating and ensuring access to compensation for trafficked persons;
- (i) continue to take measures to ensure that the return of trafficked persons is conducted in accordance with their rights, safety and dignity and, in the case of children, in full respect of the principle of the best interests of the child;
- (j) further improve the efficiency and effectiveness of investigations and prosecutions;
- (k) strengthening the strategic partnership with NGOs and other actors involved in the field of trafficking.

## **6. Objective : Achieve gender mainstreaming in all policies and measures**

### **6.1 Legislative changes**

It has been widely demonstrated that persistent inequalities between women and men have significant impacts on economic growth, demographic trends, individual and social well-being. It is therefore becoming increasingly urgent to incorporate a gender equality perspective into decision-making processes and government instruments.

In the Italian context, where gender gaps are wide and usually not in favour of women, a pilot gender budget was implemented with reference to the 2016 State budget in order to assess the different impact of budgetary policies on men and women in terms of money, services, time and unpaid work (Article 38-septies of Act No. 196/2009).

Following the first pilot on the 2016 State final accounts, it was deemed appropriate to replicate the activities also for reference year 2017 in order to allow for the examination of a more complete set

of indicators on gender gaps in areas fundamental to the community and to carry out a more precise census of the relevant expenditures and of the activities carried out by each administration in a gender perspective.

The task was undertaken by:

- highlighting gender gaps in the economy and society;
- analysing gender gaps among public employees for the central State administration and Presidency of the Council of Ministers;
- reporting provisions and laws introduced in 2017 to promote equal opportunities or act on well-known gender inequalities;
- studying the impact of the main tax policies and specific tax reliefs;
- reclassifying of the expenditures of the State budget 2017;
- collecting information on the actions undertaken in 2017 by each administration to reduce gender inequalities.

In Italy, on 16 June 2017, the Decree of the President of the Council of Ministers was introduced, in agreement with the Minister of the Economy and Finance, establishing a general Methodology of gender budgeting for reporting purposes, also taking into account the experience already gained in the budgets of local authorities.

The introduction of a gender perspective in the State budget in Italy takes place in a context in which some experiences have already been gained at local level and in the field of performance management practices of some public administrations.

The Decree establishes the start of the experimentation with the preparation of a gender budget referred to the State Report for the year 2016, establishing the methodology that will be followed also for the next State Report 2017.

The subjects involved are the individual Responsibility Centers of the central State Administrations, including their peripheral structures, and of the Presidency of the Council of Ministers, as active subjects of budgetary policies and holders, collectors and providers of data, as well as the Department of General State Accounting, the Department of Finance, the Department of General Affairs of the Ministry of Economy and Finance for the data and methodologies common to all central administrations.

The analysis of the budget from a gender perspective is a complex tool aimed, on the one hand, at identifying the resources allocated and disbursed in favour of equal opportunities for men and women (within and outside the administration) and, on the other hand, to verify the impacts of interventions on men and women, in terms of money, services, time and unpaid work.

Gender budgeting aims to achieve greater transparency on the allocation of budgetary resources and their impact on men and women. Men and women are, in fact, differently influenced by budgetary decisions not only in relation to specific policies, but also in relation to their different socio-economic situations, individual needs and social behaviour.

Gender budgeting can provide a representation of state budget expenditure reclassified from a gender perspective, a set of statistical indicators to monitor actions taken to affect gender inequalities and their association with the budget structure, as well as an analysis of the gender impact of major tax policy measures.

## 6.2 Policy changes

The Department for Equal Opportunities (DEO) at the Presidency of the Council of Ministers is responsible since 1997 for guidance, proposal and co-ordination of regulatory and administrative initiatives to support women's human rights; prevent and eliminate all forms of discrimination, combat VAW, exploitation and THB, as well as all violations of the fundamental rights to the integrity of the person and health of women and girls.

In particular DEO is in charge for the promotion and the co-ordination of the legislative actions concerning the elaboration and implementation of gender policies, the acquisition and analysis of data and information about gender equality and equal opportunities, the proposal, definition, implementation and co-ordination jointly with other central Administrations and local authorities of interventions in the field of gender equality, the dialogue and co-operation with EU and international systems and mechanisms on gender issues – i.e. United Nations, Council of Europe.

The General Directive for administrative action and management of the DEO for the year 2019 could be retained as the basic reference text to inform the national policy on gender equality.

The first priority included therein is to promote the employment of women and their professional carrier in all sectors through the implementation of effective measures dealing with a proper life-work time balance and a more composed distribution of care tasks and sharing of responsibilities within families, especially with children. In this sense, the key-policy aim is to improve the reorganisation of the sector by favouring flexible labour options which do not penalise women's career paths and reconcile work and personal and family life. Among the most important interventions the smart-working opportunities in public and private organisations are worth of mentioning: they are oriented towards results, regardless of the physical place where the work is carried out.

In relation to the under-representation of women in science and research fields, especially in top positions, it is a matter of fact that this figure limits the potential for research and development and is perceived as an obstacle for the economic growth. For this reason, as explained in the 2019 Directive, targeted interventions will be expanded which are aimed at encouraging awareness actions on gender stereotypes in the early years of school education. These actions are particularly addressed to improving the access of female students to the scientific-technological, engineering and mathematical (STEM) studies, with the additional purpose of increasing in it employment opportunities to tackle a factual under-representation of the gender component.

With regard to women's leadership, the implementation of Law No. 120/2011 on “Equal access to the administrative and control bodies of companies listed on regulated markets” is an on-going policy priority on our Country. As reported in the Directive for 2019, the policy aims it to be committed to implementing the legislation to consolidate over time the results achieved so far, supporting female employment and entrepreneurship (especially for small and medium enterprises and start-ups founded by young women), pursuing the overcoming of the existing gap in quantity and quality, including in terms of gender pay gap.

Moreover two programming comprehensive actions have to be mentioned as it concerns the national gender policy: the National Strategic Plan on male violence against women for the period 2017-2020 and the related Operational Plan; the National Action Plan against Trafficking in and Serious Exploitation of Human Beings (to be replaced in next months by the new National Anti-trafficking Action Plan 2019-2021).

### 6.3 Institutional changes

Please refer to questions 6.2 and 1.2.



#### 6.4 Research and awareness-raising

Women's under-representation is mainly a cultural problem.

Therefore, multi-annual training projects, entitled "Women, politics and Institutions — educational processes for a gender and equal opportunities culture", have been developed with a view to disseminating a gender-sensitive culture and allowing women, of every age, workers or not, to approach politics and promote their success and their participation in the national political and social life.

Over the years, the Italian Government has taken considerable measures to ensure effective equal opportunities in access to education and training for women and girls, such as: refreshing the school personnel on the issues of gender and equal opportunities, which has for several years been part of the National Plan of training courses for teachers; promoting the specific role that teachers play with regard to gender and equal opportunities; supporting innovative strategies in secondary and high schools to orientate a greater number of female students towards business, as well as scientific and technological subjects; providing lifelong learning for adult women, etc.

Italy has also promoted a project on a Code of Self-regulation for School-books Publishers to ensure equal representation in schoolbooks ([www.impariscuola.it](http://www.impariscuola.it); [www.scosse.org](http://www.scosse.org)).

Gender awareness training is given into the basic and advanced military training at all levels and ranks and is delivered both by male and female personnel. Different initiatives, such as short courses and seminars, are put in place in order to prompt all personnel to respect the core values of equal opportunities and gender equality, as fundamental part of interpersonal relationships based on respect for differences.

Advanced gender awareness training is included into training for leadership. In particular the Italian Defence Higher Studies Institute, which trains senior officers for higher appointments, and the Joint Services Staff College include in their programs lessons on gender perspective and "Women, Peace and Security" agenda.

Before and during deployment, specific training is delivered to all military personnel. Programs offer an explanation of the key aspects of Gender Perspective Milestones (namely UNSCR 1325 and NATO Bi-SC 40-1, but also touches on National Publications as well), understanding key terms and definitions (e.g.: What is Gender, Gender Perspective, Gender Mainstreaming etc., etc. ..) and how Gender is structured within international organisations (i.e. UN, NATO, EU, etc.). Particular emphasis is placed on the relevance of the subject in operations by explaining how gender perspective contributes to enhance efficiency and military effectiveness and how it must be applied both within the Force and outside in the field.

#### 6.5 Other pertinent developments.

Italy is involved in several multilaterals settings to monitor and evaluate the gender mainstreaming approach in the legislative framework, in the elaboration and implementation of national policies, in programming gender budgeting and in launching open calls to work in order to strengthen the gender vision at the central and local level.

The ongoing results of this approach have been illustrated *inter alia* in the UN system, towards the celebration of the 25 anniversary since the adoption of the Beijing Declaration and Platform of Action, as well as in the G7 and G20 forums.

**8. Additional comments, if any**

A concerted strategy on gender equality, promoted at a high level, this is key to keeping policy-makers' attention high on the issue of gender equality. In particular, we deem that the establishment of a strong network between experts and the political level would allow a continuous dialogue between the different actors in the field of gender equality, thus allowing a 360-degree impact of gender mainstreaming on all levels.

Regular meetings between experts and the political level facilitate/pave the way for the implementation of sustainable strategies and actions for the promotion of gender equality and women's empowerment and for the elimination of all forms of discrimination and violence suffered by women during their private and professional life.

It is an ambitious, concrete and cross-cutting plan of action, the main objective of which is to design strategies responding to national needs, while - in parallel - keeping the attention of political decision-makers high on gender equality-related issues.

## LUXEMBOURG

**1. Objectif stratégique: prévenir et combattre les stéréotypes de genres et le sexisme****1.3 changements institutionnels**

Dans le cadre du projet d'étude doctorale de l'Université du Luxembourg intitulée « From Stereotypes to Hostile Sexism – A Psychological Analysis of Conceptions about Gender » (voir point 1.4.) et financée par le ministère de l'Égalité entre les femmes et les hommes du Luxembourg, la convention de coopération entre le ministère et l'Université du Luxembourg a mis en place un **comité de pilotage** se composant de représentant(e)s ministériel(le)s et universitaires pour faire le suivi du projet doctoral qui aura une durée de trois ans. Le comité est également en charge de développer d'autres projets dans le domaine de la lutte contre les stéréotypes et le sexisme (p.ex. formations, conférences, campagnes) et de suivre l'actualité nationale et internationale en la matière.

**1.4 recherche et sensibilisation**

Le ministère de l'Égalité entre les femmes et les hommes va intensifier la lutte contre les stéréotypes par le biais d'une **stratégie** qui englobe tous les domaines d'activité particulièrement concernés par les préjugés, stéréotypes et clichés liés aux sexes. La stratégie est l'essai d'une approche structurée, cohérente et pluridisciplinaire du MEGA sur laquelle seront fondés les projets dans les différents champs d'action identifiés où les stéréotypes jouent un rôle déterminant, à savoir la communication, l'éducation, le travail et l'emploi et toutes les autres questions de société traitées par le ministère (violence domestique, violence, traite, exploitation sexuelle et prostitution, hommes et égalité etc.).

Dans le cadre de cette stratégie, plusieurs projets de recherche et de sensibilisation ont été entamés :

- En juin 2019, le ministère de l'Égalité entre les femmes et les hommes et l'Université du Luxembourg ont présenté les résultats de l'étude **#lëtztstereotype18**<sup>60</sup> portant sur les stéréotypes liés aux sexes. L'étude analyse les causes et les facteurs influents sur la construction de stéréotypes auprès de jeunes adolescent(e)s luxembourgeois(e)s âgé(e)s entre 14 et 30 ans qui ont été appelé(e)s à répondre entre novembre et décembre 2018 à un questionnaire exhaustif sur les attitudes, préjugés et stéréotypes qui existent réciproquement auprès des deux sexes. La présentation des résultats de l'étude **#lëtztstereotype18** a été le coup d'envoi pour une coopération triennale entre le MEGA et l'Université du Luxembourg dans le cadre d'un projet de thèse doctorale s'étirant sur trois ans intitulée « **From Stereotypes to Hostile Sexism - A Psychological Analysis of Conceptions about Gender** » réalisée par Miriam-Linnea Hale sous la direction de M. Dr. André Melzer. C'est une grande première qu'une telle analyse scientifique approfondie sur l'influence des stéréotypes sur notre société sera réalisée au Luxembourg.
- Une autre coopération du ministère de l'égalité entre les femmes et les hommes avec l'Université du Luxembourg a été entamée dans le domaine de l'éducation. Ce projet a été lancé en mai 2019 portant sur une **analyse approfondie des stéréotypes sexués véhiculés dans les manuels scolaires de l'enseignement fondamental**.
- Concernant le rôle des garçons et des hommes et sur l'importance de les associer en tant qu'acteurs et bénéficiaires des politiques d'égalité entre les femmes et les hommes, le ministère poursuivra ses efforts entrepris depuis la création en 2012 du bureau de consultation pour hommes en situation de détresse INFOMANN et l'organisation de la troisième édition de l'*International Conference on Men and Equal Opportunities* (ICMEO) en octobre 2016 qui avait identifié un certain nombre de pistes

<sup>60</sup> <http://orbilu.uni.lu/handle/10993/38642>

intéressantes pour promouvoir le rôle des hommes en matière d'égalité entre les deux sexes. A la suite de cette conférence, le ministère en coopération avec INFOMANN et l'Institut für Gender und Diversity (IGD) de la Katholische Hochschule für Sozialwesen à Berlin a lancé en décembre 2017 la première phase du projet « **Les hommes dans l'éducation non-formelle des enfants** »<sup>61</sup> dont l'objectif est de promouvoir les hommes dans les professions dites « sociales » à l'image de la profession de l'éducateur. La deuxième phase de ce projet a été lancée en juin 2019 et s'étirera jusqu'à la fin de 2020 et sera focalisée sur la mise sur pied de projets pilotes concrets dans des structures sociales (foyers des jeunes, crèches, maisons relais). Le point culminant de cette phase de projet sera l'élaboration d'une campagne de sensibilisation.

- Notons finalement que les organisations partenaires du ministère peuvent également lancer des projets lorsque ces derniers s'insèrent dans la stratégie ministérielle en matière de lutte contre les stéréotypes. A titre d'exemple figure le domaine de la lutte contre la violence où l'INFOMANN<sup>62</sup> a lancé le projet « **Ech kämpfe fair** »<sup>63</sup> dont l'approche est de sensibiliser les jeunes adolescents masculins de régler leurs conflits de manière argumentative au lieu de recourir à la violence. Ce projet est une bonne pratique illustrant un projet d'un partenaire conventionné avec le ministère qui s'intègre parfaitement dans le cadre de la présente stratégie, notamment lorsqu'il s'agit d'avancer dans la lutte contre la violence et le sexisme.

## 2. Objectif stratégique : prévenir et combattre la violence contre les femmes et la violence domestique

### 2.1 changements législatifs

En date du 3 juillet 2018, le parlement luxembourgeois a adopté le projet de loi portant approbation de la **Convention d'Istanbul du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique**.<sup>64</sup> Le Luxembourg ne part pas de zéro, mais a mis sur pied bien avant la ratification parlementaire de la Convention d'Istanbul, un dispositif législatif performant au profit des victimes de la violence, dont notamment celles de la violence domestique. De plus, le ministère organise à des cadences régulières des campagnes d'information, de prévention et de sensibilisation (campagnes médiatiques, réalisation d'études scientifiques, conférences, manifestations telles que la « White Ribbon Campaign » et l'« Orange Week ») au sujet de la violence à l'égard des femmes, souvent en coopération avec des organisations non gouvernementales. Le Luxembourg dispose finalement un réseau étroit de structures d'accueil et de services de consultation à travers tout le pays qui s'adressent tant aux victimes qu'aux auteurs de violence.

La mise en œuvre de la Convention d'Istanbul représente l'accroche gouvernementale

- pour adapter la législation à travers la loi du 20 juillet 2018 portant approbation de la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique, signée à Istanbul le 11 mai 2011 et modifiant 1) le Code pénal ; 2) le Code de procédure pénale ; 3) la loi modifiée du 8 septembre 2003 sur la violence domestique ; 4) la loi modifiée du 29 août 2008 sur la libre circulation des personnes et l'immigration.
- pour sensibiliser tant les professionnels que le grand public sur toutes les facettes de la violence à l'égard des femmes et des filles ;

<sup>61</sup> [www.madak.lu](http://www.madak.lu)

<sup>62</sup> <http://www.infomann.lu/index.php/infomann-home>

<sup>63</sup> <http://www.infomann.lu/index.php/ech-kämpfe-fair-gewaltpräventioun-mat-jongen>

<sup>64</sup> Loi du 20 juillet 2018 portant approbation de la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique, signée à Istanbul le 11 mai 2011 et modifiant 1) le Code pénal ; 2) le Code de procédure pénale ; 3) la loi modifiée du 8 septembre 2003 sur la violence domestique ; 4) la loi modifiée du 29 août 2008 sur la libre circulation des personnes et l'immigration. (<http://legilux.public.lu/eli/etat/leg/loi/2018/07/20/a631/jo>)

- pour informer sur le réseau d'aide et d'assistance et pour améliorer l'accès et sa qualité ;
- pour rassembler et associer tous les acteurs publics et non publics à la lutte contre la violence à l'égard des femmes et des filles ;
- pour élargir l'offre d'aide et d'assistance au profit des victimes.

Si la Convention s'attache tout particulièrement à toutes les formes de violence à l'égard des femmes, elle reconnaît explicitement que la violence domestique et d'autres violences font aussi des victimes masculines. Voilà pourquoi, la Convention encourage les Etats à appliquer le texte aussi aux victimes masculines. Du fait que sa législation est généralement neutre en terme de genre, l'approche du Luxembourg consiste à appliquer la convention aux deux sexes.

## 2.2 changements dans les politiques publiques

Le ministère de l'Egalité entre les femmes et les hommes est en train d'élaborer le Plan d'action national (« PAN ») sur l'égalité entre les femmes et les hommes, conformément à l'accord de coalition de décembre 2018<sup>65</sup>. Ce document non limité dans le temps sera la base de travail pour les années à venir et sera pour la première fois dans son histoire un « document ouvert » qui sera adapté en fonction des priorités et développements se posant en matière de politique d'égalité. Le PAN comportera un volet « Egalité et société » avec un volet substantiel en matière de lutte contre toute forme de violence, et la violence domestique en particulier. Comme décrit au point 2.1., la mise en œuvre de la convention d'Istanbul en sera la référence pour intensifier la lutte contre la violence.

Concernant d'éventuels changements de politique, notons que la loi portant sur la ratification de la Convention d'Istanbul a notamment amélioré la protection des victimes mineures de violence domestique. En effet, depuis juillet 2018, les victimes mineures directes et indirectes de violence domestique doivent obligatoirement vues par un service d'aide spécialisé dans le contexte des expulsions.<sup>66</sup> A cet effet, le gouvernement a créé en novembre 2017 ensemble avec la fondation ProFamilia le service ALTERNATIVES<sup>67</sup> - Centre de consultation pour enfants et adolescents victimes de violence domestique à la suite du processus de ratification de la Convention d'Istanbul. Ce service est le deuxième service prenant en charge les victimes mineures de violence domestique, à côté du service d'aide PSYea<sup>68</sup> de l'asbl Femmes en détresse.

Autre exemple de création d'un service très spécialisé est UMEDO76 qui est un service de documentation médico-légale spécialisé qui s'adresse aux adultes victimes de violences corporelles et/ou sexuelles qui ne souhaitent pas déposer plainte (dans un premier temps). Ce service consiste à établir un constat médical des blessures visibles et à relever des traces biologiques pour que la victime ait ces preuves à sa disposition dans une éventuelle poursuite judiciaire ultérieure.

## 2.4 recherche et sensibilisation

Traditionnellement, la lutte contre la violence à l'égard des femmes et des filles est au centre des préoccupations du Luxembourg dans sa politique d'égalité entre les femmes et les hommes. Cette priorisation s'est toujours reflétée dans les diverses campagnes de sensibilisation réalisées au cours des dernières. La campagne sur la ratification de la Convention d'Istanbul<sup>69</sup> a été la toute dernière (en décembre 2018) dans la rangée des campagnes mise sur pied ces dernières années. Cette campagne sera poursuivie en automne

<sup>65</sup> <https://gouvernement.lu/dam-assets/fr/publications/accord-coalition/2018-2023/Accord-de-coalition-2018-2023.pdf>, p.112

<sup>66</sup> La loi modifiée du 8 septembre 2003 sur la violence domestique dispose que « « Tout enfant victime directe ou victime indirecte, vivant dans le ménage doit être pris en charge par un service d'assistance aux victimes de violence domestique, spécialisé dans la prise en charge d'enfants victimes de violences ». (<http://legilux.public.lu/eli/etat/leg/loi/2018/07/20/a631/jo>)

<sup>67</sup> <http://www.profamilia.lu/Enfants+Adolescents/ALTERNATIVES+Centre+de+consultation+pour+enfants+et+adolescent+s+victimes+de+violence-p-470.html>

<sup>68</sup> <https://fed.lu/wp/services/s-psyea/>

<sup>69</sup> <http://convention-istanbul.lu/>

2019.

Il s’y ajoutent des initiatives internationales appliquées au Luxembourg, comme par exemple la WHITE RIBBON CAMPAIGN en 2015 ou encore les deux dernières éditions de l’ « Orange Week » luxembourgeoise en novembre-décembre 2017 et en novembre-décembre 2018, qui ont réussi à attirer l’attention du grand public sur le phénomène de la violence à l’égard des femmes. La prochaine « Orange Week » sera organisée en novembre 2019.

Notons également les efforts scientifiques entrepris par le gouvernement luxembourgeois pour analyser les causes de la violence domestique au Luxembourg à travers une grande étude réalisée par le *Luxembourg Health Institute* en 2013-2014, présentée en mars 2015 à l’occasion d’une grande conférence internationale. Les recommandations de cette étude ont guidé le gouvernement dans ses efforts d’amélioration de la protection des victimes (p.ex. mise sur pied d’UMEDO – Unité médico-légale de documentation de violences – en juin 2018, amélioration de la prise en charge des enfants victimes de violence par la création de nouveaux services p.ex. ALTERNATIVES, prévention plus ciblée tenant compte du contexte plurilingue et multiculturel du Luxembourg etc...).

Du point de vue statistique, le Comité de coopération entre les professionnels dans le domaine de la violence publique annuellement son rapport au gouvernement pour documenter l’envergure de la violence domestique au Luxembourg. Ce comité pluridisciplinaire et interministériel a entre autres comme mission de formuler des recommandations au gouvernement. Pour le rapport 2018, présenté en commission parlementaire le 18 juillet 2018, le Comité s’est notamment exprimé pour l’amélioration des statistiques et pour le renforcement des capacités d’analyse des chiffres en matière de violence domestique et des autres formes de violence.<sup>70</sup>

#### 4. Objectif stratégique : assurer une participation équilibrée des femmes et des hommes à la prise de décision politique et publique

##### 4.2 changements dans les politiques publiques

L’accord de coalition 2018-2023 du nouveau gouvernement dispose que l’ « accent continuera d’être mis sur une politique en faveur d’une représentation plus équilibrée des femmes et des hommes au niveau de la prise de décision dans notamment les domaines de la politique et de l’économie. Ainsi, les efforts afin d’aboutir à

<sup>70</sup> « Le Comité réitère sa recommandation formulée dans le rapport au gouvernement de l’année 2017 relative à la **professionnalisation de la collecte des statistiques**. Les statistiques en matière de violence revêtent une importance cruciale pour les pouvoirs publics chargés de mettre sur pied et implémenter ses politiques d’information, de sensibilisation et de prévention. Les demandes émanant des organisations internationales telles que l’ONU, le Conseil de l’Europe et l’Union européenne deviennent de plus en plus détaillées ce qui pose un défi énorme aux instances nationales. C’est surtout le domaine des violences à l’égard des filles et des femmes où les obligations légales pour établir des statistiques détaillées sont récurrentes.

Le Comité ne collecte que les données en matière de violence domestique qui sont annuellement compilées dans le cadre de ce rapport. Concernant la méthodologie, le Comité se tient aux obligations légales de la loi sur la violence domestique. Parler d’une méthodologie scientifique serait grandiloquent. Les instances chargées de collecter les chiffres font de leur mieux pour recueillir de façon correcte les données sans pour autant disposer des ressources humaines et des connaissances pour établir des statistiques répondant à des normes irréfutables.

Dans un souci d’efficacité et de centralisation et dans l’optique des autres facettes de la violence, l’élaboration des statistiques ne doit pas forcément se limiter à la violence domestique, mais doit également inclure les autres violences perpétrées au Luxembourg. Pour progresser en la matière, le Comité propose trois étapes :

- réunir les instances qui ont un réel besoin en statistiques qui répondent à des critères fiables pour déterminer sous quelle forme un tel observatoire de la violence pourrait fonctionner.
- identifier par la suite toutes les bases légales (loi sur la violence domestique, loi portant approbation de la convention d’Istanbul, loi sur la traite des êtres humains...) qui prévoient expressément l’élaboration de statistiques.
- mettre sur pied l’observatoire en définissant son cadre d’organisation et de fonctionnement, ses objectifs et ses missions. » (Rapport au gouvernement du Comité de coopération entre les professionnels dans le domaine de la lutte contre la violence 2018, p.6)

une représentation de 40% du sexe sous-représenté dans les conseils d'administration des établissements publics seront poursuivis. En ce qui concerne les nominations au sein de conseils d'administration d'entreprises privées que l'Etat peut effectuer en tant qu'actionnaire, il agira afin d'atteindre une représentation de 40% du sexe sous-représenté. Quant aux organes de direction des petites et moyennes entreprises, un meilleur équilibre entre hommes et femmes sera encouragé par le programme des « actions positives » qui se trouve déjà en place et qui fera l'objet d'une évaluation. Dans le même esprit, les partis politiques seront encouragés par divers moyens à garantir à l'échelle nationale un quota de 40% du sexe sous-représenté sur les listes de candidatures dans les communes se trouvant sous le régime de listes avec représentation proportionnelle. »<sup>71</sup>

### 4.3 changements institutionnels

Lors d'une conférence de presse du 8 février 2019 avec le ministre de l'Economie, la ministre de l'Egalité entre les femmes et les hommes ont annoncé que le gouvernement intensifiera ses actions pour favoriser l'égalité entre femmes et hommes, notamment au niveau des entreprises et dans les entreprises avec participation étatique et dans les établissements publics. Ces efforts se greffent sur le bilan positif de la stratégie adoptée en 2014 pour atteindre une meilleure représentativité des femmes en matière de décision politique et économique. Le gouvernement précédent (2013-2018) s'était engagé à l'automne 2014 à intervenir de manière systématique pour favoriser une meilleure représentation des femmes dans les organes de décision. Et ce, dans les établissements publics et les sociétés où l'Etat détient des participations. L'objectif clair, chiffré et mesurable a été fixé à 40% de mandats pour le sexe sous-représenté d'ici à 2019.

Jusqu'alors, le taux de femmes dans les conseils d'administration progressait peu, comme l'avait retenu une étude publiée par le LISER en 2015 sur l'ensemble de l'économie. Pour le gouvernement, il s'agissait d'émettre un signal fort. « Il nous faut valoriser le talent des femmes qui sont prêtes à prendre des responsabilités au sein d'un conseil d'administration. C'est une question d'équité, et plus encore. La mixité dans la prise de décision est une véritable force économique »<sup>72</sup>. La procédure mise en place depuis quatre ans se veut ainsi plus contraignante, plus transparente et prévoit une évolution permanente. Elle repose sur une discussion et validation au sein du Conseil des ministres pour procéder à de nouvelles nominations en tenant compte du sexe sous-représenté. L'objectif de 40 % a permis de renforcer les discussions sur le profil des administrateurs.

Concrètement, le récent bilan intermédiaire montre que :

- Le taux des femmes représentant l'Etat dans les établissements publics est désormais de **40,19%** (contre 30,34% en janvier 2015)
- Le taux total de femmes dans les conseils d'administration des établissements publics, donc y inclus les personnes représentant d'autres partenaires, atteint 34,69% (contre 27,41% en janvier 2015)
- Pour les sociétés, le taux de femmes représentant l'Etat passe à 30,58% (contre 24,69% en janvier 2015)

<sup>71</sup> Accord de coalition 2018-2023, p.112-113 (<https://gouvernement.lu/dam-assets/fr/publications/accord-coalition/2018-2023/accord-de-coalition-2018-2023.pdf>)

<sup>72</sup> Taina Bofferding lors de la conférence de presse du 8 février 2019

	Établissements publics « total des mandats »	Etablissements publics « représentant l'Etat »	Sociétés « représentant l'Etat »
31/01/2015	27,41%	30,34%	24,69%
30/06/2015	30,33%	33,79%	26,19%
31/12/2015	30,91%	34,13%	26,58%
30/06/2016	32,17%	36,00%	27,16%
31/12/2016	31,04%	34,25%	29,52%
30/06/2017	32,92%	36,33%	29,09%
31/12/2017	34,58%	38,87%	30,54%
30/06/2018	34,06%	39,47%	30,99%
31/12/2018	34,69%	40,19%	30,58%

Ce monitoring est opéré par le Ministère de l'Economie tous les six mois dans les conseils d'administration de 79 établissements publics et sociétés dans lesquels l'État est représenté.

(Source : Ministère de l'Égalité entre les femmes et les hommes)

## 6. Objectif stratégique : intégrer les questions d'égalité entre les femmes et les hommes dans toutes les politiques et mesures

### 6.2 changements dans les politiques publiques

Le nouveau gouvernement instauré à la suite des élections d'octobre 2018 continuera ses efforts pour créer une société égalitaire. Voilà pourquoi, l'égalité entre les sexes est un élément phare dans tous les domaines politiques.

Compte tenu des conclusions du bilan du plan d'action national de l'égalité des femmes et hommes (2015-2018), un nouveau plan d'action sera élaboré. Dans ce cadre, les inégalités de fait entre femmes et hommes seront analysées dans tous les domaines et les statistiques y relatives seront recueillies en généralisant entre autres la ventilation par sexe des statistiques officielles. Par ailleurs, les efforts des communes dans la mise en oeuvre d'une politique promouvant l'égalité de genre seront soutenus. Actuellement, le ministère de l'Égalité entre les femmes et les hommes est en train d'élaborer le nouveau plan d'action national sur bases des conclusions du plan précédent et sur base de la consultation publique<sup>73</sup> organisée en mai-juin-juillet 2019, et dont les conclusions ont été présentées<sup>74</sup> le 18 juillet 2019.

### 6.3 changements institutionnels

Point de vue gouvernance, le comité interministériel de l'égalité entre femmes et hommes a connu une nouvelle dynamique par sa relance en juillet 2019. Ce comité a comme mission de coordonner les efforts gouvernementaux entrepris dans chaque département ministériel en matière d'égalité entre femmes et hommes.

<sup>73</sup> <http://mega.public.lu/fr/actualites/2019/07/consultation-publique/Mega-report-1807-2019-v1.pdf>

<sup>74</sup> <http://mega.public.lu/fr/actualites/2019/07/consultation-publique/index.html>

### 6.5 Autres développements pertinents

Le ministère de l'Égalité entre femmes et hommes a lancé le projet de l'observatoire de l'Égalité à l'image des indicateurs du GENDER EQUALITY INDEX de EIGE. Bien qu'il existe des statistiques isolées dans certains domaines tels que la violence domestique ou la représentativité entre les sexes dans les organes de décision politique et économique, il faut néanmoins constater que le Luxembourg ne dispose pas d'instance centrale qui collecte et analyse les données substantielles en matière d'égalité entre femmes et hommes. Du fait que le Comité de coopération entre les professionnels dans le domaine de la violence a formulé des recommandations concrètes en vue d'une professionnalisation des données relatives aux violences<sup>75</sup>, le ministère a décidé de commencer avec le domaine de la violence. Par la suite, l'observatoire sera progressivement étendu aux autres domaines.

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<sup>75</sup> Voir point 2.4.

## MALTA

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.1 Legislative changes**

No further changes to be reported for the reporting period.

**1.2 Policy changes**

No further changes to be reported for the reporting period.

**1.3 Institutional changes**

No further changes to be reported for the reporting period.

**1.4 Research and awareness-raising**

- The National Commission for the Promotion of Equality (NCPE) is carrying out a set of initiatives to address the gender gaps across the life cycle as part of the EU co-funded project *Prepare the Ground for Economic Independence*:
  - A train-the-trainers course to career advisors and career guidance teachers is carried out with the aim of empowering young students to make wise choices in relation to school subjects that affect their career path.
  - A campaign on the gender pay gap is being carried out through articles and adverts on newspapers, and participation on TV and radio programmes.
  - Other planned initiatives include a seminar on the gender pay gap; two research studies: one on equal pay tools to develop a similar tool for the national context; and another on how European Trade Union representatives embrace the principle of equal pay for women and men during collective agreement negotiations; the enhancement of the Equality Mark certification through the equal pay tool; and training to trade union representatives.
- NCPE disseminated the Recommendation on Preventing and Combating Sexism to public entities and NGOs.
- NCPE has carried out 47 training sessions which covered gender equality (including stereotypes and sexism), as well as 44 sessions which covered the topic of sexual harassment.

**1.5 Other pertinent developments**

- NCPE published a Press Statement on stereotypes and an article on gender equality in sport; and raised awareness on gender-inclusive language through infographics on social media and through an interview for an online newspaper.

**2. Strategic objective: Prevent and combat violence against women and domestic violence****2.1 Legislative changes**

No changes to be reported for the reporting period, since Malta fully implemented the Istanbul Convention in May 2018 by means of Act XIII of 2018 – the Gender-Based Violence and Domestic Violence Act, 2018.

**2.2 Policy changes**

Malta has its National Gender-Based Violence and Domestic Violence Strategy 2018-2020 which is presently being implemented. The strategy addresses all forms of gender-based violence.

**2.3 Institutional changes**

With the ratification of the Istanbul Convention, the remit of Commission on Gender-Based Violence and Domestic Violence was broadened to address all forms of gender-based violence and domestic violence and to act as the co-ordinating body for stakeholders working in this area.

To ensure the proper implementation of the National Strategy, an Inter-Ministerial Committee made up of various government entities was set up to discuss implementation processes and any areas of concern.

**2.4 Research and awareness-raising**

The EU co-funded project Breaking the Cycle of Violence led by the Commission on Gender Based Violence, in partnership with the University of Malta and a number of NGOs, focuses on conducting research with minority groups of women (namely migrant women, LGBTIQ women and women with disabilities), awareness-raising on violence prevention, victims' rights and support services. In addition, informative sessions were held for Human Resources personnel working within the Malta Public Service. Furthermore, NCPE carried out 44 training sessions on sexual harassment in the referred timeframe.

Since 2017, the same Commission has been collaborating with the National Statistics Office, Malta in a exercised aimed at the harmonisation of data gathered from various entities so as to gain a better understanding of victims' pathways when seeking services.

The 16 days of Activism includes awareness-raising initiatives and activities organised by various entities and organisations. Within this campaign the NCPE also carried out a campaign on violence against women for the 16 Days of Activism in 2018. It consisted of social media posts, a newspaper article on Times of Malta; alongside participation in a radio programme discussing gender based violence in the workplace.

**2.5 Other pertinent developments**

No further elements to report for the reporting period.

**3. Strategic objective: Ensure the equal access of women to justice****3.1 Legislative changes**

In March 2019, Malta signed and ratified the Optional Protocol to the Convention on the Elimination of all forms of Discrimination against Women, which recognises the competence of the CEDAW Committee to provide suggestions and recommendations with regard to rights emanating of the Convention. It also provides a redress mechanism for the investigation of complaints against State parties to the Convention.

**3.2 Policy changes**

No further changes to be reported for the reporting period.

**3.3 Institutional changes**

Significant progress was made with respect to achieving gender balance in the judiciary system in Malta since three women were appointed as magistrates in 2018; this led to gender parity on the bench.

**3.4 Research and awareness-raising**

Reference is made to research indicated in replies to other parts of the questionnaire.

**3.5 Other pertinent developments**

No further elements to report for the reporting period.

**4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making****4.1 Legislative changes**

No further changes to be reported for the reporting period.

**4.2 Policy changes**

In March 2019 a green paper *Gender Balance in Parliament Reform Consultation Document*, drafted by a technical committee following intensive research, was launched for public consultation. The green paper proposes various positive measures to promote and enforce equality amongst men and women in parliament and address current hurdles. The green paper was officially presented during a Business Breakfast with the participation of an OSCE consultant, representatives of the Parliament of Malta and other stakeholders. This initiative has been undertaken in view of Malta's gender imbalance in politics.

**4.3 Institutional changes**

The Maltese Government is committed to promote gender-balanced representations in political and public life. In fact, proposals in the 2017 government programme delineate various measures that seek to address the under-representation of women in these spheres, including to ensure that boards within major entities in the public administration are made up of a minimum of 40% of both sexes.

**4.4 Research and awareness-raising**

The NCPE organised a conference on equal opportunities and career advancement to mark International Women's Day. The gender pay gap and the reconciliation of work and family life were addressed in the context of decision-making positions. A panel of NGOs and social partners discussed their roles to strengthen equal treatment; whilst another panel of professional women and men from different backgrounds described their personal experiences in relation to career advancement.

In 2018, NCPE carried out a campaign "Gender Balance in Politics: Time for Action" in which information was disseminated by means of articles, social media posts and interviews on television and radio. Various issues were highlighted, including the different types of positive measures such as quotas and the zipper system.

In 2019, NCPE continued raising awareness on the importance on gender balance in politics through a campaign on social media to encourage more women to contest elections; infographics on the situation in Malta; discussing the 'Gender Balance in Parliament Reform' on a TV and a radio programme and the publication of a Press Statement; as well as articles published in national newspapers on respective topics.

#### 4.5 Other pertinent developments

NCPE sent a copy of the study *Sexism, harassment and violence against women in Parliaments in Europe* tal-*Inter-Parliamentary Union* by IPU and PACE to the Speaker of the House and to the Parliamentary Secretary for Reforms, Citizenship and Simplification of Administrative Processes for their consideration.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.1 Legislative changes

No such legislative amendments have been made during the reporting period.

#### 5.2 Policy changes

In accordance with the current policy, the Principal Immigration Officer does not issue detention orders in respect of pregnant women and nursing mothers. Moreover, detention orders are not issued in respect of families with children and in respect of unaccompanied minors.

Moreover, the Open centres managed by the Agency for the Welfare of Asylum Seekers (AWAS) have dedicated sections and premises for families and women with children. Unaccompanied minors are housed in dedicated centres, which enable the authorities to provide more specialised care.

It should also be noted that, further to the above, asylum seekers at the Open Centres are issued with a per diem allowance until they find employment and/or are able to settle in the community independently. Accommodation at the Open Centres may be for a period of up to 12 months, although adults are encouraged to leave the centres and to settle in the community at an earlier stage.

#### 5.3 Institutional changes

Wherever women are detained, they are housed in dedicated sections. Female guards and warders have been recruited by the Detention Service to ensure that, insofar as possible, the services in question are provided by women.

#### 5.4 Research and awareness-raising

The Agency for the Welfare of Asylum Seekers (AWAS) provides small personalised sessions on an ad hoc basis through its social work services. In addition, NGOs working with women in the open centre, provide group sessions to AWAS clients and also monitor the situation and provide feedback to AWAS.

#### 5.5 Other pertinent developments

The Integration and Anti-Racism Unit within the Ministry for European Affairs and Equality's Human Rights and Integration Directorate opened its doors for integration services related to the "I Belong" programme (see <https://integration.gov.mt/en/ibelong/Pages/IBelongProgramme.aspx>) in November 2018. As a matter of strict procedure, all female clients are spoken to/met with alone even when pressure to do otherwise is exerted by accompanying persons. Staff have also received training on spotting signs of human trafficking.

### 6. Objective 6: Achieve gender mainstreaming in all policies and measures

#### 6.1 Legislative changes

No further changes to be reported for the reporting period.

**6.2 Policy changes**

Malta is developing the first national Gender Equality Mainstreaming Strategy and Action Plan, which shall be launched later on this year. This Strategy and Action Plan shall address policy measures related to work and gender pay gap, financial independence, education, health, justice, authority, private and family life.

**6.3 Institutional changes**

In January 2019, the Gender Mainstreaming Unit (GMU) was set up as a dedicated unit within the Human Rights and Integration Directorate (HRID). The aim of this Unit is to take responsibility for the day-to-day implementation of the Gender Equality Mainstreaming Strategy and Action plan, which shall be launched later on this year. This Unit will serve as the main governmental co-ordinating body that liaises with various entities, imparts information, and feeds the gender perspective to ongoing processes. This unit will also draw attention to patterns of issues and concerns raised by women and gender minorities and their respective organisations, with the aim of drawing durable solutions as well as assisting government policy development in this field. Furthermore, the Unit will make best use of existing sources of funding for the enhancement of services, provision of training, awareness raising and community building.

**6.4 Research and awareness-raising measures**

NCPE delivered 8 training sessions which covered the topic of gender mainstreaming strategy.

**6.5 Other pertinent developments**

No further elements to be report for the reporting period

**7. Main challenges and lessons learned**

Through political will measures and initiatives that promote gender equality are developed and implemented. Consultations with relevant stakeholders and the general public contribute to better informed decisions on the way forward and implementation of such measures.

On the other hand, stereotypes and prejudice on the roles and responsibilities of women and men hinder developments towards gender equality.

**8. Additional comments, if any**

NCPE would like to refer that it had organised the Seminar *'Putting the Council of Europe Gender Equality Strategy 2018-2023 into action'* in October 2018, providing an opportunity for further deliberations not only on the work of CoE but also on developments at national level. The seminar was addressed by the Minister for European Affairs and Equality Hon. Minister Dalli, and a video message with an excerpt of the speech of the Council of Europe's Deputy Secretary General Gabriella Battaini-Dragoni given at the launch of the Strategy was also shown. Presentations and discussions focused on each of the six objectives of the Council of Europe strategy followed by a critical analysis on the situation in Malta. Deliberations on the way forward continued during workshops with all the participants. NCPE took on board the relevant issues raised during the seminar as part of its regular consultation process to strengthen its work to promote gender equality in Malta.

REPUBLIC OF MOLDOVA
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

I. During the reporting period it was adopted the Code of audio-visual media services of the Republic of Moldova No. 174 of November 18, 2018. This code transposes the Directive 2010/13/EU of the European Parliament and of the Council of March 10, 2010 on the co-ordination of certain provisions laid down by law or administrative documents within the member states regarding the provision of audio-visual media services (Audiovisual Media Services Directive), published in the Official Journal of the European Union L 95 of April 15, 2010. As notions included in new code we note the notion *hate speech* –a message that propagates, incites, promotes or justifies the race hatred, xenophobia, antisemitism or other forms of hatred based on intolerance or on discrimination of gender, race, nationality, religion, disability or other sexual orientation.

Among the principles of audio-visual communication from Chapter II are included: Article 15. Protection of minors; Article 16. Protection of people with disabilities; and Article 18. Gender equality. Thus, in order to observe the principle of gender equality the legislator provides for:

- (1) Providers of media services promote in their activity the principle of equality between men and women.
- (2) When broadcasting the audiovisual programmes, the media service providers respect the principle of equality between men and women.
- (3) It is forbidden to use the sexist language and scenes of violence and degrading behaviour towards women and men in audiovisual media services.

The responsibilities of public media services providers foreseen: to provide the audiovisual programmes, inclusively news, about the reality from the country and in the world, meant to ensure precise, impartial and objective information of the public, respecting the political balance, gender equality, freedom of speech, of creation and of consciousness (Article 35).

Both in the composition of the Audiovisual Council and of the Supervisory Board of the national public service provider of media, it was noted when considering the principle of gender equality (Articles 43 and 76). And among the attributions of the Audiovisual Council are noted the supervision of the regulations regarding the access to audiovisual media services, regarding the correct information, the right to reply, the protection of minors and persons with disabilities, gender equality (Article 75 paragraph 3, letter f) . At the same time, the new code stipulates among the general requirements regarding audiovisual commercial communications the prohibition of audiovisual commercial communications that include and/or promote any discrimination based on criteria of sex, race, nationality, religion, age, disability or sexual orientation, freedom of conscience, thinking (Article 63, paragraph 4, letter d).

Failure to comply with the public media service providers with the principles set out in the Code, entails according to Article 84 paragraph (9) the degree of gradual liability, ranging from pecuniary sanctions to the withdrawal of the license.

II. In the part regarding the adoption of the legislation regarding the incrimination of offenses committed by hatred and prejudice, we inform that the bill amending the Criminal Code, was adopted in the first reading on 8 December 2016. At the same time, in order to ensure that the text of the project is in line with international standards, the Ministry of Justice (by letter No. 03/1584 of 20 February 2019) requested to the OSCE Office for Democratic Institutions and Human Rights

(OSCE/ODIHR) for its expertise. The expertise on the draft law was transmitted to the Ministry of Justice in May 2019, and at present the content of the draft law is to be further examined in the light of the recommendations made in the received opinion.

III. The MHLSP has drafted a draft amendment to the legislation aimed at revising the national legislative framework, regarding sexual harassment in the workplace and studies. Thus, the draft contains proposals to amend and supplement with provisions in the field of preventing and examining/resolving sexual harassment in the workplace of the following normative acts: the Law on Trade Unions, the Law on the State Inspectorate of Labour, the Labour Code, the Education Code, the Contravention Code, the Law on the Bar, the Law on the organisation of the activity of notaries, the Law on bailiffs.

## 1.2 Policy changes

In order to accomplish the national Programme of Implementing the Resolution 1325 of UN Security Council regarding the women, peace and security for years 2018-2021 and the Action Plan regarding its implementation approved by the Government on 28 March 2018. The majority of institutions from the field of security and defence have amended and approved the internal documents that regulate the behaviour of the employees according to the standards aimed at respecting the human rights and the principle of assurance of equality between men and women. Thus, Ministry of Defense has approved the Code of professional conduct of the militaries by contract of National Army adjusted from the perspective of respecting the principle of gender equality. Ministry of Internal Affairs has approved the Code of ethics and deontology of the civil servant with special status within the MIA, the basic principles of which are addressed from the perspective of gender equality, and in partnership with the Women's Law Centre have elaborated the project the Guide for legal guidance in case of sexual harassment. During the period October 2018 until September 2019 it was also organised and unfolded the vocational training of policemen in the work place, with an accent on the problems as gender stereotypes, insufficient measures to reconcile professional and family life, reduced capacity to prevent and fight against the discrimination, sexual harassment, and gender-based violence. The Ministry of Internal Affairs with the support of UN Women Office and civil society has elaborated the concept 'Regulation for the prevention and combating the sexual harassment and discrimination in the security and defence sector', that will be notified and approved per sector till the end of 2019.

The Customs Service has elaborated the internal procedures of preventing and combating discrimination, sexual harassment and gender-based violence.

The National Administration of Penitentiaries has included internal procedures on preventing and combating the discrimination, sexual harassment and gender-based violence within the Code of deontology of public servant with special status from penitentiaries administration system, approved by the Order of Ministry of Justice No. 19 of 21 January 2019. Within the State Protection and Guard Service, has approved the staff awareness Plan on gender equality, that contains the appointment of gender advisers and organisation of training on the prevention and combating the discrimination, sexual harassment and gender-based violence.

The Security and Intelligence Service has elaborated the project Regulation on combating the discrimination, sexual harassment and gender-based violence within the Security and Intelligence Service, and will be finished and approved till the end of 2019.

### 1.3 Institutional changes

1. On 9 November 2018, The Audiovisual Council has approved the Methodology of monitoring the broadcasters of the Broadcasting Co-ordination Council from the Republic of Moldova (revised and updated) (Decision No. 29/180), elaborated by the independent expert of the Council of Europe, Rast'o Kuzel, in collaboration with the Audiovisual Council within the Common Project of the European Union and the Council of Europe "Promoting media freedom and pluralism in the Republic of Moldova". The new methodology contains new criteria of monitoring of broadcasters in order to determine the way the holders of broadcast licenses fulfil their responsibilities. At the same time, the Methodology contains new monitoring criteria: sexism in advertising, gender equality, hate speech, xenophobia, racism, hate speech and defamation, etc.

### 1.4 Research and awareness-raising

1. UN Women Office and Broadcasting Co-ordination Council on 3 September 2018 have signed a memorandum of agreement, in force for a period of 3 years, with the possibility to extend for another 2 years.

The co-operation fields of the memorandum of agreement aims to apply the stipulations on the equality of chances in fighting against the gender stereotypes, promotion of gender equality and interference field in the domain of non-violent communication from the Strategy for assuring the equality between men and women in the Republic of Moldova for years 2017-2021 and the National Strategy for prevention and combating the violence towards women and domestic violence for years 2018-2023.

Thus, UN Women will provide integrated guidance in terms of policies, pleading and social mobilisation by supporting the activities on the consolidation of media agencies skills.

2. The Council for prevention and elimination of discrimination and assurance of equality in partnership with the Institute of Penal Reforms within the Project 'Strengthening the technical capacities of the national institutions for human rights protection and promotion', funded by the Ministry of Foreign Affairs of Denmark and implemented by the United Nations Development Programme, has launched the national Campaign of information 'Equal rights in rural communities' unfolded between the period 6-30 November 2018, in the localities: Congaz (Comrat), Tvardita (Taraclia), Corlateni (Rascani), Sipoteni (Calarasi), Slobozia Mare (Cahul) and Varzaresti (Nisporeni). The aim of the campaign was to inform the population about the defence of the right to equality and to know the ways of protection against the discrimination.

3. The Centre Partnership for Development has accomplished two surveys on the phenomena of sexual harassment in the Republic of Moldova:

- 'How do we prevent and reduce the sexual harassment in the work place and studies, policy Recommendations?';
- 'How do we prevent and reduce the sexual harassment in educational institutions?'

The studies have examined the aspects of harassment phenomena in the Republic of Moldova, the legal national framework but at the same time have presented good international practices from this field but also concrete recommendations of improving the regulatory framework.

4. With regards to social campaigns, UN Women in partnership with VESTA NGO and MADE theatre organised 16 performances "Libera"/"Free" aiming at raising awareness about sexist stereotypes, sexual harassment and harmful gender norms and promote positive social norms. Over 4,520 women, including 1,456 men learnt about the gender-based discriminations, sexism, harmful

practices and about available remedies while facing such behaviours and attitudes.

Kicked off in March 2019, UN Women Moldova started the “You Can Too” campaign with the aim to empower women from various backgrounds to stand up and share their stories of discrimination, sexism or gender-based violence. Portraying women who have faced various types of discernments, the campaign shows five exceptional heroines who were able to overcome the challenges they were facing and now became an inspiration for other women as well. As the videos show, the women have gone past their trauma and hardships and now they are trying to help other women who suffer from discrimination and/or violence to be able to leave this vicious circle. The campaign was very well received, having an impact of over 160,000 people reached on Facebook alone.

UN Women in partnership with Youth Media Centre NGO conducted 22 offlines on gender equality, sexism, gender-based discrimination and violence for 618 young people, of which 345 girls and 273 boys. Based on four-hour discussions, the young people produced 33 videos about how to combat sexual harrasment, sexism, gender-based violence, how to promote positive social norms and attitudes.

A visibility campaign on Romani women’s political participation was launched by UN Women. In this respect, six short stories were posted on Facebook during May, stating the Romani women’s motivation to get involved in politics.

### **1.5 Other pertinent developments**

1. Under the auspices of national Programme of implementing the Reosolution 1325 of UN Security Council on women, peace and security for years 2018-2021 and of the Action Plan regarding its implementation approved by the Government on 28 March 2018, the implementing governmental institutions –the Ministry of Internal Affairs, the Ministry of Defense, the Ministry of Health, Labour and Social Protection, the Customs Service, the State Protection and Guard Service, Security and Intelligence Service, the Ministry of Justice, have accomplished per sectors the training of the professionals about the subjects that deal with: combating the phenomena of discrimination, policies of assuring the gender equality, prevention of sexual harassment.

2. The National Association of ITC Companies (ATIC), with the support of UN Women, has launched a national programme of education in IT field of women and girls in 2018, that shall be implemented during the period October 2018-May 2019.

Within the Programme about 1000 girls and women from all over the country will be trained on the field of information technologies. The Programme presupposes daily on-line training sessions of about 15 minutes for obtaining abilities and knowledge as “Front End Developer”.

Another initiative unfolded within the programme, oriented for girls and women is “Start up Academy”, implemented for a period of 3 months. Thus, 200 women and girls who participate within this initiative have gained knowledge in developing their own IT products and how to become entrepreneurs in Tech. At the end of the programme, seven startups in the field have been launched and were run by women.

3. In September 2018, the Audiovisual Council held two regional seminars with the generic "Audiovisual content - competition, regulation, creativity and societal dynamics", for the holders of broadcast licenses and retransmission authorisations in the central, north and south areas of the Republic of Moldova (13 September 2018, in Cahul town, and 21 September 2018, in Balti municipality), in which 114 media service providers and 59 media service distributors have participated. The seminar included the topics: "Sexist language in the audiovisual media services";

"The impact of xenophobia in a society whose forms are racism and discrimination." UN Women and the Council on the Prevention and Elimination of Discrimination and Ensuring Equality were the partners.

4. It was drawn up:

- Online course curriculum "Gender dimension in the security and defense sector";
- Guide for the use of non-discriminatory language, entitled "Non-existent language" with the UN WOMEN and UNDP financial support.

5. Ministry of Education, Culture and Research drafted the methodological guide "Prevention of violence in educational institutions" and the Collection of normative acts "Protection of the child against violence in the educational institution". The materials have been distributed in all general education institutions and will assist teachers in their activity with students and parents in preventing violence between pupils, violence against girls and women, work with gender stereotypes and gender discrimination in school and society.

6. The framework plan for primary, secondary and high school education, for the 2018-2019 school year contains a new Curricular Area "Counseling and personal development", which includes a new compulsory school discipline "Personal development" (for the 1st-12th classes, 1 hour weekly), and in classes V-XII - Education for society. The curricula of the above-mentioned school disciplines also familiarised the students with the skills to identify all forms of violence, including "bullying" (permanent bullying, harassment and systematic harassment), and knowledge of the legal and non-violent actions how to prevent them. The contents of the school discipline "Education for society" has been reconceptualised and will be gradually implemented, in the 5th and 10th classes during the 2018-2019 school year and in the 2019-2020 study year, it will be gradually implemented in the VI and XI classes. These disciplines can be optionally selected by students.

Between the topics which are included in the list of optional disciplines for the high school cycle there are "Education for gender equity and equal opportunities", "Education for human rights and democratic citizenship" (classes V-IX) which touch the subject of preventing trafficking of human beings, human rights, gender equality, rights of the child.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

1. The analytical and comprehensive Report on the compatibility of the legislation of the Republic of Moldova with the Istanbul Convention has been elaborated, including the Report on the compatibility of the national criminal norms regarding the crimes on the sexual life with the international standards in the field (the Istanbul Convention, the International Criminal Court Statute (Rome Statute), the Lanzarote Convention). Both reports were officially launched with the participation of Council of Council representatives. These activities were carried out with the financial support of UN Women office in Moldova and U.S. Embassy in Moldova, in partnership with two civil societies Organisation: "Women's Law Centre" and International Centre "La Strada".

2. Establishing in June of the current year of the inter-ministerial working group composed of representatives of the competent ministries, as well as of the civil society, in order to elaborate the bill to ensure the harmonisation of the legislation to the provisions of the Istanbul Convention, followed by the bill of ratification. During the reporting period, the mentioned group met in 3 ordinary meetings.

## 2.2 Policy changes

The first monitoring report on the degree of implementation of the Action Plan for 2018 of the National Strategy for the prevention and combating of violence against women and domestic violence was prepared. Among the positive achievements we notice:

- Assuring the maintenance of free Hotline Service for the victims of domestic violence from the State Budget;
- Review and Approval to piloting of the Instructions on the interference of medical and social workers in the cases of domestic violence in 5 districts;
- In order to streamline the investigation and persecution process in justice of the violence acts towards women and domestic violence, by the Order GPI No. 360 of 8 August 2018, the methodical Instruction on the Police interference in solving the domestic violence cases was approved;
- Elaboration of the analytical and comprehensive Report on the compatibility of the legislation of the Republic of Moldova with the Istanbul Convention, including the Report on the compatibility of the national criminal norms regarding the crimes on the sexual life with the international standards in the field;
- Strengthening the intervention capacities of specialists in the field of justice, police, social workers and territorial multidisciplinary teams in cases of domestic violence;
- Review and adjustment of the Annual Statistical Research on Domestic Violence and the methodology of data collection;
- Conducting information campaigns by different government actors on the dimension of preventing domestic violence;
- Elaboration of informative and didactic materials for the training of professionals by civil society.

## 2.3 Institutional changes

1. The Ministry of Health, Labour and Social Protection ensures the activity of the Inter-ministerial Co-ordination Council in the field of preventing and combating domestic violence, created in 2012, comprising a representative of the central authorities, representatives of civil society and other interested parties. The inter-ministerial co-ordination council is responsible for ensuring the co-ordination and collaboration between ministries and other central administrative authorities with competences in the field of preventing and combating domestic violence. Thus, during the period October 2018-September 2019 the Council met in four ordinary meetings. On its platform was launched the report of analysis of the compatibility of the legislation of the Republic of Moldova with the provisions of the Istanbul Convention. Aleid van den Brink, GREVIO member, also attended the launch event of the report, which took place on April 18, 2019.

2. In June this year, the inter-institutional working group (order of the Minister of Health, Labour and Social Protection No. 776 of June 27, 2019) was set up, composed of professionals at operational level, representatives of central public authorities, civil society and development partners. (total 27 people). The working group was created with a view of developing the draft law for amending normative acts in order to ensure harmonisation at the Council of Europe Convention on the prevention and combating of violence against women and domestic violence.

## 2.4 Research and awareness-raising

1. The Report on monitoring the trial of cases of domestic violence, sexual violence and trafficking in human beings was prepared by P.A.. "Women's Law Centre" in collaboration with Global Rights for Women (GRW), with the support of the Criminal Justice and Law Enforcement Section of the US Embassy in the Republic of Moldova, within the project "Strengthening the response of the judicial

system and prosecutors to cases of domestic violence in Moldova”.

2. In February 2019, inside a library from the capital, a group of women activists in the field of women's rights with disabilities launched the booklet "Strong women with different abilities". The publication contains 10 life stories of women with disabilities from different regions of the country, who have been excelled in various fields such as: art, sports, civic activism, pedagogy, entrepreneurship, women have managed to start a family and give birth to 1- 2 children. The life histories of the participants in the project cover multiple sensitive topics, such as accessibility to infrastructure, domestic violence, prejudices, and the right of women with disabilities to reproductive health, the right to study and employment.

3. UN Women in partnership with local NGO La Strada finalised the report reflecting on the peculiarities of the sexual violence phenomena in the Republic of Moldova in line with CAHVIO. The report will serve as a baseline for the development of SART approach on cases of sexual violence in Republic of Moldova.

### 2.5 Other pertinent developments

During 2018, the functionality of the Free Telephone Assistance Service for victims of domestic violence and violence against women 08008 8008 was ensured, through the partnership created between MHLSP and La Strada, and its funding from the state budget sources.

Since the launch of the Trusted Phone (TÎ) and until December 2017, the service advisers have received **16,929 calls** from all over the territory of the Republic of Moldova, but also from abroad. It should be mentioned that 2018 is the year in which the highest number of calls was registered, this being due to an information campaign about the existence of the service.

## 3. Strategic objective: Ensure the equal access of women to justice

### 3.4 Research and awareness-raising

1. The national delegation, composed by the representatives of National Institute of Justice, Superior Council of Magistracy, the Government Agent for the European Court of Human Rights, has participated at the conference of totalizing the results of the Council of Europe “Improving the access of women to justice in five countries of Eastern Partnership”, between the period 18-19 October 2018, in Strasbourg. One of the main topics approached at the regional conference was “The access to justice for women-victims of violence” in the national context of the countries participating at the project. There were also appointed by the participants at the event and the progresses at national level, registered in 2015-2018, regarding the access of women to justice, actions performed in order to improve the perception of standards of Istanbul Convention on ensuring the access to justice of women who are victims of violence. At the same time, there were presented a series of practical tools oriented to the professional from the legal field and discussed the perspectives of co-operation between the magistracy schools from the countries members of the Eastern Partnership. In his speech, the Director of NTJ shared the experience of the National Institute of Justice in accomplishing the training activities for judges, prosecutors and other professionals from the justice sector who have as a target the theme of combating the domestic violence, gender discrimination, exclusion of prejudice against women etc. Particularly, she referred to the integration in the initial training course of the improvised trial at the European Court and which are based on scenarios that include subjects related to the discrimination and access of women to justice.

The meeting brought together representatives of governments and judicial training institutions from the Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine, experts within the

Council of Europe, of civil society and academic environment.

The regional conference was organised under the aegis of Council of Europe within the Project PGG “Strengthening the access to justice for women –victims of violence in six countries of Eastern Partnership.

We remark that the administration of the National Institute of Justice, had an official meeting with Anca Sandescu, the manager of the project “The access of women to justice: the implementation of Istanbul Convention and of other European standards for equal opportunities between women and men”, in March 2019. During the meeting, it was discussed the collaboration of the Council of Europe and of the European Union with the National Institute of Justice within the project regarding the access to justice of women victims from those six countries of the Eastern Partnership: Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine. The new project foresees activities for a period of three years (2019-2021) in order to strengthen the skills of legal systems to ensure the access to justice of women, according to Council of Europe Convention on preventing and combating the violence against women and domestic violence.

In context, Anca Sandescu presented the second phase of the project that referees to the introduction of some measures to ensure awareness of the whole legal system to gender dimension and the implementation of new skills regarding the standards of the access to justice in accordance with the Istanbul Convention.

Among the partners of the project are the Justice Academy from Azerbaijan, Academy of Justice from Armenia, the National Institute for the qualification of judges, prosecutors and legal representatives from justice system from Belarus, the High School of Justice and the Prosecutor’s Office from Georgia, National Institute of Justice of the Republic of Moldova, and National School of Judges and National Academy of Prosecutors from Ukraine.

By the implementation of the project, it is aimed to sign/ratify the Istanbul Convention according to the objectives of the European Union for 2020.

**2.** We appreciate the long-term collaboration between the Council of Europe and the National Institute of Justice, especially on the segment of distance training. Thus, till now, seven electronic courses for the representatives of national law system were adopted at the legislation of the Republic of Moldova and launched within the National Institute of Justice. In this regard, we appreciate and reiterate the importance of distance training unfolded through the European programme for the training of human rights professionals, underlying their impact for professional development of the beneficiaries of the National Institute of Justice.

**3.** With the support of the USA Embassy in Moldova and the OSCE Mission in Moldova, in partnership with the National Institute of Justice and National Council for Legal Assistance Guaranteed by State and the Centre for Women’s Rights there were deployed training for 175 judges and 75 prosecutors in order to ensure a deep understanding of dynamics of violence cases, providing systematic information on legal framework, of international standards and good practices regarding the efficient interfering, based on a multidisciplinary approach.

**4.** The National Institute of Justice joined the campaign Red My Lips, initiated, at local level, by the P.A. “Action for Justice”- a community of young professionals from different branches of law, among who are and attendees of the National Institute of Justice, future judges and prosecutors. Thus, the National Institute of Justice supported the actions of social solidarity accomplished within the campaign and condemn the violence of any kind, inclusively the sexual one. During a month, on the

official pages from Facebook of the **National Institute of Justice** and **“Action for Justice”** there were placed photos and informative messages regarding the consent and sexual violence.

5. Around 8 March 2019, at the National Institute of Justice took place the launch of training materials in order to train the judges and prosecutors **“Implementation of legislation regarding the prevention and combating the domestic violence”**. The volume has been elaborated by Women’s Law Centre in partnership with the National Institute of Justice within the project “Strengthening the capacity to respond to cases of domestic violence of the Prosecutor’s Office and of the Legal System from the Republic of Moldova”, with the financial support provided by the USA Embassy in the Republic of Moldova.

6. On 17-18 December 2018, the Union of Lawyers from the Republic of Moldova, together with the Office of the United Nations High Commissioner for Human Rights, have organised 2 workshops of a day (8 academic hours) of training the lawyers. The theme of the workshops aimed: “Providing qualified legal assistance, determining the case strategies for the protection of sexual violence victims and of that based on gender stereotypes”. The numerical training capacity of the lawyers was about 40 people.

And between the period 20-21 November 2018, for the lawyers who provide legal assistance guaranteed by the state, it was organised the training course: The provision of legal services guaranteed by the state for the victims and potential victims of human trafficking: new tendencies and challenges. The seminar was implemented within the project: “Strengthening the Government’s Response to the Phenomenon of Trafficking in Human Beings and Improving the Protection of Trafficking victims and Witnesses in the Republic of Moldova”.

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.1 Legislative changes**

1. The Parliament voted on the third reading and final the bill for amending some legislative acts that amends the legislation in the electoral field on 15 August 2019. Among the proposed amendments, are:

- annulment of the mixed electoral system, approving the return to the proportional electoral system on party lists.
- the compulsoriness of proportional distribution of women and men on the party lists in the electoral rolls, as well as sanctions for the parties that do not comply with these provisions. In this sense, the political parties will be obliged to respect the quota of 40% for each decile (for every 10 seats, 4 must be of the opposite sex).
- measures aimed at financing the parties and distributing allowances, including 7.5% for political parties commensurate with women actually elected in parliamentary elections, 7.5% for political parties commensurate with women actually elected in local elections, and 5% for political parties proportional to the young people actually elected in the elections (parliamentary and local).
- the exclusion from the electoral campaign of the parties that do not respect the minimum gender quota of 40%.

##### **4.4 Research and awareness-raising**

1. The national campaign ***STAND FOR!YOU SHALL BE THE CHANGE!!*** took place between the period November 20-30, 2018 and within it have participated candidates of Local elections 2019, representatives of local administration of levels 1 and 2, representatives of different parties and active women from the district. The campaign was carried out through public debates in 15 district centres from the republic. The participants at the debates were involved in a constructive process of

discussions and definition of real modalities of supporting and solidarisation with women, candidates to local elections from 2019, but also of sensibilisation of women in order to candidate to local elections, about 437 people have participated at the event (424-women and 13-men).

2. During the reporting period, with the support of nongovernmental Organisations UN Women, Gender Centru and Political Club of women 50/50 there were accomplished the expansion of the network of political clubs at local level, being launched in another eight districts, thus increasing their number to 15. Through these platforms, the leader women at local level have benefited from support for increasing the level of awareness regarding the gender quality and have been consolidated the capacities in order to accede to policies or accede to decision-making functions.

3. "The Candidate's Guide to the Election Campaign" has been elaborated. The informative support has been accomplished by the non-governmental organisation Gender-Centru, with the support UN Women, <https://bit.ly/2SXdfld>.

4. Between April 2018-March 2019, the non-governmental organisation centre "Partnership for Development" has trained 1,010 women, who wish to apply for the first time for the position of local, district/town councillor or as mayors. During the program, the participants have benefited from three training modules: "Political leadership", Successful Public Communication and Effective Election Campaign. Each participant has benefited from a wide range of opportunities for developing political leadership skills, organising an effective individual election campaign and successful public communication.

5. 45 women from across the country enhanced their skills and knowledge to run for Parliamentary elections as a result of their participation in a complex capacity building programme "Women4Leadership", implemented by Centre Contact Cahul and Institutum Virtutes Civilis with UN Women support. In this respect, participants have enhanced their knowledge in the following topics: reporting the expenditures performed within electoral campaign, the observers' role, reporting the electoral law infringements, gender equality and women's empowerment, electoral legislation, development of the mission and the programme for candidate, development of the campaign's message and communications plan, public discourse and public debates, meeting with voters, campaign's budget, establishment of post-electoral partnerships, etc. Starting with September 2018, the participants capacity to develop their media appearance was enhanced. Video interviews and written articles about participants were published.

6. 134 women (including 7 women with disabilities and one Roma woman) from across the country, including Transnistrian region and ATU Gagauzia, have better knowledge on how to run for local elections due to their participation in a capacity building programme implemented by Centre Contact Cahul and Institutum Virtutes Civilis with UN Women support. Women potential candidates or women who would like to support other women to run for local elections strengthen their knowledge in such areas as gender equality and women's political participation, women's leadership, local community development mechanisms, good governance, development of electoral campaign's message, public discourse, methods of interaction with voters. 144 women benefited of coaching sessions aimed at helping them to integrate knowledge and skills from public communication, public speaking and public debates in their future campaign; improve their personal and leadership prospects; gave participants the opportunity to practice what they have learned during training sessions or coaching support.

7. With UN Women support, 46 women with disabilities, participants within a complex capacity building programme designed for disabled women willing to run for elections, increased their

knowledge and developed their skills on running for local elections. Women benefited of 3 training modules, mentorship and coaching sessions.

8. 31 Romani women from across the country, participants within a complex capacity building programme designed for disabled women willing to run for elections, increased their knowledge and developed their skills on running for local elections. Women benefited of three training modules, mentorship and coaching sessions.

9. 404 people (387 women and 17 men) from underrepresented groups (elderly women, mothers with many children, disabled women, mothers with disabled children, low-income women, unemployed people, Romani women, etc.) increased their skills on how to raise their issues with candidates to local elections in order to put the problems on the political and decision-making agenda, with the support of Gender Centru and Women's Political Club 50/50 and UN Women. The following topics were covered by the training: identification concrete problems faced by women from underrepresented groups, simulation/practical exercises in raising the specific issues of these groups during electoral meetings with candidates, identifying solutions and ways to connect into the problem-solving process. It was also emphasised the involvement of the representatives of these categories of people in the active social, political and administrative life.

#### 4.5 Other pertinent developments

The infographic "Non-sexist and non-discriminatory electoral campaigns", aimed at presenting principles to be respected to have a non-sexist electoral campaign, was developed and published by Gender Equality Platform, with the support of UN Women. On social networking publishing the infographic info had an impact of 934 people, 17 distributions.

<https://egalitadedegen.md/campanii-o-electorale-non-sexiste-si-non-discriminatorii/?fbclid=IwAR3OA9-xpqbIskN14I98jRmqbsVU5X70L0LFbwtv8EHX68-OOM27fvlHpFw>  
<https://www.facebook.com/platformaegalitadedegen/>

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.4 Research and awareness-raising

The Government still lacks comprehensive evidence-based information on the Moldovan migrants profile involved in temporary labour migration or circular labour migration schemes, including those using private recruitment services for working abroad. Therefore, complementary to Extended Migration Profile and the Diaspora Mapping exercises, the Profiling of the Moldovan migrants involved in temporary labour migration or circular migration schemes is undergoing, implemented by IOM, in the framework of UNDP project "Migration and local development" project, funded by the Swiss Agency for Development and Co-operation.

The research is entitled "Field work within the in-depth and gender sensitive analysis of the profile of Moldovan migrants and labour supply chains in six destination countries: France, Germany, Israel, Poland, Spain, United Kingdom".

This comprehensive field research of the labour Moldovan migrants clearly will define the demographic and socio-economic profile of the target group, understand their experience, motivation, needs and encountered challenges, use of qualifications/skills, further plans, as well as identify determinants (push-factors) and possible incentives the use of regular recruitment channels and/or for return and reintegration, so as to further inform evidence-based policy making. In this context, the Moldovan labour migrants working in France, Germany, Israel, Poland, Spain and the United Kingdom, (including the temporary/permanently returning migrants and those preparing to depart for working purposes to

these host countries) were selected as target groups for the current research.

The overall objective of this activity is to support Government to improve the evidence-based policy-making which enforce the protection of Moldovan women and men labour migrants' rights at all stages of migration (recruitment, work abroad, return to Moldova, repatriation of rights and assets obtained abroad, use abroad of qualifications/skills previously acquired in Moldova, as well as valorisation in Moldova of their knowledge and skills acquired abroad) by means of advancing the understanding of the social, cultural, demographic and economic profile and the specific needs of the Moldovan labour migrants.

This study will be carried out during 2019 and based on the results obtained from the analysis of the situation and the conditions for respecting the rights of migrants, recommendations for migration and employment policies will be drafted.

### 5.5 Other pertinent developments

During the year 2018, 16,763 women have been registered as unemployed in the database of the National Agency for Employment, which constitutes 47% of the total number of registered unemployed (35,544 persons). In total, 7,257 unemployed women or 43% of the total registered women were placed in the field of work.

During the reporting period, at the territorial employment agencies were registered as unemployed and fully benefited from the services provided (mediation, information and counselling, vocational training) women from several vulnerable groups in the labour market, including: 1121 gipsy women (of which 110 employed women); **346 women returned from abroad (of which 187 women employed)**; 260 women with disabilities (of which 132 women are employed); 32 women released from detention (of which 14 employed women); 2 women victims of trafficking in human beings.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

Legislative changes have been made that allow the military by contract the right to benefit from parental leave. Thus, under the provisions of Law No. 184/2018 for the modification of some legislative acts, starting with 1 January 2019, the men who perform the military service by contract have the right to use the parental leave.

### 6.2 Policy changes

1. In the context of the National Programme on the implementation of Resolution 1325 of the UN Security Council on women, peace and security, approved by the Government on 28 March 2018, the following activities have been carried out:

- To strengthen the capacities of the professionals in the field of force, military and security bodies, as well as of the Women's Police Associations and the Women's Association of the National Army;
- The launch of the informative Guide and the Promotional Spot regarding the implementation of Action Plan on implementing the national Programme of implementing the Resolution 1325 of NU Security Council on women, peace and security for years 2018-2021, elaborated by the associative environment together with the central public authorities;
- All institutions from the field of force, military and security bodies have elaborated institutional plans of actions based on the Programme mentioned above;
- During the concerned period, the authorities responsible for the implementation have elaborated and concluded Collaboration Agreements with the social environment on the field of gender equality and increasing the role of women in Security sector, as well as with development partners ;
- The authorities have initiated internal researches regarding the perception of gender equality and

labour conditions of women within the units, based on which were initiated amendments and completions of normative acts that regulate the relevant activity fields, with the aim to exclude the discrimination, sexual harassment and gender based violence;

- In order to implement the Action Plan, the authorities have initiated the modification and/or elaboration of internal Guides and Regulations of activity, by respecting the gender equality.

2. Seven public policies were revised in order to advance gender equality and women's participation. In this respect, the Gender Focal Points from seven public institutions are coached and trained to revise and adjust seven public policies from gender equality perspective.

3. Based on revision of seven public policies from gender equality perspective, the draft of the Guide on Gender Mainstreaming for public servants was developed by Centre "Partnership for Development", with the support of UN Women. The guide reflects the main steps of the methodology of assessing a public policy from the gender perspective that was piloted and applied along with seven gender focal co-ordination teams from four ministries. The methodology encompasses five stages of analysis: (i) identifying relevant gender-specific inequalities in the policy paper; (ii) assessing the root causes for the identified relevant gender gaps; (iii) establishing of relevant measures to mitigate the gender inequalities; (iv) identifying the level of gender mainstreaming in the public policy (Scorecard tool) and (v) developing recommendations for increasing the gender mainstreaming level into the public policy.

#### 6.4 Research and awareness-raising

1. In order to prevent/eliminate the discrimination based on gender and domestic violence, the promotion of gender equality and partnership relations between girls and boys there was implemented the Project "Promotion of gender equality" Ministry of Education, Culture and Research in partnership with PA Gender – Centru and OSCE mission in Moldova and were organised activities oriented to members of staff and young people from vocational schools/colleges from the country:

- Training with young people within six vocational schools with the theme "Life strategies of young people through the gender dimension";
- Strengthening the skills of 35 members of staff within the vocational schools on the gender dimension in educational system.

In 2019, 899 public servants have better capacities to develop and implement gender responsive policies, plans and budget, due to training and mentoring initiatives provided by UN Women and its responsible partners. In this respect, public servants enhanced their knowledge in such areas as Implementation of the UN Security Council Resolution 1325 on Women, Peace and Security; basic notions on gender equality, combating violence against women and gender-based violence; combating sexual harassment at the workplace; integration of the gender perspective in the process of development and implementation of public policy, etc.

#### 6.5 Other pertinent developments

1. During the reporting period, MHLSP in partnership with CPD and UN Women, developed a Capacity Building Programme for representatives of the Gender Co-ordinating Groups from seven ministries (MHLSP, MEI, MF, MARDE, MECR, MIA, MD) and State Chancellery. Within the programme, 14 thematic sessions were held with the participation of 50 members (34 women and 16 men) of the Gender Co-ordination Groups, during which the team of experts instructed the participants how to analyse the public policy documents in terms of gender equality.

-59 representatives of the gender co-ordinating groups (43 women and 16 men) from 4 ministries -

Ministry of Health, Labour and Social Protection; Ministry of Economy and Infrastructure; Ministry of Defence; Ministry of Internal Affairs (central apparatus of MIA, GPI, GIBP and DCT) - have consolidated their knowledge in integrating the gender dimension in the public sector policies.

- Five sectoral strategies evaluated in terms of gender equality in collaboration with the gender co-ordinating groups - documents that include specific recommendations in this field.

Thus, 28 workshops were organised with the gender co-ordinating groups from the institutions specified above.

**2.** Within the UN common project, Strengthening the national statistical system, UN Women in partnership with PNUD and NBS held 2 training sessions of 2 days for representatives of 7 central authorities (20 gender units, of which 13 women) and NGO representatives. (17 practitioners, of which 15 women), in order to strengthen the capacities of using statistical data disaggregated by gender.

**3.** UN Women has developed a training programme for NGOs - Gender budgeting watchdog reporting, 20 NGOs, of which 12 from Chisinau and 8 from the region (30 participants, including 29 women and 1 man) were trained as monitors for the implementation of gender sensitive local budgets. Following this training, the budget analysis was carried out by gender in the selected local public policies and budgets. Thus seven Gender-sensitive Budget Monitoring Reports have been prepared, covering the following topics: equitable allocation of resources for i) schools and kindergartens, ii) people with disabilities, iii) sports activities, iv) energy efficiency, v) creation of jobs for the elderly, vi) online safety of young people and children, and vi) promotion of women in police.

## **7. Main challenges and lessons learned**

The factors which influence positively can be:

- political responsibility in promoting gender equality, including of governmental representative's decision-making level and politicians,
- acceptance of the GRB as key principle of the national budgeting policy and process.

As a lesson learned that positively impact implementation of policies and overcome resistance or other difficulties can be mentioned the close co-operation of governmental institutional machinery of gender equality area with civil society organisations.

MONACO
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## 1. Objectif stratégique: prévenir et combattre les stéréotypes de genres et le sexisme

### 1.1 changements législatifs

La loi n° 1.464 du 10 décembre 2018 relative au renforcement de la protection des personnes contre la diffamation et l'injure incrimine de façon particulière les menaces (article 234-2 du Code pénal), diffamation publique (article 24 de la loi n° 1.299 du 15 juillet 2005) et non publique (article 421 du Code pénal), injure publique (article 25 de la loi n° 1.299 du 15 juillet 2005) et non publique (article 421 du Code pénal), et provocation à la haine ou à la violence (article 16 de la loi n° 1.299 du 15 juillet 2005), commises en raison du sexe.

La loi n° 1.469 du 17 juin 2019 modifiant la loi n° 870 du 17 juillet 1969 relative au travail des femmes salariées en cas de grossesse ou de maternité, modifiée, a allongé la durée du congé de maternité à dix-huit semaines. Ainsi, en améliorant la sécurité de l'emploi et le maintien d'un revenu pendant et après la maternité, le Gouvernement Princier promeut l'indépendance financière des femmes. De plus, elle permet un report du congé prénatal de six semaines au plus au moment de leur congé postnatal.

La loi n° 1.474 du 2 juillet 2019 relative à la sauvegarde de justice, au mandat de protection future et à l'exercice de l'activité de mandataire judiciaire à la protection des personnes, a modifié l'article 1829 du Code civil qui assimilait encore la femme au mineur émancipé et qui faisait référence à l'acceptation du mandat sans l'autorisation du mari.

Depuis le 1<sup>er</sup> janvier 2019, l'Ordonnance Souveraine n° 7.155 du 10 octobre 2018 relative à l'octroi des allocations pour charge de familles aux fonctionnaires et agents de l'Etat et de la Commune, permet aux femmes concernées, qui résident à Monaco, d'opter pour la qualité de chef de foyer et de bénéficiaire ainsi des allocations familiales et autres allocations pour charge de famille, ainsi que de la couverture maladie pour leurs ayants-droits. Ce texte prend également en considération l'évolution de la structure familiale et prévoit qu'en cas de remariage, la mère d'un enfant issu d'une précédente union conservera désormais la qualité de chef de foyer, alors que jusqu'à présent c'était son nouveau mari qui était désigné comme tel.

Par ailleurs, on rappellera que le cadre législatif existant assure l'égalité juridique des sexes sur le marché du travail. La loi et son texte d'application (qui datent de 1974) disposent que tous les salariés, quel que soit leur sexe, doivent recevoir une rémunération égale en contrepartie d'un même travail ou d'un travail de valeur égale.

En ce qui concerne le secteur public, la loi n° 975 en date du 12 juillet 1975 portant statut des fonctionnaires de l'Etat comporte la disposition suivante consacrant la non-discrimination entre les sexes : « *Pour l'application du présent statut, aucune distinction n'est faite entre les deux sexes, sous réserve des mesures exceptionnellement commandées par la nature des fonctions* » (article 17).

Il en est de même s'agissant de la lutte contre le harcèlement dans le domaine du travail, la loi n° 1.457 du 12 décembre 2017 relative au harcèlement et la violence au travail étant entrée en vigueur le 23 décembre 2017. Cette loi prohibe le harcèlement, le chantage sexuel et la violence au travail, oblige l'employeur à prendre toutes les mesures nécessaires pour faire cesser de tels faits et sanctionne pénalement l'auteur de ces faits.

### 1.2 changements dans les politiques publiques

Dans le cadre d'un groupe de travail du Comité pour la promotion et la protection des droits des femmes (cf. 1.3), intitulé « Etudes et statistiques », la Direction du Travail sous l'autorité du Ministère des Affaires Sociales et de la Santé, en lien avec l'Institut Monégasque de la Statistique et des Études Économiques (IMSEE), a pour mission de réaliser une étude sur les éventuelles inégalités salariales entre les hommes et les femmes à Monaco, dans le secteur privé comme dans le secteur public (cf. 1.4)

### 1.3 changements institutionnels

Le Comité pour la promotion et la protection des droits des femmes a été créé par Ordonnance Souveraine n° 7.178 du 25 octobre 2018. La séance d'installation dudit Comité a eu lieu le 30 novembre 2018 à Monaco.

Institué auprès du Chef de Gouvernement et présidé par le Ministre des Relations Extérieures et de la Coopération, ce Comité a pour mission d'assurer la coordination, la mise en œuvre, le suivi et l'évaluation des politiques et mesures nationales prises afin de promouvoir l'égalité entre les femmes et les hommes ainsi que de prévenir et combattre toutes les formes de violence et de discriminations à leur égard, telles que couvertes, notamment, par les conventions suivantes :

- la Convention sur la lutte contre la traite des êtres humains conclue à Varsovie le 16 mai 2005 ;
- la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique, conclue à Istanbul le 11 mai 2011 ;
- la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes, adoptée à New York le 18 décembre 1979.

Ce Comité comprend en outre les représentants des Départements et des Services Administratifs concernés ainsi que de la Direction des Services Judiciaires et la Déléguée pour la promotion et la protection des droits des femmes.

Cette dernière, désignée par arrêté ministériel n° 2018-1006 du 25 octobre 2018, assure le suivi de la mise en œuvre des décisions et orientations du Comité.

A ce titre, des groupes de travail ont été définis afin de permettre aux participants de se réunir régulièrement pour mettre en place des mesures concrètes.

Un de ces groupes est consacré à la prévention et l'éducation à l'égalité. Son objectif est de sensibiliser le grand public et les jeunes à la question de l'égalité entre les femmes et les hommes.

Sont associés aux travaux du Comité les représentants des entités à caractère institutionnel, le Haut-Commissaire à la Protection des Droits, des Libertés et à la Médiation ainsi que les représentants des associations déclarées conformément aux dispositions de la loi n° 1.355 du 23 décembre 2008 et ayant notamment pour objet : la promotion des droits des femmes et de leur place dans la société ; la lutte contre les discriminations basées sur le genre et les violences domestiques faites aux femmes ; l'accueil, l'information, le conseil et la défense des intérêts des victimes d'infractions pénales.

Le Comité peut s'adjoindre toute personne qualifiée intervenant ou exerçant une activité professionnelle ou associative en la matière.

#### 1.4 recherche et sensibilisation.

Le Comité pour la promotion et la protection des droits des femmes a pour mission de coordonner la collecte des données pertinentes, leur analyse et la diffusion des résultats atteints.

Ainsi, une des premières mesures prises par le Comité a été le lancement d'une étude pour mesurer les éventuelles inégalités salariales entre les femmes et les hommes dans le secteur privé et public. Cette étude est pilotée par l'Institut Monégasque de la Statistique et des Etudes Economiques (IMSEE), en liaison avec les acteurs impliqués dans la protection de données.

C'est en fonction des résultats que pourront être envisagées les politiques publiques les plus appropriées pour corriger les inégalités qui seraient constatées en fonction de leur importance, de leur origine ou de leur ampleur. Des campagnes de sensibilisation pourront être mises en œuvre à destination des employeurs des secteurs privés et publics.

Des campagnes de sensibilisation sont également menées à l'occasion de la journée internationale des droits des femmes du 8 mars afin de donner de la visibilité à ce sujet auprès du grand public et d'engager un maximum de personnes, y compris des personnalités de la Principauté de Monaco.

#### 1.5 autres développements pertinents

Le Ministère des Affaires Sociales et de la Santé et les employeurs de la Principauté ont souhaité élaborer ensemble une Charte pour l'égalité des hommes et des femmes dans le monde du travail intitulée « Monégalité ». Une charte qui permettra de mettre en place "une nouvelle dynamique pour promouvoir l'égalité femmes/hommes et témoigner ainsi de leur attachement à ce principe majeur, facteur de performance économique et de progrès social" (extrait du préambule de la Charte).

Cette charte aura valeur incitative et pédagogique. Sur la base du volontariat, elle aura pour vocation de faire évoluer les mentalités et les pratiques avant d'envisager, s'il y a lieu, d'autres types de mesures.

Par ailleurs, les actions mises en place au sein du système éducatif monégasque et du tissu associatif local, ont bien entendu vocation à se poursuivre et à prendre de l'ampleur. Pour exemple, une vigilance constante est appliquée tant sur les dangers que peut contenir internet pour les plus jeunes que sur les principes d'égalité et de sensibilisation sur ce thème, notamment pour battre en brèche les stéréotypes.

Enfin, l'utilisation des moyens de communication actuels au travers d'un site internet dédié aux droits des femmes en Principauté permettra de mettre en avant cette thématique. Les réseaux sociaux : Facebook, Twitter ou Instagram seront également développés afin de toucher un public le plus large possible.

## 2. Objectif stratégique: prévenir et combattre la violence contre les femmes et la violence domestique

### 2.1 changements législatifs

Le projet de loi n° 984 portant modification de certaines dispositions relatives aux peines, déposé en séance publique le 3 décembre 2018, tend à généraliser la possibilité pour le juge d'instruction d'astreindre l'inculpé à l'obligation de ne pas paraître ou résider en certains lieux ou ne pas entrer, par quelque moyen que ce soit, y compris les communications électroniques, en relation avec la victime, en supprimant la référence aux articles « 230 à 234-1,<sup>76</sup> 236,<sup>77</sup> 236-1,<sup>78</sup> 237 à 239,<sup>79</sup> 243 à 245,<sup>80</sup> 247<sup>81</sup> et 262<sup>82</sup> du Code pénal » dans l'article 182 du Code de procédure pénale.

<sup>76</sup> Article consacré aux menaces.

De même, il tend à généraliser, par la suppression de cette même liste dans l'article 37-1 du Code pénal, la possibilité pour les tribunaux de prononcer, à l'encontre d'une personne physique reconnue coupable d'un crime ou d'un délit, les peines complémentaires d'interdiction, pour une durée déterminée, d'entrer, par quelque moyen que ce soit, y compris les communications électroniques, en relation avec les victimes et de paraître, pour une durée déterminée, en certains lieux.

Par ailleurs, on rappellera que la loi n° 1.382 du 20 juillet 2011 relative à la prévention et à la répression des violences particulières a été instaurée à l'effet de renforcer la protection des femmes, des enfants et des personnes handicapées. L'objet de ce texte est la prévention et la répression de violences nécessitant ou justifiant des modes de répression ou de réparation spécifiques ou bien des sanctions aggravées ou adaptées, à raison de la vulnérabilité particulière des personnes qui en sont les victimes ou des situations dans lesquelles lesdites violences sont perpétrées. Il en est notamment ainsi de toute forme de violence ou de menaces de violence, physique, psychologique, sexuelle ou économique.

## 2.2 changements dans les politiques publiques

Un numéro de téléphone unique, anonyme et gratuit, destiné à informer les victimes de violences conjugales a été créé : le 0800 91 90 10. Il s'agit d'un numéro vert qui permet à toute personne victime de violences, qui se trouve sur le territoire monégasque, de disposer gratuitement de renseignements.

Tous les domaines de violence sont concernés : viol et violences sexuelles, violences perpétrées au sein de la famille, harcèlement sexuel, violence en milieu institutionnel, etc.

## 2.3 changements institutionnels

Cf. *supra* n° 1.3.

Le Comité pour la promotion et la protection des droits des femmes a notamment pour mission de coordonner et d'évaluer l'action et les politiques publiques, ainsi que le tissu associatif qui agit en ce domaine, afin de prévenir et combattre toutes les formes de violence et de discriminations à leur égard.

Dans le cadre des travaux du Comité, un des groupes de travail est dédié à la formation professionnelle. Son but est de proposer des actions pour renforcer la formation des professionnels accueillant des victimes. Ainsi un plan de formation initiale et continue est en cours de mise en place à destination des personnels de police, justice, agents hospitaliers, travailleurs sociaux comprenant également un volet à destination des médecins de ville et des pharmaciens.

## 2.4 recherche et sensibilisation

Le Comité pour la promotion et la protection des droits des femmes a demandé la réalisation d'une étude visant à disposer d'indicateurs sur les violences faites aux femmes dans le but de disposer de chiffres et de définir des politiques publiques les plus adaptées.

L'axe principal de cette étude est de recenser les cas de violences commises envers les femmes en Principauté

<sup>77</sup> Article consacré aux violences entraînant une maladie ou une incapacité totale de travail d'une durée excédant huit jours.

<sup>78</sup> Article consacré au harcèlement.

<sup>79</sup> Articles consacrés aux violences avec guet-apens ou préméditation (237 du Code pénal), aux violences entraînant une maladie ou une incapacité totale de travail d'une durée inférieure à huit jours (238 du Code pénal), et aux violences aggravées (articles 238-1 et 239 du Code pénal).

<sup>80</sup> Article consacré aux violences sur mineur.

<sup>81</sup> Article consacré à la castration et à l'atteinte à l'intégrité des organes génitaux d'une personne de sexe féminin.

<sup>82</sup> Article consacré au viol.

et de suivre le parcours de ces dernières. In fine, le but est de produire des statistiques fiables afin : d'évaluer les fréquences des types de violence envers les femmes, quels que soient les auteurs des violences et dans tous leurs cadres de vie (travail, couple, famille, lieux collectifs) ; d'étudier les réactions des femmes aux violences subies ; d'étudier les conséquences de la violence sur le plan de la santé, de la vie familiale et sociale.

Par ailleurs, des opérations de communication sont mises en oeuvre dans le cadre de la journée internationale pour l'élimination de la violence à l'égard des femmes du 25 novembre, à laquelle la Principauté s'associe déjà depuis plusieurs années.

Ces actions vont encore se développer grâce notamment aux nouveaux relais de communication du Comité (site internet, réseaux sociaux) qui agiront en liaison avec ceux du Gouvernement et avec les partenariats associatifs.

### **2.5 autres développements pertinents**

Afin de reconnaître et valoriser le travail fait par les associations monégasques oeuvrant dans le domaine du droit des femmes, le Gouvernement a décidé de leur octroyer des subventions ciblées. Ces aides financières particulières sont amenées à se poursuivre et à se développer pour favoriser la réalisation de projets dans ce domaine.

En particulier, l'association d'aide aux victimes d'infractions pénales, l'AVIP, a vu sa subvention augmenter de façon régulière et significative depuis plusieurs années. Afin de lui permettre de développer son action, des locaux ont été mis à sa disposition par l'Etat, la subvention a été majorée lui permettant de créer un second emploi permanent et d'avoir recours, à la vacation, à d'autres professionnels.

Pour mémoire, l'AVIP, créée en juillet 2014, dans le cadre de la loi n° 1.382 du 20 juillet 2011 relative à la prévention et à la répression des violences particulière, est une association conventionnée, agréée par arrêté ministériel n° 2014-660 du 20 novembre 2014. Elle a pour objet d'accompagner les victimes d'infractions pénales dont les victimes de violences au sens large (physiques, sexuelles, morales etc.). Cette aide est accordée à titre confidentiel et gratuit.

## **3. Objectif stratégique : garantir aux femmes l'égalité d'accès à la justice**

### **3.1 changements législatifs**

La loi n° 1.464 du 10 décembre 2018 relative au renforcement de la protection des personnes contre la diffamation et l'injure permet désormais au ministère public d'exercer d'office les poursuites, c'est-à-dire sans plainte de la victime, lorsque la diffamation ou l'injure a été commise envers une personne ou un groupe de personnes en raison de leur sexe.

Le projet de loi n° 999 portant dépenalisation de l'avortement pour la femme, reçu au Conseil National le 2 août 2019, tend à supprimer toute sanction pénale à l'encontre de la femme qui a avorté.

Par ailleurs, on rappellera que le droit interne ne comporte rigoureusement aucune discrimination à l'égard des femmes dans l'accès à la justice. Celles-ci jouissent, comme les hommes, de recours effectifs pour faire valoir leurs droits. En outre, l'assistance judiciaire est octroyée à toute personne dont les revenus annuels sont inférieurs à 20.000 euros (Ordonnance n° 3.387 du 03 août 2011 précisant les modalités d'admission au bénéfice de l'assistance judiciaire), à l'effet de leur permettre de faire valoir leurs droits en justice. L'assistante judiciaire s'applique en toute matière. Néanmoins, en matière pénale, elle ne peut être accordée qu'à la partie civile, la personne prévenue pouvant quant à elle bénéficier d'un avocat commis d'office conformément aux dispositions du Code de procédure pénale.

#### 4. Objectif stratégique : assurer une participation équilibrée des femmes et des hommes à la prise de décision politique et publique

##### 4.1 changements législatifs.

L'instauration de quotas n'est pas parue nécessaire pour assurer une participation équilibrée des femmes et des hommes à la prise de décision politique et publique. En effet, les femmes ont les mêmes droits politiques que les hommes, c'est-à-dire qu'elles bénéficient des mêmes droits d'éligibilité et de vote. L'article 54 de la Constitution précise ainsi que sont éligibles au Conseil National « *les électeurs de nationalité monégasque de l'un ou de l'autre sexe, âgés de vingt-cinq ans révolus, possédant la nationalité monégasque ... et qui ne sont pas privés de l'éligibilité pour une des causes prévues par la loi* ». De même, l'article 79 de la Constitution dispose que sont éligibles au Conseil Communal « *les électeurs de nationalité monégasque de l'un ou de l'autre sexe âgés de vingt-et-un ans révolus, possédant la nationalité monégasque ...et qui ne sont pas privés de l'éligibilité pour une des causes prévues par la loi* ». Au sein du Conseil national, on compte ainsi 8 femmes sur 24 Conseillers nationaux.

Concernant les postes à responsabilité dans l'Administration gouvernementale (soit les personnes faisant partie de la catégorie des chefs de service et plus), il y a, à ce jour, 57 % de femmes. À titre d'exemple, l'un des cinq postes du Gouvernement est actuellement occupé par une femme.

##### 4.2 changements dans les politiques publiques

Il n'est pas paru nécessaire de mettre en place des mesures spécifiques visant particulièrement les élu (es) : il existe une protection sociale adéquate visant notamment à mieux concilier les fonctions professionnelles avec celles de mère, aux moyens de l'octroi de congés maternité (cf. 1.1), de l'attribution d'allocations familiales, de la flexibilité et de l'aménagement du temps de travail. Il existe par ailleurs des congés de paternité et d'adoption. La loi fixant le régime des congés payés annuels prévoit un jour ouvrable de congé supplémentaire pour enfant à charge. En plus des congés prénatals et postnatals, des mesures légales permettent à la mère de suspendre son contrat de travail pour élever un enfant et de jouir d'une priorité de réemploi. Enfin, des crèches collectives et familiales existent au bénéfice des mères qui ont une activité professionnelle. En outre, la Principauté de Monaco n'applique aucune discrimination en matière de taux de remboursement de sécurité sociale fondée sur le sexe, ni en matière d'accès aux activités sociales.

##### 4.3 changements institutionnels

Il n'est pas paru nécessaire de mettre en place de mesures incitatives en faveur de la parité: d'une manière générale, l'Administration monégasque, le Conseil National, le Conseil Communal, la justice et la diplomatie comprennent de nombreuses femmes qui occupent des postes à responsabilités. Par ailleurs, les textes nationaux prévoient la liberté associative ; par principe, l'accès à chacune et chacun est garanti de la même manière et rien n'interdit l'accès d'une catégorie de personnes à des postes décisionnaires dans les entités associatives.

#### 5. Objectif stratégique : protéger les droits des femmes et des filles migrantes, réfugiées et demandeuses d'asile

##### 5.1 changements législatifs

Rappel du contexte : il convient ici de rappeler que la Principauté, d'une surface de 2 Km<sup>2</sup>, enserrée dans le territoire français, n'est ni un pays de destination ni un canal d'immigration. La Principauté ne délivre pas de visas pour l'entrée sur son territoire, conformément à la convention de voisinage Franco-monégasque du 18 mai de 1963. Pour entrer ou s'établir sur le territoire monégasque, les étrangers doivent au préalable être en situation régulière en France et plus largement dans l'espace Schengen. En outre, il n'existe pas de frontière douanière entre la France et Monaco.

La Direction de la Sûreté Publique de Monaco signale toute personne pouvant répondre à la qualification de migrants de passage en Principauté, les femmes et mineurs faisant l'objet d'une prise en charge spécifique.

### 5.2 changements dans les politiques publiques

Remarque générale : l'accueil des migrants ou migrantes se fait sans distinction, qu'elle que soit la personne, sa nationalité ou son genre. Un suivi est effectué, ce qui suppose que celui-ci permettrait de détecter un péril quelconque (vis-à-vis d'une activité criminelle par exemple).

### 5.3 changements institutionnels

Remarque générale : le recours à des personnes d'accueil et gardiens féminins existe depuis longtemps à Monaco. Tout adulte qui est contrôlé sur le territoire monégasque est signalé par la Police qui s'assure de son état de santé puis relève son identité sur ses déclarations. Il est ensuite confié aux Autorités françaises qui sont chargées du contrôle de l'entrée dans l'Espace Schengen.

## 6. Objectif : intégrer les questions d'égalité entre les femmes et les hommes dans toutes les politiques et mesures

### 6.2 changements dans les politiques publiques

Cf. *supra* n° 1.3.

Avec la création du Comité pour la promotion et la protection des droits des femmes, Monaco s'est doté d'un organe de coordination dans le domaine du droit des femmes, répondant en cela aux recommandations des organismes de suivi du Conseil de l'Europe et de l'ONU. De par ses attributions, ce Comité est chargé d'évaluer les politiques publiques et d'en mettre en œuvre de nouvelles visant à promouvoir l'égalité entre les femmes et les hommes. Sa composition qui associe des services exécutifs, judiciaires, les institutions et la société civile monégasque, permet de toucher toutes les couches de la société.

### 6.3 changements institutionnels

Cf. *supra* n° 1.3.

Au niveau gouvernemental, le Ministère des Relations Extérieures et de la Coopération est chargé de recueillir, coordonner et transmettre les réponses apportées par les différents Services de l'Etat et entités concernés aux mécanismes de suivi des conventions du Conseil de l'Europe et de l'ONU (questionnaires, rapports d'évaluation, examens périodiques). Il assure ainsi le suivi des recommandations formulées par les Organisations internationales.

Le suivi de la mise en œuvre de ces recommandations sur le plan national est assuré par le Comité pour la promotion et la protection des droits des femmes.

La désignation d'une Déléguée permet de disposer d'un référent incarnant la promotion de l'égalité femmes/hommes. Son rôle est d'assurer le suivi de la mise en œuvre des décisions et orientations du Comité. Elle conduit sa mission de façon transversale, en liaison directe avec les entités compétentes et en associant les acteurs participant aux travaux du comité.

Enfin le Comité peut développer des relations avec ses homologues dans les autres Etats Parties ce qui permet un échange de bonnes pratiques pouvant être sources d'inspiration.

<b>MONTENEGRO</b>
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

Equality of all citizens and prohibition of direct or indirect discrimination on any ground (Article 8). is imbedded in the Constitution of Montenegro, and is further regulated in the Law on Gender Equality, and the Law Amending the Law on Gender Equality (2015). The latter, aligned itself with the Law on Prohibition of Discrimination (LPD), and harmonised the definitions of discrimination based on sex with the definitions of direct and indirect discrimination, in line with EU standards. The LPD, amended in March 2014 and June 2017, to harmonise it with the EU law, prohibits discrimination based on sex, gender identity, and sexual orientation, and ensures protection from it for all natural and legal persons to whom the Montenegrin legislation applies (public and private sector). The LPD further identifies special forms of discrimination, including harassment and sexual harassment, discrimination in provision of public services, in the sphere of labour, the education and professional training. The LPD regulated Hate speech. According to this law it is any form of expression of ideas, statements, information and opinions that spreads, stirs up, encourages or justifies discrimination, hatred or violence against a person or group of persons because of their personal characteristics, xenophobia, racial hatred, anti-Semitism or other forms of hatred based on intolerance, including intolerance expressed in form of nationalism, discrimination and hostility against minorities.

### 1.2 Policy changes

The Labour Law (adopted in 2008, and amended in 2009, 2011, 2012 and 2014), further regulates prohibition of discrimination, both direct and indirect, towards persons seeking employment and towards employees, including on grounds of sex and sexual orientation (Article 5 and Article 6). The regulation of indirect discrimination is very important, as it expands the scope for targeted action to eliminate discrimination in situations arising out of male-biased institutional cultures in the public sector, as well as personal beliefs of managers and leaders of the organisations, and provides the framework for development of interventions aimed at sensitising leaders and managers of Organisations on the hidden nature of such discrimination. Montenegro prepares the new Labour Law.

Law on civil servants and state employees from 2018 also prohibits discrimination in the selection process, including on grounds of gender, sexual identity, and sexual orientation (Article 7).

### 1.3 Institutional changes

The Law on Prohibition of Discrimination was amended in 2014 and 2017, as well as the Law on the Protector of Human Rights and Freedoms (2014), the Law on Gender Equality (2015), and the new Law on Prohibition of Discrimination against Persons with Disabilities was adopted in 2015, which all together have established stronger obligation to protect against all forms of discrimination, for which violation were introduced penal provisions, and given greater powers to the Institution of the Protector of Human Rights and Freedoms.

The Law on Amendments to the Law on Gender Equality adopted by the Parliament of Montenegro in 2015, stipulates that issues of indirect and direct discrimination based on sex (in addition to all forms of discrimination) are addressed by the Protector of Human Rights and Freedoms of Montenegro, within the scope of its competence, and that the complaints in the cases of discrimination based on sex have been transferred from the competence of the Ministry for Human

and Minority Rights to the competence of the Protector. It is important to note that this Law has extended the scope of sanctions regarding gender discrimination and breaches of the principle of equal treatment of men and women in certain areas of life, including discrimination against women due to pregnancy.

#### 1.4 Research and awareness-raising

According to the Law on Protection from Domestic Violence (2010), Article 34 states that "authorities and institutions referred to in Article 5 paragraph 1 of this Act keep the records of reported cases of violence, victims, perpetrators of violence, imposed safeguard measures, as well as other measures to protect and help, in accordance with their responsibilities and delivered to the ministry responsible for the protection of human and minority rights.

In this regard, the Ministry for Human and Minority Rights annually collects relevant information from competent institutions and that data is consolidated in one document published on the website of the Ministry – link: <http://www.minmanj.gov.me/biblioteka/izvjestaji> .

Additionally, in Annexes I and II of abovementioned document, Ministry for Human and Minority Rights publishes Statistics of national SOS line for victims of violence against women and domestic violence, carried out by the NGO "SOS line for Women and Children Victims of Violence Niksic" for the period from 01 January to 31 December ongoing year, and the institution of the Protector of Human rights and freedoms in connection with cases of discrimination based on sex, in connection with the cases of gender-based violence in connection with cases of discrimination based on sexual orientation and gender identity (link: [http://www.ombudsman.co.me/docs/1554124685\\_final-godisnji-izvjestaj-2018.pdf](http://www.ombudsman.co.me/docs/1554124685_final-godisnji-izvjestaj-2018.pdf) ).

In September 2016, the Ministry for Human and Minority Rights and the Statistical Office of Montenegro concluded a Memorandum of Understanding on the project regarding the development of "Index of gender equality in Montenegro and other joint activities in the field of anti-discrimination, gender equality and minority rights". Planned index of gender equality to measure gender equality index of 1 (complete inequality) to 100 (complete equality) in six areas: knowledge, work, money, health, time and power.

The development of the Index of gender equality is in preparation, which will show the situation in the field of equal opportunities and gender equality at the national and local levels through statistical data and indicate the level of implementation of the Law on Gender Equality in this section.

The Ministry for Human and Minority Rights in co-operation with the Statistical Office of Montenegro - MONSTAT collects and publishes research and statistical data collected on the representation of men and women at all levels. The aim of this publication is to be displayed in one place the largest number of features disaggregated by sex. This is the seventh edition of the publication, which is issued for a two-year level, starting from 2006. That publication has been published on the website of the Ministry for Human and Minority Rights and can be downloaded from the link:

<http://www.mmp.gov.me/rubrike/Publikacije/Publikacije/195675/zene-i-muskarci-u-Crnoj-Gori-2018.html>

Under the IPA 2014 project "Support to Anti-Discrimination and Gender Equality Policies" implemented by the Ministry of Human and Minority Rights, in co-operation with UNDP Office in Montenegro, with the financial support of the Delegation of the European Union in Montenegro, it has been made software Database through inter-operability of the system between the Ministry of

Internal Affairs and the Centre for Social Work. The base operates from June 2019.

The Ministry for Human and Minority Rights - Department for Gender Equality continuously organises educations for different target groups, in order to strengthen capacities of institutions for implementation of gender equality principles, according to the law.

### **1.5 Other pertinent developments.**

The Ministry for Human and Minority Rights - Department for Gender Equality continuously organises educations for different target groups, in order to strengthen capacities of institutions for implementation of gender equality principles, according to the law, especially related to: promotion of human rights of women and gender equality, economic empowerment of women, gender-based violence, gender equality in media and gender equality in the decision-making process, political and public life, as strengthening capacities of institutional mechanisms for the implementation of gender equality policies.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

Montenegro signed the Istanbul Convention on 11 May 2011 and ratified it on 22 April 2013 and was among the first signatories for which it entered into force on 1 August 2014. Ratification of the Istanbul Convention by Montenegro in 2013 occurred three years after the adoption of the Law on Protection from Domestic Violence (ZPDV). This Law represents an important legal regulation that deals specifically with one form of violence covered by the Convention. It introduces domestic violence as an offense with the aim of making legislative agencies more responsive to such violence. It also introduces urgent protective measures and restraining measures for emergency cases, as well as other important rights for victims, such as the right to free legal aid. It is worded in a gender neutral manner and includes domestic violence against a wide range of family members, men or women.

Furthermore, important policy documents such as the Action Plan for Gender Equality (2017-2021) and the Strategy for Protection against Domestic Violence (2016-2020) are aimed at more comprehensive measures to prevent and combat violence against women.

Amendments to the Criminal Code of 2017 attempt to criminalise other important forms of violence against women covered by the Istanbul Convention and to enforce punishment for the criminal act of domestic or family violence, as for the basic form of this criminal act the punishment is increased from one to two years, while for a violation of the protective measure from domestic violence (determined by court or other state authority pursuant to the law), instead of six months, it is envisaged the punishment of imprisonment for up to one year. Also, a new criminal act - stalking - was introduced, thereby aligning the Law with Article 34 of the Istanbul Convention. Amendments to the criminal act of rape were carried out, and the new form of criminal act – conclusion of a null marriage - was introduced.

Amendments to the Criminal Code of 2017 in criminal legislation of Montenegro introduced new criminal acts: female genital mutilation and forced sterilisation, which resulted in compliance with Article 38 and 39 of Istanbul Convention.

### **2.2 Policy changes**

The Government of Montenegro has taken the initial steps to create a set of rules on all forms of violence against women by adopting the Strategy for Protection from Domestic Violence for the period 2016-2020. Although the title only refers to domestic violence, its definition of gender-based violence is based on the definition in Article 3, paragraph d of the Istanbul Convention. However, its

measures still resolve violence against women only to the extent in which it occurs in a family context. It is therefore necessary to work on a policy that encompasses all forms of violence against women as part of the same phenomenon, gender-based violence.

There are additional strategies and action plans, in particular the Action Plan for Gender Equality (2017-2021) and the Strategy for Social Inclusion of Roma and Egyptians in Montenegro (2016-2020). There was the national Action Plan for Implementation of United Nations Resolution 1325 "Women, Peace and Security" (2017-2018). Now, currently is ongoing Action Plan for Implementation of United Nations Resolution 1325 "Women, Peace and Security" 2019-2022.

### 2.3 Institutional changes

Work on the fight against domestic violence is focused on the formation of working groups and managing the process of developing a new protocol on preventing and dealing with cases of domestic violence. The new protocol was adopted the following changes:

- The treatment institutions in cases of felonies and criminal acts of violence against women and domestic violence (former Protocol followed only the Law on Protection from Domestic Violence);
- The treatment in cases of violence reformed model of work in centres for social work, the "case management";
- Improved system of inter-institutional co-operation (instead until now persons in charge of a given case in their institutions co-operate directly, and not as so far delegated representatives of institutions by decision that would be met);
- The co-operation will include the final electronic exchange of information that methodologically harmonised, within the Social Card and it will result in a unique database. Also Social Card will allow us to more detailed analysis and tracking.

Preparation Protocol flowed through a participatory process rests on the research that has been done previously. At the end of September 2018 the final text of the Protocol on the treatment was signed by the representatives of relevant institutions and NGOs which participated in its development, prevention and protection from violence against women and domestic violence, whose implementation was piloted during October and November, the Protocol in December officially was adopted and its full implementation has started in January 2019.

### 2.4 Research and awareness-raising

The Montenegrin Government conducts awareness-raising activities every year within 16 days of activism against violence against women, an international campaign lasting from 25 November to 10 December each year. During these 16 days throughout the country there are numerous events and activities on prevention and fight against violence against women. Non-governmental Organisations and intergovernmental Organisations are active partners in this campaign.

In November 2016, the Ministry of Human and Minority Rights published a Human Rights Bulletin containing information on human rights and the fight against prejudice which was presented in several secondary and primary schools.

In November 2018, the Ministry for Human and Minority Rights, in co-operation with the Bureau for Education Services, organised a one-day seminar titled "Gender equality in education with a special reference to gender-based violence". The target group were the teachers of different professions of primary and secondary schools in Montenegro, in particular the teachers of civic education.

On 5 November 2018, the Ministry of Human and Minority Rights and the Capital City of Podgorica organised a one-day training for journalists titled "Journalist's pen on gender equality".

Other awareness-raising activities are being carried out by non-governmental Organisations or intergovernmental Organisations and their scope is defined by the available resources as well as the area of specialisation of the involved actors. As a result, attention is not given to all forms of violence against women, but on some of them, mostly domestic violence.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.1 Legislative changes

Montenegrin courts are strongly committed to creating a legal space based on respect for human rights, including the rights of all women and girls, without discrimination on any ground.

„The Constitution of Montenegro guarantees the right to have everyone equal before the law, regardless of any particularity or personal characteristic. Also, in terms of access to justice, everyone has the right to equal protection of their rights and freedoms and to remedies against a decision that decides on his or her right or legally-based interest. In addition, everyone is entitled to a fair trial and public hearing within a reasonable time before an independent and impartial tribunal established by the law, which right is guaranteed by the European Convention on Human Rights, without discrimination on any ground.

Significant preconditions for equal access to justice in Montenegro have been met by the adoption of the Law on Free Legal Aid, which is in application as of 1 January 2012. The law regulates a comprehensive system of providing free legal aid and facilitates access to court for persons with lower property status. When it comes to the victims of the criminal offenses of domestic violence and trafficking, they have the status of privileged beneficiaries under this law, and this protection is provided without prior assessment of the property status.

The effectiveness of the free legal aid institute is improved and access to justice has been enhanced through the adoption of the *Law on Amendments to the Law on Free Legal Aid in 2015*.

In order to achieve the measures envisaged in the Strategy for the Reform of the Judiciary for 2014 - 2018 and the accompanying action plan, where, as part of the strategic goal of "strengthening access, transparency and public trust in judiciary", as one of the strategic guidelines, it is envisaged to develop and improve the system of free legal aid. Consequently, the following activities were undertaken in the previous period:

- Association of Judges of Montenegro produced a brochure on the right to free legal aid, which was disseminated to the basic courts and published on their websites, and info-flyer on free legal aid which is made with the support of UNDP is delivered to all basic courts, centres for social work and post offices;

- The method of collecting and analysing information on providing free legal aid has been enhanced by providing access to Judicial Information System (PRIS) to the Ministry of Justice. Namely, PRIS can provide real-time access to information on providing free legal aid, in such a way as to for each individual court on a daily basis can be retrieved data on the number of submitted requests for free legal aid, on the manner of making decisions on the requests, on statistics per persons who have been granted free legal aid, on statistics per users, as well as on the form of legal assistance provided and the total amount of paid and returned funds on the bases of the provision of free legal aid.

- In co-operation with the Association of Judges and the Centre for the Democratic Transition with Courts, a free legal aid brochure was developed and placed on the courts' Internet pages.

- With a view to affirming the system of free legal aid among students of law faculties in Montenegro, based on the Memorandum of Co-operation signed by the Supreme Court of Montenegro and the Faculty of Law of the University of Donja Gorica, two assistant lecturers were sent to Podgorica Basic Court.

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.1 Legislative changes**

Amendments to the Election Law in Montenegro (2014) improved political participation of women, increased number of women on electoral lists, and percentage of women's representation in legislative authorities.

The current 26th convocation of the Parliament of Montenegro comprises of 81 members of which 19 are women or 23.46%, which represents an increase compared to the 25th convocation when there were 15 women or 18.5%.<sup>83</sup>

Under the IPA 2014 project "Support to Anti-Discrimination and Gender Equality Policies" implemented by the Ministry of Human and Minority Rights, in co-operation with UNDP Office in Montenegro, with the financial support of the Delegation of the European Union in Montenegro, an intensive process of political strengthening of woman was conducted. Within the framework of the project, in November 2017, a Women's Political Network (WPN) was formed consisting of representatives of 16 ruling and opposition parties in Montenegro. The Women's Political Network of Montenegro since the formation in 2017, has achieved significant results:

- At the initiative of NGOs, women MPs and WPN were adopted amendments to the Criminal Code relating to the compliance of the definition of rape to the Istanbul Convention;
- Amendments to electoral legislation have been prepared with the aim of improving the political participation of women in Montenegro and increasing the 40% quota and submitted to the OSCE/ODIHR Working Group for the Implementation of the Recommendations;
- Support from 14 political parties for proposed amendments to electoral legislation was obtained;
- 14 municipalities (Podgorica, Budva, Bar, Ulcinj, Tivat, Danilovgrad, Kolasin, Mojkovac, Bijelo Polje, Pljevlja, Rozaje, Plav, Berane, Herceg Novi) allocated special funds for women entrepreneurship in 2019 budgets, in the total of EUR 158,000 at the WPN initiative.

The Women's Political Network continually carries out education and training within the political parties in Montenegro in order to promote gender equality in political parties, strengthen women's Organisations and create party capacities to run women for decision-making positions both within the parties and on functions in the legislative or executive branch.

#### **6. Strategic objective: Achieve gender mainstreaming in all policies and measures**

##### **6.4 Research and awareness-raising**

The Ministry for Human and Minority Rights, the OSCE Mission in Montenegro, and in 2018 continued to implement the project "Strengthening mechanisms for gender equality at the local level."

<sup>83</sup> Data from the Action Plan for achieving gender equality (APAGE) 2017-2021 with the programme for implementation for the period 2017-2018.

- The Ministry and the OSCE Mission in October 2018, in co-operation with the working groups for drafting local action plan for gender equality in local governments in municipalities Pluzine, Niksic, Bijelo Polje and Bar organised a four one-day workshop, as well as logistical support to this process. The workshops were attended by representatives of municipalities, judicial and police authorities in municipalities, schools of primary and secondary education and NGO sector - a total of 52 participants.
- The Ministry for Human and Minority Rights and the OSCE Mission organised a training programme for trainers for gender equality - three modules (7 days total), with the aim of providing the necessary skills to lead training sessions and contributed to raising awareness on gender equality (24 to 26 October (module 1); 01-02, November (module 2), 13.-14. November (the final presentation)). The training programme was organised in Podgorica for 16 contact persons for gender equality from the municipalities.
- A workshop was held on the theme: "Gender equality in the media" (22/23. November in Podgorica for journalists).
- There were two workshops in 2018, on the topic of gender-sensitive budgeting in Kolasin 29/30. November and Tivat 03/04 December (for local governments).
- In order to promote gender equality at the local level, the Ministry for Human and Minority Rights and the OSCE Mission in Montenegro organised a two-day workshop on gender equality for the contact person at the local level, 28 and 29 March 2019 in Podgorica. The workshop was attended by seventeen participants from fifteen Montenegrin municipalities. It was presented the new programme of implementation of 2019-2020 Action Plan for achieving gender equality, as well as how to successfully plan and measure the achievement of gender equality at the local level and to apply a gender perspective in creation of municipal budgets. The workshop was an opportunity for the exchange of good practice, evaluation activities and achievements and challenges and looked at gender issues.
- The Ministry for Human and Minority Rights - Department for Gender Equality and the OSCE Mission to Montenegro, organised in co-operation with the working groups for LAP in local governments, in municipalities Rozaje, Cetinje, one-day workshops, and in Mojkovac and Ulcinj two-day workshops, in April 2019, as well as logistical support to this process.
- The Ministry for Human and Minority Rights - Department for Gender Equality and the OSCE Mission in Montenegro organised three training modules for contact persons for gender equality from seven municipalities in Montenegro, in May-June 2019 in Podgorica, in order to improve their coaching skills for gender equality.
- The Ministry for Human and Minority Rights - Department for Gender Equality and the OSCE Mission to Montenegro organised a two-day workshop on gender budgeting in the municipalities Tivat 24-25 June 2019, and Kolasin 27-28 June 2019.

## 7. Main challenges and lessons learned

Key challenges for the work and sustainability of gender mechanisms are strengthening their capacities and gender mainstreaming, because according to the law, they are obliged to implement gender equality policies.

Implementation of gender equality policies is the responsibility of all sectors, and the reporting should be implemented in accordance with the Law on Gender Equality and the obligations defined by this Law.

Successful implementation of gender equality policies requires the co-operation and co-ordination of the Ministry for Human and Minority Rights, the Department for Gender Equality, with all the ministries, government authorities, Parliament of Montenegro, public institutions, local self-

government bodies and civil society.

The Ministry of Human and Minority Rights - Department for Gender Equality continuously organises educations for different target groups, in order to strengthen capacities of institutions for implementation of gender equality principles, according to the law.

Good practices are being enhanced in achieving equal opportunities policy at the local level. There are signed memorandums of co-operation with all 23 municipalities, expanding the network of coordinators, 18 municipalities adopted their decisions on gender equality, in 12 municipalities were formed Councils on Gender Equality, while in 10 municipalities were adopted local action plans; 7 municipalities is now within their budgets recognised the importance of gender budgeting and allocated special funds for implementation gender equality activities.

More than 1 700 employees in local governments had been passed training for gender equality since 2012.

### 8. Additional comments, if any

Economic empowerment of women is one of three pillar related to the gender equality issue (protection of gender based violence and political empowerment of women are other two).

The difference in earnings between men and women in Montenegro according to the latest official data from 2014 is 13.9%, which means that women earn 86.1% of the average salary earned by men for the same work. Causes for gender pay gap include: patriarchal patterns and stereotypes, as well as the increasing need of women for a balance between work and private life, probably related to taking over the extra responsibility they have as care givers (not only to children but elderly and dependent household members).<sup>84</sup>

The current Law on Labour stipulates that employees have the right to an adequate income, which is determined in accordance with the law, the collective agreement and the employment contract. To an employee, a man or a woman, is guaranteed equal wage for the same work or work of the same value at the employer. Work of the same value implies work requiring the same degree of qualification, i.e. qualification of the level of education or professional qualification, responsibility, skills, working conditions and work outcomes.

In the event of a violation of this right, that is, in case the same earnings are not guaranteed for the same work or work of the same value to an employed man or a woman, such employee is entitled to compensation for the amount of the unpaid earnings.

An employer's decision or an agreement with an employee, which do not comply with the aforementioned are null.

Also, the Law on Salaries in the Public Sector does not make the difference in earnings between men and women.

When supervising the implementation of the Law on Labour by the Labour Inspection as well as at carrying out the administrative supervision by the administrative inspection, there were no issues related to the difference in earnings between men and women.

<sup>84</sup> Action Plan for Gender Equality in Montenegro 2017-2021

Equality of earnings between men and women is also envisaged in the Proposal of the new Law on Labour, with a difference that in the new Law on Labour a separate Article related to equality of earnings with the same title is worded. Furthermore, the new law stipulates equality of earnings for every employee, without any precise reference to men and women. This is because of more comprehensive regulation of equality of earnings.

- *Improved financial inclusion and access to credit, including for self-employed women*

Financial support to women's entrepreneurship is improved following the adoption of the Strategy for Development of Women's Entrepreneurship. Montenegro's Investment Development Fund has increased the number of credits lines targeted for women and facilitated procedures for obtaining them.

➤ During 2018, through three credits lines, 39 credits worth EUR 1.2 million were approved. The Government of Montenegro has adopted the *Information on the establishment of the Guarantee Fund within the Investment Development Fund of Montenegro (IRFCG)*. In November 2017, the Law on Amendments to the Law on the Investment Development Fund of Montenegro was adopted, thus acquiring the conditions for the establishment of the Guarantee Fund, expected in early 2018. As a prerequisite for the establishment of the Guarantee Fund, the Statute of the Investment Development Fund of Montenegro was amended and the Government of Montenegro adopted the Amendments to the Law on the Investment Development Fund.<sup>85</sup>

During 2017, 2018 and 2019, the Montenegrin Women's Political Network, comprised of representatives of 16 ruling and opposition parties in Montenegro, formed under the IPA II Project "Supporting Anti-Discrimination and Gender Equality Policies", with an initiative towards the local self-government budgets provided for introducing a new a local mechanism for supporting women's entrepreneurship. Special budget lines in the 2018 and 2019 budgets for female entrepreneurship were introduced in 14 Montenegrin municipalities: Danilovgrad, Podgorica, Ulcinj, Bar, Budva, Tivat, Herceg Novi, Kolasin, Mojkovac, Bijelo Polje, Pljevlja, Berane, Rozaje and Plav, which for this purpose have allocated a total of EUR 110,000 for 2018 and EUR 158,000 for 2019.

- \* Government of Montenegro has adopted recently (March 2019) the Programme for Implementation 2019-2020 of Action Plan for achieving gender equality 2017-2021.  
Link:  
<http://www.minmanj.gov.me/ResourceManager/FileDownload.aspx?rid=356008&rType=2&file=Program%20sprovo%C4%91enja%20PAPRR-a%202019-2020.pdf>
- \* Ministry of Human and Minority Rights prepares annually report of implementation of Action Plan, in co-operation with relevant institutions - Government of Montenegro has adopted the Report on Implementation of Action Plan for achieving gender equality 2017-2021 for 2018 in March 2019.  
Link:  
<http://www.minmanj.gov.me/ResourceManager/FileDownload.aspx?rid=356007&rType=2&file=lzvjestaj%20za%202018.%20godinu%20o%20sprovo%C4%91enju%20PAPRR-a.pdf>
- \* Ministry of Human and Minority Rights prepared the first national Report on implementation of Beijing declaration and Platform for Action. It was adopted on the session of Government of Montenegro in May 2019 (the Ministry in co-ordination with Ministries of Labour and Social

<sup>85</sup> Data from the report on the realisation of the 2017 Action Plan for the development of the strategy for development of women 's entrepreneurship in Montenegro for 2015-2020, the Ministry of Economy, 2018.

Welfare, Justice, Internal Affairs, National Office for Fight Against Trafficking in Human Beings, Police Administration, Gender Equality Committee in the Parliament of Montenegro and Supreme Court of Montenegro and other institutions, drafted the Report).

Link:

<http://www.minmanj.gov.me/ResourceManager/FileDownload.aspx?rid=364042&rType=2&file=lzvje%C5%A1taj%20Crne%20Gore%20o%20implementaciji%20Pekin%C5%A1ke%20deklaracije.pdf>

- \* Ministry of Human and Minority Rights prepared the Montenegro Report on the implementation of urgent recommendations of the Committee on the implementation of the Convention on the Elimination of all forms of Discrimination Against Women - It was adopted on the session of Government of Montenegro in June 2019 (the Ministry in co-ordination with Ministries of Labour and Social Welfare, Justice, Internal Affairs, National Office for Fight Against Trafficking in Human Beings, Police Administration, Gender Equality Committee in the Parliament of Montenegro and Supreme Court of Montenegro, drafted the Report).

Link:

<http://www.minmanj.gov.me/ResourceManager/FileDownload.aspx?rid=373873&rType=2&file=ENG%20CEDAW%20Urgent%20Recommendations%202019.pdf>

THE NETHERLANDS
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.2 Policy changes

Besides general policies focusing on facilitating the combination of work and care responsibilities, the national government supports local governments with research/ local pilot projects and by sharing evidence based knowledge. For example, knowledge on the effectivity of programmes with the aim to facilitate women to re-enter the labour market and who need special – gender sensitive – guidance and support. The government applies an intersectional approach with special attention for low educated, migrant and other groups of women who need extra attention.

### 1.3 Institutional changes

- The educational institutes for teachers collaboratively made the legally required set of skills of teachers accessible for the programmes for teachers. In the new programme (from Sept 2018) knowledge on sexual diversity and gender diversity are explicitly covered. The ministry facilitated the creation of a database with educational material that can be used by future teachers to address social safety. The database was created by the organisation Stichting School en Veiligheid (SSV). This was followed by the development of a manual on ‘educational skillset on sexual integrity’ for teacher programmes.
- The government ensured an improvement of the requirements for the qualifications for educational programmes on citizenship for vocational college. We have changed the law so diversity (gender, ethnicity, sexuality, religion etc.) is explicitly included in educational programmes regarding citizenship for students attending vocational college. The new law is implemented from September 2019.

#### Policy Changes

1. Financial support for the alliance ‘Gender diversity’. This is an alliance that focuses on knowledge hubs and four meetings in 2018 and 2019. Themes of the meetings are: intersectionality, early childhood and gender stereotyping, teenage and career choices and study advice and gender stereotyping in labour market and work floor
2. Continuing financial support of the alliance “Work and the Future” (a co-operation of: Atria, Emancipator, NVR and VHTO). This alliance has committed itself to combating stereotypes and introducing counter stereotypes in the fields of education, labour market and government. In 2018 they organised girlsday and rolled out a project ‘beeldenbrekers’. This project is focused on the young child (4 to 6 years old).
3. Continuing until the end of 2019 the Financial support for the national Vocational Education Training organisation (*MBO-raad*) and VHTO to make VET-schools more gender sensitive. Purpose is to recruit and preserve girls in technical VET courses and studies.
4. Continuing financial support of the alliance that focuses on gender sensitive healthcare. In 2018 the following results were achieved:
  - Research has been conducted on the relationship between sex, gender, sexual orientation and health.
  - Research on the needs of health care professionals (general practitioners) for providing gender sensitive health care.
  - Research on the experiences of LGBTI persons with their general practitioner.

- In 2019 the alliance organises a conference for health care professionals to share knowledge on gender sensitive health care. Also, an awareness raising campaign was organised to underline the importance of gender and LGBTI sensitive health care.

#### Other activities

- i. In Autumn 2018 Professor J. Mesman from Leiden University presented her research in educational books for secondary education (mathematics and Dutch language). She registered the examples in the educational material by counting and interpreting gender and cultural diversity. Also, a discussion between the research team and the educational publishers was facilitated.
- ii. Activities of alliance “Work and the Future”: analysis of (school) programmes, meetings with key players and developing a gender sensitive toolbox for professionals in order to combat gender stereotyping .

#### Target Group

Professionals in education, businesses, politicians, key organisations  
Girls in STEM/management teams and teachers in VET-schools.

### 1.4 Research and awareness-raising

#### Engaging men and boys

The White Ribbon Campaign is an international movement of men, mobilising to bring an end to violence against women. From 2016 onwards Emancipator has run the campaign in the Netherlands, with funding from the Ministry of OCW. This year (2019) Emancipator is using the funding to set up a network of organisations working on related topics, to bring about more co-operation and focus in their efforts.

### 1.5 Other pertinent developments

**a)** The Minister of OCW has requested an internal study examining the way in which government organisations present themselves in their various communications. The results will provide the basis for a discussion about how the public sector can set a good example with communications that are as gender sensitive and inclusive as possible.

**b)** Cyber-violence is one of the three key topics addressed by the *Act4Respect* alliance, a partnership between Atria and Rutgers. It brings together young people and the professional field to build partnerships based on full equality the accepted norm, with absolutely no room for intimidation or violence, whether physical, sexual, in the real world or online. The central starting point of *Act4Respect* is that a person’s gender, identity, personality or preferences must never form the basis for discrimination or violence. The alliance is funded by the Ministry of OCW for a period of five years. See: <https://act4respect.nl/thema/cybergeweld/>

**c)** Several organisations in both public and commercial broadcasting, as well as the advertising industry, have joined a coalition and have undertaken to challenge stereotyping through a more balanced representation of modern society. They are doing so not only within their own organisations but are working to set the agenda for the entire media sector. This coalition received funding from the Ministry of Education in 2018.

**d)** The Minister of OCW has endorsed various initiatives intended to encourage more male students to prepare for a career in primary education, and more female students to opt for a career in STEM. The ‘Werk.en.de Toekomst’ (work and the future) alliance is developing a ‘counter-stereotype’

database of role models: women who work in male-dominated professions and vice versa.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

In 2018/ 2019 The Netherlands reported on the Istanbul Convention and was visited by the GREVIO-committee. At the moment we are awaiting the country report with recommendations.

The current law provides for sexual offences to be criminalised in a number of provisions of the Dutch Criminal Code (rape sections 242-245, indecent assault sections 246-7, other forms of sexual abuse of children 248-9). Currently the Netherlands revise the law on rape and sexual assault to include non-consensual sexual acts.

### 2.2 Policy changes

**Domestic Violence:** In 2018 a new national action plan ('Violence doesn't belong at home' – Geweld hoort nergens thuis) on domestic violence was initiated. It focuses on domestic violence and child abuse. It is co-ordinated by the Ministry of Health and Justice, in co-operation with the VNG (organisation of Dutch municipalities).

#### Violence in the public space

The Ministry of OCW started the initiative 'Veilige Steden' (Safe cities) to encourage municipalities to develop local policies and projects to improve women's safety in the public space (e.g. on the street, in nightlife). In 2018 11 municipalities developed plans. The programme is extended in 2019 and will run until 2022. At the moment municipalities are invited to send in proposals for funding. Late September/early October the number of new municipalities joining the programme will be announced.

### 2.3 Institutional changes

In the Netherlands the policies on domestic violence are co-ordinated by the Ministry of Health. Different ministries have responsibility for different aspects of these policies, shared between the Ministry of Health (VWS), the Ministry of Justice (J&V), the Ministry of Education (OCW) and the Ministry of Social Affairs (SZW). There is no independent or separate body, but there is an informal team of policy makers co-ordinating the national action plan.

### 2.4 Research and awareness-raising

In February 2019 the WODC (scientific research bureau of the ministry of Justice) presented the findings of their studies into the prevalence of domestic violence and child abuse (<https://www.wodc.nl/wodc-nieuws/huiselijk-geweld.aspx>). The previous prevalence study was heavily criticised by some scholars because of the lack of attention for gender aspects of domestic violence. The study has improved significantly, soliciting the advice of gender experts before starting the new study. This resulted in all researchers paying attention to gender aspects and taking a gender sensitive approach.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

When developing new legislation it is now mandatory to assess what the effects of the proposed legislation on women and men and gender equality.

**8. Additional comments, if any**

The Netherlands is taking the initiative to play a leading role within the field of Artificial Intelligence and gender. We are chairing the working group on AI that is responsible for producing an EU opinion on this matter and we are currently organising an EU Mutual Learning Programme for EU member states in order to share knowledge and share best practices. We will have more information on this issue shortly.

<b>NORTH MACEDONIA</b>
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

In 2018, Amendments to the Law on Textbooks for Primary and Secondary Education were adopted in line with the National Action Plan for Gender Equality 2018-2020.

The Law on Audio Visual Services was adopted in 2018. The law proscribes equal representation of women in decision making bodies and in other organs in media, as well as prohibition of the creation and broadcasting of programmes that are discriminatory inter alia on basis of gender and sexual orientation.

In 2018 the Law on Social Protection was amended and extra-institutional protection was provided through the adoption of a new service-Centre for people who are victims of trafficking in human beings and victims of sexual violence. The amendments of the law signify a big step forward for the county in the enhancement of social protection, in a way that for the first time through this law the Republic of North Macedonia will separate the financial entitlements from the services. The reform aims to commensurate the amount of benefits, to the citizens' needs, thus reducing the level of poverty.

In 2019, a new Law on Prevention and Protection against Discrimination was adopted. The Law adds sexual orientation and gender identity as grounds for discrimination, something that was omitted with the 2010 law. The Law is harmonised with international human rights standards and EU directives for non-discrimination, especially regarding the definition of discrimination. The Law refers equally to all natural and legal people without individually separating any groups.

### 1.2 Policy changes

In 2018, a Legal Representative has been appointed in compliance with Article 21 of the Law on Equal Opportunities for Women and Men, whose legal obligation is to implement the procedures for identification of unequal treatment of women and men.

### 1.3 Institutional changes

In 2018, a Legal Representative has been appointed in compliance with Article 21 of the Law on Equal Opportunities for Women and Men, whose legal obligation is to implement the procedures for identification of unequal treatment of women and men.

Draft amendments to the Criminal Code are in the process of further harmonisation of the legislation of the Republic of North Macedonia with the Istanbul Convention regarding acts of sexual violence, including rape.

The Government intends to assess the judicial practices in the area of domestic violence with the view to identify whether the judicial practice is aligned with the Council of Europe Convention on the Prevention and Combating Violence against Women and Domestic Violence. This is based on the fact that the Government will undertake concrete measures, and improve the position of female victims of domestic violence involved in judicial procedures. For example, strengthen legal training and capacity-building programmes for judges, prosecutors, lawyers and other legal professionals on CEDAW and the Council of Europe Convention for preventing and combating violence against women and domestic violence

Additionally, the Government intends to establish a mechanism for collection of information of legal processes at all levels within the justice system including the police, the prosecution and the courts, aiming at monitoring the effectiveness of all relevant actors regarding complaints filed by women, particularly of gender-based violence and other forms of discrimination.

### 1.5 Other pertinent developments

In order to change negative social norms and gender stereotyping, the Government will develop training programmes for all relevant professionals across sectors on eliminating gender stereotyping. Also, the Government will adopt a comprehensive and community-based strategy aimed at eliminating discriminatory gender stereotypes and harmful practices against women and girls, including by strengthening the review process of textbooks and curricula, ensuring access to education for girls in the most disadvantaged areas, and their regular attendance. For this the Government will engage with civil society Organisations, including parents, youth Organisations in urban and rural areas, private associations and the business sector and men. The Government of the Republic of North Macedonia has established a National Co-ordinative Body for the Protection of Children from Abuse and Neglect. The focus of the work of this body in the past period was on the development of indicators for collecting data for children victims of violence. In the course of 2019, the National Co-ordinative Body for the Protection of Children from Abuse and Neglect will work on the preparation and adoption of a Strategy for the Protection of Children against Violence and Abuse for the period 2020-2024 with the Action Plan 2020-2021.

Lastly, the Government of Republic of North Macedonia in co-operation with international organisation, the CSOs and other relevant actors will continue to conduct regular public campaigns directed at promotion of the position of women in society and diminishing gender stereotyping.

Recommendation Rec (2019)10 on preventing and combating sexism are translate into Macedonian and Albanian .

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

In the last ten years, significant progress has been made in combating violence against women and girls. Working towards the elimination of violence against women remains a priority for gender equality policy. In recent years, efforts were primarily directed at passing appropriate legislation and policies, implementation of programmes leading to better protection of victims, improving intersectoral response and increasing capacities of relevant institutions tasked with the prevention and fight against violence against women and girls. In 2017, the Government ratified the Council of Europe Convention for Preventing and Combating Violence against Women and Domestic Violence and gathered momentum in harmonising its legislation and practice with the Convention.

### 2.2 Policy changes

Pursuant the ratification of the Council of Europe Convention for preventing and combating violence against women and domestic violence and the adopted National action plan for implementation of the Convention 2018-2023, the first activity that will be implemented is the preparation of the Law on Gender-Based Violence.

### 2.3 Institutional changes

In 2015, the Law on Prevention, Combating and Protection against Domestic Violence was adopted. For successful implementation of the provisions of this law five regulations were enacted: two by the MoLSP, two by the MoI and one by the MoH. These regulations prescribe:

- The method of implementing and monitoring the measures for protection against domestic

violence,

- The assessment of risks on the life and bodily integrity of the victims and the risk of the violence repeating,
- The manner of enforcement of issued interim measures for protection of domestic violence victims and members of their family, and
- The method of enforcement of the interim measure for protection against domestic violence.

Pursuant to the law, multi-sectorial teams on local level have been established, tasked with ensuring protection of victims of domestic violence and referring cases of domestic violence to the competent institutions. In 2015, a Protocol for co-operation between competent institutions and associations for protection and combating domestic violence was adopted. The Protocol ensures comprehensive and efficient implementation of measures for prevention, combating and protection against domestic violence.

In 2017, a National Co-ordination Body against Domestic Violence was established. The Minister of Labour and Social Policy is the Chairperson of this body, and members are representatives from: the Ministry of Labour and Social Policy (MoLSP), Ministry of Interior (Mol), Ministry of Health (MoH), Ministry of Justice (MoJ), Ministry of Education and Science (MoES), the Parliament, the Judicial Council, the Public Prosecutors' Council, the Ombudsman and civil society association.

## 2.5 Other pertinent developments

Inter-agency standard operating procedures (SOPs) for prevention and response to gender-based violence (GBV) in crisis situations are part of the 2016 Action Plan for Sexual and Reproductive Health. They relate to situations of crisis/emergency situations.

The Ministry of interior continuously conducts training related to gender-based violence of its staff, through experts in the specific area. In 2017, the training titled "Hate crime" was organised for employees in the Public Safety Bureau. A "Manual for police officers for providing gender sensitive services for supporting persons who have suffered domestic violence" was promoted in May 2018, adding to the enhanced reply from authorities to violence against women, and increasing the liability of persons committing domestic violence. Currently, there are four regional centres for sheltering people who are victims of domestic violence in Skopje, Kocani, Bitola and Sveti Nikole (established at 2018), and 5 victims have been sheltered so far, in the centre in Skopje.

The Parliament ratifies Istanbul Convention(IC) and Government adopted NAP for implementation of the IC. Each ministry is obliged to prepared annual operational plan for implementation of the IC.

Action Plan is a comprehensive multi-institutional policy to combat violence against women, and these policies should be seen as an element of democratic and transparent governance based on the rule of law. The focus of the Action plan are all forms of violence against women, which includes domestic violence, but also recognises other victims of domestic violence, such as men and boys.

This includes gay men, transgender people or those men who do not fit into heteronormative socially acceptable behavior, which again makes them victims of the patriarchal understanding of women and men and their stereotyped roles.

As one activity from AP is the preparation of the Law on Prevention and Protection from Violence against Women and Domestic Violence.

This will be a systemic law for protection of women from violence, but also a strong preventive dimension at all levels in society. In this part, it is particularly important to include education from

the earliest age involving boys in the prevention of violence. we have started establishing the necessary services for victims of gender base violence and creating standards for them.

The Centre for Victims of Trafficking in Persons and Victims of Sexual Violence has been opened by the MLSP, as well as three centres for Referral of Victims of Sexual Violence in university hospitals in Skopje and Tetovo and hospital in Kumanovo, services that focus on the victims, and before to open these services we trained more than 50 professionals who work with them.

Ministry of Labour and social policy supported by Holland Embassy, will work on two year project with follow activities:

- Development of standards for providing specialised services for victims of gender-based and domestic violence
- Conduct ToT for:
  - Programme of Gender-based violence for specialised services (women, children and perpetrators);
  - Programme Gender-based violence and domestic violence (general for awareness raising among professionals)
- Conduct training for providers of specialised services for victims of GBV and domestic violence
- Implementation of multi-sectoral training for dealing with professional structures in the areas of: social protection, police, health, judiciary, education and civil sector.
- Conducting general training for GBV and domestic violence for: teachers and professional associates from elementary and secondary school, tutors and careers, expert workers from the CSW, police officers, health workers, judges and public prosecutors, court experts, representatives of regional offices for the Free legal aid and the local bodies for equal opportunities of the Local Self Government Units, the responsible persons for social protection within the Local Self Government Units.

Ministry of labour and social policy LSP sign the Memorandum for co-operation in July 2019 and in mid of September 2019 we will start with activities.

### **3. Strategic objective: Ensure the equal access of women to justice**

#### **3.1 Legislative changes**

The elimination of violence against women, stigma and the accompanied stereotypes has been a government' priority in the past ten years.

In 2018 the Criminal Code incorporated the principle of non-punishment of victims of trafficking in human beings. This legal amendment explicitly states that the trafficking victim who was forced to commit a criminal or other offense during the time of victimisation, which is directly related to her position of victim, will not be punished. The same provision is foreseen for a child victim of trafficking.

Additionally, in 2018 the new Law on Foreigners was adopted based on GRETA recommendations from the previous reporting period that regulates the temporary stay permit for victims of trafficking the period for recovery and reflection and securing of more rights for the trafficking victims.

In 2018 the Amendments to the Law on Police provides the that the weapon with the ammunition shall be temporarily confiscated from a police officer when the Ministry of Internal Affairs receives a notification from the competent social work centre that he has committed domestic violence until the decision of the competent court for a temporary protection measure has become effective.

### 3.2 Policy changes

In 2015, a Protocol for mutual co-operation of the competent institutions and associations for protection and prevention from domestic violence was adopted. The Protocol ensures efficient and successful co-operation of the competent institutions and associations for the protection, assistance and support of the victims of domestic violence, as well as providing treatment to perpetrators of domestic violence. The Protocol regulates the types, manner and content of co-operation between the competent entities when undertaking measures for prevention, prevention and protection of victims of domestic violence and undertaking legal measures against perpetrators of domestic violence.

The legal framework was further strengthened by the Law on International and Temporary Protection, establishing protection on the basis of sex and gender in processes of international and temporary protection of asylum seekers and refugees, in 2018; the Amendment to the Law on Social Protection, providing for the protection of women who are victims of trafficking and sexual violence, in 2018; and the Ratification of the Convention of the Council of Europe on Preventing and Combating Violence against Women and Domestic Violence, in 2017.

### 3.3 Institutional changes

Each year the MoLSP provides funds to support CSOs projects for protection of domestic violence victims. This includes support to the national SOS line for reporting domestic violence, and temporary accommodation in a shelter for victims. Currently the following services are available to human trafficking victims:

- referral and accommodation in a shelter, needs assessment and crisis intervention;
- food, hygiene packages, clothes and footwear are provided during their stay in the shelter;
- psycho-social assistance and occupational/recreational activities;
- basic and specialised medical examinations;
- legal counselling and introducing the judicial system and representation before judiciary bodies from an attorney, for previously initiated court procedures,
- inclusion in the educational process upon returning to the place of residence;
- psychological support for victims, including various types of treatments and sessions, group therapy and individual psychological counselling; support for overcoming stress and trauma, forming habits for improving reading skills, positive thinking, basic information about adolescent development problems, emotional relationships and relationships with peers, dangers from sexually transmitted diseases and unwanted pregnancy.

There are four regional centres for sheltering people who were victims of domestic violence: Skopje, Kocani, Bitola and Sveti Nikole and in 2018, the First Sexual Assault Centre in the Kumanovo Hospital was opened. The aim/goal is to have a place, where a full range of services that victims' needs are offered. The centre will also ensure that these services are tailored to the rights and human dignity of the person. The work of the centre will be based on multi-sector approach, where different personnel involved – healthcare workers, police, prosecutors and social workers – will work together to ensure that the victim's interests always come first. The State shelter for victims of trafficking and currently also for victims of sexual violence, is located in Skopje. From 2013-2016 15 victims were accommodated at the shelter. The shelter is funded by government funds and in 2017, the MoLSP provided 295,836 MKD (around 4,800 Euros) from its budget for the running of the State shelter for victims of THB. In 2015 and 2016, the CSO Open Gate in co-operation with Centres for Social Work implemented the Programme for "Accompanying social work with victims of human trafficking and potential victims." The Programme's goal is integration of human trafficking victims, after leaving the shelter. A diverse set of services was provided to the victims, depending on their individual needs.

For example, health services (basic medical examinations, specialised gynecological examinations, laboratory tests, psychiatrist support, medications), specialised legal aid, psychosocial assistance and counseling, support to attend school, or English language course. In addition, "Open Gate" held 23 joint meetings with 5 families of the victims in order to improve the family relations, the link between parent and child and to provide support for the victims in a home environment. In 2015, 12 persons were involved in the programme. In addition to the existing Reintegration and Re-socialisation Programmes that are implemented in accordance with the individual needs of trafficking victims, in 2018 within the IOM Project "Strengthening national capacities in the field of asylum, migration and trafficking in human beings", financed by the European Union, a Fund for direct assistance has been established that provides for psychological and medical assistance, provision of food and other assistance to victims, as well as access to socialisation and reintegration.

### 3.5 Other pertinent developments

In 2018 the Criminal Code incorporated the principle of non-punishment of victims of trafficking in human beings. This legal amendment explicitly states that the trafficking victim who was forced to commit a criminal or other offense during the time of victimisation, which is directly related to her position of victim, will not be punished. The same provision is foreseen for a child victim of trafficking.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.1 Legislative changes

The Government in continuity collects and analyses data on women and their participation in politics. The data is used for raising public awareness, development of policy and legal amendments aimed to improving gender equality.

In 2018 from 112,164 employed in the public sector 60,593 are women, 54,02 per cent, and 51,571 are men, 45,98 per cent. Women are most represented in the Constitutional Court with 90.48 per cent. Generally, women are more represented than men in most public institutions with exception to the Army of Republic of North Macedonia, Ministry of Interior, and the Agency of Intelligence.

Women participate with 9 per cent in the Army. Out of this 25 per cent are officers, 11 per cent are non-commissioned officers, 4 per cent are professional soldiers and the remaining are civilian personnel. There are 40 per cent women employed in the administration of the Ministry of Defense. Political representation of women has been improved since the elections in 2014. In the last 2016 parliamentary elections, 41 female MPs or 34 per cent of 120 MPs were elected. In this parliamentary term the Deputy Speaker of Parliament is a woman, 5 women are chairmen of parliamentary committees, and 7 are deputy chairmen of parliamentary committees. There are 4 female ministers in the Government or 21 per cent. In the 2017 local elections, out of 260 mayoral candidates only 15 were female candidates or 5.8 per cent. Out of those 6 female mayors or 7 per cent were elected in Tetovo, Bitola, Staro Nagorichane, Mogila, Makedonska Kamenica and Arachinovo. Out of a total of 1,388 councilors elected in the units of local self-government, 415 female councilors were elected or 30 per cent.

In the judicial power, there is a positive trend of equal participation of the elected male and female judges. In the Supreme Court, male judges are represented with over 71 per cent. In the public prosecutor's offices, the participation of women is above 61 per cent. In all courts 61 per cent are women.

**4.2 Policy changes**

OVDE

**4.3 Institutional changes**

OVDE

**4.5 Other pertinent developments**

The Ministry of Labour and Social Policy, in co-operation with the State Statistical Office of the Republic of North Macedonia and the European Institute for Gender Equality, developed a **National Index for Gender Equality**. By calculating the index, we will get a key indicator for measuring gender equality. In this way, we would be able to have relevant information on many inequalities annually, including the gender gap, on an annual basis, and this would make it possible to take appropriate measures to improve the situation.

With OSCE we work on Mentoring programme for GE, with civil servants on national level. We work on assessment on the Law for Equal Opportunities and together we will work on amendments and changing on the existing Law.

**5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls****5.1 Legislative changes**

In 2016 during the migrant crisis in Republic of North Macedonia, the Parliament adopted amendments on the Law on Asylum and Temporary Protection which addressed two issues: family reunification and the concept of a safe third country. Inter-agency standard operating procedures (SOPs) for prevention and response of gender-based violence (GBV) in crisis situations were developed as part of the 2016 Action Plan for Sexual and Reproductive Health in situations of crisis/emergency situations and the Standard Operational Procedures for dealing with unaccompanied minors.

**5.2 Policy changes**

In 2016, three specialised training sessions were implemented on clinical management of rape for 64 service providers, out of which 50 were healthcare professionals. The MoH prepared the training in accordance with the Minimal Basic Service Package (MBSP) for Reproductive Health Services during humanitarian crises. These procedures cover the roles and obligations of each sector that is involved in the prevention of and response to gender-based violence (GBV) and sexual and gender-based violence (SGBV), both in unnatural and natural emergency situations and in a situation of peace. Inter-agency standard operating procedures in crisis situations (SOP) have initially been drafted in order to be implemented in the reception centres, as well as in other locations in the country, where refugees, migrants or internally displaced persons may be located. In the transit Centres, through its social protection workers, the MoLSP provides assistance and support to all migrants registered by the police. Regarding women and girls, for the needs of transit Centres, the Ministry developed internal guidelines and a referral protocol for vulnerable migrants and identifying the victims of violence or human trafficking. The MoH offered 24/7 health services in the mobile clinics set in the reception and transit centres and set a mobile gynecological clinics that had female medical staff on board in order to provide comfortable environment for migrant and refugee women. In 2016, 520 migrant/refugee women received medical services within the framework of the mobile gynecological clinics in the transit centres Tabanovce and Vinojug.

### 5.3 Institutional changes

In order to overcome the shortcomings in investigating and prosecuting trafficking offenses, in 2018, the National Unit for the Suppression of Smuggling of Migrants and Human Trafficking was established. The National Unit is formed to act in the direction of improving and strengthening national capacities to combat trafficking in human beings and smuggling of migrants. The National Unit is headed by a Public Prosecutor from the Basic Public Prosecutor's Office for prosecuting organised crime and corruption, and 50 representatives from the Ministry of Internal Affairs are its members. Such co-ordination between the prosecution and the police has proved successful in terms of an increased number of identified victims of trafficking (9 in 2018 and 1 in 2019).

In addition, in 2018, the National Unit for Suppression of Smuggling of Migrants and Human Trafficking (National Unit) filed 6 criminal indictments for committing a criminal act "Trafficking in children" Article 418-d of the Criminal Code, against 17 persons. Acting upon the filed criminal charges, the Prosecution established 4 cases. After the indictment for 4 persons (2 women and 2 men), first-instance convictions were passed on 13 and 12 years in prison, second instance convictions were passed on 17 and 14 years of prison and a main hearing is ongoing for 2 persons.

### 5.5 Other pertinent developments

Unaccompanied and separated children are recognised as being at particular risk of trafficking and abuse. The number of unaccompanied foreign children in the country grew from 40 in 2011 to 3,199 in the period 19 June-30 September 2015, when the migratory flows reached their peak. Acknowledging the need for a multidisciplinary, inter-sectorial and international approach to the protection of the rights of unaccompanied and separated children, the national authorities have developed SOPs for Dealing with Unaccompanied and Separated Children which with the support of UNHCR and were launched in November 2016.

Regarding measures for the identification of potential and victims of human trafficking among refugees and migrants entering Republic of North Macedonia, reference has already been made to the adoption of the Indicators for the Identification of Victims of Trafficking in Human Beings in Mixed Migration Flows developed with the support of IOM in 2016.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

In compliance with the strategy, the Government of the Republic of North Macedonia amended the budget circular (instructions) in 2013, by introducing a specific gender provision for central level budget users. To operationalise the Strategy on Gender Responsive Budgeting and facilitate the implementation of the new requirement in the budget circular, a Methodology on gender responsive budgeting was adopted by the Government in 2014. From 2013 to 2018, fourteen line Ministries and 3 state institutions have successfully implemented the methodology and prepared Gender Budgetary Statements for selected sectorial programmes. These Statements are submitted together with the budget requests for the upcoming year to the Ministry of Finance (MoF). Introducing gender responsive budgeting is a great achievement because it serves as a mechanism for ensuring transparency and accountability of the institutions. It enables to track spending and promote equal opportunities for women on a central and local level. In addition, in 2018 the government for the first time introduced gender in the instructions for the development of line ministries triennial strategic plans, which further strengthens the institutionalisation of gender mainstreaming at national level.

## 6.2 Policy changes:

The Gender Equality Strategy 2013-2020 and the subsequent National Action Plan for Gender Equality 2018–2020 contains the following priorities:

- Establishing an effective and efficient system for achieving gender equality by means of functional support mechanisms at the national and local level, harmonising indicators for measuring the progress of gender equality, and providing gender- disaggregated statistics;
- Integrating gender-responsive budgeting in policy and programme creation;
- Sensitising the public to the various forms of violence against women, and strengthening institutional capacities for taking actions aimed at protection of such victims;
- Harmonising the legislation with the EU and international standards;
- Enhancing the level of gender equality in priority thematic areas, that is, in healthcare, education and employment;
- Building a culture of equal opportunities and promoting equal treatment and non-discrimination on the ground of sex. The Strategy is the first document that provides a definition on gender-based violence in a comprehensive manner.

Upon the ratification of the Istanbul Convention in October 2018, the government of Republic of North Macedonia adopted the Action Plan for its implementation until 2023. The Action Plan will ensure the comprehensive implementation of the Convention into the national legal and policy system and will override identified current gaps in legislation and policy. In 2017 for the fourth time the National Commission for Combating Trafficking in Human Beings and Illegal Migration developed a strategic document, the National Strategy and National Action Plan for Combating Trafficking in Human Beings and Illegal Migration (2017–2020). The Strategy and the Action Plan are aimed at increasing the efficiency of institutions, at a central and local level.

The Strategy for Development of Women's Entrepreneurship for 2018-2023 aims at strengthening the economic empowerment of women by creating a favorable business climate and providing support for the development of women's entrepreneurial potential, which will contribute to the development of the existing and opening of new enterprises, jobs, and thus strengthening the overall economy. Republic of North Macedonia is one of the few countries in Europe that has established a statistical data base for women's entrepreneurship.

## 6.3 Institutional changes

In 2017 the Government of Republic of North Macedonia established inter-sectorial consultative and advisory group in order to further strengthen the national gender equality mechanism. This is a diverse group with participants coming from the public, private sector, CSOs, and academia. The purpose of this group is to support the implementation of gender equality agenda and empowerment of women, including the implementation of Beijing Platform of Action. In 2018, a Legal Representative has been appointed in compliance with Article 21 of the Law on Equal Opportunities for Women and Men, whose legal obligation is to implement the procedures for identification of unequal treatment of women and men.

## 6.4 Research and awareness-raising

The government of Republic of North Macedonia intends to conduct gender equality assessment in the Public Sector with the view/perspective that gender and gender equality should be conceptually included in public administration and planning whenever relevant. A special focus will be allocated to core public services and citizen-centred service provision. This will contribute to a more efficient resource utilisation, improved quality and increased diversity while at the same time promoting gender equality.

### 6.5 Other pertinent developments

Finally, the government will strengthen its statistical and data collection systems at the national and local levels to ensure the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, ethnicity, location and socioeconomic background, on all areas covered by the CEDAW Convention and the SDGs.

## 7. Main challenges and lessons learned

Despite the progress in promoting gender equality and empowerment of women, it has been a challenge to fully implement the legislation. The main obstacles identified are low awareness of gender equality issues, gendered biased, gender stereotyping, prejudicial and confining “mind-sets”, attitudes, values, beliefs and perceptions. Thus, the government recognises that changing attitudes, behaviours and gender stereotypes in favour of gender equality is a long-term, but critical endeavour. Even though women and men enjoy the same political rights, and despite of introducing a 40 per cent representation quota for women in politics, women are still underrepresented. This is especially evident in the Parliament and Municipality politics where quotas have not yet been reached.

Despite the intensive work of the government in the area of employment the achieved decrease in unemployment rate in 2018 was 1.4 per cent for men and 1.9 per cent for women. In 2018, 38 per cent of employed persons were women vis-à-vis 62 per cent of men. Low level of employment of women still remains a challenge especially with vulnerable groups of women. Institutional challenges were also identified such as insufficient communication, co-ordination and capacity impeding the mainstreaming of gender across the government sector; insufficient technical, and financial resources, especially for the national women’s machineries; and less efficient monitoring and evaluation of initiatives. Such limitations are perceived as impediments to economical, efficient, effective and equitable means of achieving, and being accountable for, gender equality and therefore government intends to address them in the up coming five-year period.

## 8. Additional comments, if any

The government intends to intensify the efforts to promote human rights of women and to create better institutional capacities for their effective protection. In order to achieve that the government intends to work with all national institutions to identify gaps and bottlenecks in the processes of protection of women and accordingly to devise programmes and include additional solutions in already existing programmes.

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Following the expiration of the duration of the Strategy for Introducing Gender Responsive Budgeting (GRB), the Government has embedded gender-responsive budgeting as one of the key priority areas under the National Action on Gender Equality for 2018-2020. The Republic of North Macedonia has been involved in the UN-Women regional project for Promotion of Gender Responsive Policies in South East Europe, implemented since 2011 in several phases. From 2013 to 2016, the second stage of this project was implemented and involved development, adoption and implementation of a methodology for gender responsive budgeting, including strengthening capacities for its implementation. The methodology obliges budget users at the central level to choose one programme for gender analysis and develop gender output indicators for that

programme. In this direction, the methodology establishes the process for selection of the programmes, the steps for implementing a gender analysis and the method for defining gender indicators. This methodology guides the institutions in the process of developing Gender Budget Statements that the institutions should submit along with budget requests for the selected programmes for the upcoming year. The project also focused on strengthening the capacity at central and local levels on gender responsive budgeting and facilitates exchange of experiences and knowledge for its implementation. By 2018, 14 line ministries and 3 state institutions have received capacity development training and continued mentoring on GRB, under leadership of the Department for Equal Opportunities. At local level 21 local self government units have been supported through the UN Women programme and with the support by the MoLSPto pilot GRB initiatives and engender local programmes and budgets. As a result, total of 88 local sectorial programmes have been engendered by introducing gender specific measures, along with respective budgetary allocations. In addition, GRB was integrated into specific local development/or gender equality strategies in six LSGUs. In co-operation with UN Women, the MoLSPis in a final phase of signing a memorandum to open a regional resource centre for gender-responsive budgeting and knowledge-sharing. Given the Government's commitment to gender issues, the Republic of North Macedonia will co-ordinate this process, and thus, will contribute to the development of the economy and human capacity in the region.

NORWAY
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

Sexual harassment is prohibited under section 4-3 of the Working Environment Act. Moreover, specific protection against sexual harassment is afforded by section 13 of the Equality and Anti-Discrimination Act. Serious sexual harassment can also be punishable under section 297 of the Penal Code concerning non-consensual sexual acts. Employers have a duty to prevent sexual harassment in the workplace and to deal with it should it nonetheless occur. Employees must also report cases of unwanted sexual attention and offensive behaviour, whether from colleagues, customers, guests or users. All employees who observe or are aware of harassment have a duty to notify their employer or health and safety representative. The #metoo campaign has revealed the true scope of sexual harassment, in Norway as well as elsewhere. Examples of key measures and changes implemented over the last year are presented below.

- A stronger commitment to preventing sexual harassment in the workplace The Norwegian Labour Inspection Authority and the Equality and Anti-Discrimination Ombud have stepped up their co-operative efforts to prevent sexual harassment. An online guide has been devised offering practical advice and suggestions on how to prevent and counter sexual harassment, and training material has been prepared for employers, employee representatives and health and safety representatives, and joint training has been arranged for inspectors at the Norwegian Labour Inspection Authority.

In co-operation with the social partners, a dedicated information campaign has been developed for the food service industry. The campaign consists of guidance material and a training course. The course is relevant to other industries and is open to them.

Co-operation between the authorities and partners is undergoing continual development. Among other things, efforts are being focused on implementing further measures that target other exposed industries.

- Low-threshold service for dealing with sexual harassment cases The Government has decided to establish a low-threshold service to deal with sexual harassment cases. From January 1 2020 the Anti-Discrimination Tribunal will be given the authority to enforce the ban on sexual harassment in the Equality and Anti-Discrimination Act. Currently, cases of sexual harassment must be brought before the courts. Case law does however show that this happens very rarely. The cases that actually are brought before the courts does therefore not reflect the true scope of sexual harassment. This shows us that there is a need for an alternative to court proceedings to deal with cases of sexual harassment.

The low-threshold service will give people who experience sexual harassment an alternative to court proceedings that is free of charge, and effective legal protection and protection against discrimination. The Tribunal will also be given the authority to order redress in cases related to sexual harassment in working life. Redress and compensation are the prime sanctions provided by anti-discrimination legislation. The tribunal has corresponding authority in other cases of discrimination. The Government has furthermore decided to strengthen counselling and support services for people who are exposed to sexual harassment.

- The Norwegian Equality and Anti-discrimination Act imposes all employers to work actively, purposefully and systematically to promote equality on all discrimination grounds in the work place. From January 2020, this work will also include work to prevent sexual harassment and gender-based violence.

## 1.2 Policy changes

### Gender segregated labour market

Combating gender segregation in educational choices and in the labour market are particularly important areas in Norway's gender equality policy. In the following are some measures Norway has implemented the last year to counteract gender segregation in the labour market and ensure that more people choose studies and careers that are less traditional from a gender perspective.

- The YoungToday Commission

The Government has appointed the YoungToday Commission (UngiDag-utvalget). Among other things, this commission will propose good measures for getting young people to break with traditional gender roles when making educational and career choices. The commission's report will provide us with a good knowledge base for developing a strategy to promote a more equal educational system and labour market. The commission is expected to deliver its report in the autumn of 2019.

- Best practices: how to achieve gender balance at the top

In 2018 the Government organised two senior leadership conferences and one meeting with the recruitment industry. The goals were to place the spotlight on the skewed gender balance at the top level in business and industry and to make it clear that the Government expects the business community to take responsibility for bringing about change. The ideas that arose from the conference about what the business community considers relevant measures were noted and used to develop a list of best practices composed of eight sound pieces of advice on how the business community can be instrumental in promoting women's representation in senior management. The list of best practices, entitled How to achieve gender balance at the top in business, has been distributed to Norway's 500 largest companies and is intended to serve as a toolbox of potential measures. English-language version: <https://www.regjeringen.no/en/dokumenter/how-to-achieve-gender-balance-at-the-top-in-business/id2625076/>.

- CORE Norwegian Gender Balance Scorecard

CORE – Centre for Research on Gender Equality at the Institute for Social Research, was commissioned by the Ministry of Culture to develop the Norwegian Gender Balance Scorecard (NGBS), which was first published in 2016. Every other year, the NGBS publishes the gender balance in executive committees in Norway's 200 largest companies, and takes a closer look at other relevant indicators such as the gender balance on boards and whether gender balance varies between industries, over time, and when line and staff positions are examined. The Norwegian Gender Balance Scorecard provides us with more detailed statistics on gender equality at the management level. This knowledge is important for forming a good picture of current trends in gender equality at the national level.

The Norwegian Gender Balance Scorecard is available in Norwegian and English on CORE's website: <https://www.samfunnsforskning.no/core/publikasjoner/core-topplerbarometer/> Equal Pay

- New legislation on active equality efforts

The Norwegian Government submitted in May 2019 a law proposal to the parliament (Stortinget) on

new legislation on active equality efforts. The bill aims to strengthen public authorities' and employers' duties to make efforts against discrimination based on gender and other personal characteristics (grounds of discrimination). In addition, the bill aims to strengthen the duty to document and/or to report on active equality efforts made by employers and public authorities. According to the bill, employers in all public undertakings and in private undertakings that employ more than 50 persons shall investigate whether there are gender pay disparities in the enterprise. The duty to investigate gender salary disparities covers equal work and work of equal value. Employers shall, in co-operation with employees' representatives, evaluate and find out what kind of work is to be regarded as equal work and work of equal value. Employers shall document the investigation of wage disparities. On this basis, employers shall analyse causes of risks of wage discrimination and implement measures to tackle them. They shall also evaluate the results of this work. According to the bill, employers in private enterprises between 20 and 50 employees have the same duty to investigate gender pay disparities, provided labour unions or employers' association requests it. Furthermore, employers shall provide a report on their equality work. The report should be published. The data on salaries should be anonymised so that any individual subjects cannot be identified in the report. Micro-enterprises in private sector with less than 20 employees shall have a duty to document their work.

### 1.5 Other pertinent developments

See 1.1.

- Ung.no: general information and campaigns

On behalf of the Ministry of Children and Equality, the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir) provides governmental information to children and young people. Ung.no ('ung' means young) is a website for governmental information on the rights and obligations of young people, as well as opportunities that are open to them. The target group is young people between 13 and 20 years. All materials made available on ung.no are updated and quality-assured. In addition to general information about topics such as sexuality, sexual abuse and online safety, ung.no has developed a campaign on the sharing of nude images online in 2018.

The campaign #ikke greit [#not okay] includes updated articles and videos on the topic, providing information on the legal and moral aspects of sharing nude materials depicting others, advice on how to withstand pressure to share such material as well as providing information on where to get help. The campaign has so far demonstrated effective outreach and the ability to attract the attention of young people, using channels such as YouTube in a discourse adapted to reaching out to young people.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.2 Policy changes

Norway ratified the Istanbul convention in July 2017. In June 2019 the Norwegian Government decided to develop a national plan of action to combat domestic violence, including a specific part on violence and abuse in Sami communities. The new Governmental action plan will meet obligations of the Istanbul Convention and will address issues as prevention, prosecution, protection and integrated policies.

The Ministry of Justice and Public Security co-ordinates the Government's work on implementing the Convention and the reporting to the GREVIO monitoring body.

The government's Action plan against rape (2019-2022) was launched in March 2019. The action plan contains specific measures for victim support and assistance for victims in need to report rape

and other sexual violence to the police. An own section of the action plan is dedicated to specific measures for good quality in investigation and prosecution of rape and sexual violence cases reported to the police.

In October 2018 the Government appointed a committee to review homicide cases where the perpetrator had been a current or former partner. The aim was to find out whether, to what extent, and in what ways the public services' management of such cases had failed. The commission will make recommendations that may prevent and counter such cases from occurring in the future. The commission will submit its recommendations in 2020.

### **2.3 Institutional changes**

The responsibility for co-ordinating the Norwegian Government's efforts to combat intimate partner violence, rape and human trafficking lies in the Ministry of Justice and Public Security.

A cross-ministerial working group led by the Ministry of Justice and Public Security has been set up. These groups consist of civil servants from the Ministries of Health, Education, Foreign Affairs, Labour, Children- and Equality, Local Government and Regional Development and the Ministry of Justice and Public Security.

### **2.4 Research and awareness-raising**

In 2014, the Ministry of Justice and Public Security launched a five-year research programme on domestic violence. A total of NOK 50 million has been allocated for the programme. The research programme will be continued for another five years – from 2019 to 2024.

The purpose of the research programme is to produce knowledge in a wide range of specific areas, such as the underlying causes, extent and consequences of domestic violence, welfare services' work with domestic violence and these services' encounters with persons exposed to such violence, and NGO efforts in this field.

## **3. Strategic objective: Ensure the equal access of women to justice**

### **3.1 Legislative changes**

Norway strives for equal access of both women and men to justice. General schemes like free legal aid, witness support and an attorney appointed by the court to assist and safeguard the rights of offenders or survivors in a criminal case, provide support for all and are of importance for vulnerable and those less resourceful.

The witness support volunteer is to supply practical information about what happens in court and offer the witnesses empathetic support and guidance, both before and immediately after the court hearing, and perhaps also on some occasions in the course of the hearing.

### **3.5 Other pertinent developments**

The purpose of the Norwegian legal aid scheme is to guarantee legal assistance to persons who do not have the financial means to meet a need for legal aid that is of great importance to the person and their welfare. The scheme is of great assistance to many women.

In October 2018 the government appointed a public committee to review the legal aid scheme. The committee will finish its work in May 2020. One of the issues to be assessed by the committee is the right to legal aid for particularly vulnerable persons.

The government also financially supports special legal aid services. The support goes to organisations

that are specialised in providing free legal aid to persons in vulnerable situations, for example Legal Counselling for Women, run by law students. The organisations spread information about rights, do outreach work and offer free legal aid.

## POLAND

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.1 Legislative changes**

Polish law currently in force provides broad protection to victims of acts committed on the basis of discriminatory motivation, including behaviours motivated by sexist prejudices.

Human dignity and honour, freedom, physical integrity, mental and physical health are protected by a range of criminal law rules. Furthermore, in accordance with the principles of penalty, specified in Article 53(2) of the Criminal Code, in the case of the perpetrator's liability for committing a criminal offence, the motive for his or her action is one of the circumstances taken into account by the court when imposing a penalty.

The motivation of the perpetrator is also explicitly mentioned in the Criminal Code as one of the grounds for assessing the degree of social harmfulness of an act (Article 115(2) of the Criminal Code). Therefore, the discriminatory motivation of the perpetrator is always taken into account by the court before issuing a judgment terminating the criminal proceedings.

Ongoing legislative processAmendment of the Criminal Code in the field of provisions that penalise behaviour motivated by prejudices

The Act of 13 June 2019 amending the Act – Criminal Code and certain other acts (Senate Paper No 1184, Parliamentary Paper No 3451) provides, *inter alia*, for the amendment of Article 53 of the Criminal Code governing the directives on the penalty imposed by the court in such a way as to explicitly indicate the circumstances aggravating the perpetrator of the act. Such circumstances include, *inter alia*, the following: the manner of acting leading to humiliation or torment of the victim and committing a crime with motivation deserving special condemnation or for low motives.

The above-mentioned amendment to the Criminal Code is currently awaiting examination of its compliance with the Constitution by the Constitutional Tribunal (upon request of the President of the Republic of Poland submitted on 28 June 2019).

**1.2 Policy changes**Higher education

The Act on Higher Education and Science of 20 July 2018 (Journal of Laws of 2018, item 1668) provides for disciplinary liability of academic teachers for the use of harassment, sexual harassment or sexual offenses at higher education institutions. Article 275(1) of the above-mentioned Act stipulates that an academic teacher is subject to disciplinary responsibility for a disciplinary offense which constitutes an act that violates the duties of an academic teacher or the dignity of the academic teacher profession. Disciplinary proceedings take place before disciplinary committees whose functioning is also regulated in the Act. Similar provisions in the Act refer also to students who violate the regulations of the university and who commit acts that are not commensurate with student's dignity.

Institutional care for children

New edition of the ministerial programme for the development of childcare institutions for children under the age of 3 "TODDLER+" for the year 2019 was announced in November of 2018 (the

programme is announced every year, since 2011). The Programme provides financial support for the creation and operation of childcare facilities in nurseries, children's clubs, and by daycare providers for entities operating under the Act on care for children under the age of 3, i.e. units of the self-government, natural persons, legal persons (including universities) and Organisational units not having legal personality. The amount of PLN 450 million has been allocated to the Programme for 2019. The programme leads to an increase of access to quality and affordable childcare and, as a consequence, to reconciliation of family and professional life.

#### Advertisement

The National Broadcasting Council (KRRiT) has participated in consultations (led by the Union of Associations Advertising Council - Związek Stowarzyszeń Rada Reklamy, Polish self-regulatory Organisation) on developing self-regulation in the advertising market in the field of advertising messages addressed to children and adolescents or in which children participate (Charter of Children Protection in Advertising). Basing on its experience resulting from monitoring the commercial communications, KRRiT has proposed to supplement the Charter with provisions aimed at exclusion of sexual overtones from the abovementioned ads groups, in particular the ones involving the presentation of women or teenage girls in an objectifying way.

### **1.3 Institutional changes**

#### Higher education

In HEIs (Higher Education Institutions) there are procedures to deal with all cases of misconduct, including various forms of gender-based violence. In particular, there is a person (ombuds) who deals with incidents that involve students as well as members of academic staff.

Some universities introduced their own regulations on preventing discrimination and GBV. For example, the University of Warsaw (the leading university in Poland) has three different bodies responsible for combating discrimination and sexual harassment: a rector's committee for preventing discrimination, an equal opportunities specialist, and an academic ombudsperson. On the dedicated website "We are all equal" (<http://en.rownowazni.uw.edu.pl>) one can find information about equality initiatives, supportive institutions, useful legal acts, statistical data, anti-discrimination guidebook ([www.rownowazni.uw.edu.pl/wp-content/uploads/2017/12/podrecznik-rownowazni-wklad-eng-elektro-1.pdf](http://www.rownowazni.uw.edu.pl/wp-content/uploads/2017/12/podrecznik-rownowazni-wklad-eng-elektro-1.pdf)), etc. On 26 June 2019, the Senate of the University of Warsaw accepted a new statute of the university, with two crucial points: 1) Equal treatment as a fundamental principle of the university activity (the university supports diversity and prevents discrimination), and 2) Implementation of the highest ethical standards and upholding scientific reliability in accordance with The European Charter & Code for Researchers.

Many universities base their anti-discrimination regulations on the Human Resources Strategy for Researchers (HRS4R): <https://euraxess.ec.europa.eu/jobs/hrs4r>. By now, the award "HR Excellence in Research" has been granted by the European Commission to 83 institutions from Poland: [https://euraxess.ec.europa.eu/jobs/hrs4r#show\\_POLAND](https://euraxess.ec.europa.eu/jobs/hrs4r#show_POLAND).

The institutions that have been granted the right to use the icon "HR Excellence in Research" emphasise their commitment to implementing fair and transparent recruitment and evaluation procedures for researchers as well as gender equality measures. After the award is granted, the participating organisation must document progress and quality of the actions and accompanying measures (such as embedding the HRS4R process into their current policies and practices). The organisation must submit to the European Commission an Internal Review on how its Action Plan has been implemented. The HRS4R process continues in a cyclical way.

#### 1.4 Research and awareness-raising.

##### Nationwide survey

In 2018, the Social Cohesion Survey was conducted by the Statistics Poland. It gave the opportunity to assess the social perception of discrimination based on such causes as: gender, disability, age, homosexuality, bisexuality or transsexuality, religious denomination, place of residence, social and material status, and nationality or ethnicity. The survey also gave the opportunity to assess how much of the Polish population felt discriminated against for any reason. The results will be published at the end of 2019.

##### Media

The National Broadcasting Council has commissioned an analysis of the content broadcast in television programmes in terms of the presence and portrayal of fictional female characters - also in terms of functioning stereotypes – in Polish TV series. The research is of cross-sectional nature, i.e. it includes series originating from various film genres (comedy, detective story, costume-historical and drama film) broadcasted by the public and commercial broadcasters alike.

The KRRiT's Department of Monitoring conducts an analysis of content, regarding the general pattern of female characters presentation in docudramas in selected television programmes. The study is also cross-sectional and covers the docudramas presented by the largest broadcasters in which various professional and social groups (police, medical and nursing professionals, teachers) are presented, and docudramas which are dealing exclusively with the topic of women (e.g. the series *Deceived* depicting deceived women or the series *Harmed*, showing the stories of women caught up in difficult situations).

The National Broadcasting Council representatives participated in the XIII Scientific Conference on Media Ethics "Dignity in the media - the media worthy person", organised by the Pontifical University of John Paul II in Krakow and delivered a lecture entitled "Prohibition of women's dignity violations under the provisions of the Broadcasting Act. Practical aspects. "

##### Research and higher education

Sex-disaggregated data on research and higher education is systematically collected, for example through reports on higher education prepared by the National Information Processing Institute (Ośrodek Przetwarzania Informacji – Państwowy Instytut Badawczy, OPI PIB). It includes the data on the share of women among students, PhD candidates and higher echelons of academic career. Moreover, OPI PIB acts as the so-called national correspondent contributing to data collected in the "She Figures", reports presenting data on women's participation in research and higher education at the EU level (the latest report is available at: [https://ec.europa.eu/info/publications/she-figures-2018\\_en](https://ec.europa.eu/info/publications/she-figures-2018_en)).

The campaigns worth mentioning in the context of combating gender stereotypes in research and higher education are the following: „Girls as engineers!” and „Girls Go Science”. They are aimed at encouraging young women to study at technical universities and to enrol in STEM (science, technology, engineering, mathematics) studies.

#### 1.5 Other pertinent developments

##### Monitoring of media content

Based on the provisions of the Broadcasting Act of 29 December 1992 (Journal of Laws of 2019, item 361), the National Broadcasting Council (KRRiT) is regularly monitoring television and radio programmes as well as audiovisual media services on demand in terms of fulfilment of the measures prohibiting discrimination on grounds of sex, violation of human dignity and spreading harmful

stereotypes. As a result of monitoring, the Chairman of the National Broadcasting Council had initiated two administrative proceedings which ended with decisions to fine broadcasters for disseminating content that discriminated women and violated their dignity.

In the first case (Decision No. DM-6-2018), the Chairman of the National Broadcasting Council found, that one of the broadcasters violated Article 16(b) paragraph 3 points 1 of the Broadcasting Act (prohibition of violating human dignity in commercial communications) by broadcasting a teleshopping block containing the content which was degrading women and objectifying them, by treating only as sexual objects. The case is pending – the first instance court upheld the decision of the President of the National Broadcasting Council, the broadcaster filed an appeal against the judgment to the second instance court.

The other administrative procedure was related to the broadcast of a feature film containing pornographic content and scenes (Decision No. DM-28-2018). Except for the above-mentioned allegation, the President of the National Broadcasting Council has also raised the issue of strengthening negative stereotypes about women and their role in society (the ideal partner for a man was to stand out with full readiness for all types of sexual activity, willingness to experiment in this area, limiting her life activity only to sexual contacts, while giving up professional development or motherhood. Women differing from such a pattern were presented as boring, socially unattractive and old-fashioned. The case is pending, the broadcaster appealed against the decision of the President of the National Broadcasting Council to the court of first instance.

#### Civil Service

In line with Recommendation CM/Rec(2019)1 special attention is paid to the language used in activities within the Polish Civil Service. For last few years, some actions have been implemented obligatorily:

- Head of the Civil Service recommended, in 2015, using elements of gender equality (at language level) in advertisements for vacant positions in the civil service.
- Civil Service Department in the Chancellery of the Prime Minister uses in its development projects language of equality in the area of public procurement (documents). The contractors are also obliged to use language of equality in their products such as training materials, reports, analyses etc.

Additionally, several ministries reported on establishment or update of anti-discrimination and anti-mobbing regulations and procedures, and creation of bodies dealing with cases of discrimination. For example, in July of 2019, Director-General of the Foreign Service introduced regulation number 7 on anti-mobbing and anti-discriminatory policies in the MFA. It is compulsory for every staff member of the Ministry to learn about the envisaged provisions. This regulation created an Anti-Mobbing and Anti-Discriminatory Commission within the MFA. Its main task is to determine on possible cases of mobbing and/or discrimination in individual cases, both in the Ministry as well as in diplomatic and consular missions abroad. This body comprises of representative of the employer, staff trustee and the Ministry Co-ordinator for Equal Treatment. In 2018, order of the General Director of the Ministry of Infrastructure regarding the establishment of anti-mobbing and anti-discrimination regulations in the Ministry of Infrastructure entered into force.

#### Police

*The Plan for educating and informing about the protection of human rights and freedoms, executing on the principle of equal treatment and adhering to the rules of ethical professional conduct within the Police force for the years 2019–2020* has been in force since 2019. The tasks implemented as part of the plan focus on perfecting the internal and external educational and information activities that foster professionalism in Police operations with regard to human rights and freedoms,

professional conduct and equal treatment, including equal treatment of men and women and combating gender discrimination.

The educational initiatives carried out by the Police, which touch on issues of sexism or unequal treatment include the following:

“Human rights in Police management” – workshops for managers conducted since 2011 across all Police units;

. “Human first. Anti-discrimination activities in the Police units” – guide for Police officers and staff containing information on national, ethnic, religious and sexual minorities, as well as on other social groups that might be particularly vulnerable to discrimination. The guide contains a set of instructions on appropriate anti-discrimination behaviour within the Police, as well as on the regularity of the Police conduct in relations with representatives of groups vulnerable to discrimination;

. training sessions on topics related to equality conducted by the Police plenipotentiaries for the protection of human rights.

Since 2014, all Police units have had anti-mobbing and anti-discrimination procedures in place. Every year, the Police units receive general letters recommending that all officers and staff become acquainted with anti-mobbing and anti-discrimination procedures, with particular focus on newly hired officers and staff members.

Since October 2018, the General Police Headquarters has been piloting a new procedure named “Internal anti-conflict policy”, which, apart from the issues of discrimination and mobbing, introduces the notions of conflict and undesirable behaviour in the workplace or on duty. The key objective is to make an early intervention in light of the reported or observed instances of conflict or any signs of unequal treatment, as well as undesirable behaviour and signs of mobbing.

#### Armed forces

Obligatory training for all soldiers and civil employees included the following:

- “Integration and command in a military environment. Guarantees of equal status for women and men” (2018);
- “Standards of conduct, rules of conduct and anti-harassment policy and mobbing – discussion of the problem and countermeasures” (2019).

#### Sport

Some of the Polish sports associations have been taking steps to promote physical activity among women, in particular:

- The World Rugby Federation has announced introduction of gender-neutral names of flagship competitions. From now on, there will only be World Rugby Champions instead of World Men’s/Women’s Rugby Champions.
- In Ju Jitsu, there are mixed-gender fight categories as well as mixed-gender teams for the youngest athletes.
- Korfball is a mixed gender team sport in which girls and boys play on equal terms.
- The Polish Chess Association remains committed to developing female and male chess. The Youth Chess Academy currently includes 20 girls and 18 boys. The PCA has identical rules for assigning funds to male and female National Team and National Junior Team members for competitions, training and championship-level events. The prizes for performing at World Team Championships/Chess Olympiads are identical for women and men.

- In order to encourage female athletes to participate in competitions organised by the Polish Automobile and Motorcycling Association, female-only categories have been established within various disciplines.

#### Persons with disabilities

The specific situation of women with disabilities is addressed in the activities included in the comprehensive support programme for families “For Life”, implemented since 2016. The main goal of the “For Life” Programme is to enable real and full social integration of disabled people as well as psychological, social, functional and economic support of their families. In addition, assistance for women during pregnancy (including complicated ones), childbirth and puerperium as well as the development of support for mothers with children is also provided. The programme ensures the improvement of the quality and accessibility of health care services, increasing the efficiency and accessibility of rehabilitation of children diagnosed with severe and irreversible impairment or incurable life-threatening disease, arising in the prenatal period of development or during childbirth. The programme also provides support for families in caring for a disabled person or securing housing needs.

On 1 January 2019 the Solidarity Fund for People with Disabilities was created. As part of the fund, the Respite Care Programme and the Care Services for People with Disabilities Programme were launched. The Respite Care Programme is addressed to family members or guardians taking care of children with disabilities or persons with significant degree of disability. Support for parents and guardians is foreseen in three forms. The two of them provide care of the disabled person, when parent or guardian are absent or indisposed, either comprehensive care for 14 days a year or day care for 240 hours a year. Within the same 240 hours, the parent or the guardian may take advantage of specialist advices or take advantage of care, rehabilitation or dietetics. This programme is implemented by municipalities and poviats, which obtain financial support for the costs of carrying out tasks in the form of respite care services in the amount of up to 80% of the costs of providing services. The Care Services for the People with Disabilities Programme aims to increase the availability of care services, including specialist care services for people with disabilities with significant degree of disability up to 75 years old, as well as for children up to 16 years of age who have been granted a certificate of disability with indications for such services. As a result of the programme, significant part of parents, especially women, will be disburdened of their care. The programme is implemented by municipalities. Under the programme, co-financing up to 50% of the costs allocated to the organisation of care services is envisaged. The programme allows municipalities to increase the care services for people with disabilities.

#### Elderly

In October 2018, the Social Policy for Older People 2030. Safety – Participation - Solidarity (MP of 2018, item 1169) was adopted. The Minister of Family, Labour and Social Policy is responsible for co-ordinating the activities within the Policy. The effects of the implementation of such measures will be assessed within the “Information on the situation of older people”. The entities responsible for the implementation of individual activities will be required to collect and present information on the status of their implementation.

#### Roma

The position of Roma women is particularly precarious as they are often victims of multiple discrimination. In the Polish strategy for Roma: the “Programme of social integration of Roma in Poland 2014-2020” there is no chapter devoted explicitly to Roma women. The main reason is the fact that Roma communities in Poland are generally very traditional and any gender oriented actions might have been perceived as an illegitimate attempt to change the cultural patterns (this problem was discussed with Roma women).

Nonetheless, the awareness of the multiple discrimination of Roma women is present within the above mentioned Programme's contractors and many activities are directed towards the empowerment of the Roma women: as they are often in practice kind of transmission belt of changes in these communities. Within the reporting period, 3 projects directed to Roma women are implemented: "Educational support for young Roma women (21,000 PLN/approx. €5,000)", "Roma culinary meetings" (1,600 PLN/approx. €370) and "Employment of Roma women" (20,000 PLN/approx. € 4,600). All projects were submitted by the local authorities.

<http://mniejszosci.narodowe.mswia.gov.pl/mne/romowie/program-integracji-spol/-pro/10794,Informacja-na-temat-zasad-postepowania-w-sprawach-dotyczacych-udzielania-w-2019-.html>

#### Care services in rural areas

In the framework of the strategic project "(In)dependent", the Ministry of Agriculture and Rural Development co-ordinates the "People-friendly farms" Project. The aim of this initiative is to facilitate access to affordable and high quality social services through the development and implementation of care services for members of rural households who rely on the assistance of others (care farms). The emergence of care farms shall positively affect the quality of life in rural areas. It will be important not only for those who require direct support, but also for persons providing care (mainly women), who are often forced to give up their professional and public life in order to cater for the needs of dependent family members.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes**

In recent years, the Polish legislator has given priority to activities aimed at counteracting violence, including violence against women. This trend is reflected in the successive amendments to the Criminal Code and the Criminal Procedure Code. The aim of these legislative amendments is to ensure the protection of victims of violence, with a particular focus on minors and incapable persons. The most important amendments include, among others:

- introduction of new penal measures to protect victims from the perpetrator of violence (Article 41a(1), Article 41a(3), Article 41(3) a of the Criminal Code) and amendments of the provisions on probationary measures (Article 72(1a), Article 70(2), Article 73(2) of the Criminal Code),
- introduction of an amendment to Article 53(2) of the Criminal Code, defining specific directives on penalty levels, and an amendment to the provisions concerning the obligation to compensate for injury or to grant monetary compensation for injury, the decision on exemplary damages (Article 46 of the Criminal Code),
- strengthening of penalties for offences committed against minors and incapable persons,
- consistent strengthening of sanctions for violent and sexual offences.

#### Ongoing legislative work to counteract violence against women

##### Criminal law

#### I. The Act of 13 June 2019 amending the Act – Criminal Code and certain other acts Sejm Paper No. 3451

Status of work: the President of the Republic of Poland submitted the Act to the Constitutional Tribunal in the mode of preventive control.

The Act introduces, *inter alia*, the following changes:

- 1) Article 41(1a) of the Criminal Code – mandatory decision of a penal measure in the form of a permanent disqualification to hold any or specific positions, perform any or specific professions or activities related to upbringing, education, medical treatment of minors or their care for a definite period of time or for a lifetime, in the event of a sentence of imprisonment for an intentional crime against the life or health of a minor (currently it is the basis for an optional decision of a penal measure);
- 2) Article 53(2a) of the Criminal Code – the aggravating circumstances taken into account by the court during imposing the penalty included, *inter alia*, the use of helplessness, disability, illness of the victim, committing an offence with motivation deserving special condemnation or for low motives, committing an offence motivated by hatred based on victim’s national, ethnic, racial, political or religious affiliation or lack of religious affiliation, committing an offence in co-operation with a minor or using his or her participation;
- 3) Article 64(1a) of the Criminal Code – separate, stricter rules for imposing a penalty on a perpetrator previously sentenced to imprisonment for an offence specified in Articles 197-200 of the Criminal Code (selected offences against sexual liberty) who committed an offence specified in these provisions within 5-year period after serving at least 6 months of the sentence – in such a case the court imposes a penalty of imprisonment in the amount from the lower statutory limit increased by half to the upper statutory limit increased by half;
- 4) Article 101 (4) of the Criminal Code – the period of limitation for punishable offences against life or health committed against a minor, which are punishable by a penalty with upper limit exceeding 5 years of imprisonment, cannot lapse before the minor reaches the age of 40 (currently 30);
- 5) Articles 105 (3) and 105(4) of the Criminal Code – the statute of limitations does not apply to offences against sexual freedom and morality committed against a minor or when pornographic content includes the participation of a minor and to rape with particular cruelty;
- 6) strengthening criminal sanctions for offences:
  - deprivation of liberty for a period exceeding seven days of a person who is helpless due to his or her age, mental or physical condition (Article 189(2a) of the Criminal Code – deprivation of liberty for between 2 and 15 years),
  - human trafficking (Article 189a(1) of the Criminal Code – deprivation of liberty for between 3 and 20 years),
  - rape (Article 197(1) of the Criminal Code – deprivation of liberty of between 2 and 15 years) and an aggravated rape (Article 197(3) of the Criminal Code – deprivation of liberty for a term of between 3 and 20 years), including rape of a minor under 15 years of age (Article 197(3) of the Criminal Code – deprivation of liberty for between 5 and 30 years)
  - sexual intercourse with minors under 15 years of age (Article 200(1) of the Criminal Code – deprivation of liberty for between 2 and 15 years)
  - producing, recording, importing, storing, possessing, distributing or presenting pornographic contents involving a minor (Article 202(3) of the Criminal Code – the penalty of deprivation of liberty for between 2 and 15 years),
  - inducing a person to practice prostitution by force, unlawful threat or deceit (Article 203 (2) of the Criminal Code – deprivation of liberty for between 2 and 15 years);
- 7) Article 197 (3b) of the Criminal Code – a new type of aggravated rape against a minor under 15 years of age was introduced if the act was committed against a minor who at the time of the act was dependent on the perpetrator, in particular under his or her care, or with manipulating of a critical situation of the minor, punishable by deprivation of liberty for between 8 to 30 years;

- 8) Articles 200 (2) and 200( 4) of the Criminal Code – new types of aggravated sexual assault of a minor under 7 years of age were introduced (sexual intercourse – imprisonment for a term of between 3 and 20 years; other sexual activity – imprisonment for a term of between 2 and 15 years);
- 9) Article 200 (8) of the Criminal Code – as aggravating circumstances for the penalty for offences of sexual assault of a minor specified in Articles 200(1)-200(6) of the Criminal Code, an offence against a minor who at the time of the act was dependent on the perpetrator, in particular under his or her care, or with manipulating of a critical situation of the minor was introduced – in such a case, the court imposes a penalty of imprisonment in the amount from the lower statutory limit increased by half;
- 10) the scope of data identifying the person included in the Sex Offenders Register with restricted and public access, maintained pursuant to the Act of 13 May 2016 on Counteracting Threats of Sexual Offences (Journal of Laws of 2018, item 405, as amended), was extended to include the profession learned and exercised and the place of work.

II. A government bill on amending the Act – The Criminal Code with a self-amendment  
Sejm paper No. 3386 and 3386-A

Status of work – after consideration of the bill by the Justice and Human Rights Commission on 16 July 2019),

The bill introduces, *inter alia*, separate, stricter rules for imposing a penalty on a perpetrator previously sentenced to imprisonment for an offence specified in Articles 197-200 of the Criminal Code (selected offences against sexual liberty) who committed an offence specified in these provisions within 5-year period after serving at least 6 months of the sentence – in such a case the court the penalty of imprisonment in the amount from the lower statutory limit increased by half to the upper statutory limit increased by half (Article 64(1a) of the Criminal Code).

Civil law

In the area of civil law, Article 11a of the Act on Counteracting Domestic Violence, which enables separating a person using violence from a victim should be referred to. According to its wording, if a family member residing at the same address, due to acts of domestic violence makes joint residence particularly burdensome, the victim of domestic violence may demand that the court make the perpetrator leave the residence. The decision is taken following the proceedings which should take place within one month from the application date. It enters into force as of the day of announcement and may be amended or repealed should circumstances change.

Currently, work is being undertaken to increase the efficiency and promptness of proceedings in cases concerning the obligation of a person using violence to leave a jointly occupied residence and to increase the effectiveness of protection of persons affected by violence. An amendment to the Act on the Police consists in granting the Police the power to issue an order against a person using violence to immediately leave the residence occupied jointly and its immediate surroundings or a prohibition to approach the residence and its immediate surroundings; the order shall be subject to court control.

The bill also amends the provisions of the Contravention Code by adding a new offence providing for a penalty of arrest, restriction of liberty, or a fine for non-compliance with an order issued by the Police, the Military Police or the court to immediately leave the jointly occupied residence and its immediate surroundings or a prohibition to approach the residence and its immediate surroundings; or a court decision. Moreover, the bill provides for facilitation of access to court through statutory exemption of the applicant from court costs.

The bill is in the process of analysing comments made during public consultations, opinions and

inter-ministerial arrangements.

## 2.2 Policy changes

In the reporting period, services and institutions operating in municipalities and poviats continued their activity in the area of preventing domestic violence, including preventing violence against women, in accordance with the assigned competences resulting from the Act of 29 July 2005 on preventing domestic violence (Journal of Laws of 2015, item 1390) and implementing provisions to the Act, as well as on the basis of the National Programme for the Prevention of Domestic Violence for 2014–2020.

As for the development of support infrastructure for people experiencing domestic violence, in 2018 another special support centre was established in Krakow. In 2019, another facility will be created in the Kujawsko-Pomorskie Voivodeship.

The Minister of Family, Labour and Social Policy annually implements the Programme “Supporting Local Government Units in Creating the System of Preventing Domestic Violence”. It is aimed at co-financing of municipal, poviat and voivodship self-governments in creating integrated systems of counteracting domestic violence. As part of co-financed projects, the local diagnoses of the phenomenon of violence are supported, as well as a diagnosis of risk groups (for the details see point 2.4).

The Polish Nationwide Emergency Service for Victims of Domestic Violence „Blue Line”, created and founded by the State Agency for Prevention of Alcohol Related Problems (PARPA), is still fully operational. In the “Blue Line” Emergency Service there are psychologists and lawyers available who provide help and support to women – victims of domestic violence. The following activities are executed by the “Blue line” Emergency Service: Helpline for victims of domestic violence – phone free of charge and available 24 hours a day; phone consultations in English and Russian, legal consultations, consultations via Skype, also for users of Polish sign language, consultations for professionals, e-mail advices – [niebieskalinia@niebieskalinia.info](mailto:niebieskalinia@niebieskalinia.info), interventions (in case of danger to life or health or when the perpetrator has a suspended sentence for family violence or is on parole and continues to use domestic violence), website: [www.niebieskalinia.info](http://www.niebieskalinia.info), and database.

## 2.4 Research and awareness-raising

### Research and data collection

According to the Act on preventing domestic violence (Article 8(1)), the tasks of the Minister of Family, Labour and Social Policy include commissioning and financing research, expertise and analysis regarding the phenomenon of domestic violence. Diagnosis of the phenomenon of violence throughout the entire duration of the Programme is carried out every two years. According to the schedule, the next survey will be carried out in the second half of 2019.

Units of local self-government at the community, poviat and voivodship levels develop their own diagnoses of the phenomenon of domestic violence on their respective territories. According to the statistical data for 2018 on the implementation of the Programme for the Prevention of Domestic Violence for 2014–2020, so far a total of 781 local diagnoses were developed in Poland, including 657 communal (gmina), 118 poviat diagnoses and 6 new voivodship diagnoses.

In 2019, a survey of the effectiveness of assistance provided to people affected by domestic violence and a review of the effectiveness of corrective and educational actions for perpetrators will be carried out. This measure is foreseen in the National Programme for the Prevention of Domestic Violence for 2014-2020.

Between 2017 and 2019, the Statistics Poland implemented 3 topics in the project entitled “Testing and piloting survey on Gender-Based Violence”. The project assumes the implementation of the main objective, namely participation in developing EU-wide survey on GBV. Three of project topics concerned:

- translation of the questionnaire and pre-testing;
- conducting a pilot survey on GBV at national level;
- comparing the methodology to conduct GBV survey at national level with the proposal of common methodology of EU-wide survey.

In 2019, on the International Day of Women and Girls in Science (11 February), the Polish Commissioner for Human Rights presented a report *The experience of harassment among students. Analysis and recommendations*. It was based on a survey among 4000 participants (<https://www.rpo.gov.pl/pl/content/molestowanie-wsrod-studentek-i-studentow-analiza-i-zalecenia-rpo>, available in Polish). The commissioner has indicated that gender is one of the key factors in cases of harassment, sexual harassment and sexual violence. The report includes specific recommendations: 1) strengthening legal protection against harassment, 2) knowledge dissemination about the phenomena and consequences of harassment, sexual harassment, and sexual offenses, 3) increasing knowledge about legal protection measures against harassment and sexual violence, 4) supporting students vulnerable to harassment, sexual harassment, and sexual offenses.

#### Campaigns and awareness raising

In 2018, the Ministry of Family, Labour and Social Policy conducted an awareness-raising campaign on the safety of the elderly. It was a part of the National Programme for Prevention of Violence in the Family for 2014-2020. A television spot was created. It aims to increase public awareness about the safety of older people, sensitise the public to the need to react, but also to increase the knowledge and awareness of older people about their rights.

Campaigns on preventing and combating violence were also conducted by voivodship self-governments, poviats and communes. In total, 946 such campaigns were carried out by: voivodship self-government – 33, poviats self-government – 200, and commune self-government – 713.

With the aim to improve the competence of services, in addition to co-financing training carried out by marshals of voivodships, the Ministry of Family, Labour and Social Policy each year organises nationwide conferences for the representatives of various institutions, working both with persons experiencing violence and with perpetrators. In November 2018, the Ministry organised a National Conference entitled “Safety of the elderly. Prevention, intervention, help”.

In 2018, the State Agency for Prevention of Alcohol Related Problems (PARPA) commissioned an information and educational campaign about prevention of domestic violence. The main objective of this campaign was preparing series of articles about domestic violence and the possibility of getting help and publishing them in the popular women’s press. Also, the telephone number of “Blue Line” Helpline (800-12-00-02) was presented in articles.

A leaflet promoting the "Blue Line" Emergency Service was translated into Ukrainian, Russian, Arabic and Vietnamese in co-operation with UNHCR Poland. Leaflets will be printed in 2019.

In December 2018, PARPA organised a seminar about international law and protection against domestic violence. The participants were people working in Poland with foreigners, migrants and refugees who are victims of domestic violence.

Each year, PARPA organises training sessions and conferences on countering domestic violence, including violence against women. This training is for various professional groups that work in the Polish system of counteracting violence. The training deals with the issues of recognising violence, interventions against perpetrators of violence, providing support and conducting conversations with people experiencing violence. About 350 people participate in this training every year.

The issue of preventing violence against women and all forms of discrimination against women is discussed within the framework of lectures conducted on judicial and prosecutorial training. Moreover in 2018, training “Methodology of conducting proceedings in cases of offences against sexual freedom and morality, with particular emphasis on the evidence from hearing a minor victim” were organised. Detailed issues discussed in the training course include: methodology of criminal proceedings in cases of offences against sexual freedom and morality; types of offences; characteristics of sexual offences, including against minor victims; characteristics of perpetrators; psychological aspects of hearings of adult victims of sexual assault; principles of hearings of minor victims of sexual offences; psychological expertise of testimonies of minor victims (principles of drafting, research methods, criteria for psychological assessment of credibility). In 2018 two editions of the training took place (in June and November).

The Prevention Bureau of the General Police Headquarters participated in the project co-ordinated by the Latvian Police *Preventing repeat victimisation by developing tools for individual risk assessment and boosting the competences/potential of people involved in combating this problem*. In March 2019, as part of the aforementioned project, the Prevention Bureau of the General Police Headquarters carried out a social campaign, whose main feature was an animated film on topics such as preventing violence against women and other vulnerable groups (<http://prometeusz.myslenicki.pl/oikip/i-ty-zaslugujesz-na-happy-end.html>). The film was distributed through the Police Facebook account, the website policja.pl, the YouTube service, as well as on the websites of entities partnered with the Police that specialise in the prevention of family violence.

In the area of trafficking in human beings, activities aimed at combating and preventing these offences, as well as raising awareness on issues related to trafficking in human beings among the Police officers are based mostly on the concepts introduced in the National Action Plan against Trafficking in Human Beings for the years 2019–2021. The examples of training initiatives carried out in 2018:

- workshops for team members and co-ordinators at the General Police Headquarters, held for the purpose of exchanging experiences and information (84 officers and 23 external experts);
- 465 cascade training sessions for Police co-ordinators/officers from organisational units competent for combating trafficking in human beings (15 715 police officers);
- 2 training workshops for co-ordinators from (39 police officers);
- workshops for spokespersons of law enforcement agencies dedicated to the scope of required information and methods of establishing effective communication with the media with regard to cases of trafficking in human beings (30 spokespersons);
- 15 training sessions for prevention officers that meet with young people on the methodology of teaching classes on trafficking in human beings (260 police officers).

#### Education system

The Centre for Education Development (CED), a national teacher training institution, runs a subpage called “Blue Cards Procedure in the education system” which contains information about courses organised by the CED for education employees, publications including guides and assessment

questionnaires, and lists of the most important legal acts and useful links. The content of the subpage was updated in 2019.

In 2018, a new edition of the e-learning training on preventing domestic violence against children and implementation of the "Blue Card" procedure in education was provided. Between October 2018 and September 2019, 253 people received certificates of completion of the training.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.1 Legislative changes

No changes during reporting period. All legal provisions guaranteeing equal access of women to justice remain in force.

#### 3.4 Research and awareness-raising

##### Police

Topics related to the issue of providing support to victims are covered by the training courses offered by the training units of the Police. Furthermore, the "Aggrieved" tab on the website of the Criminal Bureau of the General Police Headquarters and the Electronic Record of Investigative Activity offer access to the *Questionnaire for individual assessment of the victim's needs*. The "Proceeding toolkit" tab features useful information for aggrieved persons concerning legal acts and the list of entities that offer psychological and financial support (<http://www.policja.pl/pol/kgp/biuro-kryminalne/dokumenty/zagadnienia-procesu-kar/pokrzywdzeni/102632,Pomoc-ofiarom-przestepstw-i-czlonkom-ich-rodzin.html>).

### 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

#### 4.1 Legislative changes

No changes during reporting period.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.2 Policy changes

According to Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland, Head of the Office for Foreigners is, among others, obliged to ensure medical care and social assistance for foreigners seeking international protection. In the reporting period, previously reported measures and procedures remain unchanged. These include among others:

- Agreement on Standard Operating Procedures with regard to recognition, counteracting and responding to cases of sexual violence or gender based violence against foreigners staying in reception centres for asylum seekers (2008), in co-operation with: UNHCR, Commander-in-Chief of the Police, "La Strada" Foundation, Halina Niec Legal Aid Centre. Based on that agreement Local Co-operation Groups work in every centre. The aim of the teams is monitoring the current situation in the centres, the degree of threat of violence and the situation of families where violence has been reported. Local Co-operation Groups consist of social workers, local police officers, medical staff and representatives of NGOs.
- Procedure concerning minors who get married or who are planning to get married (updated in 2017).
- Procedure of dealing with security threats (updated in 2018).
- Policy on protection of children from harm in facilities for foreigners (2016). The Policy is addressed to all employees and collaborators of the Office. It determines standards and

procedures of conduct. Based on the Policy, in 2017 -2018, a series of training sessions were conducted separately for the employees and co-workers of the Office for Foreigners and separately for foreigners applying for international protection. Training focused on: education of employees in the area of child protection and helping children in emergency situation and education of parents on raising children without violence and on child protection against violence and abuse.

- In 2015 the Office for Foreigners has developed the algorithm to deal with foreigners requiring special treatment (i.e. minors, unaccompanied minors, persons with disabilities, the elderly, pregnant women, single parents with minor children, victims of torture, rape or other serious forms of violence, victims/witnesses of trafficking people and people requiring support because of health or special personal circumstances), which in a complex way regulates the procedure for dealing with such persons in Centres for Foreigners. The algorithm details all stages of social assistance provided to a vulnerable person by category, including co-operation with the Border Guards (transferring vulnerable persons to Poland) and medical operator (providing special medical treatment to foreigners in need).The document has been updated in 2018.

#### Border Guard

The document "Rules of procedures with vulnerable foreigners requiring special treatment" used in the form of instructions for the Polish Border Guards running detention centres for migrants has been modified and then submitted for official use in June 2019. The changes referred i.a. to the definition of "vulnerable foreigners requiring special treatment". As a result, the term "victims of sexual violence in armed conflicts" has been included in the definition concerned what is in line with the "National Action Plan for the implementation of the UN agenda on women, peace and security for 2018-2021". It is worth to mention that the definition concerned includes: minors, unaccompanied minors, the disabled persons, the elder persons (over 65 years of age), pregnant women, single parents, victims of torture, rape or other serious forms of physical, psychological or sexual violence as well as victims of sexual violence in armed conflicts, victims or witnesses of trafficking in human beings and persons requiring support because of their health or special personal situation.

Taking into account safety and protection of foreign children staying in detention centres for migrants, the Polish Border Guard together with the "We Empower Children" Foundation developed and implemented in 2018 special "Intervention procedures in case of child abuse". They are aimed at identifying all forms of abuse, from child neglect to sexual abuse of a child (by family members, peers, as well as by third persons). These procedures also specify how to respond in such cases depending from the category of incident (from admonishing the offender or teaching parents the proper behaviour, to reporting the incident to the Police).

### **5.3 Institutional changes**

Facing up to the needs of women-asylum seekers, in 2010 the Office for Foreigners decided to designate centre located in Warsaw only for single women and single women with children. This is the centre, where woman after experiencing domestic violence can be placed. The organisation of the centre meets the needs of single women and single mothers, including safe conditions of their stay.

Since 2012, the detention centres for migrants have been profiled according to the category of foreigners placed there (men, women, families with children, unaccompanied minors). Single women are placed separately, in the centres for families with children and single women. Thanks to this solution, it is much easier to focus on meeting special needs of women, including single mothers and pregnant women.

As part of the public task carried out on behalf of the Minister of the Interior and Administration named "Operating the National Consulting and Intervention Centre for the Victims of Trafficking", non-governmental organisations provide safe accommodation and support for such persons. The scope of the assistance provided depends only on the identification of a person as a presumed/potential victim of trafficking and results from the individual diagnosis of needs. Victims receive safe accommodation regardless of the form of exploitation, depending on the availability of rooms in different facilities and according to the age and gender criteria.

#### 5.4 Research and awareness-raising

The Polish Border Guard took steps to prepare an official translation of the Council of Europe *Handbook for front-line professionals – How to convey child-friendly information to children in migration*.

The translation is expected to be ready in September 2019. After that it will be distributed for official use of the Border Guard officers dealing with unaccompanied minors. The document approaches the child's gender as an element of particular importance. It is focused on gender-based protection.

In 2018-2019 Ministry of the Interior and Administration has conducted public procurement procedures concerning printout and delivery of information materials on human trafficking. These printed materials include: brochures for young people in the form of a comic book entitled *You are not for sale*, wall calendars for 2019 with general facts on THB and posters with general information on this crime and on the available help and its scope granted by the National Centre for Intervention and Consulting for victims of trafficking. These printed materials are systematically distributed among variety of actors working in Poland in the field of combating THB.

### 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

#### 6.3 Institutional changes

The Government Plenipotentiary for Equal Treatment, together with 16 Voivodes' Plenipotentiaries for Equal Treatment (appointed in all voivodships) and Equal Treatment Co-ordinators (appointed in all ministries, Chancellery of the Prime Minister and selected central offices) form the national governmental mechanism for equal treatment and carry out activities aimed, *inter alia*, at tackling discrimination against women and at gender mainstreaming. Structures responsible for implementing the principle of equal treatment (including gender equality) have been created in order to strengthen the capacity of public administration to formulate policy objectives related to equal treatment and their effective implementation (also at the regional and local levels). Following the appointment of Co-ordinators and Plenipotentiaries, the co-operation of the Government Plenipotentiary for Equal Treatment with such partners provides a benefit of a significantly enhanced impact of measures taken throughout the country. This mechanism has been launched in 2011 (as a pilot project) and completed in 2018.

#### 6.5 Other pertinent developments

##### Development of intersectoral co-operation model for gender equality

The Chancellery of the Prime Minister (the Government Plenipotentiary for Equal Treatment) implements the project "Development and implementation of a coherent system for monitoring gender equality and intersectoral co-operation model for gender equality", co-financed by the European Social Fund, Operational Programme Knowledge Education Development 2014-2020. The project is implemented between 2018 and 2020.

The main goals of the project are:

- to develop a coherent system for gender equality monitoring in public entities;
- to develop and implement the intersectoral co-operation model for gender equality including central, regional (voivodship) and local administration, non-governmental organisations and social partners.
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Activities within the project include, among others, diagnosis of the internal and external (social) environment of entities participating in the project (all ministries and voivodship offices), aimed at assessing challenges connected to implementation of the equal treatment policy; recommendations on promoting gender equality to be included into voivodship social policy strategies; implementation of a gender equality monitoring system, and development of a model of co-operation for gender equality to be implemented on central and regional levels. Direct beneficiaries and participants of the project are already nominated Voivodes' Plenipotentiaries for Equal Treatment and Co-ordinators for Equal Treatment, appointed at the Chancellery of the Prime Minister, all ministries and other selected central institutions.

By September of 2019, the following activities were implemented:

- training session for Voivodes' Plenipotentiaries for Equal Treatment and Co-ordinators for Equal Treatment;
- diagnosis of internal and external environment of the participating institutions (currently in progress).

## 7. Main challenges and lessons learned

In case of gender equality in research and higher education policy a tendency to reducing it to "women's only" issue seems to hamper the development of initiatives in this field and "side-line" gender equality in the broader context of research and innovation national policy. Recognising gender equality in R&I as a factor positively influencing economic performance as well as integrating gender mainstreaming in various policy fields could elevate the importance of gender-targeted measures and enhance its prioritisation among decision-makers.

## 8. Additional comments, if any

### ARTIFICIAL INTELLIGENCE

In preparing the national strategy for Artificial Intelligence, Poland takes into account the issues of gender equality. Main threats in this area stem from the well-known tendency of the AI algorithms to duplicate human preconceptions. Artificial Intelligence requires large amount of data to learn and operate. If the data provided to the AI systems is biased, the results will mirror this. This problem is also present in the bias introduced by creators of the algorithms.

In November 2018, the Polish Ministry of Digital Affairs published Assumptions for National Strategy for AI. This document acknowledges such vulnerabilities of the Artificial Intelligence. Preventing discrimination of any kind is one of the challenges indicated by the authors. They state that preventing the spread and establishing of discriminative and excluding attitudes will require transparent mechanisms to control the technical solutions. Artificial Intelligence could also be helpful in impartial identifying of preconceptions in human-made decisions.

It is noted, that the danger of discrimination by the AI systems is most visible in financial services and recruiting – areas where gender, ethnicity, etc. could easily be associated with other, unfavourable factors and therefore lead to discrimination.

Moreover, *the Ethics Guidelines for Trustworthy AI*, published by the European Commission, are taken into account during works on the national strategy for Artificial Intelligence.

Another issue is representation of women among developers of the AI systems. Currently in Poland there is a significant gender gap among AI students and researchers. According to statistics prepared by the National Information Processing Institute (from the POL-on database – the integrated system of information on science and higher education), in the academic year of 2017/2018 no more than 15% of students of information technologies or automatics and robotics were women. Among researchers who published scientific papers about the AI systems (about their development or use i.e. technical, economic or social analysis), in the years 2013–2018, about 22% were women. Such data show a persistent gender gap in acquisition and use of emerging skills that differentiates career trajectories taken by men and women in today's labour market. The enormous growth of artificial intelligence across industries and scientific disciplines seems likely to deepen the already existing gender gaps across traditionally male-dominated areas of economy. The diversity among AI developers is needed not only to ensure that the new technologies serve the needs of society at large, but also to broaden the AI talent pool which is already deficient in adequately qualified labour.

PORTUGAL
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.2 Policy changes

o Law 26/2019, of March 28, which defines a minimum 40% threshold of women and men among top civil servants in public administration, and in public higher education institutions and associations.

o Law 60/2018, of August 21, which creates mechanisms to promote equal pay between women and men for equal work and work of equal value. This law creates a duty for companies to have transparent pay policies based on the application of gender-neutral job evaluations; improves national data on gender pay gap; strengthens the role of Labour Inspectorate (through a specific mechanism to notify companies to produce a plan to evaluate pay disparities and correct those amounting to discrimination) and the Commission for Equality in Labour and Employment (which now has the power to issue binding opinions on situations of potential pay discrimination).

- Concerning work-life balance, in December 2018, the Government launched an innovative work-life balance (WLB) programme (3 em Linha – Programa para a Conciliação da Vida Profissional, Pessoal e Familiar 2018-2019), to foster conditions for women and men to be able to balance professional, personal and family life. Its 4 axes (with a total of 33 actions) are intersectoral and range from promoting WLB practices in private and public Organisations, including through dialogue with social partners; developing specific action measures in the public administration; improvement of infrastructures, services and incentives in the care, education, transport and health sectors; and producing knowledge.

- the 2019 State Budget establishes that Government develops support measures for informal carers and cared persons, namely by strengthening their social protection, providing training opportunities for carers, and preventing poverty and social exclusion. A pilot project is being prepared to study and implement a public support network for informal carers and cared persons, namely in terms of house support, counselling, support and training, psychosocial support, support networks, and carers' right to rest.

- Concerning the desegregation of education and professions, the Government has been implementing, since 2017/18 school year (started as a pilot), the project "Engineers for a day" across the country, that works directly with lower secondary and secondary students to challenge stereotypes in the areas of engineering and ICT, through practical exercises, mentoring and work experiences, to incentivise more girls to choose these areas. Altogether, the project has already involved around 3520 students, 37 schools across the country, 28 companies, 12 higher education institutions, and several other stakeholders such as municipalities, foundations and associations.

In June 2017 the Commission for Equality in Labour and Employment (CITE) initiated a training cycle called "Equality Workshops" aiming at analysing gender gaps in labour market indicators, combating labour segregation and discrimination and promote gender equality by deconstructing gender stereotypes and preconceived ideas. This training is organised into four sessions covering the following subjects: the situation of women and men in the labour market; gender concepts and principles; strategies and tools for equality; elaboration of participants' action plans.

A key element to achieving what is envisioned by ENIND is the elimination of gender stereotypes as originating factors of direct and indirect sex-based discrimination. Tackling this issue shall promote

the meaningful equality of men and women and, as such, hinder the perpetuation of structural and historical models of discrimination.

Portugal assumes equality between women and men as a clear public policy priority. This requires a multifaceted approach; one that recognises the structural nature of the disadvantages that women and girls continue to suffer and the underlying gender stereotypes.

Indeed, an area chosen as priority since the 80's using, as the intervention strategy for the elimination of gender stereotypes, is education, through projects for the change of attitudes toward the roles assigned to women and men since the childhood.

There has been a work developed with teachers, in recent decades, promoting the integration of the gender dimension in the formal educational and in the Organisational dynamics. It is intended, therefore, to contribute to effective citizenship education for girls and boys, by ensuring that education, and citizenship are one of its cross-cutting areas, set and structure from, among others, the axis of social relations and gender mainstreaming, aiming freedom of choice for academic and professional courses and life projects by either girls or boys.

CIG began in 2016 the promotion of training seminars targeted at students and media professionals, in partnership with the CENJOR<sup>86</sup> and various institutions of higher education that have courses in the areas of communication and with which CIG established protocols of co-operation aiming to introduce gender dimension in their practices and curricula.

#### **1.4 Research and awareness-raising.**

- Integration of the intersectional approach in the several lines of funding launched by CIG:
  - o For the training of professionals in the areas of: a) promotion of equality between women and men, including an intersectional perspective; b) prevention and elimination of violence against women and domestic violence, including an intersectional perspective; c) prevention and elimination of discrimination, including multiple and intersectional discrimination, namely on the basis of sex, sexual orientation, gender identity and expression, sex characteristics, racial and ethnic origin, colour, nationality, descent, territory or origin, age and disability); d) prevention and elimination of trafficking in human beings, including an intersectional perspective.
  - o For the technical and financial support of civil society Organisations that work in the areas of: promotion of equality between women and men; prevention and elimination of discrimination, including multiple and intersectional discrimination, namely on the basis of sex, sexual orientation, gender identity and expression, sex characteristics, racial and ethnic origin, colour, nationality, descent, territory or origin, age and disability including an intersectional perspective; prevention and elimination of violence against women and domestic violence, including traditional harmful practices; prevention and elimination of trafficking in human beings. All actions should foster an intersectional perspective.
  - o For local projects and instruments to prevent and eliminate violence against women and domestic violence; and for projects to promote the political and civic participation of women and girls at local and regional levels, namely from vulnerable groups.
  - o Launched in 2019 two other funding lines: for the production of studies on the situation of migrant women in Portugal, namely black women and women of African descent; and for the

<sup>86</sup> <https://www.cenior.pt/>

production of a white book on intersectional discrimination, looking at the Portuguese antidiscrimination legal framework.

### 1.5 Other pertinent developments

Concerning education, Portugal approved a National Strategy for Citizenship Education. Launched in 2017, this strategy aims to give students the tools to understand value and practice equality in interpersonal relationships, human rights and democratic citizenship. This Strategy develops students' knowledge and skills regarding themes such as human rights; gender equality (including the issues of violence against women and domestic violence); interculturalism; sustainable development; environmental education; health education; sex education; media education; institutions and democratic participation; financial literacy and consumer education; road safety and risk; entrepreneurship; security, defense and peace; animal welfare; and volunteering.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

Article 152 of Penal Code, which defines the crime of domestic violence, was amended by Law 44/2018, whereby a new aggravating circumstance was added: the dissemination, on the Internet or by any other means of public dissemination, of personal data, namely image or sound, regarding the privacy of one of the victims without his/her consent. In this case, the penalty is increased (ranging from two to five years). On the other hand, all governmental areas must make specific budget allocations every year for the prevention and fight against VAWDV, which increased 67% between 2017 and 2019.

In 2018, approved by the Decree regulating the conditions of organisation and functioning of service structures, the crises centres and shelters in RNAVVD, aligning with the foreseen in the Istanbul Convention, with a view to improving the effectiveness and operation of the network.

The resolution of the Council of Ministers 52/2019, of 6 March, created a multidisciplinary technical commission for the improvement of prevention and combating domestic violence to improve the mechanisms of protection of Victim in the 72 hours following the criminal complaint.

In 2019, Portugal has declared in March 7, for the first time, a day of mourning to denounce domestic violence against women<sup>87</sup>. Government buildings run up flags at half-mast to mark the date.

Law No. 101/2019, of 6/9 - Amends the Penal Code, adapting the crimes of sexual coercion, rape and sexual abuse of an inmate to the provisions of the Istanbul Convention, and the Code of Criminal Procedure, regarding prohibition and imposition of conduct.

Another recent resolution (139/2019) includes additional provisions to prevent VAW and support survivors. The resolution aims to change social norms towards violence, sensitise professionals through training, provide immediate support for victims, and promote non-violence among young people who may be at risk for violent behavior or victimhood.

<sup>87</sup> <https://www.cig.gov.pt/2019/03/7-marco-dia-luto-nacional-pelas-vitimas-violencia-domestica/>

## 2.2 Policy changes

Portugal has a Plan for the Prevention and Combating Violence against Woman and Domestic Violence (2018-2021) that provides measures to prevent and combat all forms of violence against women and girls, including domestic violence and harmful traditional practices, specially FGM and early and forced marriages.

It is important to mention all the efforts and achievements in the prevention and combat of all forms of violence against women and girls, including domestic violence, and trafficking in human beings.

More detailed information can be found below; however, the following can be highlighted:

- Strengthening the training and qualification of professional in critical areas of intervention, through the establishment of several co-operation protocols between the Commission for Citizenship and Gender Equality -CIG (in charge of co-ordination the implementation of VAWDV policies) and other entities, such as General Prosecutor's Office, police forces, Directorate General for Justice Administration; with the Bar Association; and with the Centre for Judicial Studies in charge of training magistrates.
- Fostering the implementation of VAWDV policies at the local level which are closer to local needs, through the establishment of protocols between CIG and municipalities across the countries, always including civil society Organisations and other local authorities. Since 2019, these protocols have guaranteed that a current total of 71% of the Portuguese municipalities have structures to support domestic violence victims, included in the national support network victims.
- Opening of specialised support structures that respond to other types of violence and the needs of particularly vulnerable groups, such as LGBTI persons, sexual violence victims, women victims who have disabilities and mental disorders.

## 2.4 Research and awareness-raising

Under the EEA Grants funds mechanism, a study will be initiated in 2019 to assess the efficacy of measures applied to perpetrators and identify needs for improvement.

Also, a call for projects aiming to empower boys and young men to challenge stereotypical notions of masculinity associated to risk behaviours namely in terms of health, education, crime, violence, road and driver safety, and others. Projects should provide clear evidence of impact and sustainability, and foster relevant partnerships that potentiate the intervention with specific groups (eg., schools, higher education institutions, educational centres, prisons, children and youth homes, risk groups, health programmes).

In an effort to shift the narrative about violence against women, in 2019, the government launched a best practises guide for media outlets. The guide aims to educate journalists about the role the media plays in the public understanding of VAW and domestic violence. By promoting a zero tolerance approach, the guide aims to aid the media in supporting survivors of violence and their families .

With regard to sexual violence, Portugal is developing since 2017 the project "Sexual violence in the relationships of intimacy" (VSRI), funded by the European Commission, promoted by CIG in partnership with Ministry of health, the General Secretariat of the Ministry of Internal Affairs, the Ministry of Justice (INMLCF associate partner), the Ministry of education and the Ministry of labour, solidarity and Social Security. The project aims at raising awareness of to the phenomenon of sexual violence in intimate relationships (public administration professionals, considered central to prevention). It is intended that the target groups of the project learn to recognise, in the context of

their intervention, the problem of sexual violence in intimate relationships as well as to adjust their attitudes and responses in the face of problematic/behaviours.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.2 Policy changes.

Portugal reinforced training of relevant professionals, namely in the justice (prosecutors, judges, lawyers, court clerks), security forces and health areas (medical doctors, nurses, administrative staff), CIG established protocols (e.g., with Bar Association, Centre for Judicial Studies, Directorate General for Justice Administration, security forces, Public Prosecutor's Office) to create more training opportunities and adequacy.

#### 3.3 Institutional changes

In 2018, the Prosecutor General established a Working Group on Domestic Violence to outline its DV strategy, including the adoption of best practices and the standardisation of procedures in criminal courts, and in family and children's courts.

#### 3.4 Research and awareness-raising

Under the EEA Grants funds mechanism, a study will be initiated in 2019 to assess the efficacy of measures applied to perpetrators and identify needs for improvement.

### 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

#### 4.1 Legislative changes

- Law 62/2017, of August 1, which defines minimum thresholds of women and men in boards of public companies (33% as of 1 January 2018) and listed companies (20% as of 1 January 2018; 33% as of 1 January 2020). This law has already produced very positive impacts in 1,5 years of implementation, raising the number of women in the boards of listed companies from 12 to 18%, in State companies from 28 to 32% and in local public companies from 20 to 32%.
- In terms of political participation, Law 1/2019, of March 29, raising from 33% to 40% the minimum threshold of women and men in the electoral lists to national and European parliament, elective bodies of municipalities, and members of the Parish Councils
- Law 26/2019, of March 28, which defines a minimum 40% threshold of women and men among top civil servants in public administration, and in public higher education institutions and associations.

#### 4.2 Policy changes

Concerning work-life balance, in December 2018, the Government launched an innovative work-life balance (WLB) programme (3 em Linha – Programa para a Conciliação da Vida Profissional, Pessoal e Familiar 2018-2019), to foster conditions for women and men to be able to balance professional, personal and family life. Its 4 axes (with a total of 33 actions) are intersectoral and range from promoting WLB practices in private and public Organisations, including through dialogue with social partners; developing specific action measures in the public administration; improvement of infrastructures, services and incentives in the care, education, transport and health sectors; and producing knowledge.

#### 4.3 Institutional changes

See previous answers

#### 4.4 Research and awareness-raising

Under EEA Grants, it was launched in the beginning of 2019 a call to fund Projects to promote political and civic participation of girls and women at a local level aiming at to put in place participatory processes at local and regional levels, empowering girls and women through mentoring, women in politics networks, promoting the creation of associations and training for political intervention. The Projects should be innovative and have impact, privileging partnerships with local authorities and civil society/community based organisations (this will be considered in project selection), with a focus on inland areas and women and girls from minorities and/or from disadvantaged/vulnerable groups, to promote their civic and political participation.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.1 Legislative changes

In 2017, Portugal passed a new antidiscrimination law in the area of access to and provision of goods and services, strengthening the former legal framework. Between 2017 and 2018, there was an 93.3% increase in the number of discrimination complaints submitted to the Commission for Equality and Against Racial Discrimination under this framework. Among other aspects, the new law:

- adds descent and territory of origin to the list of prohibited discrimination factors (racial and ethnic origin, colour, nationality);
- for the first time, expressly prohibits multiple discrimination and discrimination by association. This is the first and only piece of legislation that takes into account multiple discrimination.
- reinforces the composition and powers of the Commission for Equality and Against Racial Discrimination. This Commission is responsible for receiving complaints and carrying out all administrative procedures, leading to the possible application of fines for discriminatory practices (inf the former regime, competence for carrying out the administrative procedure was scattered throughout different sectoral bodies);
- aggravates applicable fines – individuals can be subject to a fine up to 4,357.60 euros and legal persons to a fine up to 8,715.20 euros;
- introduces the possibility of mediation as a dispute resolution procedure, upon request or
- *ex officio*.

#### 5.2 Policy changes

- To respond to the need to design action measures that are responsive to the specificity of migrant women, in January 2019, creation of a Project area on Intersecting Inequalities within the High Commission, which aims to develop and implement gender sensitive policies and measures for the integration of migrants - including refugees and asylum seekers – and Roma, with focus on intersecting inequalities.

This project area focuses on national, European and international challenges in the field of the integration of migrants and Roma communities, in line with European and international recommendations – such as the Istanbul Convention and the Gender Equality Strategy 2018-2023 of the Council of Europe, as well as the United Nations 2030 Agenda and the International Decade for People of African Descent (2015-2024).

Promotion of awareness raising sessions and workshops throughout 2018 on Gender Equality, Violence against Women and Domestic Violence – including Traditional Harmful Practices – and Human Trafficking. These sessions targeted professionals who work directly or indirectly with migrant and Roma communities, in the National and Local Support Centres for the Integration of

Migrants and in the Choices Programme (which aims to promote the inclusion of vulnerable children and youth, and foster equality and social cohesion<sup>88</sup>):

- 2 awareness raising sessions on Forced and Early Marriages in the Lisbon National Support Centre for the Integration of Migrants, with 27 participants (24 women and 3 men);
  - 2 workshops on Gender Equality in the Lisbon and Porto National Support Centre for the Integration of Migrants, with 57 participants (46 women and 11 men);
  - 3 workshops on Domestic Violence in the Lisbon and Porto National Support Centre for the Integration of Migrants, with 72 participants (58 women and 14 men);
  - 2 awareness raising sessions on Human Trafficking for the Choices Programme and the Lisbon and Porto Network of Partners, with 38 participants (36 women and 2 men).
- Organisation of the Meeting-Debate “Erased, Silences, Invisibilities”, by the High Commission together with the Museum of the Calouste Gulbenkian Foundation, framed within the International Decade for People of African Descent (2015-2024). This involved feminist civil society Organisations and collectives.

The event took place on the 28 March 2019, and the discussion was based on the work of the artist Yto Barrada, strongly marked by narratives of histories and identities, in her relationship with the colonial and post-colonial past, and to the West. <https://www.acm.gov.pt/-/encontro-decada-internacional-de-afrodescendentes-2015-2024-debate-apagamentos-silencios-invisibilidades->

- Organisation of the international seminar “Intersectionality: the situation of black women and women of African descent”, by the High Commission in collaboration with the European Network for Migrant Women, <https://www.acm.gov.pt/-/seminario-internacional-sobre-interseccionalidade-a-situacao-das-mulheres-negras-e-afrodescendentes-no-cnaim-de-lisboa> . This initiative took place on the 27 May 2019, in Lisbon, signaling Africa Day which is celebrated on the 25 May.
- The Commission for Citizenship and Gender Equality and the High Commission have also been active under the national policies aiming to prevent and eliminate female genital mutilation (FGM). These policies, which haven developed in national action programmes since 2007, are now consolidated under the National Strategy for Equality and Citizenship as policies to prevent and eliminate Violence Against Women and Domestic Violence, specifically targeting traditional harmful practices.

More concretely, and under the new National Strategy, a pilot-project was launched in November 2018, called “[Healthful Practices: for the end of Female Genital Mutilation](#)”, and is carried out through the Public Health Units of five Health Centres. Co-ordination is done by the High Commission, the Commission for Citizenship and Gender Equality and the Regional Health Administration of Lisbon and Tagus Valley, namely in reaching the communities and in supporting the health professionals in their capacity building process

- In November of 2018, the High Commission and the Commission for Citizenship and Gender Equality signed a Partnership Protocol with the Higher Education Health School of the Polytechnic Institute of Setubal, the Directorate General of Health, and the Planned Parenthood Association, to launch the 3rd edition of a Post-graduate course on Sexual and Reproductive

<sup>88</sup> The participants of the 6th generation of the “Choices Programme” (2016-2018) were children and young people between the ages of 6 and 30 years old but family members and the wider community were also involved. The Programme supported 112 projects in Portugal but also in London and Luxembourg where two pilot projects were carried out (ended in December 2017). The 7th generation (2019-2020) of the Programme is running.

Health: Female Genital Mutilation. This course is targeted at health professionals and takes place from December 2018 to June 2019.

- Promoted by the Secretary of State for Citizenship and Equality, the campaign “Don’t Cut the Future” was launched on 6 February 2019, signaling the International Day of Zero Tolerance for Female Genital Mutilation, with the participation of the High Commission, the Commission for Citizenship and Gender Equality, as well as civil society Organisations. In order to signal the beginning of Easter vacation (a known prominent time for taking children to the ritual in their countries of origin), this Campaign was taken to the main national airports, where posters and flyers were distributed, to raise awareness regarding this reality and contribute to its prevention.
- The High Commission promoted a Conference dedicated to Equality and Human Rights in Islam “Girls and Women, Tradition and Islam”, focusing namely on the abandonment of harmful practices. This Conference took place in Sintra, Portugal on 13 April 2019, as a meeting of/with religious leaders from communities in risk of FGM, child marriages and rights of women and girls. This Conference gathered various religious leaders active in Guinea-Bissau and in Portugal.
- The Operational programme for Educational Promotion is an initiative addressed to young people from Ciganos (Roma) Communities enrolled in higher education that give them scholarships and tutorships. In the school year 2017/2018, the rate of scholar success of this programmewas 64%, and roma girls were 75%.
- Integration of the intersectional approach in the several lines of funding launched by CIG:
  - For the training of professionals in the areas of: a) promotion of equality between women and men, including an intersectional perspective; b) prevention and elimination of violence against women and domestic violence, including an intersectional perspective; c) prevention and elimination of discrimination, including multiple and intersectional discrimination, namely on the basis of sex, sexual orientation, gender identity and expression, sex characteristics, racial and ethnic origin, colour, nationality, descent, territory or origin, age and disability); d) prevention and elimination of trafficking in human beings, including an intersectional perspective.
  - For the technical and financial support of civil society Organisations that work in the areas of: promotion of equality between women and men; prevention and elimination of discrimination, including multiple and intersectional discrimination, namely on the basis of sex, sexual orientation, gender identity and expression, sex characteristics, racial and ethnic origin, colour, nationality, descent, territory or origin, age and disability including an intersectional perspective; prevention and elimination of violence against women and domestic violence, including traditional harmful practices; prevention and elimination of trafficking in human beings. All actions should foster an intersectional perspective.
  - For local projects and instruments to prevent and eliminate violence against women and domesFor projects to promote the political and civic participation of women and girls at local and regional levels, namely from vulnerable groups.
  - To be launched in the first semester of 2019, two other funding lines are being prepared: for the production of studies on the situation of migrant women in Portugal, namely black women and women of African descent; and for the production of a white book on intersectional discrimination, looking at the Portuguese antidiscrimination legal framework.

#### 5.4 Research and awareness-raising

- Integration of the intersectional approach in the several lines of funding launched by CIG:
  - For the training of professionals in the areas of: a) promotion of equality between women and men, including an intersectional perspective; b) prevention and elimination of violence against women and domestic violence, including an intersectional perspective; c) prevention and elimination of discrimination, including multiple and intersectional discrimination, namely on the basis of sex, sexual orientation, gender identity and expression, sex characteristics, racial and ethnic origin, colour, nationality, descent, territory or origin, age and disability; d) prevention and elimination of trafficking in human beings, including an intersectional perspective.
  - For the technical and financial support of civil society organisations that work in the areas of: promotion of equality between women and men; prevention and elimination of discrimination, including multiple and intersectional discrimination, namely on the basis of sex, sexual orientation, gender identity and expression, sex characteristics, racial and ethnic origin, colour, nationality, descent, territory or origin, age and disability including an intersectional perspective; prevention and elimination of violence against women and domestic violence, including traditional harmful practices; prevention and elimination of trafficking in human beings. All actions should foster an intersectional perspective.
  - For local projects and instruments to prevent and eliminate violence against women and girls at local and regional levels, namely from vulnerable groups.
  - Launched in 2019, two other funding lines: for the production of studies on the situation of migrant women in Portugal, namely black women and women of African descent; and for the production of a white book on intersectional discrimination, looking at the Portuguese antidiscrimination legal framework.

#### 5.5 Other pertinent developments

It is also important to mention, in the context of the proposed question, the Resolution of the Council of Ministers 12-B/2015, 20 March, which defines the Strategic Plan for Migration 2015-2020 that seeks to politically adapt the country to a more complex and challenging migration reality by adapting itself to the industrial promotion strategy for growth and employment and to the priority of the “Global Approach to Migration and Mobility” defined by the European Commission. This plan includes a set of measures designed to promote gender equality and to strengthen personal, professional and civic integration in immigrant women in Portuguese society.

Another significant achievement concerns Resolution of the Council of Ministers 80/2018, 19 June, which introduced the IV Action Plan for Preventing and Combating Trafficking in Human Beings (2018 -2021), designed to reinforce knowledge on the issue of trafficking in human beings, to ensure access to their rights, as well as to qualify the intervention, and promote the fight against organised crime networks, namely by dismantling the business model and disassembling the trafficking chain.

## ROMANIA

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.2 Policy changes**

National Strategy on Promoting Gender Equality and Preventing and Combating Domestic Violence for the Period 2018-2021(GD No. 365/2018).

The action plan of the National Strategy on Promoting Gender Equality and Preventing and Combating Domestic Violence for the period 2018-2021 includes specific measures on the reconciliation of work, family and private life for the year 2018 such as:

- a) to organise campaigns, actions and measures to increase the involvement of men/fathers in family life
- b) Strengthening and improving the legal framework for the creation of mechanisms to support parents and to ensure a balance between family and professional life,
- c) Campaigning on the importance of raising awareness of young people's reintegration into the labour market and training for young parents.
- d) Encouraging the conclusion of flexible working hours and work for parents.
- e) Awareness Campaigning on the application of alternative working tools, namely flexible working time and work for parents (distance work)

**1.3 Institutional changes**

The National Strategy on Promoting Gender Equality and Preventing and Combating Domestic Violence for 2018-2021 has as one of the operational objectives, raising awareness of young people and students on the legal provisions regarding the gender equality. One of the measures is introducing into the school curriculum notions like gender equality and gender based violence.

ANES established a working group on introducing the gender equality perspective into the school curriculum. The working group was composed of representatives from both governmental and non-profit based organisations (National Education Ministry, Educational Studies Institute, National Centre for Examination and Evaluation, Romanian Agency for Quality Assessment in the Higher Education System (ARACIS) Centre for Curricular development and gender studies – FILIA, Society for Contraceptive and Sexual Education (SECS), Youth for Youth Foundation, UNICEF, Transcena Association, Feminist Analysis Association ANA, Centre for Health Policy and Services Foundation).

**1.4 Research and awareness-raising.**

1. High Level International Conference "Perspectives of the Istanbul Convention: New horizon-paradigm change for all stakeholders" - 4 - 6 June 2019, Bucharest
2. High Level International Conference on "The Condition of Modern Women - Between Empowerment, Leadership and Gender Discrimination", 29-30 MAY 2019.
3. The High Level Group Meeting on Gender Mainstreaming is set for 18-19 February 2019, Bucharest.
4. Commission on the Status of Women (CSW 63) - UN (High Level Related Events).

The Romanian Government will promote the non-violent attitudes and behaviours to achieve the goal of "zero tolerance" towards domestic violence and to support the domestic violence victims by conducting information, education and awareness campaigns for 30,000 people: 10,000 people (students, students, teachers), 20,000 (vulnerable Roma women, representatives of Roma communities, representatives of local authorities and professionals with responsibilities related to Roma issues) from the 8 development regions, through the predefined Project "Support for the

implementation of the Istanbul Convention in Romania”, within the RO20 Financing Programme - Domestic violence and violence based on gender discrimination, funded by the Kingdom of Norway through the Norwegian Financial Mechanism for the period 2014-2021 and implemented by the National Agency for Equal Opportunities between Women and Men. Duration: 36 months. Total value: 2.5 million Euro

During 2018/2019, the National Agency for Equal Opportunities between Women and Men (ANES) in partnership with the National Authority for People with Disabilities (ANPD) and the Active Watch implemented the project called *“Justice has no gender”* financed by the EU Commission. This grant aims to increase awareness within more than 15.000 Romanian young students on the negative effects of stereotypes and misconception of gender, disability and/or ethnicity within the Romanian society, acting towards Raising awareness among high school teachers and students on violence caused by discrimination occurring in schools with a focus on gender - based violence (including sexual violence and violence against women with disabilities) and gender equality, through educational activities (setting-up awareness campaigns led by students). Also the actions are targeting the improvement of high school teacher skills in developing alternative and non-formal programmes that address gender - based violence, as well as the promotion of equal opportunities between women and men.

### 1.5 Other pertinent developments

In September 2017 in New York, within the framework of the 72nd UN General Assembly, the Romanian President presented the Good Practice Model on Equal Opportunities Expert as an integral part of Romania's Campaign Report HeForShe. In this context, President Klaus Iohannis mentioned that by 2020, 70% of Romanian institutions will have experts on gender equality. This ambitious model has been highly appreciated by UN Women officials. Romania is one of the top 10 global leaders who have become champions of the "HeForShe" campaign and its public commitment to gender equality has been expressed. Commitment No. 1 assumed by our country was based on the introduction of the Equal Opportunities Expert (COR 242230) from 2014 into the Classification of Occupations in Romania (according to the Joint Order of MMFPSPV and INS No. 1419/328/2014 regarding the modification and completing Classification of Occupations in Romania).

One of the main tasks of the gender equality expert is focused on analysing the context of the occurrence and evolution of the phenomenon of gender discrimination as well as the non-observance of the principle of equal opportunities for women and men and the recommendation of appropriate solutions for the observance of this principle, and formulating recommendations/ observations/proposals to prevent/manage/remedy the context of risk that could lead to violation of the principle of equal opportunities between women and men, respecting the principle of confidentiality.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

By Law No. 30/2016, Romania ratified the Istanbul Convention and at present, the harmonisation of internal legislation with the provisions of the Istanbul Convention is finalised highlighting the ambitious and complex approach of the reform of the legislation on domestic violence and violence against women. As response to the requirements imposed by the harmonisation of the national legislation with the provisions of the Istanbul Convention, during 2018 and in the first months of 2019, the complex legislative package containing primary, secondary and tertiary normative acts in the field of preventing and combating domestic violence and violence against women was adopted as follows:

➤ Law No. 217/2003 on preventing and combating domestic violence was amended and supplemented through Law No. 174/2018. This important normative act was a prerequisite for the implementation of measures under the Public Policies chapter in the Labour and Social Justice, Section 8: "Respect and dignity for women", of the Government Programme for 2017-2020, as well as a necessary basis for supporting the complex attempt at reforming the legislation on domestic violence, essential for the harmonisation of national legislation with the provisions of the Istanbul Convention.

Starting in December 2018, pursuant to Article 22<sup>10</sup> of republished Law No. 217/2003 on preventing and combating domestic violence, victims of domestic violence can apply for a Provisional Protection Order (in accordance with Article 52 of the Istanbul Convention).

The Provisional Protection Order (OPP) is the central pillar in the new legislative body of provisions that have ensured the harmonisation of Romanian national legislation with the Istanbul Convention, as a measure of immediate protection in administrative matters, which allows law enforcement bodies to quickly intervene in order to protect victims of domestic violence and to remove their aggressors from the home effective immediately.

This security measure will be applied in cases of imminent danger to the health and safety of victims of domestic violence, a measure different from the traditional Protection Order (OP), which has been regulated at a national level since 2012.

Under the current regulation, the law enforcement officer has the right and the obligation to go to the victim's home, to enter it and to issue an OPP immediately, thus removing the aggressor from the home immediately, even if the aggressor happens to be the owner of said property.

The following measures targeting the aggressor can also be implemented through an OPP: eviction from home with prohibition to return for the entire duration of OPP, the enforcement of a minimum distance from the victim (from their home, workplace, school, as the case may be), seizure of keys, weapons. The OPP is a tool which complements the OP, and is issued by the local police immediately, with a validity of five days, which can be prolonged by law with the amount of time needed to issue an OP.

Another benefit established by law in favour of victims of domestic violence is to relieve its subsequent application in terms of issuing a Protection Order, after having received an OPP. Consequently, immediately after the confirmation of OPP, the prosecutor submits this order, together with the documents that formed the basis for issuing it and confirming its competent court, within whose jurisdiction was issued, accompanied by a request for issuing the protection order, made under the law.

Other relevant provisions of Law No. 217/2003, republished as amended through Law No. 174/2018, covers the following:

- measures to monitor the compliance with Protection Orders, which can be enforced by the police according to Article 53 of the Convention;
- measures to prevent the infringement of court-ordered Protection Orders according to Article 53 of the Convention;
- measures to assess risk in cases of domestic violence according to Article 51 of the Convention;
- measures to ensure appropriate and immediate protection for victims according to Article 50 paragraph 1 of the Convention;

- broadening the sphere of family members: ascendants and descendants, brothers and sisters, their children, and people who become, by adoption law, such relatives; husband/wife and/or ex-husband/ex-wife; persons who established relationships similar to those between spouses or between parents and children, if they live together; guardian or other person who in fact or in law has rights to the child's person, the legal representative or the individual who is caring for persons with mental illness, intellectual disability or physical disability, except those fulfilling these responsibilities in the exercise of professional duties;
  - regulating the fact that in any way and under any circumstances, custom, culture, religion, tradition or so-called "honor" cannot be considered as justification for any acts of violence against women and men according to Article 42 and Article 121 paragraph 5 of the Convention;
  - defining/redefining the concepts of "domestic violence", "violence against women", "victim" and completing the list of definitions of related forms of domestic violence: verbal violence, psychological violence, physical violence, sexual violence (which includes marital rape), economic violence, social violence, spiritual violence;
  - regulating the obligation of local authorities to maintain databases containing information about services, centres or other forms of support for victims of domestic violence;
  - regulating the obligation of the central authorities, namely the Ministry of Labour and Social Justice, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of National Education, the Ministry of Health, the Ministry of Regional Development and Public Administration and the Ministry of Justice, to prepare and make available documentary materials tackling the prevention of domestic violence and violence against women;
  - the inclusion in the teaching material of issues such as the equality between women and men, non-stereotypical gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, tailored to the capacity and development of students, in the formal curriculum and in all levels of education according to the provisions under Article. 14 paragraph 1 of the Convention;
  - regulating and broadening the social services available for victims and perpetrators of domestic violence and violence against women, such as hotline services, according to Article 24 of the Convention, Directive 2012/29/EU, centres for victims of sexual violence, according to Article 25 of the Convention, Directive 2012/29/EU, protected housing, according to Article 77, paragraph (2) c) of Law No. 292/2011 and assistance centres for aggressors, according to Article 16 of the Convention;
  - requiring local authorities to ensure the establishment and functioning of social services in an adequate geographical distribution to the needs identified, to ensure access to social services and assistance to all victims subjected to forms of violence under this law, according to Article 22 and 23 of the Convention and regulating the correlative offenses and sanctions associated to breaching this requirement;
  - taking local authorities accountable regarding their knowledge of the problem and allocating an adequate budget to meet the needs of their beneficiaries;
- Law No. 178/2018, amending and supplementing Law No. 202/2002 on equal opportunities and equal treatment between women and men, was aimed at introducing the definition of gender violence, according to Article 3 (d) of the Istanbul Convention, as well as regulating the possibility of designation of an equal opportunities expert or equal opportunities technician at the level of each employer with over 50 employees and their main attributions.
  - GD No. 262/2019 for approving the Methodological Norms for applying the provisions of Law No. 202/2002 on equal opportunities and treatment between women and men.
  - Order No. 28/2019 regarding the approval of the minimum quality standards for the accreditation of social services aimed at preventing and combating domestic violence
  - Order No. 2524/2018 regarding the approval of the Methodology regarding the participation in the special programmes of psychological counseling, organised by the specialised public or

private services

- Joint Order MAI/MMJS No. 146/2578/2018 regarding the manner in which police officers manage domestic violence cases,
- Order No. 2525/2018 regarding the approval of the risk assessment carried out by the staff within the SPAS/DGASPC, from the perspective of providing social services

## 2.2 Policy changes

The Romanian Government adopted the GD No. 365/2018 regarding the approval of the National Strategy on promoting equal opportunities between women and men and the prevention and combating of domestic violence for the period 2018-2021 and of the Operational Plan on the implementation of the national strategy on promoting equal opportunities between women and men and the prevention and combating of domestic violence 2018-2021. In August 2018, an Interinstitutional Working Group for the elaboration of normative acts at secondary and tertiary level was established. These legislative measures will be matched by training programmes for all specialists in the field (judges, prosecutors, policemen, social workers, public or private social service providers etc.) that will contribute in order to empower these categories of professionals, improving their perception and the intervention of the responsible authorities in relation to the victims of domestic violence and also will increase the confidence of the victims in the effectiveness of prevention and protection measures.

## 2.4 Research and awareness-raising

The present actions are focused on the promotion of the non-violent attitudes and behaviours to achieve the goal of "zero tolerance" towards domestic violence and to support the domestic violence victims by conducting information, education and awareness campaigns for 30,000 people: 10,000 people (students, students, teachers), 20,000 (vulnerable Roma women, representatives of Roma communities, representatives of local authorities and professionals with responsibilities related to Roma issues) from the 8 development regions, through the predefined Project "Support for the implementation of the Istanbul Convention in Romania", within the RO20 Financing Programme - Domestic violence and violence based on gender discrimination, funded by the Kingdom of Norway through the Norwegian Financial Mechanism for the period 2014-2021 and implemented by the National Agency for Equal Opportunities between Women and Men. Duration: 36 months. Total value: 2.5 million Euro.

The project's major objectives provide activities aimed at particular features of ethnic minorities such as Roma women and proposes measures aimed at changing social attitudes concerning women from the Roma minority, such as: Improving the methods of institutional intervention in the judiciary, including within the law enforcement bodies.

Several multidisciplinary training sessions will be organised for a total of 250 judges, prosecutors, police officers and forensic experts on the key elements of approaching cases of domestic violence and of violence against women, taking into account the particularities of ethnic minorities such as the Roma women.

Supporting social services specialising in the prevention and combating of domestic violence and gender-based violence, thus developing standardised toolkits work and uniform methodologies for social service providers dealing with victims of domestic violence, violence against women. Training sessions will be organised locally for social services providers.

The training will also contain a module aimed at teaching methods of non-discrimination of Roma women. The aim, of carrying out campaigns to prevent domestic violence and violence against women, includes campaigns at regional and local levels to inform and raise awareness on the issue

of gender violence, particularly to combat gender stereotypes and change attitudes regarding women from the Roma minority.

### 2.5 Other pertinent developments

The National Agency for Equal Opportunities for Women and Men (NAEO) implements a predefined project, "Support for The Implementation of the Istanbul Convention in Romania", is to be implemented for a period of three years (2019-2021), financed by the Norwegian Financial Mechanism 2014-2021, within the "Justice" project, managed by the Ministry of Justice of Romania as Programme Operator, in total value of 2,500,000 euros.

The project represents a strategic approach aimed at supporting the Romanian public authorities to take co-ordinated action to address the challenges posed by the Istanbul Convention's implementation, the main objective of the project being to reduce domestic violence and violence against women. The project is focused on: the development of at least 10 crisis centres for cases of rape and 8 support centres for aggressors at regional level, the improvement of interinstitutional intervention tools, the elaboration of standardised tools and uniform methodologies for social service providers dealing with victims of domestic violence, as well as the development of campaigns to prevent domestic violence and violence against women.

The National Agency for Equal Opportunities between Women and Men, as beneficiary, implements between 2019 - 2023, the project POCU/465/4/4/128038 - "Venus - Together for a safe life!", In partnership with 42 of local public administration authorities (County Councils - General Directorates of Social Assistance and Child Protection/Local Councils - Social Assistance Directorates).

The activities proposed within the project include specific measures that can generate the improvement of the social status of women - victims of domestic violence, by ensuring the transfer to an independent life, and, as the case may be, vocational guidance, vocational training and social and professional insertion, through the development of skills as well as by increasing employment opportunities.

By implementing this project, at the national level, 126 specialised social services for victims of domestic violence will be created (42 protected houses, 42 support groups, 42 vocational orientation cabinets), as part of the structural reform process initiated by the Romanian Government in the field of preventing and combating domestic violence and will contribute at the realisation of the measures included in the Governance Programme for the period 2018-2020, in the chapter Public policies in the field of work and social justice, point 8- Respect and dignity for women.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.2 Policy changes.

In Romania, according to the provisions of the Civil Code, there are equal rights, without any discrimination between women and men, regarding the right to economic resources, access to property and control over land and other forms of property, financial services, inheritance, and natural resources, national laws.

Promoting the principle of gender equality and gender mainstreaming in all fields is a current and ongoing concern of the Romanian Government which is reflected as a transversal principle in effective measures foreseen in the Governance Programme for the period 2018-2020, by integrating, for the first time in Romania, a distinct segment, Paragraph 8 - Respect and dignity for women, within the framework of the Public Policies chapter on labour and social justice.

### 3.3 Institutional changes

Through the predefined project, "Support for The Implementation of the Istanbul Convention in Romania" implemented by the NAEO, will be envisaged the development of individualised training plans, collective training strategy and training manuals for the staff of the NAEO and other institutions under the methodological co-ordination.

Thus, an evaluation will be carried out and will be developed Individualised Training Plans and a Collective Training Strategy.

Based on the abovementioned deliverables, the training materials (manual) will be elaborated and delivered to the participants at the training session but also to the other relevant authorities with responsibilities in the field: General Directorate for Social Assistance and Child Protection(47), Territorial Labour Inspectorate(42), Police County Inspectorate(42) County Commissions for Equal Opportunities for Women and Men (42 CCEO) , Inter-ministerial Committee for the Prevention and Combating Domestic Violence(12), the National Commission for Equal Opportunities for Women and Men(15).

### 3.4 Research and awareness-raising

NAEO is part of the Reference Group that provides support for the implementation of the project: "Effective Criminal Justice System Strategies and Practices to Combat Gender-based Violence in Eastern Europe" ("Effective strategies and practices in criminal justice for combating gender-based violence in Europe" East "), funded by the OSCE and the Council of Europe (April 2018-April 2020) and implemented by the General Inspectorate of the Romanian Police. The project is particularly important for reforming the working and intervention modalities by training specialists with responsibilities in preventing and combating domestic violence and improving co-operation in order to promote and respect equal opportunities between women and men and to prevent and combat violence based on gender and addresses both the senior management of the judiciary/the criminal side, through the national co-ordination groups, as well as to the practitioners in criminal matters, through the activities of capacity building. A number of 120 specialists in the criminal field will participate in the activities of professional capacity building and will acquire practical knowledge and skills to prevent and respond effectively to the phenomenon of gender violence. Also, a total number of 15,000 police officers who are at the beginning of their careers in this field of activity will receive practical information on how to work properly for the needs of victims of gender-based violence, 15,000 potential victims of vulnerable groups will receive useful information on rights and, through awareness-raising activities, approximately 100,000 people will be informed and held accountable for their role as change agent.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.2 Policy changes

The following specific measures are included in the new National Strategy on Promoting Gender Equality and Preventing and Combating Domestic Violence for the period 2018-2021:

- a) Carrying out analyses on the balanced participation of women and men in decision-making positions in the central public administration;
- b) Carrying out an analysis on the participation of women and men in presidential elections;
- c) Carrying out an analysis of the participation of women and men in local elections;
- d) Carrying out an analysis on the participation of women and men in parliamentary elections;
- e) Supporting initiatives to adopt affirmative measures in order to increase the number of women in the political or economic decision making process;

- f) Development of initiatives in order to adopt affirmative measures to increase the number of women in operations and missions at all levels of the armed forces.
- g) Organise campaigns to raise awareness of the importance of women's presence in the management of listed companies at the Bucharest Stock Exchange (BVB).
- h) Conduct a study on the inclusion in the revised Corporate Governance Code of regulations aimed at reducing the existing gap between the share of women and men within the boards of director of Romanian companies listed on the BVB.
- i) Organising information/training sessions to increase women's participation in political, public and private decision-making.
- At the same time, the action plan of the National Strategy on Promoting Gender Equality and Preventing and Combating Domestic Violence for the period 2018-2021 includes specific measures on the reconciliation of work, family and private life for the year 2018 such as :
- a) to organise campaigns, actions and measures to increase the involvement of men/fathers in family life
- b) Strengthening and improving the legal framework for the creation of mechanisms to support parents and to ensure a balance between family and professional life,
- c) Campaigning on the importance of raising awareness of young people's reintegration into the labour market and training for young parents.
- d) Encouraging the conclusion of flexible working hours and work for parents.
- e) Awareness Campaigning on the application of alternative working tools, namely flexible working time and work for parents (distance work).

#### 4.4 Research and awareness-raising

1. High Level International Conference on "The Condition of Modern Women - Between Empowerment, Leadership and Gender Discrimination", 29-30 MAY 2019.
2. The High Level Group Meeting on Gender Mainstreaming set for 18-19 February 2019, Bucharest. Starting June 2018, the National Agency for Equal Opportunities between Women and Men (ANES) is part of the project called *Gender budgeting in public policies*, that aims to increase the NGOs capacity to promote alternative proposals to the public policies undertaken by the Government, in order to provide a gender balance financial resources allocation. This initiative regarding gender based budgeting, strengthens the co-operation between civil society and the Government and helps including gender mainstreaming at local level. 80 representatives from 60 NGOs were trained in order to elaborate alternative proposals to the public policies.

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

#### 5.2 Policy changes

Having regard the transposition of the Directive No. 2012/29/EU was adopted the Emergency Ordinance no.24/2019 for amending and supplementing Law No. 211/2004 regarding some measures to ensure the protection of victims of crime, as well as other normative acts. This normative act provides the non-discrimination on gender criteria principle.

### 6. Objective: Achieve gender mainstreaming in all policies and measures

#### 6.1 Legislative changes

Law 178/2018 on amending and completing the Law No. 202/2002 on equal opportunities and treatment between men and women, republished, as subsequently amended and supplemented.

**6.2 Policy changes:**

National Strategy on Promoting Gender Equality and Preventing and Combating Domestic Violence for the Period 2018-2021

**6.3 Institutional changes**

Mechanisms of inter-institutional collaboration and partnership with civil society

Regarding the collaboration mechanisms existing at national level, according to the Law No. 202/2002 on equal opportunities and treatment between women and men, the National Commission for Equal Opportunities between Women and Men (CONES) is working under the co-ordination of the State Secretary of ANES. CONES is made up of representatives of ministries and other specialised bodies of the central public administration subordinated to the Government or autonomous administrative authorities, trade union Organisations and representative employers' associations at national level, as well as representatives of non-governmental Organisations, with an activity recognised in domain, designated by consensus thereof. CONES has the role of supporting the activities carried out by ANES, with an important role in introducing the gender perspective into the policies and programmes developed at each level of activity.

- Based on the provisions of the Law No. 202/2002, starting with 2005, the County Commissions for Equal Opportunities between Women and Men (COJES) function in the co-ordination of ANES in all territorial administrative units of Romania (42 counties and Bucharest) information and advisory structures having as their main responsibility the promotion and implementation at local level of the values and principles of non-discrimination based on sex.

Promoting the principle of gender equality and gender mainstreaming in all fields is a current and ongoing concern of the Romanian Government which is reflected as a transversal principle in effective measures foreseen in the Governance Programme for the period 2017-2020, by integrating, for the first time in Romania, a distinct segment, Paragraph 8 - Respect and dignity for women, within the framework of the Public Policies chapter on labour and social justice.

In December 2018 and May 2019 there were two meetings of the inter-institutional mechanisms.

**6.4 Research and awareness-raising**

ANES together with the National Authority for Disabled Persons and ActiveWatch implement the Justice has no gender project within the framework of DG Justice's call for action "Actions to support national information, awareness-raising and education activities aimed at preventing and combating violence against women ". The EUR 179,692.80 project aims to raise awareness among high school teachers and students about gender-based violence in schools, with an emphasis on gender based violence (including sexual violence and violence against girls and women with disabilities) and gender equality through the development of educational activities.

During 2018/2019, the National Agency for Equal Opportunities between Women and Men (ANES) in partnership with the National Authority for People with Disabilities (ANPD) and the Active Watch implemented the project called "*Justice has no gender*" financed by the EU Commission. This grant aims to increase awareness within more than 15.000 Romanian young students on the negative effects of stereotypes and misconception of gender, disability and/or ethnicity within the Romanian society, acting towards Raising awareness among high school teachers and students on violence caused by discrimination occurring in schools with a focus on gender - based violence (including sexual violence and violence against women with disabilities) and gender equality, through educational activities (setting-up awareness campaigns led by students). Also the actions are

targeting the improvement of high school teacher skills in developing alternative and non-formal programmes that address gender - based violence, as well as the promotion of equal opportunities between women and men.

Starting June 2018, the National Agency for Equal Opportunities between Women and Men (ANES) is part of the project called *Gender budgeting in public policies*, that aims to increase the NGOs capacity to promote alternative proposals to the public policies undertaken by the Government, in order to provide a gender balance financial resources allocation. This initiative regarding gender based budgeting, strengthens the co-operation between civil society and the Government and helps including gender mainstreaming at local level.

#### **6.5 Other pertinent developments**

Romania continued the project entitled "Gender budgeting in public policies" which was submitted through the partnership between ANES, the „Corona” Iasi Foundation and the „Centre for Community Mediation and Security” Foundation.

### **7. Main challenges and lessons learned**

2019 so far it is a year full of challenges regarding the implementation of the new laws regulations in the field of gender equality and gender-based violence in the sense of gathering all the relevant actors in the field in order to understand their new attributions and obligations that were generated by the new laws which were regulated according with the provisions of the Istanbul Convention.

It has been so far a year of transition and it has been finally understood that progresses cannot be done without interinstitutional co-operation and co-ordination and without the involvement of the private sector and civil society.

<b>RUSSIAN FEDERATION</b>
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### **1.5 Other pertinent developments**

See 2.5

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.2 Policy changes**

In July 2019, Valentina I. Matvienko, Chair of the Council of Federation of the Federal Assembly of the Russian Federation, commissioned an interagency working group on the improvement of legislation and law enforcement to prevent domestic violence.

### **2.4 Research and awareness-raising**

Jointly with the Council of Europe and with the EU financial support, a co-operation project on the implementation of the National Action Plan on Women for 2017-2022 is underway on "Prevention of social ill-being of and violence against women". The Council of Europe, Russian Ministry of Labour, Ombudsperson in the Russian Federation and the Russian Ministry of Foreign Affairs participate in the project.

Within the project, research is planned in the areas of violence against women.

To improve the professional level of law enforcers, information and analytical materials on the issues of prevention of violence against women were sent to the Russian MIA's territorial bodies in 2018.

To improve awareness among the officers of correctional system (CS) and create competences in combating violence against women, the appropriate vocational training was provided at CS institutions and bodies in October and November 2018.

### **2.5 Other pertinent developments**

As part of the Council of Europe and Russian Federation co-operation project on the implementation of the National Action Plan on Women for 2017-2022, a workshop was held in Astrakhan in April 2019 on "Interagency co-operation – models of preventing and combating violence against women in the regions".

Representatives from the Council of Europe, Office of the Ombudsperson in the Russian Federation, Federal Assembly of the Russian Federation, Russian Ministries of Labour, Health and Internal Affairs, ombudspersons in constituent entities of the Russian Federation, deputy heads of entities of Volga and Southern federal districts in charge of social issues, as well as scientific community and NGO members. The workshop presented the models of interagency co-operation in responding to the incidents of violence against women, best Russian regional practices in this area (the Regions of Astrakhan, Saratov, Ulyanovsk, Volgograd, the Kray of Perm and the Republic of Udmurtia). The experts from Bulgaria, the Netherlands and Sweden presented the international experience of preventing violence against women.

In June 2019, a two-day media training was held in Moscow for media managers and regional journalists on "How to cover the topic of violence against women".

The training dealt with the issues like gender stereotypes and gender-neutral expressions, myths and

facts on violence against women and domestic violence, journalistic ethical standards.

**4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

**4.5 Other pertinent developments**

Jointly with the Council of Europe and with the EU financial support, a co-operation project on the implementation of the National Action Plan on Women for 2017-2022 is underway on "Enhanced participation of women in political and public life". The Council of Europe, Russian Ministry of Labour, Ombudsperson in the Russian Federation, Russian MFA participate in the project. Project events are planned for October – November 2019.

**5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls**

**5.1 Legislative changes**

On 31 October 2018 Decree No. 622 of the President of the Russian Federation endorsed the Concept of the Public Migration Policy of the Russian Federation for 2019-2025 which outlines goals, guidelines, objectives and main avenues of the migration policy based upon the analysis of migration regulatory practice and present-day understanding of national and global migration problems. The migration policy aims at creating a migration situation that helps meet challenges of the socio-economic, extensional and demographic development of the country. The major migration policy tracks include assisting refugees, persons who were granted temporary asylum and asylum seekers in social and cultural adaptation, their vulnerability taken into account.

<b>SERBIA</b>
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

New criminal offences of gender-based violence, such as stalking, forced marriage, female genital mutilation and sexual harassment were introduced (Amendments to the Criminal code, 2016) Sentences for criminal offences of sexual violence were significantly increased, and the sentence for the crime of sexual intercourse with a helpless person, to which women with disabilities are most commonly exposed, was made equal to the sentence for the crime of rape. It is prescribed that the prosecution of all criminal offences of gender-based violence, including marital rape and other acts of sexual violence should be prosecuted ex officio, except for sexual harassment, which is prosecuted on request. Although prostitution has still not been decriminalized, the Law on Public Peace and Order (2018) introduced a misdemeanour penalty for persons who use prostitution services.

For protection against discrimination and sexual harassment and other acts of insulting and violating the dignity of students in educational institutions, the Ordinance for Institutions in Cases of Suspected or Established Discriminatory Behaviour and Violation of an Individual's Reputation, Honour and Dignity (2018) was adopted. Although there is no legal obligation to adopt such acts, some universities have adopted their own ordinances. For example, the Faculty of Political Sciences in Belgrade adopted the Ordinance for Employees Regarding Prevention and Protection from Sexual Harassment and Blackmail of Students (2014), and the Union University (2019) adopted the Ordinance on Protection from Sexual Harassment and Blackmail.

### 1.2 Policy changes

Capacity building has been implemented for 60 mentors to work in the area of prevention of digital violence, gender-based violence - domestic and sexual violence as well as for 88 advisers to work on the SOS helpline for reporting violence in schools.

The Ministry of Education has implemented the programme on gender awareness and prevention of violence in kindergartens and 50 primary and secondary schools which included 1,600 students and 100 teachers.

### 1.3 Institutional changes

See above, nothing new to report.

### 1.4 Research and awareness-raising

Serbia joined and supported a two-week "HeForShe" campaign, from 5 to 22 March 2018, and became involved in numerous activities on social networks, by putting up billboards and drawing street graffiti in support of raising awareness. There were thirty-six media reports about the event which was organised as part of the campaign to mark the International Women's Day, and the campaign itself, as well as five appearances in the media, while the information reached 27,000 people via social networks.

Under the global slogan "the Orange World: #HearMeToo", the CBGE together with UN Women and the EU Delegation to Serbia joined the UNiTE campaign "16 Days of Activism against Violence against Women". The central event of the campaign was held on 29 November 2018 at the National Museum, when the virtual reality film about violence against women called "Everything is All right" was shown. Also, key landmarks in Belgrade and across Serbia were illuminated in orange in 2018

and 2019, and some embassies in Serbia joined the campaign with slogan displayed visibly on their buildings. In 2019 buses illustrated with orange campaign slogans were travelling in main street of Belgrade to send messages against Violence against Women.

In 2018, the CBGE and the “Red Star” football club, also launched a joint campaign with the aim of raising public awareness of the need to combat violence against women and girls in the context of sporting events. Thus, a banner “Stop Violence against Women” was displayed at all the matches of the Champions League the "Red Star" played in Belgrade. The message that violence is unacceptable was seen not only by 50,000 fans at the stadium, but also by millions of viewers in Serbia, Europe and across the world. The initiative was recognised by the Council of Europe and the CBGE was informed that the initiative might be included in the online library of best practices within the project “All In - towards Gender Balance in the Sport”. In 2019, the initiative expanded and included more football clubs, video spot on prevention of violence with famous football player in it, and rugby clubs as well.

Group of Women Journalists against Violence was formed. Over 30 editors and journalists joined the group. The Group developed Guidance for media on how to report in cases of domestic violence in a gender- and victim-sensitive manner. Also, the Group developed indicators to monitor media reporting on violence against women.

Only in 2018, a total of 2,050 boys and girls from five municipalities participated in 21 activities, organised to raise awareness of gender equality, harmful gender stereotypes, gender-based violence and a healthy lifestyle. In the same year, 25,000 people became familiar with the attitudes of men on gender equality through the IMAGES study, which was supported by the Government and conducted in compliance with the methodology applied in the International Men and Gender Survey.

### **1.5 Other pertinent developments**

Women Parliamentary Network have further built their capacities and knowledge regarding the phenomenon of gender-based violence and concerning the provisions of the Istanbul Convention, through the implementation of the project Integrated Response to Violence II. They have been introduced to the Council of Europe Recommendation (2019) and advised how to recognise and tackle the challenges of the exposure of women in politics to sexist and violent behaviour and on how to use coping mechanisms.

Regulatory Body for the Electronic Media (hereinafter: Regulator) has taken numerous measures during 2018 and 2019 to encourage media service providers to promote gender equality, contribute to the deconstruction of gender stereotypes and roles, as well as to report on violence against women, while observing the laws and relevant international standards. Through the joint work within the Mediterranean Network of Regulatory Authorities – MNRA, Group for Gender Equality, it has conducted “Media Coverage of the Violence against Women” study. The purpose of the analysis of the media reporting on violence against women in the TV news programme was to determine whether the reporting was objective or sensational, as well as the extent to which the media promoted gender equality and contributed to the deconstruction of gender stereotypes. By applying the established methodology, the Regulator analysed the main news programmes on the First channel of the public broadcaster (RTS 1) and the commercial TV Prva, and published the results of the analysis on its official website.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

After the ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul convention) in 2013, in order to assure its full implementation, the new Law on the Prevention of Domestic Violence was adopted, which entered into force on 1 June 2017, and Serbia is now in the second year of its implementation.

This Law regulates the organisation and conduct of state authorities and institutions, as to secure the effective prevention of domestic violence, and the provision of urgent, timely and effective protection and support to its victims. This Law applies to all cases of domestic violence of which the definition was transposed from the Convention, as well as to all criminal offences of GBV which are explicitly listed in the Law on the Prevention of Domestic Violence.

The number of reported cases of domestic violence recorded during the second year of implementation of the Law increased (47,583 cases compared to 44,886 cases in 2017/2018). 50% increase was recorded in the number of individual plans for protection of victims developed by Groups for co-ordination and co-operation, compared to the previous reporting period 2017/2018. In 2019, 24 perpetrators of violence were included in newly developed programs aimed at changing their beliefs and behaviour.

The Law on Amendments to the Criminal Code that has been adopted in 2016 have introduced new criminal offences whose victims are mostly women - forced marriage, sexual harassment, stalking and genital mutilation, thus harmonising the normative framework with the standards of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

Newest amendments to the Criminal Code that have been adopted in 2019 have introduced more severe punishments, up to life imprisonment for criminal offences of rape, sexual intercourse with a helpless person, sexual intercourse with a child and sexual intercourse through abuse of position, if due to named actions the death of the person or a child against whom the act was committed occurred or if committed against a child.

### 2.2 Policy changes

See above. In addition, since 2017 through the Ministry of Construction, Transport and Infrastructure, the Government has been providing financial assistance and support to shelters (safe houses) for children and co-operating with non-governmental organisations providing support and assistance to women victims of violence, yearly. The budget funds allocated for the improvement of living conditions of women and children victims of violence amount to RSD 10 million per year.

In 2018, the Provincial Ombudsman also conducted research to examine what obstacles, if any, are faced by safe houses/shelters for the temporary accommodation for women and children victims of domestic violence in their work and provision of services. Based on the research results, the Provincial Ombudsman made recommendations for the local self-governments, centres for social welfare operating in the municipalities/cities where the shelters and safe houses are located. The implementation of the recommendations is continuously monitored.

With the support of UNICEF, a three-year programme for preventing child marriage is ongoing, and it consists of developing a model of support for girls and their families, strengthening the role of Roma organisations in this field, and collecting data. As part of the programme, an analysis was conducted,

and recommendations were made concerning the role and possibilities of centres for social welfare preventing child marriage and alleviating its consequences.

In May 2019, the Minister of Labour, Employment, Veteran and Social Affairs issued the Instruction on the Work of a Centre for Social Welfare – a guardianship authority on the protection of children from child marriage, while the field work with families at risk of child marriages was carried out through the family adviser service. Designing and delivering training for centres for social welfare on child, early and forced marriage, and the implementation of the above Instruction have been envisaged for the upcoming period.

### **2.3 Institutional changes**

The Co-ordination Body for Gender Equality (hereinafter: CBGE) is a national horizontal and vertical co-ordinating mechanism with a clear mandate to co-ordinate the activities of all state administration bodies in this area, including the activities aimed at preventing violence against women and gender-based violence, in line with Article 10 of the Convention, starting from the intersectional nature of gender equality and the need for harmonised and co-ordinated actions of the state, formed in 2014.

Based on the Law on Prevention of Domestic Violence (LPDV), the Council for Prevention of Domestic Violence, as a special body for monitoring the implementation of the Law has been established as well. The Council has nine members who are representatives of the line ministries and other state authorities and institutions competent for the implementation of this Law, including CBGE representative. The Minister of Justice is heading the Council, while the Minister of Interior is a deputy. The Council collects and analyses data on domestic violence and other acts of gender-based violence, as well as decisions made and measures imposed in cases of violence. It also proposes measures to improve the work of institutions, to detect, prevent and process violence, and to provide assistance and support to victims. The Council informs the public about its findings, recommendations and measures.

The National Coalition for Ending Child Marriage was established in February 2019 to ensure a co-ordinated action of relevant institutions, civil society organisations (hereinafter: CSOs), media, independent bodies and individuals working towards ending child marriages in Serbia.

With the support of UNICEF, the Republic Institute for Social Protection (hereinafter: RISP) is implementing the subproject “Strengthening the Social Protection System to Benefit the Family”, which includes the following component: “Engaging Centres for Social Welfare and other Relevant Social Service Providers in Ending Child Marriage”. Furthermore, the RISP has piloted the Family Adviser Service in working with the families at risk of child marriage. It is planned to conduct training courses for the centres for social welfare, which will enable professionals to understand the phenomenon of child, early and forced marriage, as well as apply the previously mentioned Instructions of the Minister. What is more, the RISP will identify examples of good practices in the areas where the project for ending child marriage is being implemented and participate in promoting these practices in other communities. The training courses are to be conducted throughout Serbia.

### **2.4 Research and awareness-raising**

Pursuant to Article 32 of the LPDV, the police directorates, basic courts, basic public prosecutor’s offices and centres for social welfare have electronic recordkeeping in place, and thus form the Central Registry on domestic violence run by the Republic Public Prosecutor’s Office. In accordance with the law, the Deputy Public Prosecutor who performs the tasks within the competences of the Public Prosecutor’s Office in the prevention of domestic violence and prosecution of perpetrators of

criminal offences specified under this Law has the right to access all data in the Central Registry. The competent police officer has the right to access the part of the records that contains the records of the regional police directorates and competent centres for social welfare, while the competent courts may access the part which contains data from the records of the basic courts. Competent centres for social welfare have the right to access the part containing data from the records kept by the centres for social welfare. State authorities and institutions responsible for the implementation of this Law shall protect personal data, in line with the law governing personal data protection. Collecting data from the records relating to a specific individual does not require to obtaining the consent of the person to whom the data pertains.

Acting under this Law, the Ministry of Interior has created an electronic application for recording all actions of police officers in cases of domestic violence and other forms of violence against women. This application enables the following search: the number of cases of violence, their type, time and place of occurrence, number of imposed, extended and violated emergency measures; perpetrators (age-structure, relationship, sex structure, employees of the Ministry of Interior and re-offenders); victims (age-structure, relationship, sex structure, employees of the Ministry of Interior and re-offenders); number of issued orders and risk assessments. This method of record keeping is important for analysing the situation in terms of domestic violence, planning adequate protection and prevention programmes, and providing evidence-based information to the public. It also enables comparisons and comparative analyses with other countries in the region and Europe which have similar laws in their legal systems. Within other records, the Ministry of Interior also keeps records of the number of cases of domestic and intimate partner violence, as well as between current and former intimate partners, which resulted in the death of the victims, even though criminal charges against the perpetrators were not filed, but the report was submitted to the prosecutor. Currently, data is collected by means of manual records; however, actions are being taken to ensure automated data collection through an electronic database.

The criminal charges have been recorded in the Central registry of criminal offences to which the LPDV applies since March 2018. This allows for making a clear distinction between the intergenerational domestic violence and intimate partner violence. The electronic database provides information not only about the sex and age of the victim and the offender, as well as their family/partner relationship, but also about the geographical location of the criminal offence per police directorate and police station, type of violence, be it physical, economic, psychological or sexual abuse, and the imposed emergency measures that can be monitored by all the above data categories, and the execution of such measures. Thus, it is possible to determine the extent to which women victims of intimate partner violence benefit from the emergency protection measures and restraining orders against their abusive partners. In addition, gathering such data enables monitoring all forms of violence against women, including intimate partner violence, its prevalence and trends, thus ensuring evidence-based policies and measures. Since November 2018, the Ministry of Justice has been analysing the data on the relationship between the offender and the victim, based on which emergency measures stipulated by the LPDV have been extended. This data is available on the website of the Ministry of Justice "Shut Down Violence", Section "Statistics" ([www.iskljucinasilje.rs](http://www.iskljucinasilje.rs)). At the level of the Autonomous Province of Vojvodina, centres for social welfare are notifying the Provincial Institute for Social Protection on the reports of domestic violence twice a month.

## **2.5 Other pertinent developments**

A very important legal issue has been resolved in the reporting period regarding the question often posed in court practices whether there should be continuum for the criminal offence of domestic violence. In practice courts principally took this kind of a position during the initial stage of the implementation of criminal law rules on domestic violence in Serbia. However, it has changed under the influence of reasoned criticism of feminist theoreticians and some judges, which has also been

confirmed by research of legal practice in processing the criminal offences of domestic violence, to the stand that there is no need for continuum for qualifying conduct as domestic violence. (“The Criminal Offence of Domestic Violence in Case Law – New Trends and Challenges”, OSCE, 2018.)

The Supreme Court of Cassation of the Republic of Serbia has explicitly adopted this kind of a position on multiple occasions. For instance, the judgement of the Supreme Court of Cassation Rev. 2844/10 dated 26.05.2010 states, “that does not require a certain continuum (permanence and multiple repetition of such conduct), but in certain situations a single act is sufficient if it has the character of domestic violence”. The Supreme Court of Cassation also took this kind of a position in its earlier judgements, which made lower-instance courts change their positions. As a result, there are no more dilemmas whatsoever over this legal issue and the practice of lower-instance courts is fully compliant with the interpretation of the Supreme Court of Cassation.

This research also dealt with duration of investigations and the criminal proceedings, which has been confirmed by case law research. Although the efficiency of the proceedings is not at an entirely satisfactory level as yet, the proceedings are much more efficient than they used to be. According to the findings of the research the length of the proceedings has been reduced considerably compared to 2008. In most cases (32%), it takes up to a month from bringing criminal charges to bringing an indictment. The same applies to courts: in most cases, first-instance proceedings are completed within up to three months (33%).

### **3. Strategic objective: Ensure the equal access of women to justice**

#### **3.1 Legislative changes**

The implemented policies foreseen in the NAP for the implementation of the Strategy for Gender Equality 2016-2020 were aimed at strengthening the capacity of the public administration and local self-government for the development and implementation of gender policies, non-discriminatory action, prevention and eradication of gender-based violence, increasing women's safety from domestic and intimate partner violence, developing improved support services and greater empowerment of women, improving the gender statistics, increasing public awareness about the issue of gender discrimination and the importance of gender equality.

One of the measures envisaged by NAP was adoption of the Law on Free Legal Aid, which was adopted in 2019. Due to newly adopted law, access to justice has been improved, as the Law, among other things, stipulates that victims of domestic and intimate partner violence are entitled to free legal aid, regardless of their nationality and financial status.

Under Article 103, paragraph 3 of the Law on Criminal Procedure, women victims of all forms of gender-based violence get the status of an especially vulnerable witness under the same conditions, which status, among other things, allows the public prosecutor or the court to appoint a proxy from among attorneys to the especially vulnerable witness, if this is necessary to protect the interests of the especially vulnerable witness.

Increasing access to justice for women and girls victims of violence and human trafficking has improved also through the implementation of a number of specialised training for police officers, public prosecutors, judges, health professionals and teachers in the area of domestic violence and other forms of gender-based violence against women. In the 2017/2018 school year, training was held for 1741 teachers, research associates, day-care teachers and leaders in education on gender equality, violence and discrimination, where programmes in the area of protection of victims of trafficking for police officers were also introduced. The module entitled "Providing support, protection and assistance to victims" was included in the elementary police curriculum, which aims

at delivering knowledge and skills for monitoring the criminal offence of human trafficking and working with victims of violence. Public prosecutors are also undergoing gender-sensitive training in the area of human trafficking.

### 3.2 Policy changes

Improving the position of vulnerable groups of women facing multiple form of discrimination is a specific goal of the National Strategy for Gender Equality 2016-2020, the implementation of which require that judges, prosecutors and lawyers, as well as managers and employees of public administration authorities receive training on multiple types of discrimination, conducting of *ex ante* impact assessment of the effects on the position of vulnerable groups in the preparation of new strategic documents at all levels - from national to local, etc

When the Law on the Prevention of Domestic Violence was adopted, a specialised gender sensitive training was organised for professionals from law enforcements institutions. The training had a theoretical and a practical part, and upon completing it the police officers received certificates. In addition, in 35 cities in Serbia, the Judicial Academy organised a specialist training for judges, public prosecutors and deputy public prosecutors, aiming to improve their knowledge about the new legal framework, the international principles and the new European standards of combat against domestic violence and GBV. The training also informed them about the case law of the European Court for Human Rights, and helped them improve their work on risk assessment for domestic violence and other forms of GBV. Also, the University of Criminal Investigation and Police Studies has been delivering specialist training on the application of the LPDV to police officers since 2017, following the adoption of the LPDV, and in line with the prescribed legal requirements. Additionally, Ministry of Justice provides continuous consultative support for multi-sector groups for co-ordination and co-operation and professionals implementing the Law on Preventing Domestic Violence and additional support for those on the territories of municipalities which have been observed to have difficulties in their work as well as fewer reported and prosecuted cases of domestic violence in order to enable professional, effective and efficient support to victims.

Additional training is provided in the form of seminars entitled “Forensic Processing of the Crime Scene in Domestic Violence and Criminal Offences against Sexual Freedoms”, which are part of the project “Development of Forensic Science and Forensic Processing of the Crime Scene 2016 - 2018 – SweSe III”, within the framework of Swedish-Serbian police co-operation. The project is jointly implemented by the National Forensic Centre of the Ministry of Interior of the Republic of Serbia and the Swedish Police. The trainers include the experts of UNDP/SEESAC (South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons), who constantly provide support to the delivery of forensic seminars and give a lecture entitled “Introduction to Gender Equality”, as well as the female experts of the Autonomous Women’s Centre, who give a lecture entitled “Intimate Partner Violence against Women - Talking to the Victim”.

### 3.3 Institutional changes

See above 3.1. and 3.2.

### 3.4 Research and awareness-raising

See above 3.2.

Additionally, under the “Integrated Response to Violence against Women and Girls II” project, the support is provided to specialist services for women victims of violence which render SOS hotline services. Over a two-year period of project implementation, a total of 11 SOS hotlines were supported, which not only prevented the termination of these services, but enabled some of them to establish a 24/7 service (“Fenomena” from Kraljevo, “Sunrise” from Niš “SOS hotline” from

Vranje, “Women’s Center” from Užice). Furthermore, as a result of grants some NGOs continued to develop and strengthen, as well as launch new services for their beneficiaries. Famous examples include the NGO “From the Circle - Vojvodina”, which has developed new programmes, in addition to the SOS hotline for women with disabilities, to support and empower such women, or “Women’s Center” from Užice, which expanded the service to cover the Zlatibor district.

The Law on the Prevention of Domestic Violence explicitly provides for the participation of women’s NGOs at the meetings of the Group for Co-ordination and Co-operation established at the public prosecutor’s office, where the individual plans of protection and support are drawn up. The only requirement for the participation of women’s NGOs in these meetings is that the victim whose case is being discussed at the meeting has the support of that specific women’s NGO, which the victim will select at own discretion. When the victim makes a decision or selects a specific NGO for support, under Article 25, paragraph 4 of the LPDV that NGO has the right to attend the part of the meeting when the Group discusses the case of the victim in question and for whom the individual plan of protection and support is being prepared.

Also, Government declared 18 May, the “Day of the Remembrance of Victims of Domestic Violence”, which is marked every year to raise awareness of the unacceptability of this social phenomenon, and to empower women to report domestic violence.

### 3.5 Other pertinent developments

Seven centres for victims of sexual violence were established in AP Vojvodina in 2017, under the AP Vojvodina Health Secretariat, of which six are located in general hospitals and one at the Gynaecology and Obstetrics Clinic in Novi Sad.

In 2018, the centres’ operational procedures and guidelines were analysed and proposals were provided for their amendment to respond to the specific needs of women with disabilities. It is expected that the proposed amendments will be passed by the AP Vojvodina Health Secretariat in 2019. In 2018, a project was launched for the empowerment of rural women by raising their awareness about domestic violence and possibilities for their protection, by strengthening the service providers’ capacities to respond to the specific needs of women in rural areas and raise public awareness about their status. To encourage Roma women to report violence, in 2017, the Ministry of Justice, with the support of women’s NGOs, produced a special video clip about gender-based violence against Roma women to raise public awareness about this issue. With the support of the Co-ordination Body for Gender Equality, the Novi Sad Women’s Shelter was reconstructed to enable access to women with disabilities.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.1 Legislative changes

Special measures, i.e. gender quotas, were introduced through electoral legislation, prescribing a minimum 30% quota for the under-represented sex, every third seat on the electoral list is reserved, and the mandates are distributed according to the rank order of the candidates on the list for election to representative bodies at national, regional and local level, as well as for the election of national councils of national minorities.

The introduction of the gender quota led to an increase in women’s representation in the National Assembly (34%), AP Vojvodina Assembly (35%),<sup>89</sup> and local level assemblies (32.7%). Compared to

<sup>89</sup><http://www.skupstinavojvodine.gov.rs/Statistika.aspx?s=poslanici&r=1>

2014, when there were 34% of women in the National Assembly of the Republic of Serbia (or 2008 when there were 21.2% of women), in 2016, they made up 35.6% of the parliament makeup, and in 2019 37.2%. According to data for 2018, 14.4% of women were presidents of the assembly in municipalities/cities. 23.5% of women were vice presidents of the municipal/city assemblies. In 2012, 28.6%<sup>90</sup> of women were councillors in local assemblies, in 2016, there were 31.2%,<sup>91</sup> while currently there are 32.7% of them. 18.6% of women are presidents of the parliamentary caucuses. The Gender Equality Index documents the progress made by Serbia in the area of power. Compared to the measurement in 2014, the result rose to 37.3 compared to 28, a 9.3 point increase, mainly due to the progress in the sub-domains of social and political power.

The quota resulted in the formation of women's parliamentary and local government council networks, which are a type of informal platform for action for women MPs and councillors from various political parties.

By contrast to the participation of women in the legislative power, which records growth, the participation of women in the executive branch is not satisfactory. 7.9% of women execute the office of mayor/president of municipality and 18.5% of women are in the positions of deputy mayor/president of municipality. 11% of women are members of local community councils, while 5% of women are in the position of president of the local community. Also, there is still an insufficient number of women in management and supervision, in public as well as in private institutions and companies. In order to overcome this situation, the new draft Gender Equality Law provides the responsibility of public authorities and companies to take action when there is a noticeably unbalanced gender representation.

#### 4.2 Policy changes

No changes.

#### 4.3 Institutional changes

The new draft Gender Equality Law provides the responsibility of public authorities and companies to take action when there is a noticeably unbalanced gender representation.

#### 4.4 Research and awareness-raising

Progress was made in strengthening the capacities and knowledge of managers in public agencies in the area of gender equality, through amendments to the by-law enabling the modification of the curriculum for the professional state examination so as to include a course on gender equality and prevention of discrimination. The same was done with respect to the continuous training of lawyers and prosecutors delivered by the Judicial Academy. This intervention is far-reaching, considering that future public officials will be acquiring competencies in the area of gender equality as part of their regular curricula required for acquiring qualifications.

#### 4.5 Other pertinent developments

The Manual on Implementation of Gender Sensitive Language has been published and disseminated to public sector, academia, media representatives and local self-governments. It was also published on the Co-ordination body for Gender Equality website and broadly promoted at every event organised.

<sup>90</sup> SORS, <http://data.stat.gov.rs/Home/Result/07030502?languageCode=sr-Cyrl&displayMode=table>

<sup>91</sup> SORS, <http://data.stat.gov.rs/Home/Result/07030602?languageCode=sr-Cyrl&displayMode=table&guid=88c7e95a-5037-4984-a613-58e9e4fe6004>

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.1 Legislative changes

In the National Strategy for Prevention and Elimination of Human Trafficking, in Particular Women and Children, and Protection of Victims 2017–2022, the asylum seekers (migrants) are identified as a group particularly exposed to the risk of human trafficking. This will create mechanisms that will allow timely identification of potential victims of trafficking and adequate protection.

In co-operation with the relevant international organisations and NGOs, the Commissariat employees working in centres for accommodation of migrants and asylum seekers are continuously trained in the areas of protection, work with vulnerable categories of migrants, identification of potential victims of trafficking and GBV, and similar, in the aim to provide adequate support to migrants and prevent different forms of violence. Also, all employees working in centres for reception and protection of migrants have attended training on prevention and detection of violence, identification of GBV, treatment of unaccompanied minors, and gender equality

The new Law on Asylum and Temporary Protection from 2018 stipulates that the right to refuge, i.e. to refugee status, is granted to applicants who are outside of their country of origin or country of usual residence and who have a justified fear of persecution on the grounds of race, gender, language, religion, nationality, membership of a certain social group, or a political belief, which is why they cannot or are unwilling to accept protection of this country.

The Law includes as an act of persecution physical or psychological violence, including sexual and gender-based violence, as well as acts that are specifically related to gender or children.

Subsidiary protection is granted to applicants who failed to meet the conditions for granting the right on refuge, if there are justified reasons to indicate that if they return to their country of origin or usual residence they will face a real risk of suffering serious harm. By serious harm, the Law considers the threat of death by penalty or execution, torture, inhumane or degrading treatment or punishment, as well as serious and individual threats to life, due to general violence in situations of international or internal armed conflicts.

It is stipulated that, when deciding on asylum applications, the competent authorities must assess the position and the personal circumstances of asylum seekers, including their gender and age, so that based on these facts they can assess if the treatment or the actions that seekers were exposed to or could be exposed to present real persecution or serious harm.

### 5.2 Policy changes

When it comes to informing migrant and asylum-seeking women, pursuant to Article 50, paragraph 9 of the Law on Asylum and Temporary Protection, the Commissioner of the Commissariat for Refugees and Migration adopted the Rules of Conduct in Asylum Centres and Other Asylum Seeker Accommodation Facilities (2018).

The Rules of Conduct were translated into several languages (English, French, Arabic, Farsi and Urdu) and placed on the notice boards in all centres. Apart from the provisions on the obligations and rules of conduct of centre residents, the Rules of Conduct contain information about the possibility of filing reports and complaints on a range of issues, including any form of violence and violent behaviour. Upon arrival and admission into a centre, each migrant is provided with full and timely information about their rights, opportunities, responsibilities and available support services. The presence of the non-governmental sector in the centres is allowed for all organisations in accordance with the standards relating to the provision of services to asylum seekers, migrants and

persons who have been granted the right to asylum. Also, see also the comments on paragraphs 248-254 of the Draft Report.

### 5.3 Institutional changes.

Law on Asylum and Temporary Protection explicitly stipulates that the principles of gender equality and gender sensitivity are an integral part of the asylum procedure. These principles are made concrete through an instruction that the legal provisions must be interpreted in a gender sensitive way. Asylum seekers should be allowed to submit the asylum application and give their statement to the officer of the same gender or to give statement through an interpreter of the same gender, unless this is impossible or it entails disproportional difficulties. Search, bodily examinations, and other actions during the procedure that include physical contact with the asylum seeker must be conducted by an officer of the same gender. Women asylum seekers accompanied by men submit their asylum applications and give their statements separately from their male companions.<sup>92</sup>

During registration, the police officer is obliged to examine a foreigner and his belongings with full respect of his physical and psychological integrity and human dignity.<sup>93</sup>

In the process of reviewing asylum applications, family members of asylum seekers are interviewed separately, unless this is not possible, according to the assessment of the officer conducting the interviews, in order to establish the important facts on which their application for asylum is based.<sup>94</sup>

The Law foresees that, in the asylum procedure, particular heed must be paid to the specific position of persons who need special procedural or reception guarantees, such as minors, unaccompanied minors, persons with disabilities, elderly, pregnant women, single parents with minor children, victims of trafficking, gravely ill persons, persons with mental disabilities, as well as person who were tortured, raped, or exposed to other severe forms of psychological, physical or sexual violence, such as women victims of genital mutilation.<sup>95</sup> If, due to their personal circumstances, asylum seekers are not capable to fulfil their rights and obligations, they are provided with appropriate assistance. These personal circumstances are taken into consideration throughout the entire procedure.

### 5.4 Research and awareness-raising

In 2016, the Ministry of Education, Science and Technological Development issued a manual for the education system entitled "Protecting Students from Human Trafficking" which was distributed to schools.

In 2016, a training programme was implemented on the protection of children and youth in education from human trafficking which was attended by 125 teachers and specialist non-teaching staff in schools.

## 6. Objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

The new Law on the Planning System adopted in 2018. introduces a formal obligation to develop gender analysis for all public policy documents, and is actually legal obligation of adopting gender-responsive policies. It also introduces formal obligation to the process of improving the programme budgeting which refers to the effects of budget investments.

<sup>92</sup> Article 16 of the Law on Asylum

<sup>93</sup> Article 35, paragraph 7 of the Law on Asylum

<sup>94</sup> Article 37, paragraph 5 of the Law on Asylum

<sup>95</sup> Article 17 of the Law on Asylum

The law should contribute to the improvement of all new policy documents and related action plans as it requires all activities to be intersected with the budgets of the relevant ministries and with donor funding and is in that way securing their implementation.

The Republic of Serbia is one of the few countries in the world that have incorporated the obligation to strengthen gender equality into the reform of the public finance management through the Budget System Law in 2015, relying on the gradual introduction of gender responsive budgeting (GRB). All budget beneficiaries at all levels of government, in accordance with this law, are obliged to introduce gender responsive budgets by 2020.

Gradual introduction of GRB in the budget for 2020 will cover 47 out of 53 direct budget beneficiaries at the national level and all 26 direct budget beneficiaries at the APV level. Local governments are also making progress in the gradual introduction of the GRB. The Annual Progress Report on the gradual introduction of gender responsive budgeting in the public financial management system in Serbia is available to all budget beneficiaries involved in the process, as well as the expert public as of 2019. Thanks to the GRB, institutional records and statistics have been improved, sectoral gender analyses have been developed, examples of the transformative impact of GRB on gender have been collected and used in further improvement of the GRB process and co-operation between the financing authorities at all levels and institutional gender equality mechanisms has been strengthened.

## 6.2 Policy changes

The Second National Strategy for Gender Equality 2016-2020 has been adopted and has been implemented in reporting period, which established, for the first time, a comprehensive strategic framework for the systematic introduction of the principle of gender equality in all public policies. Gender equality has become "part of the planning, drafting and implementing public policies, laws, programmes and measures; needs, priorities and the specific position of men and women, including vulnerable groups, are being systematically included in the public policies and their effects on the situation of women and men are being actively considered in all stages of planning, drafting, implementation, monitoring and evaluation, and at all levels, with equal participation of women and men in these processes". The national co-ordination body for monitoring implementation and reporting of this strategy is Co-ordination body for Gender Equality.

After the implementation of the First National Action Plan (NAP) for the implementation of the Strategy for the period 2016-2018 its independent evaluation was carried out in 2019, which enabled to identify priorities for the Second NAP for the implementation of the Strategy, particularly relating to further improving gender equality culture that is feed into the Second NAP.

## 6.3 Institutional changes

The main vertical and horizontal mechanism for gender mainstreaming is Co-ordination body for Gender Equality, which together with the network of gender equality focal points in all line ministries and key institutions co-ordinates gender mainstreaming policies across all sectors.

Local gender equality mechanisms are created pursuant to the Gender Equality Law (2009), which stipulates that a standing body should be set up or an employee assigned for gender equality issues in the bodies of local government units. To date, gender equality mechanisms have been created in 130 local government units (boards, committees, elected individuals).

Gender-responsive budgeting teams were created in all budget funded entities, while IPA units act as gender equality bodies within the IPA programming process.

**6.4 Research and awareness-raising**

So far, the support for the gradual introduction of Gender Responsive Budgeting which consists of training and mentoring with the budget beneficiaries included more than 1,000 public administration and local government employees. Also, more than 300 individual mentoring and informative programs in the public institutions were conducted in 2019.

**6.5 Other pertinent developments**

At the Government level Gender test with check lists concerning gender aspect of every public policy document has been developed and will be obligatory to complete prior submission of any public document for Government consideration.

**7. Main challenges and lessons learned**

One of the key challenges is the necessity to continuously strengthen institutional mechanisms for gender equality whose role and position should be and continue to be clear and unambiguous. This is particularly important for the national co-ordination mechanism, especially given the rising complexity of tasks related to the gender mainstreaming in all policies. The mechanisms for gender equality at all levels should continuous to improve their administrative and technical capacity and establish regular access to budget funds. There is also a need to continue to invest in the mechanisms of horizontal and vertical co-ordination in order to achieve more rapid and significant success in the implementation of gender policies.

SLOVAK REPUBLIC
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

No legislative changes in the reporting period

### 1.2 Policy changes

No policy changes in the reporting period

### 1.3 Institutional changes

#### Increased personal capacities for gender equality

In 2018, the Institute for Labour and Family Research (hereinafter referred to as "ILFR") started in the co-operation with the Department of Gender Equality and Equal Opportunities the activities of the **national project** *Prevention and Elimination of Gender Discrimination*. The aim of the project is to ensure the systemic institutional provision of gender-based counselling activity, including gender-based violence, and to strengthen the expertise of the ILFR in implementing policies to eliminate gender-based discrimination. A special activity is the implementation of tasks related to the prevention and elimination of gender-based violence and sexism, namely the activities of the *Co-ordination-Methodological Centre for the Prevention of Violence against Women*, including the *National Line for Women Experiencing Violence*. The project is a prerequisite for the creation, stabilisation and maintenance of an integrated protection and support system for victims of gender-based violence and aligning efforts to reduce and prevent it. It focuses on systematising and linking the different procedures and measures, both legislative and non-legislative so that they are coordinated and lead to joint efforts by both public administrations and non-public actors to prevent and reduce gender-based violence while support and protect its victims. The budget of the project is five mil EUR supported via the European Social Fund (operational programme Human Resources) with a contribution of the state budget.

The national project consists of two main activities. First action "Support for effective mechanisms to eliminate gender discrimination is implemented through education" (training on gender equality and how to prevent gender discrimination, developing original research, methodologies, monitoring and educational campaigns on gender equality) and counselling (by providing advice on issues related to gender and gender discrimination as well as public sector bodies and research and analytical activities). The second activity of the national project is to support the development of services and measures for victims of violence, especially for women. (see 2.3.)

### 1.4 Research and awareness-raising.

The Institute for Labour and Family Research is implementing various activities in the field of combating of sexual harassment and its prevention. Among others, the Institute developed a study "**Tools for Prevention of Sexual Harassment as a Form of Gender Discrimination in Slovakia**". It is a pilot case study enquiry among the national experts from official authorities, academic field and NGOs working within the field of gender discrimination, sexual harassment and sexual violence. The objective of this study was to collect data on a variety of topics via the method of cognitive interviewing. Its aim is creating a knowledge base for preparing policies aimed at sexual harassment prevention and elimination at work, school, and other environments in Slovakia. The official launch of the report is expected in October 2019.

**Research “The Quality of Relationships and Experience with Harassing Behaviour at Slovak Universities”.** This nation-wide research represents a quantitative and a qualitative enquiry into the experiences of persons currently pursuing a full-time higher education degree at Slovak colleges and universities. The objective of this enquiry is to gather quantitative and qualitative data in two particular areas:

- 1) the experiences of the students with harassment and violent behaviour from their educators and from other students,
- 2) the attitudes and values of the students with regards to gender discrimination, sexual harassment and sexual violence.

At this stage is prepared and pilot-tested questionnaire. All college and university faculties were contacted with an offer to take part in the research. Quantitative data will be systematically collected throughout the academic year starting from October 2019 - May 2020. Results and report are expected to be processed by the end of 2020.

In terms of awareness-raising, MLSAF and ILFR use social media and the internet to raise awareness and often also correct a misinterpretation of gender equality terms in Slovakia.

### 1.5 Other pertinent developments.

The issue of sexism in advertising has gained more media attention since the launch of NGO initiative **The Sexist Blunder** ([www.sexistickykix.sk](http://www.sexistickykix.sk)) in 2016.<sup>96</sup> The aim of the project is to create a space for discussion and raise awareness of sexism in media. It created a platform through which people can nominate the most sexist adverts they can find in the public space. Running the anti-award in Slovakia has got a great potential as in drawing the attention of people, enabling the general public to get more closely involved in the battle against discrimination and also to provide people with high-quality information on this topic. The Sexist Blunder is also focusing on educating the public as well as the advertising companies and agencies on how to recognise sexist elements in adverts such as gender stereotypes, objectification, and fragmentation of women. An increasing number of nominated ads in the year 2018 and 2019 indicate improved awareness of the public on the inappropriateness of sexism in advertising seems to be rising rapidly.

The anti-award is organised by an NGO Alliance of Women with the financial support of MLSAF of SR.

**Discussion of “gender ideology”:** Although the terminology of gender equality has been established for decade and is enshrined in law (for example, the Slovak Republic is obliged to implement gender mainstreaming under Directive 2006/54/EU), in the last year voices have been raised in conservative sections of society criticising or opposing this concept and even gender equality as such. Many of these criticisms fail to grasp gender equality’s fundamentals and principles and often interpret them incorrectly or deceptively. The discussion of so-called “gender ideology” has stirred up negative opinions in a certain section of the population and calls for a return to the “traditional” allocation of gender roles and biological determinism.

<sup>96</sup> More available at [www.sexistickykix.sk](http://www.sexistickykix.sk)

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes.

**The Act on Crime Victims** became effective on 1 January 2018. The Act introduces basic concepts such as 'victim', 'particularly vulnerable victim', or 'domestic violence crimes' into the legal system. A domestic violence crime is, among other things, a crime committed by using violence or the threat of violence against a spouse, former spouse, partner, former partner, parent of the same child or to another person who lives or lived in the same household. Particularly vulnerable persons are also persons who are victims of domestic violence crimes.

The adoption of the Act on Crime Victims also resulted in amending the provisions of the Criminal Law laying down special motive (§140). In the case of selected criminal offences, having the characteristics of a special motive warrants the use of heavier sentences. The amendment to the Criminal Law also adds sex to the definition of a reason for hatred.

Domestic violence is a criminal offence in the Slovak Republic. The interpretation of these unlawful acts covers all possible situations while respecting the international definition of this criminal offence. Besides domestic violence crimes, Criminal Law specifically defines sexual violence crimes, as well as rape, which also includes marital rape. The Slovak legal system does not tolerate any form of rape during the marriage.

In recent years, a series of amendments amending a number of provisions of the CL, the Criminal Code and other laws, which were substantially related to the prosecution of violence against women including domestic violence, have been adopted in the Slovak Republic. One of the measures is evicting the offender from the shared household. The period of time a police officer is authorised to evict a violent person has been extended from 48 hours to 10 days. The eviction includes the obligation of an evicted person not to approach the person under threat closer than the distance of 10 metres.

The issues concerning various forms of violence against women and the trafficking of women are dealt with by several Acts, such as *the Penal Code (Criminal Act)*, *the Rules of Criminal Procedure*, *the Act on misdemeanour*, *the Rules of Civil Procedures*, *the Civil Code*, *the Act on the Compensation of Victims of Violent Criminal Acts* and *the Act on Social Services*. The legislation also allows the activities of victim assistance organisations, including the provision of legal advice. Current law guarantees victims the right to legal aid free of charge when claiming compensation in criminal proceedings and also in civil lawsuits through a *Legal Aid Centre*.<sup>97</sup>

### 2.2 Policy changes

In March 2019, the Parliament requested the Government **to halt the ratification process** of the *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*. The resolution was proposed by the coalition party and adopted by the Parliament with 101 (of 133) votes. The coalition party founded the resolution on their concerns that the Convention

<sup>97</sup> At present, the Legal Aid Centre does not provide legal aid or legal representation in criminal law proceedings and does not have any branches or offices abroad. The National Action Plan for the Prevention and Elimination of Violence against Women 2014–2019 includes a task assigned to the Ministry of Justice of the Slovak Republic (point 15) to provide for the amendment of Act No. 327/2005 Z.z so that offices of the Legal Aid Centre in the Slovak Republic provide legal advice for, amongst other clients, women at risk from violence and legal representation for the victims of violence against women also in criminal cases.

is “in conflict with the constitutional definition of marriage, which is worded as a union between a man and a woman. One of the main shortcomings of the text is its definition of gender.”<sup>98</sup> Based on the adopted resolution, the Government is also expected to announce to the Council of Europe that Slovakia doesn't plan to become a contracting party to the Convention.

In early March 2019, high representatives of the Christian churches adopted a proclamation warning of the unimaginable danger represented by and hidden in '*gender ideology*'. The proclamation defines 'gender ideology' as a pseudoscientific and warns of the efforts to incorporate the ideology into the educational systems to affect the citizens in such a way that the statements spread by the 'gender ideology' becomes normal. The Christian church representatives reaffirmed and restated its stand from 2018 on the necessary complete rejection of the Istanbul Convention which according to them abuses the topic of violence for spreading the 'gender-ideology'.<sup>99</sup>

### 2.3 Institutional changes

The Ministry of Labour, Social Affairs and Family (MLSAF) has set up a *Co-ordinating Methodical Centre for Prevention and Elimination of Violence against Women (CMC)*. The project has been co-financed through the Norwegian Financial Mechanism and European Social Fund. The aim of the CMC was to create, implement and co-ordinate a comprehensive national policy in the area of preventing and eliminating violence against women. A team of experts has been set up within the CMC responsible for the co-ordination and supervision of the implementation of the system of prevention and intervention, victim support and services in the field of violence against women and domestic violence. Training of law enforcement agencies, including police officers, investigators, prosecutors, judges, as well as health care professionals on gender-based and domestic violence represent crucial activities of the CMC. The CMC represents a crucial element of the harmonisation of national legislation with Article 10 of the *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*.

The MLSAF runs a **free 24/7 helpline** in order to provide efficient support to women experiencing violence and seeking support. Detailed statistics are collected in order to monitor the effectiveness of the helpline. In 2018, the helpline received about 3 200 calls. Since July 2016, the helpline has become an integral part of the CMC.

The long-term development in the field of the criminal conviction of those acts related to violence against women in Slovakia showed positive development. While there is visible a general decline in violent crime in Slovakia in the long-term development, reported crimes related to violence against women to show a different pattern. The significantly increasing trend of reported cases is in the area of intimate partner's violence and sexual violence, which can be explained as higher confidence of victims in the system and thus the higher number of reported crimes. Particularly the increase of reporting of abuse and stalking by an intimate partner has shown a significant increase.

Supporting services are a vital part of the protection of victims if working professionally and effectively. In the last five years, the availability and quality of services increased significantly. There are about 23 counselling centres around Slovakia which provide specialised support to victims of domestic violence, most of them are focusing in particular on female victims. The overall number of existing services which are able to support women (but not specialised only on women) is much higher; CMC identified 51 social services, public or private, offering such support. Furthermore, there are about 180 family places (1 woman + 1,5 child) in shelters around Slovakia which provide comprehensive specialised assistance for women experiencing violence and their children in residential form until the solution of the woman's problems. The annual expenditure of public funds

<sup>98</sup> <http://enrsi.rtvs.sk/articles/news/191734/parliament-halts-ratification-of-istanbul-convention>

<sup>99</sup> Full text of the proclamation available at <https://www.tkkbs.sk/view.php?cislocikanku=20190304018>

supporting those services is 1,5 mil EUR. However, a systematic financing mechanism is still a challenge to be dealt with.

#### 2.4 Research and awareness-raising

The Department of Gender Equality and Equal Opportunities launched a campaign titled *"Because I say No"* targeted at young people in the age group from 15 to 25. The overall aim of the campaign was to increase awareness, sensitise and inform about sexualised violence, to decrease the public's tolerance of this kind of violence and open the topic to the public. In the first phase of the campaign, we raised awareness of the persistent myths and communicated chosen central messages to the public. Some of them include:

- Nobody wants to experience violence/nobody deserves violence under any circumstances;
- Only the perpetrator is responsible for violence; the victim is never responsible/secondary victimisation;
- A vast majority of perpetrators are known to the victims (88%) and 38% of cases of sexual violence are committed by a current partner;
- Aggression and violent behaviour is not a natural male character trait;
- Sexual violence has serious consequences on the victims, no matter whether a victim fights physically back.

The overall aim of the campaign spots is to encourage and sensitise young people and increase their capacities to recognise and reject all forms of violence.

Spot 1 is aimed at girls and women and communicates the importance and strong value of a given or not given consent, whether verbal or non-verbal, for any type of sexual activity, under any circumstances and in any stage of a relationship. The goal is to encourage girls and women to be aware of their right to say "NO" anytime and anywhere.

Spot 2 is aimed at boys and men, and it warns boys and young men that by using pressure or force on involuntary sexual activities, they not only humiliate the other person and behave unacceptably but also they commit a criminal act. Moreover, this spot also works with the concept of "bystander effect" and encourages young people to intervene in case they witness some forms of violence.

During the second phase of the campaign, public figures known to young people joined the campaign and expressed their support which highlighted the fact that everyone can reject violence in any form – whether privately on a regular day or as a part of their profession.

Audiovisual lectures at high schools and at universities reflect the fact that this generation lives in a world of constant updates, that the attention span dropped to 8 seconds and on average this generation receives 3000 messages per month. As a result, the members of this generation are less focused, but also they are better multitaskers.

The audiovisual lectures take place in theatres, and the lecturers explain gender stereotypes, gender inequalities, and violence against women, including cyber violence while using short previews from selected and up to date movies, TV shows and ads. One lecture of 90 minutes includes over 50 previews. The previews are simultaneously commented on and addressed in the theoretical context of gender equality.

The format of audiovisual lectures proved to be an effective way of informal education for students at high schools since the dynamics of the lecture corresponds to the current rapid trend of young people's lives. This kind of lectures makes use of their ability to receive a great deal of information

and incentives at the same time. The campaign is available (in the Slovak language) at the web page [www.zastavmenasilie.gov.sk](http://www.zastavmenasilie.gov.sk)).

In June 2019, the Ministry of Interior launched a public campaign called **“From tomorrow onwards”** (Od zajtra). The campaign is focusing on the issue of increasing awareness on the topics of domestic violence. Additionally, the campaign aims at increasing reporting rates of domestic violence not only by the victims of the violence but also by the "bystanders" or anyone who is aware of the occurrence of such violence.

### 2.5 Other pertinent developments

Call for proposals **"Counselling and awareness-raising in the field of prevention and elimination of discrimination."**

The demand-oriented call for proposals from European Social Fund in SK has an aim of supporting activities leading to gender (for employers with an emphasis on SMEs, public administration employees) and, on the other hand, counselling and other support services for persons at risk of discrimination. Counselling victims of gender-based and domestic violence is one of the activities. The call also supports awareness-raising activities in the form of conferences and information campaigns. By the end of 2018, 32 applications for a financial contribution had been contracted.

## 3. Strategic objective: Ensure the equal access of women to justice

### 3.1 Legislative changes

No legislative changes in the reporting period

### 3.2 Policy changes

No policy changes in the reporting period

### 3.3 Institutional changes,

#### **Counselling in the sexual harassment and gender discrimination field**

From October 2019 the Institute for Labour and Family Research will offer on-line counselling including law counselling and provide informational materials on how to fight, eliminate and prevent sexual harassment and gender discrimination at work, school and other environments through counselling portal publicly available at its website [www.totojrovnost.sk](http://www.totojrovnost.sk)

### 3.4 Research and awareness-raising

The national project of the Ministry of Interior Affairs: **Improving access to services for victims of crime and establishing contact points for victims**

The project creates conditions for the implementation of the preventive policy of the Slovak Republic as an integral part of the security policy of the Slovak Republic, which aims to achieve crime control through the co-ordination of a complementary set of repressive and non-repressive means. It highlights the need for a comprehensive and co-ordinated solution of crime prevention tasks by state and local authorities linked to NGOs, educational and scientific institutions. A comprehensive and co-ordinated solution of crime prevention tasks in the area of support and assistance to victims is a prerequisite for the creation and provision of accessible services in publicly accessible and known places in the form of stable contact points. The contact points will not only be a point of consultation and information but will also be a networking and co-ordination facility for assistance systems and institutions (self-government, educational institutions, social service providers, employment service providers, health care providers and others).

The project will be implemented through the main project activities:

1. Building a special Needs Analysis and Victim Support Centre - the analytical centre will aim to create conceptual and analytical materials for further use by regional co-ordinators, their assistants and methodologists. At the same time, the Analysis Centre will monitor achievements and progress.
2. Establishing a network of co-ordinators for crime victims - ensuring a more effective impact of crime victims on the services provided under the project. During the first year, the network of co-ordinators and their assistants will be set up, and this will be continuously modelled on the basis of real needs.
3. Creation of a system of methodical management and co-ordination of individual contact points (CB), creation and approval of standards and methodologies from individual areas with a focus on the client's needs - providing a platform for co-ordinators and their assistants for further development, exchange of information and procedures.
4. Setting up co-operation by involving all stakeholders, including civil society, which will follow the methodologies developed. Within the activity, existing organisations and state administration bodies dealing with the issue will complement the system of providing assistance. The aim is to achieve maximum efficiency in this area to create a certain level of provided services.
5. Training of district co-ordinators, assistants and officers - ensuring the development of human resources in order to provide affordable, adequate and quality services to clients.
6. Creation of a database of contact points supporting within NP and their results, evaluation of achieved results - the aim of the activity is to map individual contact points (a network of co-ordinators and their assistants) as well as their results and outputs. Part of the database system will serve public administration professionals and project team members to share examples of good practice, materials for lecture and preventive activities, experience, and the other part of the database accessible via a website, provide contact point data (contacts, services, assisting organisations) ).
7. Preventive activities with selected groups of victims - will be carried out in co-operation with NGOs dedicated to awareness-raising and prevention projects, while having relevant experience in innovative and modern communication projects on social issues.

### 3.5 Other pertinent developments

Call for proposals **"Counselling and awareness-raising in the field of prevention and elimination of discrimination"**

The demand-oriented call for proposals from European Social Fund in SK has an aim of supporting activities leading to gender (for employers with an emphasis on SMEs, public administration employees) and, on the other hand, counselling and other support services for persons at risk of discrimination. Counselling victims of gender-based and domestic violence is one of the activities. The call also supports awareness-raising activities in the form of conferences and information campaigns. By the end of 2018, 32 applications for a financial contribution had been contracted.

**4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

#### 4.1 Legislative changes

No legislative changes in the reporting period

#### 4.2 Policy changes,

No legislative changes in the reporting period

**4.3 Institutional changes**

No changes in the reporting period

**4.4 Research and awareness-raising**

No changes in the reporting period

**4.5 Other pertinent developments**

**The representation of women in decision-making positions** reached a certain breakthrough in 2018 when, after the Government's reconstruction in March 2018, most women in the modern history of the Slovak Republic were involved in ministerial seats; of the 15 ministers, there are five women, representing 33.3%. The positive trend followed in 2019 when the **first female president in Slovakia's history had been elected in the popular vote in March 2019.**

The highest representation of women is in the judiciary, where women outnumber men approximately by 70%. At the Supreme Court, the proportion of female judges is almost 60%, while the chairwoman and vice-chairwoman are women. The third representation was exceeded by women at the Slovak Constitutional Court: their share in 2018 was 36.4%. At the same time, women were presiding at both courts; a woman is also at the head of an independent body of the Slovak Republic for the protection of fundamental rights and freedoms as a Public Defender of Rights, as well as a representative of the Slovak Republic before the European Court of Human Rights.

**5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls****5.1 Legislative changes**

No changes in the reporting period

**5.2 Policy changes**

No changes in the reporting period

**5.3 Institutional changes**

In September 2018, the Slovak Republic and UNDP Partnerships for Effective Development Co-operation Solutions were signed with the main focus on the goals of sustainable development for 2018-2021. Two core areas are:

Strengthening the Slovak Republic's leadership in Security Sector Reform (SSR). The Slovak Republic supported the second phase of the UNDP initiative "*Women in the Army*", which is the highly important UNDP theme. Initiative activities were also consulted with relevant embassies (Belgrade, Podgorica and Skopje Embassies) that are operating in partner countries and where the initiative will be implemented. During the OSCE presidency, there will be an event organised to discuss security sectors and reforms. A SAIDC expert will be delegated to UNDP for six months to support the implementation of this initiative.

Capacity building of MFAF SR and exchange of experience with the aim of effective development co-operation in partner countries. Currently, UNDP's internal selection processes are underway. The UNDP experts will provide training to MFAF SR and SAIDC and to other relevant institutions and ministries how to effectively implement the cross-cutting themes (environmental protection and climate change, equal opportunities) into development policy and project cycle.

**5.4 Research and awareness-raising**

No changes in the reporting period

## 5.5 Other pertinent developments

### Girl child and migration

Identification of asylum-seeking minors or minors who have been granted international protection in the SR is verified already during the asylum process. If a minor comes from a country with ongoing armed conflict, his or her application review process should include verification of whether he was involved in the armed conflict.

It is also possible to identify asylum-seeking minors who were involved in armed conflict when assessing a minor's vulnerability in accordance with the Act on Asylum. The MI SR creates suitable conditions for accommodation and care of foreigners in asylum facilities. Suitable conditions are understood as taking appropriate measures to prevent attacks and violence, as well as providing protection to victims of human trafficking.

If an asylum seeker is identified as a minor who was involved in armed conflict, members of staff at the Migration Office of the MI SR are professionally trained to work with such a group of minors. Since 2014, the Migration Office of the MI SR has not had any cases of asylum-seeking minors who were involved in armed conflict.

Protection and promotion of the rights of foreigners, i.e. migrants, refugees and applicants for international protection, is provided in the SR by the Centre for Legal Aid under the authority of the MI SR and by non-governmental organisations.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

Continues and regular gender mainstreaming reviews and revisions of all new and/or newly amended laws and policies by the Department of Gender Equality and Equal Opportunities of the MLSAF.

### 6.2 Policy changes

No changes in the reporting period

### 6.3 Institutional changes

No changes in the reporting period

### 6.4 Research and awareness-raising

An important role for strengthening the gender equality agenda is ensured by the obligation to apply so-called gender equality ex-ante conditions of 'gender equality' and 'non-discrimination', which make the use of the European Structural and Investments Funds (ESIF) conditional on the Member States by establishing an adequate institutional mechanism for the implementation of gender equality and the education of the main players. Eliminating gender gaps, with a particular focus on the labour market and education, is an integral part of the Human Resources Operational Programme.

The education and training of management authorities and entities involved in the implementation of the ESIF is also based on the Education Strategy, which aims to ensure a continuous system of training of administrative capacities involved in managing bodies to bring understand the gender equality and non-discrimination and apply them to the overall process from planning and preparation challenges, projects, their evaluation, management, implementation to evaluation and

publicity.

Education on basic principles and concepts is provided through the central co-ordinating body within the central education of administrative capacities to the ESIF Management System.

### 6.5 Other pertinent developments

The Statistical Office of the Slovak republic produces an annual statistical report on gender indicators and data sets. A comprehensive overview of statistical information characterising the status of women and men in contemporary society. It includes data divided by gender in the field such as demography, labour market, social statistics, and health, education, science and technology, criminality, violence and judicature, public life and decision-making. The content is supplemented with international comparisons and graphic annexe. Methodological notes are included. The bilingual report in Slovak and English language for 2018 is available [here](#).

Since 2010, MLSAF produces an **annual report about the state of play of gender equality in Slovakia**. The report contains the latest development on the field of gender equality, main activities and actions of public institutions and NGOs as well as a set of gender equality indicators. In an analytical part, the report focuses on a particular area providing gender analysis and a set of good practice examples. Latest reports were focusing on the labour market (2018), violence against women (2017), gender pay gap (2016) etc. The reports are available on the web page [www.gender.gov.sk](http://www.gender.gov.sk).

## 7. Main challenges and lessons learned

Slovak society continues to be relatively conservative, with a large part of the population declaring an affiliation to the Catholic Church. In this conservative environment there is **strong support for the traditional, stereotypical division of tasks** and duties between women and men in the family life. There continues to be a high level of acceptance for a model of the family where the man is the breadwinner and the woman takes care of children and the household. Policies aimed at eliminating gender stereotypes meet with relative resistance in the conservative environment, which prefers to emphasise the biological differences between men and women and the resulting “natural” division of labour and gender roles.

**Discussion of “gender ideology”** Although the terminology of gender equality has been established for decade and is enshrined in law (for example, the Slovak Republic is obliged to implement gender mainstreaming under Directive 2006/54/EU), in the last year voices have been raised in conservative sections of society criticising or opposing this concept and even gender equality as such. Many of these criticisms fail to grasp gender equality’s fundamentals and principles and often interpret them incorrectly or deceptively. The discussion of so-called “gender ideology” has stirred up negative opinions in a certain section of the population and calls for a return to the “traditional” allocation of gender roles and biological determinism.

Since 2013, a significant increase in opposition against improving gender equality can be noted. Most publicly active actors are predominantly Christian religion-affiliated NGOs and the church itself. They organise numerous lectures, protests, marches, write articles, and publish videos and petition against the ‘gender ideology’ which according to them is in direct conflict with the traditional family values. One of the most important objectives for these actors has been to halt the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

## SLOVENIA

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.5 Other pertinent developments**

In accordance with the Resolution on the National Programme for Equal Opportunities for women and men 2015-2020 the guidelines for the promotion of the use of gender-sensitive (non-sexist) language in public administration, public media and education were drafted, published and disseminated to the state and local authorities, media organisations, NGO-s, educational institutions, gender experts and other stakeholders in December 2018.

Recommendation Rec(2019)1 on preventing and combating sexism were translated in August 2019 and will be distributed to the relevant stakeholders by the end of the year.

**2. Strategic objective: Prevent and combat violence against women and domestic violence****2.1 Legislative changes**

Slovenia drafted its first national report on the implementation of the Istanbul Convention, which will be submitted to GREVIO by the end of October.

**2.4 Research and awareness-raising**

In 2018 and 2019 a media campaign has been running within the 'Click-off' (Odklikni) project, focusing on raising awareness about various forms of cyber violence, in particular violence that more frequently affects women and girls – cyber stalking and harassment; i.e., revenge pornography, (sexual) abuse by using false identities. This topic is presented in TV ads and promotional spots, leaflets, on posters, e-posters on city buses, a website (<http://odklikni.enakostspolov.si/>) and a mobile application Odklikni. This free application was developed primarily for young people to raise awareness about cyber violence and harassment, internet ethics and netiquette, measures for improved online security and safety, and steps for dealing with cyber violence and abuse.

A survey on the prevalence and identification of cyber harassment among young people in Slovenia was conducted in 2018. It showed that boys are the most common cyber harassers of both girls and boys, that boys are most likely subjected to cyber harassment by persons from their school, while girls are harassed by persons outside the school facilities, that boys are more likely to perceive cyber harassment as funny or entertaining, and do not respond to it, that girls are more likely to perceive serious consequences as a result of cyber harassment, such as helplessness, depression, stress and fear.

In 2018, Slovenia conducted a pilot survey on Gender-Based Violence (GBV), financed by the European Commission (Eurostat). In 2019 the survey is being evaluated methodologically.

In order to raise awareness on the importance of the full implementation of the Istanbul Convention we have translated Council of Europe and European Commission brochure "What is the Istanbul Convention? Who is it for? Why is it important? It will be distributed to relevant stakeholders and together with the first national report on the implementation of the Istanbul Convention used to get political support to promote equality between women and men and to prevent violence against women.

### 2.5 Other pertinent developments

In order to harmonise the national legislation with the Istanbul Convention, more attention should be paid to the changes of the relevant laws in the future. Therefore, there are discussions how to amend the penal code, which defines rape as a perpetrator coercing the victim into sexual intercourse by means of force or serious threats. Calls for amending the code intensified after a court decision that a man who raped a drunk woman while she was asleep was given a milder sentence after being charged with criminal coercion rather than rape because no means of force were used during the act. Minister of Justice immediately called a meeting where various stakeholders looked into various options, including the possibility of introducing the yes-means-yes principle because the victim might be too frightened or unable to say a clear no.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.3 Institutional changes

The existing systemic regulation of equality between women and men still does not ensure actual gender equality in bodies governed by public law. Despite the declared equality between women and men, the figures show that Slovenia has not yet achieved a balanced gender representation in specific areas of social life, particularly in decision-making positions in politics, the economy and bodies governed by public law; therefore, in 2019 the Government adopted amendments to the Equal Opportunities for Women and Men Act. The new law is in the Parliamentary procedure to be adopted by the end of the year.

### 4.4 Research and awareness-raising

Promoting equal opportunities, including gender quality and empowering girls and women, has been recognised as the key to achieving development, the cornerstone of respect for human rights and the provision of social justice. Slovenia strives to achieve this objective with activities in international organisations, bilateral relations and support to development projects in the field. In 2019 the Ministry of Foreign Affairs in co-operation with foreign ambassadors in Slovenia began implementing the 'Young Ambassadors' project aimed at bringing the role and activities of women in the area of international relations, foreign affairs and diplomacy closer to female students. The project 'Young Ambassadors' will include female students from Slovenian secondary schools that were selected through a special competition. During the course of the year, they will be offered a unique insight into the activities of Slovenian and foreign ambassadors in the area of diplomacy and international relations, addressing current global issues, presenting views and the functioning of diplomacy, economies and other areas. As part of the project, students will spend a day with ambassadors in their workplace. They will attend several international events, group and individual discussions, and meetings with representatives of the business, academic, cultural and sports world, as well as take part in the Young Bled Strategic Forum in September 2019. The purpose of the project is to encourage young women to think ambitiously about their future and possible career in diplomacy and international relations, and to participate actively when searching for answers to all the current questions of the global community.

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.5 Other pertinent developments

In the context of the implementation of social activation, the aim of which is to promote an active role of individuals in tackling social problems in order to obtain social and functional competences and improve work skills, a specific programme aimed for women from other cultural environments has been in force since 2018. The programme is primarily intended for Albanian women who traditionally stay at home and female migrants who also need specific approaches and incentives to be able to enter the labour market. Cultural mediators are taking part in the implementation of the programme, and family members are also becoming involved in the programme.

## 6. Objective: Achieve gender mainstreaming in all policies and measures

### 6.3 Institutional changes

In 2018 the Minister responsible for gender equality policy in Slovenia established the Experts Council for Gender Equality comprising members from NGOs, academia, trade unions, equality body, business sector and civil society. Expert Council for Gender Equality is an advisory body for monitoring and evaluation of the situation and progress in the implementation of the principle of equality of women and men in various fields of social life and for making initiatives, proposals and recommendations for developing gender equality policy.

In 2019 the Rural Women's Council was established. This is an advisory body of the Minister of Agriculture, Forestry and Food, the main function of which is to formulate opinions on major decisions with regard to the provision of rural women's rights. Within the scope of its duties, the council monitors the position of rural women and provides proposals for improving their position, provides expert opinions on measures of the agricultural and other policies affecting the position of rural women, contributes to awareness-raising on the specific position of rural women and informing the general public about this problem, and promotes organisational operations and the intergenerational co-operation of rural women.

### 6.4 Research and awareness-raising

One of the priority areas of gender equality policy is the reduction of pay and the pension gap. Although Slovenia ranks among the countries with a low pay gap (8.1%), the pension gap is relatively high (18.92%). In 2019 a 2-year project called 'My work.My pension' started. The aim of the project is to draw attention to the pension gap between women and men, improve the knowledge and information about the key factors and reasons for the gap, and raise awareness of mainstreaming gender into the pension policy and pension reform.

## 7. Main challenges and lessons learned

### 1. Progress on gender equality still too slow

Although significant progress has been made in achieving gender equality and empowerment of women in many areas, particularly in legislation, barriers to substantive gender equality still exist. The changing of social and cultural patterns is a long-term process, and actual gender equality cannot be achieved through short-term measures.

Persistent gender differences require the continuous elimination of barriers to the full participation of women in the labour market and in political, public and economic/financial decision-making. It is

also important to combat deeply-rooted and newly-emerging gender stereotypes that determine women's and men's roles in society and create a gender imbalance in paid and unpaid work. Therefore, we will continue to focus our efforts on creating conditions for a more balanced division of family obligations between women and men.

The existing systemic regulation of equality between women and men still does not ensure actual gender equality in bodies governed by public law. Despite the declared equality between women and men, the figures show that we have not yet achieved a balanced gender representation in specific areas of social life, particularly in decision-making positions in politics, the economy and bodies governed by public law; therefore, in 2019 amendments to the Equal Opportunities for Women and Men Act are being drafted. One of the important challenges that remains is also gender balance in economic decision-making, since there are only few women CEOs in the biggest Slovenian companies. To this end, Slovenia is planning to propose legal measures in this area.

## 2. Backlash against gender equality

One of the challenges gender equality policy will have to deal with in the future is to make its achievements more visible and recognised as a democratic norm. It has been noticed that, irrespective of the development of human rights and standards, gender equality advocates and their initiatives to further improve the status of women and men in our society often encounter negative attitudes. Radical movements (that are trying to re-establish society without dated views on gender equality, human rights and equalities in general) are very successful at promoting the so-called gender theory conspiracy and attacking women's rights, advocates and activists.

## 3. Limited resources and political commitment

Another challenge that the Equal Opportunities Department in Slovenia is facing, is firstly general lack of financial and human resources for gender equality which could have a negative impact on the realisation of gender equality and the empowerment of women and girls in the future; and secondly additional tasks related to other inequalities and discrimination (e.g. LGBTIQ+). Challenges which always remains for the area of gender equality is a political commitment to the issue.

Additional tasks related to other inequalities and discrimination (e.g. LGBTIQ+) have been conferred to the main national gender equality mechanism in Slovenia. As a consequence, lack of financial and human resources for gender equality could have a negative impact on the realisation of gender equality agenda and the empowerment of women and girls in the future. Challenges which always remains for the area of gender equality is a political commitment to the agenda.

For more efficient implementation of gender equality policy and in order to ensure greater autonomy and more efficient functioning of the national mechanism for gender equality, the competent authority should be strengthened and given a position of influence in the government's hierarchy and/or its organisational structure. To ensure that the principle of gender equality is followed by all ministries and state institutions, the status of co-ordinators within the ministries should be strengthened and gender budgeting should be applied at different levels.

## 8. Additional comments, if any

There have been for several years' activities going on to prevent cyber violence and harassment mainly against children and young people in Slovenia; however, none of them were gender based or addressed cyber violence from a gender perspective as a form of violence against women and

girls. Therefore, since 2017 (until 2019), the first overall national project Click-Off, addressing cyber violence and harassment as a form of violence against women and girls and a manifestation of historically unequal power relations has been implemented (<http://odklikni.enakostspolov.si/>). The main objectives of the projects are:

- To raise awareness, combat gender stereotypes, prevent, reduce and change attitudes towards cyber violence and harassment against girls and women (hereafter: cybervaw).
- To increase sensitivity and knowledge of young people, (potential) victims, groups at risk, parents, (potential) perpetrators and witnesses about the issue.
- To build the capacity of relevant professionals to ensure adequate prevention, prosecution and protection against cybervaw.
- Exchange of experiences and good practices and promoting co-operation at the national and European levels.

The purpose of the project is to enhance the existing national activities for preventing cyber violence by including the gender perspective into learning and other materials, education, education modules, recommendations and measures. A survey on the prevalence and identification of cyber harassment among young people in Slovenia showed that boys are the most common cyber harassers of both girls and boys, that boys are most likely subjected to cyber harassment by persons from their school, while girls are harassed by persons outside the school facilities, that boys are more likely to perceive cyber harassment as funny or entertaining, and do not respond to it, that girls are more likely to perceive serious consequences as a result of cyber harassment, such as helplessness, depression, stress and fear. Several educational events are carried out within the project:

- workshops for pupils and students;
- Train the Trainer training;
- training courses for police and judicial employees;
- education for youth workers:
- a seminar for the media and a seminar for policy makers.

The media campaign includes brochures, posters and a website (<http://odklikni.enakostspolov.si/>) for children and young people, while awareness raising and education also takes place via social media. A mobile application, Click-off, was also developed primarily for young people, but also for parents and youth workers to raise awareness about cyber violence and harassment, internet ethics and netiquette, measures for improved online security and safety, and steps for dealing with cyber violence and abuse by showing current articles, videos and quizzes.

As part of the project entitled 'Click-off! Stop cyber violence against women and girls', training for teachers, head teachers, school counsellors, social workers, and representatives of non-governmental organisations dealing with young people was organised in 2019. The aim of the training was to increase the sensitivity and strengthen the knowledge for the successful prevention and protection against cyber violence and harassment against women and girls, and present practical activities for work with young people. The participants were familiarised with the most common forms of cyber violence against women and girls through the prism of stereotypes and sexism persisting in our society. A very important part of the training was the presentation of the content of workshops entitled 'Click-off!', which were organised for pupils and students of primary and secondary schools in 2018 and 2019.

In May 2019 the Ministry of Labour, Family, Social Affairs and Equal Opportunities organised a seminar "Online While Female: The Disproportionate Risks Females Face Online - And What the Media Can Do To Change It", in the framework of the project Click-Off, addressing cyber violence and harassment as a form of violence against women and girls and manifestation of historically

unequal power relations has been implemented. The aim of the seminar was to improve the knowledge and awareness about the importance of gender-sensitive approach while reporting of the it. At the seminar different categories of online violence have been explained through practical examples; image-based sexual abuse was presented: and solutions to make the internet a safer place and what is media doing to contribute to it was discussed. A set of recommendations for journalists and media professionals were prepared to address the issue of safety on the internet from a gender-perspective. Furthermore a set of recommendations for policy makers were also prepared.

SPAIN
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes.

Reference must be made in the first place to **Royal Decree-Law 6/2019 of 1 March on urgent measures to guarantee equal treatment and opportunities for women and men in employment and occupation** (<https://www.boe.es/boe/dias/2019/03/07/pdfs/BOE-A-2019-3244.pdf>) which modifies Organic Law 3/2007, of 22 March, for effective equality of women and men (hereinafter, the Equality Act), and various articles of labour and social security legislation. Its purpose is to achieve greater equality between women and men in employment and labour relationships. Among the relevant measures adopted, the following can be highlighted:

- The obligation to negotiate **equality plans** has been extended to companies with 50 or more employees while in the past it was limited to companies with more than 250 workers. Following this amendment, these companies will now have to comply with this requirement within a period of one to three years, depending on the size of the undertaking. At the same time, the **content** of equality plans has been **expanded**, and they must now address, among other issues, measures taken to exercise the right to reconcile work and family life. A **registry of equality plans** has also been established to track their existence and compliance with legal obligations.
- In relation to **equal remuneration on the grounds of sex**, on the one hand, a **definition of work of equal value** has been included in article 28 of the Workers' Statute. On the other hand, this article also obliges companies to keep a **register of the average value of salaries**, salary complements and extra wage payments of their staff **disaggregated by sex** and distributed by professional groups, professional categories or working positions that are equal or of equal value. Workers may access this register through their legal representation in the company.
- As concerns **family-related leaves**, the Workers Statute and the Basic Statute of the Public Employee have been modified to progressively make maternity and paternity leaves equal for both parents. Up until now, the parent who was not the biological mother could take 5 weeks of paternity leave. Under the new rules, this leave will stand at 8 weeks in 2019, 12 weeks in 2020 and 16 weeks in 2021. These new rules are supplemented with the relevant social security modifications.
- The financing of **social security contributions** under the special convention for non-**professional carers** of those people in a situation of long-term care has been recovered. Accordingly, the contributions for workers, principally women, that leave their work to care for other people, will not be interrupted.

Secondly, concerning **hate crimes**, State Prosecutor's Office Circular 7/2019, contains guidelines for interpreting hate crimes typified in article 510 of the Criminal Code, including sex and gender as possible grounds of discrimination. ([http://drets.cat/docs/Circular\\_7-2019.pdf](http://drets.cat/docs/Circular_7-2019.pdf))

### 1.2 Policy changes.

**Concerning employment**, a project on the implementation and assessment of a **pilot Project of blind curriculum vitae** took place for 12 months during 2018. 46 entities implemented the blind CV in part of their selection processes. Also, several workshops have been organised with the implicated companies to raise awareness on unconscious gender biases in management and recruitment.

The Institute of Women and for Equal Opportunities (hereinafter, the Institute of Women) provides

advice to **small and medium enterprises** on the design and implementation of **gender equality measures and plans** with a free advisory service (through the web page [www.igualdadenlaempresa.es](http://www.igualdadenlaempresa.es)) and supports them economically via an annual invitation to apply for grants. (<http://www.inmujer.gob.es/servRecursos/convocatorias.do> or [www.igualdadenlaempresa.es/recursos/subvenciones/home.html](http://www.igualdadenlaempresa.es/recursos/subvenciones/home.html) ).

A **Business Equality Label (DIE)** is granted annually by the Secretariat of State for Equality to distinguish employers for outstanding practices and achievements in the implementation of equal treatment and equal opportunities policies between women and men within their companies. Over 160 companies have already been awarded with this label and a network of awarded companies called "DIE network" share and exchange information and good practices on gender equality in the workplace. The works and conclusions of Red DIE are published on: [www.igualdadenlaempresa.es/redEmpresas/distintivo/home.htm](http://www.igualdadenlaempresa.es/redEmpresas/distintivo/home.htm).

In the field of **Corporate Social Responsibility (CSR)**, 129 public and private Organisations are participating in the initiative **Companies for a society free of gender-based violence**, showing their full commitment to the eradication of this type of violence by conducting awareness campaigns among their staff, suppliers and customers. 67 of them have also committed with the inclusion of gender-based violence victims in the labour market. [www.violenciagenero.msssi.gob.es/sensibilizacionConcienciacion/inicitativaEmpresas/home.htm](http://www.violenciagenero.msssi.gob.es/sensibilizacionConcienciacion/inicitativaEmpresas/home.htm)

With regard to the science, technology, engineering, and mathematics, **STEM sector**, and in order to reduce horizontal segregation and encourage the participation of girls and young people, two programmes have been developed:

- "*I want to be an engineer*" to increase the vocations of girls and young people in technology and engineering related fields in collaboration with six polytechnic public universities and 4,500 students participating on it.
- The second programme, a public-private partnership, "*Now you*" favours recent university graduates (60) with 12 months of paid internships in specific projects at leading companies and networking activities.

### 1.3 Institutional changes

Royal Decree 1401/2018, of November 23, ([https://www.boe.es/diario\\_boe/txt.php?id=BOE-A-2018-16905](https://www.boe.es/diario_boe/txt.php?id=BOE-A-2018-16905)) which creates the **Observatory "Women, Science and Innovation"** for gender equality in the Spanish System of Science, Technology and Innovation. This standard favours the monitoring of the participation of women in the scientific and technical society.

### 1.4 Research and awareness-raising

The **Recommendation CM/Rec(2019)1** of the Committee of Ministers to member States **on preventing and combating sexism** has been translated into Spanish and has been broadly disseminated to, among others, the media, universities, NGOs, Ministries and Autonomous Communities. It is also available in Institute of Women's website: ([http://www.inmujer.gob.es/disenio/docs/Carrusel/2018/20190327\\_Recomendacion\\_Consejo\\_de\\_Europa\\_Sexismo\\_Logo\\_Consejo.pdf](http://www.inmujer.gob.es/disenio/docs/Carrusel/2018/20190327_Recomendacion_Consejo_de_Europa_Sexismo_Logo_Consejo.pdf)).

In the second semester of 2019, the Recommendation is going to be published as a brochure.

In addition, the acting Vice-president and Minister of the Presidency, Parliamentary Relations and Equality presented a report on the Recommendation to the Spanish **Council of Ministers**.

### 1.5 Other pertinent developments

The **Observatory of Women Image** of the Institute of Women receives, analyses and organises complaints arising from sexist advertisements that appear in any media. On this basis, companies are required to modify or withdraw their campaigns, and the Spanish Women's Institute advise them to facilitate the removal of discriminatory messages. From August 2018 to July 2019 included, the Observatory has received 1.089 complaints.

During this period the Observatory has carried out the following measures:

- 63 requirements and sexist claims.
- 21 recommendations to improve the treatment of women's image.
- 2 comunicués condemning sexist or discriminatory content.
- 2 reports submitted to the Prosecutor's Office as it could be considered a legal infringement.
- 2 claims that have been forwarded to the competent body on account of its subject matter, (Generalitat Valenciana, CNMC).
- In addition, 1 case has been referred to the Legal Department of the Women's Institute and for Equal Opportunities; 2 cases have been referred to the Prosecutor's Office; 1 case has been referred to Gender Violence, in case they could constitute a case of discrimination or some other illegal.

The **State Pact against Gender-based Violence** proposed urging the media to ensure compliance with the law regarding equality, non-discrimination on the grounds of sex and prevention of gender-based violence. To that end, the **Observatory of Equality of the public Corporation of Spanish Radio Television** ([http://www.mujiresenigualdad.com/Observatorio-RTVE\\_es\\_224.html](http://www.mujiresenigualdad.com/Observatorio-RTVE_es_224.html)) was created in November 2017 to promote respect, knowledge and dissemination of the principle of equality of women and men, with the participation, among others, of representatives of civil society.

Both CRTVE and Agencia EFE, publicly owned media, have approved **equality plans** and have created **specific sections with specific content on gender equality** in their corporate portals Efeminista (<https://www.efeminista.com/>) and Todxs por Igual (<http://www.rtve.es/noticias/todxsporigual/>).

The EFE agency has approved a **non-sexist communication manual** and CRTVE has a **Style Handbook** (<http://manualdeestilo.rtve.es/el-lenguaje/6-4-el-genero/>) containing provisions regarding the treatment of violence against women.

For its part, in 2019 the Institute of Women has supported the publication of #OVER\_ and "Hello, you do not know me", from the advertising association Club de Creativos/as, to **eradicate discriminatory gender stereotypes in advertising**. These publications are being distributed, among other entities and institutions, to libraries, women centres, universities, Organisations and professionals of the advertising sector and consumer associations. In addition, a travelling exhibition will be organised on the basis of its content.

The "Lilí Álvarez" Prize for **journalistic works** that have best made visible and disseminated knowledge on **women's sports**, awarded in 2018 by the High Council for Sport (Ministry of Education, Culture and Sport) and the Institute of Women. Lili Álvarez was a pioneer in the world of women's sports in Spain.

**The Virtual School of Equality** ([/www.escuelavirtualigualdad.es](http://www.escuelavirtualigualdad.es)), developed by the Institute of Women, provides on line gender equality training aimed at the population in general and professionals of different fields in several areas. Its current 9th Edition, ending in September 2020,

will complete **32.000 places**.

(Regarding **judicial training**, see Objective 3.1.)

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

- Organic Law 5/2018 of 28 December, reforming Organic Law 6/1985 of 1 July, of the Judiciary, on urgent measures in applying the State Pact against Gender-based Violence, which complies with the State Pact provisions related to **training and specialisation of justice professionals**. ([https://www.boe.es/diario\\_boe/txt.php?id=BOE-A-2018-17988](https://www.boe.es/diario_boe/txt.php?id=BOE-A-2018-17988))
- Law 3/2019 of 1 March, **improving the situation of orphaned children of victims of gender-based violence** and other forms of violence against women. ([https://www.boe.es/diario\\_boe/txt.php?id=BOE-A-2019-2975](https://www.boe.es/diario_boe/txt.php?id=BOE-A-2019-2975))
- Instruction 4/2019 of the Secretary of State for Security, establishing a **new protocol for police risk assessment of gender-based violence**, victim security and case monitoring through the VIOGEN System.

Regarding **crimes against sexual freedom**, the General Codification Commission of the Ministry of Justice has presented a proposal aimed at reforming the Criminal Code in this area. It includes a report analysing aggression and sexual abuse crimes in order to assess possible regulation improvements.

Moreover, the Ministry of Justice has appointed an **advisory group of experts** for the revision of the Law on Criminal Prosecution from a gender perspective.

### 2.2 Policy changes

Further implementation of the **Spanish National Pact against Gender-based Violence**, approved in 2017 for the 2018-2022 period.

In December 2018 concluded the **National Comprehensive Plan to Fight against Trafficking in Women and Girls for the Purpose of Sexual Exploitation 2015-2018**, which is currently being evaluated. (DGVG)

### 2.3 Institutional changes

The Royal Decree 259/2019 of 12 April, regulating the **Equality Units of the General State Administration** constitutes a significant step forward in inter-ministerial co-ordination in this field. (See also Objective 6. 1).

### 2.4 Research and awareness-raising

In 2018 the Government Delegation for Gender-based Violence launched three **new awareness-raising campaigns** with the following hashtags:

- “#Puesnolohagas” (**So don’t do it**), aimed at teenagers. (<http://www.violenciagenero.igualdad.mpr.gob.es/sensibilizacionConcienciacion/campannas/violenciaGobierno/puesNoLoHagas/home.htm>)
- “#Notrates” (**Don’t take part**), against the trafficking in women for the purpose of sexual exploitation. (<http://www.violenciagenero.igualdad.mpr.gob.es/sensibilizacionConcienciacion/campannas>)

s/violenciaGobierno/noTrates/home.htm)

- “#SomosUna” (**Against sexual violence, We are One**).  
(<http://www.violenciagenero.igualdad.mpr.gob.es/sensibilizacionConcienciacion/campannas/violenciaGobierno/somosUna/home.htm>).

The Government Delegation for Gender-based Violence has published the following **new studies**:

- “Study of the Time that Women Victims of Gender Violence Take to Ask for Help and/or Report It” (2019).  
([http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/estudios/investigaciones/2019/estudio/Tiempo\\_Tardan\\_Verbalizar\\_Situacion.htm](http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/estudios/investigaciones/2019/estudio/Tiempo_Tardan_Verbalizar_Situacion.htm)).
- “The Impact of Gender Violence in Spain: an Assessment of its Cost in 2016” (2019).  
([http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/estudios/investigaciones/2019/estudio/Valoracion\\_Costes\\_Violencia.htm](http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/estudios/investigaciones/2019/estudio/Valoracion_Costes_Violencia.htm))

Currently, the Government Delegation for Gender-based Violence is carrying out **other studies** (such as “Women, Disability and Gender Violence” and “Sexual Violence on Women with Intellectual Disability”, among others) as well as a new Macro-Survey on Gender-based Violence. Moreover, the most recent Monthly Statistic Bulletins (2018/2019) can be downloaded in the following link: (<http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/boletines/boletinMensual/home.htm>).

## 2.5 Other pertinent developments

At present, Spain is undergoing the **evaluation procedure on the implementation of the Istanbul Convention**, carried out by the Group of Experts on action against violence against women and domestic violence (GREVIO). In February 2019, the National Report based on the GREVIO questionnaire was submitted to the Council of Europe and the GREVIO country visit took place from 25 September to 2 October 2019.

## 3. Strategic objective: Ensure the equal access of women to justice

### 3.1 Legislative changes

Organic Law 5/2018, of 28 December, amending Organic Law 6/1985, of 1 July, on the Judiciary (LOPJ), on urgent measures in application of the State Pact on gender-based violence promotes **judicial training** to ensure a better response to judicial cases related to gender-based violence. It also foresees measures aimed at deepening the training of members of the judicial and prosecutorial careers, both of courts specializing in gender-based violence, as well as family and juvenile court judges.

The purpose of this regulation is to increase judicial training in "anti-discrimination law, including the gender perspective and cross-cutting issues, in competitive examinations for the judiciary and **initial and continuous training** provided by the General Council of the Judiciary". This subject becomes "obligatory and evaluable".

Specific training is also included in article 329 of the LOPJ, which establishes mandatory training in this area for judges who obtain a place through competitive examination or **promotion in courts dealing with violence against women**, in criminal courts specializing in gender-based violence and in criminal and civil sections specialising in gender-based violence.

### 3.2 Policy changes.

In order to implement Organic Law 5/2018, the Permanent Commission of the General Council of the Judiciary has created a working group that will implement the aforementioned specialisation tests. The passing of these specific tests will guarantee the acquisition of **multidisciplinary knowledge** that will bring judges and magistrates closer to the social reality of violence against women in its various forms.

On the other hand, work is being done to **extend the jurisdiction of the Violence Courts** in the event that it constitutes an improvement and to avoid secondary victimisation. The objective pursued is to improve facilities and services available in Violence on Women Courts and specialised courts (dependencies that prevent the victim/aggressor confrontation, qualified interpreters and audiovisual means that avoid the repetition of statements, etc.).

In June 2019, a "Recommendations **Guide addressed to Victim Assistance Offices** in the field of care for **victims of crime in childhood and adolescence**" was published. This document is a useful working tool for the staff working at Victim Assistance Offices, since it establishes a set of minimum but common, homogeneous and harmonising guidelines for the protection of minor victims. It incorporates an "ad hoc" document related to the convenience of conducting pre-constituted evidence and avoiding subsequent judicial explorations of the minor victims at trial, including victims of sexual crimes.

It should also be recalled that the **annual training plan for the General Council of the Judiciary** for 2019 includes a large number of training activities on the subject. In addition, the Centre for Legal Studies offers training in this area for prosecutors, lawyers from the Justice Administration and forensic experts from the National Institute of Toxicology and Forensic Sciences.

Over the past few months, the Spanish **Supreme Court** has passed several judgments that **include a gender perspective**. Among others: STS 247/2018, of 24 May 2018; STS 282/2018, of 13 June 2018; STS 371/18, of 19 July 2018; STS 396/18, of 26 July 2018; STS 420/18, of 25 September 2018; STS 565/18, of 19 November 2018; STS 677/18, of 20 December 2018 and STS 99/2019, of 26 February 2019.

### 3.3 Institutional changes

Organic Law 4/2018, of 28 December, on the reform of Organic Law 6/1985, of 1 July, on the Judiciary (LOPJ) modifies Article 326 LOPJ. It expressly introduces that the proposals for the provision of judicial **career destinations** shall contain an assessment of their adaptation to the provisions of Organic Law 3/2007, of 22 March, for the effective equality of women and men.

Furthermore, Organic Law 4/2018 amends article 576 LOPJ and establishes that the twenty members of the General Council of the Judiciary shall be appointed by the Spanish Parliament in the manner established in the Constitution and in LOPJ, taking into account the principle of **equal presence between men and women**.

### 3.4 Research and awareness-raising

Organic Law 5/2018, of 28 December, on the Judiciary also promotes the **study and data collection** by the Observatory against Domestic and Gender Violence, and the evaluation of data coming from the Courts of Violence.

The Institute of Women have organised the **first International Congress “Justice with a Gender Perspective”** with the participation of 48 speakers from 21 countries and judges from 35 countries , some from the European Court of Human Rights.

### 3.5 Other pertinent developments

**Grants** under regulation of Royal Decree 729/2017, of July 21, for the development of activities of social general interest charged to the tax allocation of the Income Tax of Physical Persons, corresponding to the Secretary of State for Equality, contribute to women’s access to justice reserving a percentage of national taxes every year to finance associations that defend women in court in cases of **non-payment of food pensions**.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.2 Policy changes

Since April 2019, Spain has reached a balanced participation of women and men in **Parliament**, according to the principle of Organic Law 3/2007 for Effective Equality between Women and Men (no less than 40% of each sex). In the **Lower House** (Congress of Deputies) women hold **47,43%** of the seats, while in the **Upper House** (Senate) they hold **40,38%**.

### 4.3 Institutional changes

Since 2014 the Institute has carried out the initiative **“Más Mujeres, Mejores Empresas”** (More Women, Better Companies), through which companies sign four years long voluntary agreements, in which they commit themselves to reach specific targets regarding gender balance in decision-making positions and boards of director. So far, more than 154 companies have joined the initiative. [http://www.igualdadenaempresa.es/redEmpresas/compromIgualdad/docs/2\\_PROTOCOLOS.pdf](http://www.igualdadenaempresa.es/redEmpresas/compromIgualdad/docs/2_PROTOCOLOS.pdf)

To support companies in this endeavour, the Women’s Institute promotes focused female development programmes and projects with a gender perspective: On the one hand, **“Promociona Project”** (<http://www.proyectopromociona.com>) , developed with the collaboration of the main Spanish employers’ organisation (CEOE) has closed in June the sixth edition and opened the seventh one in Spain, with 221 female directives. Since the beginning of the Programme, 833 female directives from 450 companies have attended this programme. On the other hand, **“Talentia 360 Female Directives”** has continued its trajectory in collaboration with the Industrial Organisation School (EOI) as another programme for pre-executive and executive women. The programme is a comprehensive structure high level leadership training, including coaching and networking opportunities with a multidisciplinary gender perspective. Between 2018 and 2019, for the first time a Professional Development and Leadership Programme aimed at women of the State Security Forces has been developed. More than 254 women professional from the different professional levels of National Police and Civil Guard have attended this first edition.

**Women, talent and leadership network.** Under this umbrella, a LinkedIn site, **Mujeres, Talento y Liderazgo** (<https://www.linkedin.com/company/mujer-talento-y-liderazgo/?viewAsMember=true>), has been created to sensitise on equal participation of women and men in decision making as well as to create and make visible a talent pool of highly qualified board-ready women. Until now the

company website has more than 10.500 followers in LinkedIn, which makes it the largest community for any related site in Spain.

For **women in rural areas**, the Women's Institute has an Agreement with Agri-Food Co-operatives of Spain to support women's leadership in decision-making bodies of companies of the agrifood sector. Until May 2019, this body has carried out different multi-regional programmes for 47 Co-operatives of the sector.

## 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

### 5.1 Legislative changes

**Instruction 7/2019 of the Secretary of State for Security** ([http://www.migrarconderechos.es/legislationMastertable/legislacion/Instruccion\\_SES\\_7\\_2019](http://www.migrarconderechos.es/legislationMastertable/legislacion/Instruccion_SES_7_2019)), regarding foreign victims of gender-based violence in an irregular situation.

### 5.2 Policy changes

The **Spanish National Pact against Gender-based Violence** approved in 2017 for the 2018-2022 period takes into account the special vulnerability of migrant, refugee and asylum-seeking women and girls, including specific measures regarding them in order to improve their protection and the assistance provided (<http://www.violenciagenero.msssi.gob.es/pactoEstado/home.htm>). These measures are as follows:

- Promote the allocation, within the framework of international co-operation, of resources for specific measures against male violence against women in the protocols for action in refugee camps (trafficking, sexual aggressions, etc.).
- Urge that, in the resources dedicated by Spain to international co-operation for refugees, specific measures be applied for the prevention of male violence against women and minors, both in transit and at destination.

In this regard, the Humanitarian Action Office of the Spanish Agency for International Development Co-operation has a mandate focused mainly on projects for the protection and assistance of refugees and displaced persons. This Office prioritises projects that address the specific needs of refugee and displaced women and girls.

In the workplace, the Labour and Social Security Inspectorate has been conducting a campaign to ensure that the working conditions of immigrants are not discriminatory. The **Master Plan for Decent Work 2018-2019-2020**, approved on July 2018, states several measures in this area. The activity of the Labour and Social Security Inspectorate is intensified, with a gender perspective, to check the working conditions of immigrant workers, especially women in sectors such as agriculture. In addition, the exercise of their rights will be facilitated by making complaint forms available in different languages. Moreover, awareness-raising actions will be promoted to convey the importance of complying with regulations and the principle of equality.

The **SARA Programme** was launched in 2006 by the Institute for Women and has been revitalised. Developed in collaboration with social Organisations (Spanish Red Cross and the CEPAIM Foundation) it is aimed at the "Motivation and accompaniment of women from groups at risk of exclusion for their social and professional integration" with a gender and intercultural perspective, adapted to the needs and characteristics of each woman, with elaboration of specific contents that take into account their diversity.

### 5.3 Institutional changes.

Recently, in July 2019, a Royal Decree was approved amending the grant procedure for entities and Organisations that carry out humanitarian actions for immigrants, extending its scope to applicants and beneficiaries of international protection. (<https://www.boe.es/boe/dias/2019/07/20/pdfs/BOE-A-2019-10671.pdf>).

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

### 6.1 Legislative changes

The Equality Act establishes that **gender mainstreaming** will inform the performance of all Public Authorities integrating the gender perspective in the adoption and execution of its normative provisions, in the definition and budgeting of public policies in all areas and in the development of all of its activities.

The recently approved Royal Decree 259/2019, of April 12 regulates the **Equality Units** of the General State Administration (<https://www.boe.es/buscar/pdf/2019/BOE-A-2019-5569-consolidado.pdf>), that were established by article 77 of the Equality Act in all Ministries. Its **functions** are, among others:

- Advise and propose actions or initiatives, including training, that encourage the application of the principle of equal opportunities between women and men.
- Advise and co-ordinate the preparation, monitoring and evaluation of the Equality Plans between women and men of the General State Administration in their respective ministerial departments.
- Prepare the diagnoses, proposals and reports that are necessary which arise from the agreements adopted by the Technical Commission of Equality, that were required by the General Directorate of Public Administration.
- Co-ordinate the gathering of information for the preparation, monitoring and evaluation of the management or strategic equality plans in their respective ministerial department.
- Collect information for the implementation of the protocol against sexual harassment and harassment based on sex in their respective ministerial departments, as well as develop the actions assigned to them in said protocol.
- Perform other advisory, report and follow-up functions assigned to it in relation to the principle of equal treatment and opportunities in general.
- Make an annual report on public equality policies carried out by its ministerial department and on the actions developed by the Unit.

### 6.3 Institutional changes

The Gender Budgeting approach has been encouraged by the Ministry of Finance in collaboration with the Ministry of the Presidency, Parliamentary Relations and Equality through the incorporation of the **analysis of new budgetary programmes** in the annual gender impact report that accompanies the draft of National Budget. Among others, several programmes related to **Social Security** have been incorporated.

According to the Ministerial Order HAC/692/2018, this report is mandatory.

#### 6.4 Research and awareness-raising

The **National Institute of Public Administration** (INAP), provides gender equality training to public employees in its annual programme, to raise awareness of the value of equality between women and men and to incorporate the gender perspective in their daily work.

The Institute of Women, in addition to collaborating with INAP, provides **training** on gender equality within the framework of on-going training of different ministerial departments.

### 7. Main challenges and lessons learned

A vital factor in the implementation of policies and measures mentioned above has been place equality into the Vice-Presidency of the Government. This action has placed equality policies as a State policy and has meant a decisive boost and development of the principle of gender mainstreaming in the General State Administration.

Regarding **dialogue with civil society**, it should be noted that in the last year the Government has made great efforts to reactivate the collegiate bodies for co-ordination and co-operation on equality, forums for meetings between administrations and/or civil society. These bodies are of vital importance for the development of equality policies and for the implementation of the State Pact against Gender Violence.

However, in order to effectively implement the commitments made in the **State Pact against Gender Violence**, progress must continue to be made in achieving effective inter-institutional co-ordination mechanisms between the three levels of Government (national, regional and local), as well as in monitoring and evaluating the measures of the Pact.

In addition, it is worth noting the growth and strength of the feminist movement in our country that has culminated in extensive mobilisations. For the second consecutive year, streets were filled on 8 March with hundreds of thousands of women. Public support on this matter has eased the Government task in continuing to push forward gender equality and implementing necessary policies.

Regarding the private sector, the promotion of **corporate social responsibility** (CSR) in our country has reinforced companies' commitment to the achievement of equality between women and men. In this way, as has been shown throughout this report, alliances between public and private sectors in terms of equal opportunities and/or the fight against gender violence are becoming increasingly common and important.

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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes.

The Government's national strategy to prevent and combat men's violence against women also includes threats and abuse on the internet. In the strategy, in autumn 2016, it was stated that the penal provisions that protect personal privacy are out of date in some cases.

The protection provided has been strengthened and modernised with the aim of bringing protection of personal privacy under criminal law in line with developments in technology and social development. A new crime – unlawful violation of privacy – which makes it a criminal offence to intrude into the private life of another person by disseminating sensitive images or other information, e.g. on the internet, was introduced on 1 January 2018. This may involve, for example, spreading revenge porn, an image of a person's wholly or partially naked body or an image of or other information about a person being subjected to an offence that includes an attack on their person, liberty or peace. The crime is divided by degrees into an ordinary offence and an aggravated offence. The penalty for unlawful violation of privacy is a fine or imprisonment for a maximum of two years, and for aggravated unlawful violation of privacy imprisonment for a minimum of six months and a maximum of four years.

The penal provisions on unlawful threats, molestation, gross defamation and insulting behaviour were also clarified and modernised. The provision on unlawful threats was expanded, making it a criminal offence to threaten with more types of criminal acts, e.g. threatening to disseminate images of someone's naked body. The crime of molestation was also expanded. Unlawful threats and insulting behaviour also constitute criminal offences under freedom of the press and freedom of expression. Equivalent amendments were therefore also made to the Freedom of the Press Act. These amendments entered into force on 1 January 2019.

The obligation of the provider of an electronic bulletin board (an interactive service on the internet) to remove particular messages from the service was expanded to also apply to messages that clearly contain unlawful threats and unlawful violations of privacy. Additionally, the right to criminal injuries compensation was expanded to also cover compensation for harm caused by gross defamation.

### 1.2 Policy changes

The Government has decided that each year from 2018 onwards, the Swedish Film Institute is to provide a summary report on how the goals of film policy in terms of improving gender equality in the film industry have been attained and how work towards attaining them has been conducted.

### 1.3 Institutional changes

The Swedish Media Council is an agency tasked with working to strengthen children and young people as aware media users and protect them from the harmful effects of media. The council does this by equipping children and young people with media and information literacy.

In 2016–2017 the council was tasked with surveying the protection of children and young people on the internet in terms of racism, similar forms of hostility, hate crime and extremism.

### 1.4 Research and awareness-raising

The Government has tasked the Equality Ombudsman with carrying out a survey of the prevalence of gender stereotypes and sexist advertising. This includes assessing whether there is a need for

additional steps to be taken in this area in the form of expanded self-regulation and training initiatives. The resultant report submitted in March 2019 provides an overall assessment that self-regulation regarding sexually discriminatory advertising and the prevalence of such advertising is not satisfactory. The survey includes a number of recommendations to the Advertising Ombudsman, a body that examines reported advertisements in line with industry self-regulation.

In 2018, the Equality Ombudsman audited the industries of media, culture and law to ensure that employers are complying with the requirements set out in the Discrimination Act for guidelines and procedures to prevent and hinder harassment. Major deficiencies emerged in the audit in terms of guidelines and procedures on reprisals. The Equality Ombudsman also carried out an extensive audit of a total of 290 municipalities and 20 county councils in 2018. This showed that the majority of employers, i.e. municipalities, county councils and other industries, had deficiencies in guidelines or procedures.

### **1.5 Other pertinent developments.**

In August 2018, the Government decided on an inquiry with the aim to and people's resistance to disinformation, propaganda and hate speech online through increase media and information literacy (MIK). The aim was also to enforce relevant stakeholders to collaborate on disseminate knowledge with outward-looking efforts that increase people's resistance to disinformation, propaganda and hate speech. The inquiry will;

- 1) collaborate with relevant stakeholders to supplement, reinforce and disseminate knowledge about ongoing MIK efforts;
- 2) compile and disseminate knowledge of the importance of digital environments for women and men, girls' and boys' participation and participation in democracy with a focus on disinformation, propaganda and hate speech, and identify knowledge gaps in the field;
- 3) compile and disseminate good examples of methods that prevent and counteract the occurrence and effects of disinformation, propaganda, and hate speech;
- 4) analyse the need for continued efforts in dialogue with the stakeholders and, if necessary, submit suggestions on how the investigator's efforts and analyses can be continued within the existing government structure. The results from the inquiry will be presented on 1 October 2020.

#### **MeToo**

The many initiatives in relation to the MeToo movement have put attention on the prevalence of sexual harassment, violence and insulting treatment in several sectors and industries in society. The government took a number of measures on the basis of MeToo, among other things by initiating dialogue with the heads of several authorities, the social partners, the chairmen of the state-owned companies and with the initiators of the MeToo calls in various sectors. The purpose was to discuss together how MeToo could be countered.

It is proposed that efforts to prevent sexual harassment at work are strengthened through education and information initiatives supporting employers, and greater support to regional health and safety representatives. The Swedish government have initiated a range of measures since the MeToo movement, e.g. the following examples:

#### **Workplace**

The Equality Ombudsman and the Swedish Work Environment Authority have had a task to work together to produce special information initiatives on work to combat sexual harassment, e.g. developing a common digital platform for information with support for employers to prevent and prevent sexual harassment in working life. These two authorities have now been tasked to further raise awareness about active measures against discrimination, including sexual harassment, among employers.

### **Education institutions**

The Swedish National Agency for Education disbursed SEK 50 million to improve sex education in schools. Some of this funding went to the agency's own efforts to carry out activities and allocate funding to develop sex education and counter insulting behaviour in schools with the aim of strengthening work to prevent sexual harassment. Other funding has been allocated to civil society organisations that provide skills training for school staff in sex education and in work against abusive behaviour, and to unions and student council organisations for outreach skills development initiatives to improve the work environment for students with a focus on work to combat sexual harassment. In addition, the Government has charged the Swedish National Agency for Education with reviewing the need for changes to the curriculum to better support sex education. Within this remit, the Swedish National Agency for Education is to particularly ensure that sex education covers issues of honour-related violence and oppression, consent and pornography.

### **Health and social services**

The National Board of Health and Welfare has been tasked with producing training for social services staff on violence in close relationships and men's violence against women. This was carried out in partnership with the Gender Equality Agency, the National Centre for Knowledge on Men's Violence Against Women and the county administrative boards. The focus was on people who have been in a vulnerable situation, e.g. older people, people with a disability and people with an addiction or with experience of prostitution and trafficking in human beings.

## **2. Strategic objective: Prevent and combat violence against women and domestic violence**

### **2.1 Legislative changes.**

In recent years, a number of measures have also taken place in terms of criminal law which are significant for the sub-goal of combating men's violence against women. One important reform is the new consent-based sexual offences act. Every person has an unconditional right to personal and sexual integrity and sexual self-determination. The changes include: The threshold for a criminal act is exceeded whether or not participation in a sexual activity is voluntary. It is no longer required for the perpetrator to have used violence or threats or exploited the particularly vulnerable situation of the individual, e.g. to be able to be convicted of rape. A separate negligence responsibility has been introduced for certain serious sexual crimes. The act includes a compulsory counsel for victims of sexual crimes. The minimum penalty for aggravated rape and aggravated rape of a child has been increased from four years' imprisonment to five years' imprisonment. The amendment entered into force on 1 July 2018. Information and training on the new law on sexual crimes have been provided for professionals and the general public. In February 2018, the Government commissioned the Swedish Crime Victim Compensation and Support Authority to provide information on the act. On 1 July 2017 the penalty for some serious violent crimes was increased, e.g. the scales of penalties for breach of the Act (1982:316) prohibiting female genital mutilation were also increased.

On 1 July 2018, several legislative amendments entered into force intended to enhance the protection under criminal law regarding, among other things, trafficking in human beings. The amendments in this respect involved a clearer description of the crime in the criminal provision of trafficking in human beings, granting children better protection and increasing the minimum penalty for less serious crimes of trafficking in human beings to six months' imprisonment. On the same date, the maximum penalty for gross procuring was increased to ten years' imprisonment.

On 1 January 2018, legislative amendments entered into force under which the criminal liability for grooming was expanded to further prevent adults contacting children for sexual purposes. It is

already a criminal act to propose meeting a child under the age of 15 if the aim is to commit certain sexual crimes against the child. It is no longer necessary for the adult to take any further action to ensure that the meeting takes place after the proposal is made. The maximum penalty was also increased from imprisonment for one year to imprisonment for two years.

On 1 July 2018, legislative amendments entered into force in the Non- Contact Order Act (1988:688) that are intended to provide stronger protection against harassment and persecution.

On 1 January 2019 the rules against forced marriage and child marriage were tightened up further in private international law. A new main rule entered into force at that time stating that no foreign child marriages would be recognised in Sweden. The ban applies irrespective of the parties' links to Sweden when the marriage was entered into or their age at the time that recognition of the marriage is examined by a government agency. Exceptions may never be made if one of the parties is still under 18.

## 2.2 Policy changes

A ten-year National strategy to prevent and combat men's violence against women entered into force in 2017. The strategy contains measures that strengthen protection for and support to women subjected to violence, measures to combat violence in same-sex relationships as well as measures that counteract destructive masculinity and notions of honour. The strategy also emphasises the participation and responsibility of men in stopping the violence. The strategy's four objectives are 1) Increased and effective preventive work to combat violence. 2) Improved detection of violence and stronger protection for and support to women and children subjected to violence. 3) More effective crime-fighting. 4) Improved knowledge and methodological development.

Preventive work against violence, with a focus on universal prevention of violence, has been an important part of work to combat violence in close relationships and other forms of violence against women. Universal programmes to prevent violence, which can be used in schools and preschools, have been developed and disseminated to counteract destructive norms of masculinity but also to better identify, highlight and prevent violence in society. Work on universal violence prevention programmes, including work on norms of masculinity are also run within the world of sport with a focus on boys and young men.

The Government has charged The Swedish National Agency for Education to strengthened work on values in schools and sex education as a way of equipping students with awareness of sexual violence as well as of fundamental values and human rights. The Swedish Gender Equality Agency has been commissioned by the Government with encouraging the use of effective violence prevention programmes among municipalities and in civil society.

Sweden has several different manual-based programmes that work with perpetrators to prevent criminals reoffending in cases of violence in close relationships. There is also a sexual crimes programme for perpetrators who have committed a sexual crime, including rape. The Government is examining proposals from a government inquiry on measures to prevent reoffending geared towards men who have been violent towards a close related and who are not deprived of their liberty (SOU 2018:37).

The National Board of Health and Welfare has been commissioned by the Government to develop methods for the work of the social services and the health and medical sector on men who commit violence.

One focus has been to improve support for people subjected to **honour-related violence and**

**oppression.**

On 1 January 2019 the rules against forced marriage and child marriage were tightened up further in private international law (se 2.1).

A governmental Inquiry has submitted its final report - Increased protection against honour-related crime (SOU 2018:69), which includes proposals that seek to further increase protection for people subjected to honour-related violence. To deal with perpetrators who commit crimes with an honour-related motive, the Swedish Prison and Probation Service and the National Board of Health and Welfare have been tasked with identifying and developing initiatives for the group who expose their children and relatives to honour-related oppression. Östergötland County Administrative Board has a national mandate on honour-related violence and oppression – which includes running a national helpline and carrying out skills raising initiatives for people working on issues relating to honour-related violence and oppression.

A national **action plan** against genital mutilation of girls and women was decided by the Government in June 2018. The action plan includes a mandate to survey and disseminate methods and approaches to prevent and combat genital mutilation, a mandate to develop knowledge support and provide in-depth in-service training to people working within social services, health and medical care and student health, and a mandate to survey the care offered to vulnerable people and submit proposals for how care can become more equal across the country.

The county administrative boards and other agencies have been given a stronger remit to supporting local action to prevent honour-related violence and oppression. Each county administrative board should further promote collaboration between regional authorities and civil society. Every county administrative board needs to have good knowledge of existing capacity as well as strengths and weaknesses in its work in the county. The initiative is a multi-year initiative and the aim is to develop more uniform working methods and conditions to combat men's violence against women.

In February 2018, the Government decided on an **action plan** to combat prostitution and trafficking in human beings. The action plan seeks to strengthen national co-ordination in the area and contribute towards better protection for people affected. An important part of the action plan concerns preventive work, which includes a reduced demand for the purchase of sexual services.

In 2018, the National Board of Health and Welfare was tasked with producing training for social services staff on violence in close relationships and men's violence against women. The focus was on people who have been in a vulnerable situation, e.g. older people, people with a disability and people with an addiction or with experience of prostitution and trafficking in human beings.

The Swedish Government has commissioned the Public Health Agency to present a **national strategy for sexual and reproductive health and rights**. One aim of presenting a strategy is to implement a culture where every person has an unconditional right to personal and sexual integrity and sexual self-determination, which is also the intention of the new consent-based sexual offences act that entered into force on 1 July 2018. The basis of the strategy will be good and equal sexual and reproductive health and rights for everyone, especially focusing on young persons, persons with disabilities, persons with foreign background and persons who identify as LGBTI. The preconditions within these groups will be analysed from a gender perspective. The result from the strategy will be presented to the Government in September 2020.

In August 2018 the Government commissioned the Prison and Probation Service to further develop

the authority's relapse prevention work for persons convicted for domestic violence. The Prison and Probation Service shall also investigate the conditions for conducting relapse prevention work for persons convicted of honour-related crimes.

### 2.3 Institutional changes

The Swedish Gender Equality Agency plays a central role in co-ordinating and following up the strategy to prevent and combat men's violence against women at national level. The agency's remit includes developing preventive measures against men's violence against women, honour-related violence and oppression, prostitution and trafficking in human beings and violence in close relationships. In these efforts the Gender Equality Agency collaborates with a number of other agencies and actors. The agency is also charged with following up indicators that show developments in the field. In Sweden, access to statistics is generally good but there are certain development needs to make it possible to follow up and develop work on men's violence against women.

### 2.4 Research and awareness-raising

The county administrative boards, the Swedish Crime Victim Compensation and Support Authority and the Swedish Gender Equality Agency have run **campaigns** and information initiatives, individually and together with other actors, focusing on topics including destructive norms of masculinity and behaviours that impose restrictions on others.

Examples of campaigns and information initiatives include:

- <https://valjattsluta.se/> – run by Operation Kvinnofrid and Stockholm County Administrative Board, 2016
- <https://ungarelationer.se/> – a national support and knowledge platform to combat violence in young people's partner relationships. The target group is people aged 15–20, victims, perpetrators and friends. The programme is run by the foundation 1,000 Opportunities, with support from funding bodies including the Swedish Gender Equality Agency in 2019.
- <https://www.frivilligtsex.se/> – a campaign for sex with consent, providing information about Sweden's new sexual offences act, focusing on young people's relationships and providing support to ensure they are open and voluntary. Run by the Swedish Crime Victim Compensation and Support Authority, 2018
- <https://www.umo.se/> – UMO is a website geared towards a target group aged 13 to 25. umo.se is an online youth guidance centre with information on bodies, sex, relationships, mental health, alcohol and drugs, self-esteem and a wealth of other information. It is run by the county councils and the regions.
- <https://www.youmo.se/> – online youth guidance centre in Arabic, Dari, Somali, Swedish and Tigrinya. It also provides contact details for all Sweden's youth guidance centres. Run by the county councils and the regions, 2017.
- <https://duavgör.se/> – Campaign by Stockholm County Administrative Board entitled du avgör (you decide) geared towards potential and active buyers of sexual services. An information film is shown in Sweden's cinemas and in major supermarkets. A website has been produced with additional information geared towards buyers of sexual services.

In February 2017, the Government tasked the National Board of Health and Welfare with producing **indicators** to follow up the national strategy, investigate the feasibility of including data on violence and genital mutilation in open comparisons of health and medical care, and reporting measures for the development of national statistics on victims of violence.

In 2018 and 2019, Sweden's 21 county administrative boards were charged with making the national strategy known in their respective counties and producing their own action plans and strategies to

contribute towards work to prevent and combat men's violence against women. In line with the national strategy, it is planned that the strategy and the initiatives it incorporates will be evaluated by an external actor to follow up what works and where there is a need for additional initiatives.

In October 2017 the Swedish Agency for Participation (MFD) reported a survey on vulnerability to violence and abuse among persons with disabilities. Invisibility, vulnerability and dependency makes women with disabilities particularly exposed to men's violence. The survey showed that women with disabilities who experience violence have more difficulties than other women in seeking protection. Knowledge from the survey have contributed to developing the work combating men's violence against women in the Swedish Agency for Participation and other agencies.

The National Board of Health and Welfare is tasked with carrying out investigations where children or adults have died – since 1 January 2019 this also includes cases where children have suffered gross assault or exceptionally gross assault if the crime was committed by a person, close related, or former close related to the victim. The development of these inquiries of deaths is a step in obtaining additional information that can prevent violence.

## **2.5 Other pertinent developments**

### **Government agencies in co-operation against domestic violence**

In August 2019, the Government commissioned five government agencies to improve their work to discover violence in close relationships. Employees at the Swedish Public Employment Service, the Swedish Social Insurance Agency or the Swedish Migration Agency were pinpointed to be able to enable increased detection of victims of violence and make sure that they receive support. The three government agencies will be supported by the National Board of Health and Welfare and the Gender Equality Authority. The five government agencies were already tasked in 2018 to jointly develop an action plan to increase the detection of violence in close relationships. With the help of the action plan, the agencies will now continue to work until 2021 to try to reach vulnerable groups and offer support. One challenge is to ensure enough time for the new assignment as these agencies already have a heavy workload. One way to go about this is to integrate the increased knowledge in the regular work of the agencies.

## **3. Strategic objective: Ensure the equal access of women to justice**

### **3.2 Policy changes .**

From July 1, 2018, knowledge on men's violence against women was added as a qualitative target in the System of Qualifications for the Degree of Bachelor of Science in Physiotherapy, the Degree of Master of Law, the Degree of Master of Science in Medicine, the Degree of Master of Science in Psychology, the Degree of Bachelor of Science in Nursing, the Degree of Master of Science in Dental Surgery, and the Degree of Bachelor of Science in Social Work. From 1 January 2019, the Higher Education Diploma in Dental Hygiene was added. For this reason, the Government has commissioned the Gender Equality Agency to support higher education institutions with training on men's violence against women.

### **3.4 Research and awareness-raising**

The Swedish Crime Victim Compensation and Support Authority was in 2018 tasked with running information and training initiatives with the aim of increasing awareness of the new sexual offences legislation (the new consent-based sexual offences act). As a first step, a campaign aimed at young people aged 18-25 was implemented. The campaign aimed at disseminating information about the Crime Victims Authority's new website [www.frivilligtsex.se](http://www.frivilligtsex.se) . The website allows young people to learn more about the new legislation, what is okay and not and where it is possible to get support

and help.

Three well-known people were involved in spreading the message that sex should be voluntary. It was the actor Ellen Bergström, the musician Oskar Linnros and the e-sportsman Emil "HeatoN" Christensen.

The authority will also produce a web-based education and a teacher's guide on the new legislation. The target group is primarily young people aged 13-25 and adults who meet young people in their everyday lives. Target groups include the justice system, the education system, social services and employers.

### 3.5 Other pertinent developments

Kvinnofridslinjen – Sweden's National Women's Helpline, operated by the National Centre for Knowledge on Men's Violence Against Women (NCK) at Uppsala University is an important resource for women who have been subjected to violence in Sweden and has been in service for almost twelve years. In June 2019, the government decided to strengthen and develop its operations with the National Women's Helpline. SEK 10,000,000 was allocated to NCK for this purpose to be spent in 2019. The assignment to Uppsala University is to develop telephone operations with regard to increased competence on the target groups covered by the government's national strategy to prevent and combat men's violence against women. Among other things, the National Women's Helpline will strengthen competence to be better at meeting the needs of women and girls living under threat of honour related violence and oppression. NCK should also increase awareness of the helpline, not least among particularly vulnerable groups, such as women and girls who are exposed to honour-related violence and oppression or who are in prostitution or human trafficking for sexual purposes.

## 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

### 4.2 Policy changes

In the new Local Government Act (2017:725) which entered into force on 1 January 2018, municipal and county council representatives who perform their duties full-time or for a significant proportion of a full-time post are given the possibility to take parental leave. The new law is expected to make it easier for women and men to combine their duties as an elected representative with family responsibilities.

### 4.3 Institutional changes.

The national goal of equal gender distribution on the boards of government agencies was attained in 2016. The proportion of women who are heads of governmental agencies employed by the Government has gradually increased and gender distribution is now equal. Equal gender distribution has also been attained in management positions at Swedish embassies. In the boards of state-owned companies and in national inquiries commissioned by the government, an even gender distribution has been achieved. The Government has also raised its ambitions in terms of equal gender distribution among newly recruited professors, and in creating a better gender balance in terms of the proportion of women in leading positions in the film industry.

### 4.4 Research and awareness-raising

In 2017, the Government adopted the action plan 'Defending free speech'. The purpose of the measures in the action plan is to reduce exposure to threats and hatred among journalists, elected representatives, artists and opinion formers by paving the way for more knowledge, offering support to victims and strengthening the work of the justice system. Among other things, the Government

has tasked the Fojo Media Institute at Linnaeus University with developing support for journalists and editorial teams. Since 2016, the Swedish Association of Local Authorities and Regions (SALAR) has been granted funds to develop and support local work to prevent and tackle threats against elected representatives. Since 2018, the Swedish Agency for Youth and Civil Society (MUCF) has been tasked with allocating funding to civil society organisations for initiatives to combat threats and hate in public debate.

As part of the Government's work to combat racism and similar forms of hostility and hate crime, the Government has also strengthened work to combat sexism and foster gender equality. At the end of 2016 the Government adopted a national plan to combat racism, similar forms of hostility and hate crime. Because different types of intolerant attitudes often exist in the same environments, it is important to take an integrated and consistent approach against racism and sexism.

In 2015–2018, the Government tasked the Swedish Agency for Youth and Civil Society (MUCF) with taking gender equality into account when allocating funding to civil society organisations. This effort focuses on areas of towns and residential areas characterised by low turnout in elections and weak engagement in democracy. The aim is to set up local resource centres to strengthen citizens as actors participating in democracy.

## **5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls**

### **5.2 Policy changes**

To help achieve the gender equality policy goals, the Swedish Migration Agency has within its action plan for gender mainstreaming 2016-2018 three goals:

Goal 1: Women and men who apply for a permit from the Swedish Migration Agency will receive equal assessment, treatment and service.

Goal 2: The Swedish Migration Agency contributes to countering men's violence against women and honour-related violence.

Goal 3: The Swedish Migration Agency's activities are permeated by a gender equality perspective.

In order to achieve an equal assessment, the Migration Agency has acknowledged the need to both work towards individual handling of cases (interim target 1) and develop working methods where they counteract invisible norms and instead ensure equal treatment and equal knowledge of women and men's living conditions and needs (interim target 2). Women and men need to have equal influence and participation in the assessment and conversation. The service also needs to be based on the living conditions and needs of women and men (interim target 3).

It is also important that in the implementation of our operations, we convey the Swedish gender equality policy. Risks with the way we work today when we send calls only to the man in a family and basically always find out the man first is that we convey signals that Swedish society is a patriarchy and that women and children do not have equal value in the asylum process.

The Migration Agency contributes to countering men's violence against women and honour-related violence within the framework of our mission by working in a way where we capture signals of violence and know how to act when there is violence. Develop central routines for handling cases involving close or honour related violence. Ensure that there are routines for special needs in housing, sheltered housing, placement in civilian housing, clarity on where the Migration Agency's assignment ends and others take on, how we refer on, etc. Ensure that questions about men's violence against women as well as questions of honour-related violence and oppression are integrated into ordinary assessment methodology.

Examples of the results from the work on the action plan for gender mainstreaming:

- Clearer judicial control (asylum) through a legal position regarding investigation and assessment of persecution on the grounds of gender.
- Gender equality aspects are integrated into the annual national quality follow-ups.
- Individualised administrative management

The work of the Migration Agency continues in a plan for equal treatment 2019-2020.

On its website, the Migration Agency has information aimed at, among other things, women applying for residence permits (asylum, family immigration/family ties or work permits). Here are some examples:

<https://www.migrationsverket.se/English/Private-individuals/Moving-to-someone-in-Sweden/If-you-have-come-to-Sweden-because-of-ties-and-are-treated-badly.html>

Information for asylum seekers who are going to be living in one of the Migration Agency's accommodation centres.: <https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/While-you-are-waiting-for-a-decision/Accommodation/Accommodation-with-the-Migration-Agency.html>

### 5.3 Institutional changes

See answer 5.2.

The Migration Agency has implemented a gender sensitive approach in relation to women and men applying for a permit in regard to assessment, treatment and services (goal 1 in the agency's plan for gender mainstreaming 2016-2018). The services that are offered needs to be based on the living conditions and needs of both women and men.

A basic principle of accommodation for asylum seeker is that single women are placed with other single women, men with men, and families by themselves, or together with other families. An asylum seeker is entitled to accommodation adapted to individual needs if the applicant is in a particular vulnerable situation due to special needs, for example as a result of being exposed to trafficking, torture, female genital mutilation, rape or other forms of sexual violence.

### 5.4 Research and awareness-raising

In 2015, when the Migration Agency was reached by information that girls aged 14-17 years old from Syria, seeking asylum in Sweden, had entered into marriage in refugee camps with men 10–20 years older, the Migration Agency decided to obtain better and more detailed information about children who were married when they sought protection in Sweden. The Migration Agency's conducted a survey which gave the Swedish Government more information about the situation. The survey was titled 'Are you married?' and led to that a new assignment was given to the Swedish National Board of Health and Welfare to improve guidance to municipalities receiving children who had entered into marriage abroad. In 2015–2016 the National Board of Health and Welfare also revised the handbook on unaccompanied minors as a result of the Migration Agency's survey. The National Board of Health and Welfare continued this work following the final report. With the new total ban on recognising foreign child marriage which entered into force in January 2019 means that child marriages are no longer approved in Sweden.

### 5.5 Other pertinent developments

See answer 5.2.

The Swedish Migration Agency has implemented a gender sensitive approach in relation to women and men applying for a permit in regard to assessment, treatment and services (goal 1 in the

agency's plan for gender mainstreaming 2016-2018). The agency works towards an individual handling of cases and toward developing working methods where they counteract norms and instead ensure equal treatment and equal knowledge of women and men's living conditions and needs.

The Swedish Migration Agency has also implemented a new routine for economic allowance. The economical allowance is linked to a bank card. The bank card is connected to a bank account. The new routine means that every adult gets one bank card each. The purpose of the routine is to contribute to gender equality. Before the new routine a family with two adults got one bank card and normally the card was given to the man in the family which often led to that the woman had no control of her economical allowance.

## **6. Strategic objective: Achieve gender mainstreaming in all policies and measures**

### **6.1 Legislative changes**

#### **Government's decision on gender mainstreaming in the Swedish Government Offices**

Gender mainstreaming is an important tool for the feminist policy of the Swedish government and the work to expand gender mainstreaming within the Swedish Government Offices and government agencies has been given high priority and produced excellent results. The Government's decision on gender mainstreaming in the Swedish Government Offices for the period 2016–2020 (S2016/04472/JÄM) identifies four central processes for work on gender mainstreaming: the legislative process, EU matters, the budget process and governance of government agencies.

#### **Gender-responsive budgeting**

Development work to integrate gender equality in work on the budget, known as gender-responsive budgeting, is being carried out at the Government Offices. Work on gender-responsive budgeting means requiring a gender equality analysis of proposals in the budget process. This ensures that consequences for gender equality can be taken into account from the very start when shaping proposals and reforms, and when making decisions on the direction of policy and the allocation of resources.

### **6.2 Policy changes**

#### **Gender mainstreaming in government agencies**

The Government has developed work on gender mainstreaming in government agencies (GMGA) and the Swedish Gender Equality Agency has been tasked with supporting the work of the agencies on gender mainstreaming since January 2018. Since 2013, the Government has been running a development programme for gender mainstreaming in government agencies, Jämställdhetsintegrering i myndigheter (JIM). Over time, JIM has been expanded and in 2018 covered 58 government agencies and the Swedish National Council of Adult Education. Since 2016 there has been a parallel remit for universities and higher education institutions covering all state-run seats of learning and two foundations. These are tasked with drawing up a plan for how they intend to develop gender mainstreaming with the aim of contributing to attaining the goals of gender equality policy, e.g. regarding equal opportunities for career paths, gender-related course choices and completion rates. The plan includes development needs, targets and activities that are to be carried out in the period 2017–2019.

Reports on the JIM programme show that participating agencies have identified gender equality challenges in their respective areas of operation and, to varying extents, launched development

work to integrate gender equality in planning and follow-up processes and in parts of their core operations. This involves, for example, taking gender equality and work to prevent violence into account in processing individual cases, gender equal distribution of state aid in research funding, financial support to companies and arts grants.

### 6.3 Institutional changes

The Swedish Gender Equality Agency works to contribute towards strategic, cohesive and sustainable governance and effective implementation of gender equality policy. The agency is to support other agencies, county councils, regions and municipalities in their efforts to achieve the goals of gender equality policy. The agency's role includes the task of supporting government agencies in their work on gender mainstreaming.

On 23 May 2019 the Swedish Gender Equality Agency was assigned the task of investigate the conditions for further developing gender mainstreaming in the government agencies through developing a benchmarking model, for exchange of experience between agencies, and for further co-operation between agencies, in their work on gender mainstreaming. The Swedish Gender Equality Agency will report the assignment on the 31 October 2019.

### 6.4 Research and awareness-raising

There are clear guidelines within the Government Offices for how a gender equality perspective is to be included into work on the budget and in preparation of legislation and decisions, through applying routines for gender mainstreaming and gender responsive budgeting. The Government Offices offers an e-learning in gender mainstreaming and gender responsive budgeting for all employees.

The Swedish Gender Equality Agency works to support other agencies, county councils, regions and municipalities in their efforts to achieve the goals of gender equality policy. The agency's role includes the task of supporting government agencies in their work on gender mainstreaming. The Swedish Gender Equality Agency has started preparatory work on starting an education on gender mainstreaming aimed at external parties (annual report 2018).

### 6.5 Other pertinent developments

On 23 May 2019 the Swedish Gender Equality Agency was assigned the task of investigate the conditions for further developing gender mainstreaming in the government agencies, see above 6.3.

The Swedish Agency for Public Management (Statskontoret) will evaluate the programme for gender mainstreaming in government agencies, Jämställdhetsintegrering i myndigheter (JIM), with a focus on the governance and support of the government authorities' work on gender mainstreaming. The Swedish Agency for Public Management delivered its final report on 30 September 2019.

## 7. Main challenges and lessons learned

a) Sweden has had a **feminist government** since 2014. This means that the Government views differences in opportunities and the distribution of power and resources based on gender, often to the disadvantage of girls and women and to the advantage of boys and men, as a problem of society that can and must be combated by means of political decisions.

Sweden is the first country in the world to pursue a **feminist foreign policy** with the aim of fostering gender equality throughout the Sweden's Foreign Service operations. An action plan for the direction of feminist foreign policy action taken by the Swedish Foreign Service, is guided by six long-

term objectives. One of the strengths of Sweden's feminist foreign policy is its breadth, in which a gender equality perspective is enshrined in all foreign policy – from development co-operation to trade policy and security policy. Co-operation with civil society and other actors is key.

On 1 January 2018, the Government set up the **Swedish Gender Equality Agency** to contribute towards strategic, cohesive and sustainable governance and effective implementation of gender equality policy. The agency is to support other agencies, county councils, regions and municipalities in their efforts to achieve the goals of gender equality policy. The Agency has been tasked with supporting the work of the governmental agencies on gender mainstreaming which in 2018 covered 58 government agencies and the Swedish National Council of Adult Education.

b) According to the Swedish Migration Agency, an important lesson in the work with gender mainstreaming is that assignments from the government to the authority are gender mainstreamed from the beginning. The Migration Agency also point out the importance in having distinct requirements on measuring and monitoring the quality of the authority's processes and that it also includes gender equality. The later in order to highlight whether women, men, girls or boys are treated equally by the authority.

## 8. Additional comments, if any

8.1 When many unaccompanied minors came to Sweden in 2015, there was a need to provide them with information on their sexual and reproductive rights and those of other young people. There was also a lack of tailored teaching material translated into different languages. Additionally, more awareness was needed among professionals in the field regarding how to talk about these issues to unaccompanied minors. As a result, a digital platform for information on health and gender equality with a focus on sexual and reproductive health and rights (SRHR) geared towards unaccompanied minors and children aged 13–25 (youmo.se) was launched in April 2017. Information is provided in Arabic, Dari, Somali, Swedish and Tigrinya. It also provides contact details for all Sweden's youth guidance centres. As part of the project is educational efforts which in 2018 was extended to include the subjects of honour-related violence and oppression, including genital mutilation, sexual violence, sexual harassment and legislation in the area, including legislation on the purchase of selling sex.

Youmo.se had an average month in 2018 54,000 visitors. The visits come from all over the world. Sweden continues to be the largest single country for traffic to the site, but about 80 percent of users are in other countries. Top three after Sweden during the period were Egypt, Saudi Arabia and the United States. Of visitors from Sweden, 15 per cent are repeat visits. During 2018 the platform has been updated with new slideshows, questions and answers as well as films.

8.1. The many metoo calls in the fall of 2017 and after showed that sexual harassment, sexual violence and discrimination against women and girls occurs in all professions and sectors. The Swedish government took a number of measures on the basis of metoo, including: by initiating dialogue with the heads of several governmental agencies, the social partners, the chairmen of the state-owned corporate sphere and with the initiators of the calls in various industries. The purpose was to discuss together how metoo would be continued.

As a result, a great number of measures were initiated. In the budget for 2018 a total of SEK 170 million was set aside for efforts due to metoo. SEK 10 million was allocated to the Swedish Work Environment Authority for information efforts with support to employers. SEK 15 million was allocated to the state funds for regional work inspectors. The National Agency for Education received SEK 50 million for implementing efforts and distributing funds to develop sex and cohabitation

education and work against abusive treatment at school with a view to strengthening preventive work against sexual harassment. This included funds that were distributed to civil society Organisations, trade unions and student council Organisations. 25 million was spent on a knowledge boost for social security secretaries to better assist especially vulnerable women affected by violence and sexual abuse. 10 million was allocated to the Swedish Crime Victim Compensation and Support Authority to inform and educate on the consent-based sexual offences act and 10 million was added to the Swedish Courts to inform and train staff in the consent law. Support for local women's and girls' journeys increased by SEK 50 million (to a total of SEK 150 million for 2018). The government has also implemented a number of measures against sexual harassment and other forms of discrimination in the cultural field. Furthermore, the government has commissioned the Gender Equality Agency to offer educational efforts and knowledge support for teachers and other education managers at universities and colleges, on issues related to men's violence against women and violence in close relationships.

8.2 What has been a rather success is our work with gender mainstreaming of the governmental agencies. Since 2013, the Government has been running a development programme for gender mainstreaming in government agencies. Over time, JIM has been expanded and in 2018 covered 58 government agencies. The Swedish Gender Equality Agency has been tasked with supporting the work of the agencies on gender mainstreaming since January 2018.

Gender mainstreaming within the Swedish Government Offices and government agencies has been given high priority and produced excellent results. Statistics Sweden's quantitative follow-up of the Government Offices' work on gender mainstreaming in 2018 showed positive developments. However, the follow-up also revealed a need for continued development work before gender mainstreaming is fully implemented and gender equality is taken into account in all relevant decision-making documents. **This is an area where Sweden like to welcome additional expertise from other members, including through the co-operation activities run by Council of Europe.**

8.2 The Swedish government work to attain the goal of an equal division of power and influence. Areas where more work needs to be done is in leadership positions in politics and business as well as in high-ranking posts in higher education and in organisation community where men are still over-represented.

**This is another area where Sweden like to welcome additional expertise from other members, including through the co-operation activities run by the Council of Europe.**

8.3 The Swedish Government's national strategy to prevent and combat men's violence against women also includes **threats and abuse on the internet**. In the strategy it is stated that the penal provisions that protect personal privacy are out of date in some cases.

The protection provided has been strengthened and modernised with the aim of bringing protection of personal privacy under criminal law in line with developments in technology and social development. A new crime – unlawful violation of privacy – which makes it a criminal offence to intrude into the private life of another person by disseminating sensitive images or other information, e.g. on the internet, was introduced on 1 January 2018.

The penal provisions on unlawful threats, molestation, gross defamation and insulting behaviour were also clarified and modernised. The provision on unlawful threats was expanded, making it a criminal offence to threaten with more types of criminal acts, e.g. threatening to disseminate images of someone's naked body. The crime of molestation was also expanded. Unlawful threats and insulting behaviour also constitute criminal offences under freedom of the press and freedom of

expression. Equivalent amendments were therefore also made to the Freedom of the Press Act. These amendments entered into force on 1 January 2019.

The obligation of the provider of an electronic bulletin board (an interactive service on the internet) to remove particular messages from the service was expanded to also apply to messages that clearly contain unlawful threats and unlawful violations of privacy. Additionally, the right to criminal injuries compensation was expanded to also cover compensation for harm caused by gross defamation.

The Swedish Media Council is an agency tasked with working to strengthen children and young people as aware media users and protect them from the harmful effects of media. Since 2013, the Swedish

Media Council has been tasked with running the 'No Hate Speech Movement'. In 2016–2017 the council was tasked with surveying the protection of children and young people on the internet in terms of racism, similar forms of hostility, hate crime and extremism.

The Swedish government, through contribution to girl and women foundations and civil society, support work with different types of on-line violence and abuse. The foundations work both to prevent on-line abuse/violence and to support victims. One foundation is "1000 Opportunities" who in February 2019 opened the first national help-line in Sweden aimed at helping young people and preventing dating violence. You will find more information here: <https://1000mojligheter.se/english>.

**This area is difficult to find accurate penalty provision for and an important question to discuss in this field is how to find a balance between protecting women and children from on-line violence and abuse and at the same time safeguarding the freedom of expression.**

<b>SWITZERLAND/SUISSE</b>
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## 1. Objectif stratégique : prévenir et combattre les stéréotypes de genres et le sexisme

### 1.1 changements législatifs

#### Confédération

Afin notamment de lutter contre les stéréotypes de genre, le Parlement suisse a approuvé, en décembre 2018, l'ajout de l'homophobie à l'article 261<sup>bis</sup> du Code pénal portant sur la discrimination raciale.

Avec l'ajout de l'orientation sexuelle à ces critères, les propos homophobes tenus dans la sphère publique seront poursuivis d'office : les autorités devront intervenir dès qu'elles auront connaissance d'actes de haine ou de discrimination en raison de l'orientation sexuelle. Pour être poursuivis, les propos devront non seulement être tenus dans la sphère publique mais aussi être rabaissants envers les personnes auxquelles ils s'adressent, d'une manière contraire à la dignité humaine.

Lancé par le parti politique « Union démocratique fédérale », un référendum aura lieu contre l'ajout de l'orientation sexuelle à l'article 261<sup>bis</sup> CP. La date n'est pas encore connue.

#### Canton

- Le Grand Conseil du canton de Vaud a accepté à l'unanimité – moins une abstention – un projet de loi visant à interdire les publicités sexistes dans l'espace public ([lien](#)). Il s'agit du seul canton ayant légiféré dans ce domaine, à l'heure actuelle.

#### Développements jurisprudentiels

- Dans un arrêt du 21 novembre 2018, le Tribunal fédéral a retenu que la désignation d'une employée par le terme « Mistinguett » (du nom d'une meneuse de revue parisienne) n'est pas constitutif de harcèlement sexuel au sens de l'article 4 de la Loi fédérale sur l'égalité entre femmes et hommes (LEg).

### 1.2 changements dans les politiques publiques

Afin de lutter contre les inégalités salariales, le Parlement suisse a accepté des modifications à la LEg, en décembre 2018 ([lien](#)).

Ces modifications entreront en vigueur le 1<sup>er</sup> juillet 2020 ([lien](#)). A partir de cette date, les entreprises publiques et/ou privées comptant au minimum 100 employé-e-s (soit 46% des salarié-e-s suisse-s) devront procéder à des analyses régulières de l'égalité salariale. Celles-ci devront être faites d'ici à la fin du mois de juin 2021. Le bon déroulement de cette analyse sera ensuite vérifié par une tierce partie.

Les employeurs auront ensuite un devoir d'information (à leur personnel, et, les cas échéant, à leurs actionnaires). Les entreprises qui à la suite de cet examen démontrent qu'elles respectent l'égalité salariale seront exemptées de nouvelles analyses.

Les nouvelles dispositions, limitées à 12 ans, devront faire l'objet d'une évaluation neuf ans après leur entrée en vigueur.

#### 1.4 recherche et sensibilisation

Suite à la publication de l'*Analyse de la jurisprudence cantonale relative à la loi sur l'égalité entre femmes et hommes* en 2017 ([lien](#)), le BFEG souhaite compléter cette première étude par une analyse équivalente portant sur la jurisprudence du Tribunal fédéral, afin d'avoir une vue d'ensemble de la jurisprudence suisse concernant la LEg. Cette nouvelle analyse porte sur la période 2004 à 2019, ce qui représente environ 135 arrêts.

L'étude entend analyser la jurisprudence du TF sous l'angle de l'efficacité de la loi sur l'égalité, respectivement des éventuels obstacles à sa mise en œuvre.

Le 4 septembre 2019, le Conseil fédéral a proposé d'accepter la Motion Rytz [19.3869](#), lequel demande la mise en place d'une campagne nationale contre le sexisme. Cette motion doit désormais être examinée par le Parlement.

De même, le Conseil fédéral propose d'accepter le postulat Graf [19.3869](#), qui souhaite que soit établi un rapport sur les causes des féminicides et les mesures prises pour lutter contre ce phénomène. Ce postulat doit aussi être examiné par le Parlement.

## 2. Objectif stratégique : prévenir et combattre la violence contre les femmes et la violence domestique

### 2.1 changements législatifs

#### Convention d'Istanbul

Dans le courant du mois de novembre 2019, une ordonnance sur la mise en œuvre de la Convention d'Istanbul devrait être adoptée par le Conseil fédéral. Celle-ci prévoit notamment les mesures visant à prévenir les infractions en lien avec la violence contre les femmes et la violence domestique (Objectifs 2019 du Conseil fédéral, vol. 1, objectif 15). Elle se base sur l'article 386 du code pénal, lequel donne la possibilité à la Confédération de prendre des mesures d'information, d'éducation ou d'autres mesures de prévention de la criminalité, et de soutenir des projets ainsi que des organisations agissant dans ces domaines. Cette ordonnance devrait entrer en vigueur en 2020.

#### Loi sur la protection des victimes de violences

Le 14 décembre 2018, le Parlement a adopté une loi sur l'amélioration de la protection des victimes de violence ([lien](#)). Grâce à une adaptation du code civil, du code de procédure civile, du code et du code pénal militaire, les lacunes constatées lors d'une évaluation de la loi en vigueur devraient être supprimées afin de mieux protéger les victimes de violence domestique et de harcèlement (surveillance électronique, gratuité de la procédure, nouvelles dispositions en matière de suspension de la procédure, meilleure communication des décisions). Cette loi entrera en vigueur le 1<sup>er</sup> juillet 2020 ([lien](#)).

### 2.2 changements dans les politiques publiques

Le 13 novembre 2018, le BFEG a organisé un congrès national sur la mise en œuvre de la Convention d'Istanbul en Suisse ([lien](#) vers le programme).

A cette occasion, un concept national de mise en œuvre a été adopté qui, en concertation avec les cantons, règle les compétences respectives et les procédures communes ([lien](#)).

Le BFEG a aussi publié un document indiquant les tâches et les mesures des différents services fédéraux pour la mise en œuvre de la Convention, document considéré comme une bonne pratique par le Conseil de l'Europe ([lien](#)).

En mai 2019, la CDAS a publié une analyse de la situation de l'offre et du financement des refuges et hébergements d'urgence dans les cantons ([lien](#)). Le rapport indique le nombre de places actuellement disponibles en refuge et en hébergement d'urgence dans les cantons et sur la situation du financement de ces structures.

En mai 2019, le site Internet consacré à l'aide aux victimes dans les cantons ([www.aide-aux-victimes.ch](http://www.aide-aux-victimes.ch)) a été remanié. Grâce à ce remaniement, les personnes touchées par la violence sont mieux informées et aiguillées, qu'il s'agisse des prestations d'aide ou de l'accès à la justice.

### 2.3 changements institutionnels

En lien avec la Convention d'Istanbul, le BFEG est chargé de la coordination sur le plan national de la mise en œuvre, de l'observation et de l'évaluation des politiques et autres mesures, ainsi que de la coordination à l'échelon des départements fédéraux. A cette fin, il a mis sur pied un groupe de travail interdépartemental. Il est également chargé de la rédaction du rapport qui sera présenté au comité GREVIO ([lien](#)).

### 2.4 recherche et sensibilisation

En vue de la présentation du rapport suisse au GREVIO, le BFEG a fait établir une analyse concernant les données statistiques suisses, indiquant quelles données sont requises dans le cadre des rapports étatiques sur la Convention d'Istanbul, quelles sont celles que la Suisse possède déjà et celles qui sont actuellement manquantes ([lien](#)).

Actuellement, l'OFS mène avec le soutien du BFEG, une enquête supplémentaire pour une période de cinq ans (2019-2024), sur l'ensemble des homicides de la statistique policière de la criminalité (SPC). L'objet de cette enquête, qui s'inscrit dans le cadre de la mise en œuvre de la Convention d'Istanbul, est de bénéficier d'informations approfondies sur les conditions de vie des victimes et des auteur·e-s, de même que sur les circonstances, les motifs et les causes des homicides, et de disposer ainsi de données pouvant appuyer le travail de prévention. Les résultats de cette enquête seront publiés dans un rapport, lorsque suffisamment de données seront disponibles pour une analyse significative, soit probablement en 2025.

En outre, sur la base de la Convention d'Istanbul, le BFEG évalue actuellement, en collaboration avec l'OFS, la faisabilité d'une enquête exhaustive sur la fréquence des violences à l'égard des femmes et de la violence domestique. La Confédération décidera de la suite à donner sur la base de cette évaluation.

### 2.5 autres développements pertinents

Par arrêt du 11 février 2019, le Tribunal fédéral a confirmé la condamnation d'une femme de Somalie, qui avait fait exciser ses filles dans son pays d'origine avant leur venue commune en Suisse ([liens vers l'arrêt](#) et vers le [communiqué de presse](#)). Le Tribunal a souligné le principe d'universalité qui sous-tend cet article, et a également rejeté l'argument de l'erreur sur l'illicéité de ses actes.

## 3. Objectif stratégique : garantir aux femmes l'égalité d'accès à la justice

### 3.1 changements législatifs

Les changements législatifs visant l'amélioration de la protection des victimes de violence (cf. chiffre 2.1 ci-dessus) incluent d'importantes améliorations concernant l'accès à la justice.

### 3.4 recherche et sensibilisation

Comme mentionné, le BFEG mène actuellement une étude sur la jurisprudence du Tribunal fédéral en lien avec la Loi sur l'égalité (cf. chiffre 1.4 ci-dessus).

## 4. Objectif stratégique : assurer une participation équilibrée des femmes et des hommes à la prise de décision politique et publique

### 4.1 changements législatifs.

En vue des élections pour le renouvellement intégral du Conseil national du 20 octobre 2019, le Conseil fédéral, via la Chancellerie fédérale, a émis une circulaire à l'attention des gouvernements cantonaux ([lien](#)). Celle-ci relève que les femmes demeurent sous-représentées au Conseil national et que le nombre de candidatures féminines reste relativement faible. Le Conseil fédéral encourage donc les cantons à attirer l'attention du corps électoral sur l'écart entre le nombre des sièges occupés respectivement par les femmes et les hommes.

### 4.2 changements dans les politiques publiques

Le site internet « [Helvetia Ruft](#) » vise à augmenter le nombre de femmes décideuses dans la politique suisse grâce à un plan en trois points ciblé et à contribuer ainsi à l'amélioration de la démocratie.

L'actuelle Présidente du Conseil national, Marina Carobbio a mis en ligne la page internet « [Femmes politiques](#) » qui souhaite encourager les femmes à se lancer en politique et à suivre les pionnières qui sont entrées sous au Parlement fédéral en 1971.

### 4.3 changements institutionnels

Dans le cadre de la modernisation du droit de la société anonyme actuellement en cours ([lien](#)), le Conseil fédéral souhaite introduire des seuils de représentation des sexes dans les conseils d'administration et les directions des grandes sociétés cotées, afin de mieux respecter l'obligation constitutionnelle de veiller à l'égalité. Selon la proposition, les conseils d'administration devront compter au minimum 30% de femmes et les directions 20%. En cas de non-respect de ces seuils, les entreprises devront s'expliquer dans le cadre de leurs rapports de rémunération (principe : appliquer ou expliquer, en anglais « *comply or explain* »). Des délais de transition sont prévus, afin de donner aux sociétés le temps nécessaire pour recruter des candidates appropriées.

## 6. Objectif stratégique : intégrer les questions d'égalité entre les femmes et les hommes dans toutes les politiques et mesures

### 6.5 autres développements pertinents

Le projet pilote « Panel et Parité » est actuellement mené au sein du Département fédéral de l'Intérieur (DFI). Son but est d'atteindre une représentation équilibrée des genres parmi les intervenant-e-s à des événements organisés par le DFI.

## TURKEY

**1. Strategic objective: Prevent and combat gender stereotypes and sexism****1.2 Policy changes**

- In the 11th Development Plan for the period of 2019-2023, the main target was identified as eliminating all forms of discrimination against women and ensure women's equal access to all rights, facilities and opportunities in all spheres of social life and their empowerment. In this context, the target of increasing the female employment rate to 34% and the labour force participation rate to 38.5% by 2023 was included in the Development Plan.
- Monitoring and evaluation of the Strategy Paper and Action Plan on Women's Empowerment covering the years 2018-2023 were initiated. The first monitoring and evaluation meeting was held on 11 December 2018.
- National Employment Strategy<sup>100</sup> (2014-2023) is built on sector policies with four main policy axes. The Basic Policy Axis for Increasing the Employment of Special Policy Groups which aims to remove the barriers to the participation of labour force, especially women, disabled people, young people and long-term unemployed, requiring specific policies, includes the determination, target and action plans for these groups. The main objective of the axis for women is to increase the female labour force participation rate to 41% by 2023, and its basic policy is to increase female labour force participation rate and employment, and to combat informal employment.
- The terms of reference document for "The Implementation Project on Gender-Responsive Budgeting and Planning in Turkey" has been prepared. The project is expected to start in 2020. The main objectives of the Project are to create political, bureaucratic awareness and ownership about gender-responsive planning; to enhance institutional capacity of central and local administrations for public policies, plans, programmes and budgeting process and ensure sustainability; to improve the monitoring mechanism and increase accountability for gender-responsive budgeting and planning in Turkey.
- "Engineer Girls of Turkey Project (2016-2020)"<sup>101</sup> is carried out with the co-operation of the Ministry of Family, Labour and Social Services, Ministry of National Education, United Nations Development Programme (UNDP) and the private sector. Within the scope of the university programme of the project, 110 girls who are currently studying engineering are provided with scholarship support. In addition, the students are supported by internship and employment opportunities, online English language training, "Leadership in Engineering" and "Social Engineering" certificate programmes within the scope of mentor-mentee-coaching network. To date, more than 300 female students have benefited from the scholarship programme. In the high school programme of the project; it is aimed to raise awareness about the professional preferences formed at an early age. With the support of the Ministry of National Education, activities are carried out to promote engineering profession for high school students, teachers and parents. In this context, a total of 21,400 people was reached.

<sup>100</sup> [www.uis.gov.tr](http://www.uis.gov.tr)

<sup>101</sup> <http://www.turkiyeninmuhendiskizlari.com>

### 1.3 Institutional changes

- General Directorate on the Status of Women (GDSW), which was established as a national mechanism in order to enable women to participate in a more active, productive and strong manner in all areas of social life in Turkey; to enable women to benefit equally from all the rights and opportunities; and to prevent discrimination against women, was reorganised as a branch of the Ministry of Family, Labour and Social Services with the Presidential Decree No.1.

The General Directorate, which undertook the duty of conducting and co-ordinating protective, preventive, instructive, constructive and rehabilitative social services, maintains its activities in an active and productive manner.

### 1.4 Research and awareness-raising

- The Seminars on Financial Literacy and Women's Economic Empowerment have continued to be organised in order to increase women's awareness about financial issues and risks, as well as mechanisms that support women's participation in economic life. Financial Literacy Trainer Training was conducted for 100 professionals working in the local area in order to spread these seminars to 81 provinces. In this regard, 7,495 women have participated in the seminars held in 30 provinces in 2019 and 18,750 women have participated in the seminars held in 65 provinces since 2017. It is planned to continue these seminars in the remaining 28 provinces by the end of December 2019.
- International Day of Women and Girls in Science event was held on 11 February 2019 at Kocaeli Science Centre with the participation of approximately 500 people.
- Informative brochures titled as "Complaint and Application Mechanisms in Working Life", "Parental Rights of Working Parents", "Support and Incentives for Women's Empowerment" were prepared and distributed throughout the country.
- "The Gender Equality Training" was provided for 455 enlisted personnel by Turkish Coast Guard Command between October 2018 and August 2019.
- Coast Guard cadets in the Coast Guard School Command were briefed on gender equality by "Psychological Support Activities" themed conferences during Coast Guard Training.
- Between October 2018 and September 2019, a total of 2,500 deputy commissioner candidates were given gender equality courses within the Police Academy.
- Within the scope of the human rights course, 1,500 deputy commissioners were given three hours of training on police practices on combating sexism under the title of Hate Crimes and Discrimination.
- Within the scope of in-service training for newly-appointed contract clerks, 562 participants were trained on Gender Equality and 815 participants were trained on "Gender Equality and Prevention of Domestic Violence" by the Ministry of Justice.
- Within the scope of the Family Support Training Programme, training was organised for 156 participants on Domestic Violence and Child Abuse by the Ministry of Justice.
- In December 2018, gender equality training courses were given to 40 staff working at the information desk within the scope of Working with Refugees and International Protection training by Ministry of Justice.

### 1.5 Other pertinent developments

- Co-operation Protocol on Strengthening Women's Co-operatives was signed on 30 October 2018 in co-operation with the Ministry of Family, Labour and Social Services, Ministry of Agriculture and Forestry and Ministry of Trade. Within this scope, the Workshop on Strengthening Women's Co-operatives was held on 15 November 2018 in order to facilitate the applicability of the protocol and to discuss the current situation of the women's co-operatives in Turkey, their problems and solutions. In line with the workshop results, the works are continued in co-

operation with the relevant institutions. In this context, "Implementation Guidelines for the Strengthening of Women's Co-operatives Protocol" has been prepared for Provincial Directorates in order to ensure local applicability of this Protocol and to guide practitioners. As of September 2019, "Women's Co-operatives Working Group" was established in 76 provinces, annual business plans were prepared and various activities and meetings were organised to strengthen women's co-operatives.

- "Mother at Work" Project started in 2018 in order to support women in acquiring professional skills and working experience. Mothers whose children are in the 0-15 age range (including 15) and who benefit from a social support or social and economic assistance, especially those who are beneficiary of the institutions under the Ministry of Family, Labour and Social Services that provide services in the area of combating domestic violence, can benefit from the project. The project aims at increasing female participation into the employment, decreasing unemployment and encouraging more women to have a place in the labour force market. The project reached out approximately 13,205 women as beneficiary throughout the year 2018.
- Curriculums of the lessons taught at primary and secondary education levels were updated to ensure them to be simple and real life related and also to include all basic skills and in an approach that giving importance to values education. They have been started to be applied at all grades of primary and secondary levels starting from 2018-2019 academic year. Some of the topics stressed in updated curriculums are gender equality, preventing violence against women, democracy, and elimination of any kind of discrimination.
- New textbooks are prepared according to new curriculums and considering the provisions of the Ministry of National Education Textbooks and Educational Materials Regulation, in a way that to not include any matter against Constitution and laws, and with an approach supporting human rights and freedoms, and rejecting any kind of discrimination, with a principal of social equality.
- In the textbooks, number of male and female names in the texts and number of male and female images were tried to be kept equal. In the acquisitions related to family, attention was drawn to gender equality by describing democratic structure of the family, and mother and father roles. While designing of the activity images for the texts, elements were selected sensitively to avoid evoking gender discrimination. Ultimate attention was paid to avoid any perspective that ignore or harm gender equality.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.2 Policy changes

- Works on the "3rd National Action Plan on Combating Violence against Women", covering the period 2016-2020, are ongoing. In February 2019, the Monitoring and Evaluation Meeting of 2018 was held with the participation of relevant stakeholders.
- Provincial Action Plans for Combating Violence against Women are prepared in order to ensure the effective implementation of the National Action Plan in 81 provinces. In this context, as of August 2019, 81 provinces have the Provincial Action Plan on Combating Violence against Women. The action plans concerned included comprehensive activities for efficient implementation of the legislation, raising awareness, developing institutional mechanisms, increasing co-ordination and co-operation.
- In line with the activity for prevention of early marriages in co-operation with the all relevant parties included by the Third National Action Plan on Combating Violence against Women

covering the period 2016-2020; activities were conducted for the provinces with high rate of early and forced marriages and other provinces deemed necessary. In 19 provinces, provincial action plans prepared for the purpose of combating early and forced marriages are ongoing.

### 2.3 Institutional changes

- Violence Prevention and Monitoring Centres (VPMC) are established pursuant to the Law No. 6284. VPMC delivers services such as housing service, temporary financial assistance, guidance and counselling services for the victim of violence, follow-up and monitoring of putting the victim under temporary protection in case of life-threatening danger, crèche support, legal support, medical support, employment related support, support for children such as scholarship and education and training. As of August 2019, VPMCs deliver services in 80 provinces, and initiatives are ongoing to expand their capacity to 81 provinces and improve their capacities.
- Women's shelters are boarding social service institutions where women subjected to physical, emotional, economic and verbal harassment or violence can stay together with their children, if any, and where they are protected from violence, their psychosocial and economic problems are solved and they are empowered. Specialisation activities are carried out for the purpose of providing more effective service to different groups receiving services of women's shelters. With the specialisation activities, it is aimed to improve the institutional capacity of women's shelters, to increase the efficiency of the services offered, to improve the quality of the staff providing services and to ensure the efficient and effective use of public resources.
- Within the scope of European Union Pre-Accession Financial Assistance Instrument (IPA) II Fundamental Rights Sub-Area 2015 programming, "Institutional Capacity of Children and Women's Units of Gendarmerie General Command" is being implemented (2018-2020). In the twinning component of the project; The Gendarmerie aims to develop a communication and advocacy strategy on the duties and services of violence against women, domestic violence, and to provide training to 59 Provincial staff, and to promote advocacy through trained personnel. Procurement components, equipment and furnishing will be purchased.
- "Women Support System" (KADES) application, which enables women victims of domestic violence to reach the 155 Emergency Call Centre was put into service on 24 March 2018. Through the KADES application, which can be downloaded to mobile phones and used only by women, law enforcement forces provide effective and rapid response on 24/7 through "call for help" button in the application.
- The Co-operation Protocol signed between the Ministry of Family, Labour and Social Services, the Ministry of Justice and the Ministry of Interior was renewed on 30 June 2019 regarding the electronic bracelet pilot implementation, which monitors perpetrator and victims of violence together. Electronic bracelet application was extended for 2 years and it was expanded in 9 provinces and started to be applied in 15 provinces in total.

### 2.4 Research and awareness-raising

- "Training Seminars on Combating Violence against Women" are organised under the coordination of Ministry of Family, Labour and Social Services for the staff, particularly public officials working at relevant public institutions and organisations in 81 provinces to raise awareness and knowledge about combating violence against women within 2018. In this respect, seminars were organised for personnel of central and provincial organisations of the public institutions and agencies; and nearly 45 thousand public officials were reached through the aforementioned training.

- There has been co-operation with the Ministry of National Defence within scope of awareness-raising activities for men. In this regard, “Combating Violence against Women” was added to the 21-day basic military service training that is carried out for those who benefit from paid military service; and the awareness-raising seminars were started in 40 provinces as of the first call-up period on 15 September 2018. By 15 June 2019, nearly 381,000 ranks and files have been reached within scope of the paid military service.
- Within the scope of the protocol signed between the Ministry of Family, Labour and Social Services and the Ministry of National Défense, in February 2019, 105 people received trainers' training. As a result of the second level training conducted by the trainer who received specialist training between 1-31 March 2019, 1,532 trainers were trained. In the third and final level training held between April 1-June 30, 2019, 42,375 soldiers and non-coms were trained on empowering women and combating violence against women.
- Within the scope of the co-operation between the Ministry of Family, Labour and Social Services and UNICEF, which includes a 2-year work programme;
  - In November, December 2018 and January-February 2019, 300 vocational personnel working in the provincial organisation of the ministry were provided with trainers' training programme.
  - On 17-21 December 2018, a “Seminar on combating Early and Forced Marriages” was organised for 250 people who worked as managers or professional staff in the provincial organisation of the ministry.
  - In April 2019, 650 law enforcement officers working in the relevant units of the Gendarmerie General Command received training on “Women's Empowerment”, Combating Violence Against Women”, and Combating Early Marriages.
  - “Training on Improving the Skills of Professionals to Work with Society in Combating Violence against Women and Early and Forced Marriages” was organised for 150 professional staff working in Provincial Directorates of Ministry of Family Labour and Social Services.
- The Training on Combating Violence against Women was provided for 455 enlisted personnel by Turkish Coast Guard Command between October 2018 and August 2019.
- Research Report on "Family Violence in Turkey and Combating Violence against Women" was prepared by members of Police Academy. The report is also translated into English in order to be forwarded to the relevant international organisations and institutions.
- In order to raise awareness on domestic violence and violence against women in rural areas and to support victims, the gendarmerie units carry out preventive activities for women victims of violence by using posters and brochures in co-operation with local units. In 2018, 8,041 citizens and in 2019, 7,746 citizens were reached.
- In 2018, 47,084 personnel working in the field of combating violence against domestic and women were trained by "592 trainers" personnel working in 81 Provincial Security Directorate. In 2019, training is still ongoing.
- In scope of the Strengthening the Rights of Victims in the Criminal Justice System Twinning Project Trainer Training Programme, 247 staff (judges, public prosecutors, Ministry of Justice auxiliary judicial staff and staff in other public institutions) were trained on "Gender Equality: Domestic Violence against Women"

### 2.5 Other pertinent developments e.g.

- Actions towards developing a data system for recording the protective and preventive measures issued in accordance with the Law No. 6284 in a data system, and to ensure the connection of this system to UYAP (Ministry of Justice - National Judiciary Information System) have been completed. The integration activity of the injunction orders issued under the Law No.6284 on UYAP system between the Ministry of Family, Labour and Social Services and the Ministry of Justice has been completed.
- "The Committee on Monitoring Violence against Women" was established to evaluate the current developments with the participation of all relevant public institutions and organisations, universities and non-governmental organisations. The Committee which meets once a year periodically under the co-ordination of the Ministry of Family, Labour and Social Services, evaluates the activities and developments in combating violence against women and offers suggestions on this issue. The Committee held its 12th meeting on 26 November 2018.
- Provincial Commission for Co-ordination, Monitoring and Evaluation of Combating Violence against Women established in 2016 meets with the participation of relevant institutions at the provincial level under the chairmanship of the Governor at 81 provinces, in six months periods. Within the framework of the Commission Reports periodically submitted to the General Directorate on the Status of Women, the General Evaluation Report of 2018 prepared by the General Directorate of the Status of Women for the issues identified within the scope of the combating violence against women, the problems in the scope of co-operation with the institutions was submitted to the related ministries.
- Curriculums of the lessons taught at primary and secondary education levels were updated and preventing violence against women is one of the topics that stressed.

### 3. Strategic objective: Ensure the equal access of women to justice

#### 3.3 Institutional changes

- The Directorate of Victims' Rights Department of the General Directorate of Criminal Affairs has evaluated that women's access to justice needs to be strengthened. In line with these assessments, some institutional changes made by the Department of Victims' Rights are given below:
  - Forensic support and victim services directorates have been established in seven pilot provinces in order to facilitate access to justice by effectively supporting victims in the judicial process, in particular children, women, the disabled and the elderly.
  - An effective information and guidance system was established in these directorates within the scope of access to justice for victims.
  - Psychosocial support activities currently provided by experts working in the courts are provided to cover the whole judicial process.
  - A total of 59 judicial interview rooms operating in 49 provinces aim to prevent secondary grievances of people whose statements are considered to be healthier in a special setting.

#### 3.4 Research and awareness-raising

- The results of the research conducted by the Department of Victims' Rights in order to address the consequences of violence against women in terms of their victims and to identify the difficulties faced by women victims of crime in the judicial process were reported and published as a book.
- In order to inform victims of crime about their rights in the judicial process and to raise public

awareness, brochures on the rights of victims have been prepared and distributed to courthouses.

- Within the scope of awareness raising activities, Department of Victims' Rights has established an informative website ([www.magdur.gov.tr](http://www.magdur.gov.tr)).
- "Support to the Development of the Legal Aid Application for Access to Justice in Turkey Phase II" project began to be implemented in co-operation with Ministry of Justice, Turkey Bar Association and UNDP. The project is expected to achieve the following objectives:
  - In order to strengthen the legal aid system in Turkey, improving co-ordination between women associations, civil society organisations, lawyers and bar associations.
  - Developing a systematic and structured approach to legal aid services by implementing and developing good practices in pilot bar associations.
  - Increasing the capacity of lawyers offering legal aid through a tailored training programme.

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.2 Policy changes**

- In the 11th Development Plan, the main objective is to prevent all kinds of discrimination against women and to ensure that women enjoy equal rights and opportunities in all areas of social life and become empowered. In this context, under the title of "Policies and Measures", related to the Plan period, active participation of women in all levels of economic, social, cultural life and decision-making mechanisms will be encouraged especially starting from the local level, researches will be carried out within this framework, and women will be more active in politics, public and private sector, management and decision. It is stated that awareness raising, guiding and encouraging methods will be developed to ensure their participation.

##### **4.3 Institutional changes**

- According to the results of local elections on 31 March 2019, 41 mayors were elected among female candidates. Among female mayors, there are three metropolitan mayor (Gaziantep, Aydın, Van), 1 provincial municipality major (Siirt), 21 district municipality mayors, 15 metropolitan district municipality mayors and 1 mayor of the town. (Change of duties have taken place due to the ongoing legal procedures in Van) Also, 1086 out of female mukhtar candidates throughout Turkey were elected as mukhtars.

##### **4.5 Other pertinent developments**

- On the occasion of 19 October, Mukhtar Day, a consultative meeting was held under the chairmanship of the Minister of Family Labour and Social Services.

#### **5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls**

##### **5.3 Institutional changes**

- If there are foreign women who have been victims of violence in Turkey and in need of women's shelter services, they are accepted to women's shelters without any discrimination with respect to religion, language, race, status, ethnic origin etc. and enabled to benefit from all services they need with their accompanying children if any in the fields of secure sheltering, psycho-social support, legal aid, education support, economic support etc. Within this scope, in 2019, 542 Syrian women and 689 children (a total of 1231 people); also 847 women from other nationalities and 897 children (a total of 1744 people) benefited from women's shelter services.
- The Ministry of Family, Labour and Social Services provides psychosocial services to Syrians. Within this scope, as of 2019, 118.833 Syrian benefited from psychosocial support services;

30,013 Syrians benefited from other service models of the Ministry for women, children, the disabled and the elderly.

#### 5.4 Research and awareness-raising

- Under the Project of “Promoting Turkish Compliance with International Obligations in the Protection of Refugee and Migrants” implemented in co-operation with the Directorate General of Migration Management and the Swedish Migration Agency, a workshop entitled “Preventing, Reducing Gender-Based Violence and Implementing Standards” was held in İzmir on 11-12 December 2018. 36 staff from the provincial and central organisations of the Directorate General of Migration Management participated in the workshop.
- The Project titled “Facilitation of Refugees’ Access to Justice” is conducted by Department of Victims’ Rights Department, UNDP and UNHCR. The project will enhance judicial empowerment and access to justice for Syrians, other refugees and members of host communities; strengthening community security and social cohesion; strengthening the capacities of justice, security and human rights institutions; and improving justice and security for women and girls by combating sexual and gender-based violence.

It is planned to organise seminars for refugees and asylum seekers in 7 pilot provinces within the scope of the project and training on the law of refugees and the rights of refugees to judges and public prosecutors.

- In 2019, training was organised for 120 judges and prosecutors on "Refugee Law and Gender Equality" by Ministry of Justice.
- The brochures prepared by the Ministry of Justice for informing refugees and asylum seekers were translated into Arabic and Persian languages and distributed to the courthouses.

#### 5.5 Other pertinent developments

- In January 2019, the brochure entitled “Rights and Obligations of International Protection Applicants and Status Holders” was produced in 9 languages (Turkish, Persian, Arabic, Urdu, Pashto, Somali, Russian, French and English) and posted to 81 Provincial Directorates of Migration Management. This brochure aims to provide information on education, health, work, social assistance, interpretation, legal aid, complaints and obligations.
- In January 2019, the brochure entitled “Rights and Obligations of Foreigners under Temporary Protection” was produced in three languages (Turkish, Arabic and English) and posted to 81 Provincial Directorates of Migration Management. This brochure aims to provide information on education, health, work, social assistance, interpretation, legal aid, complaints and obligations.
- Since October 2018, 400 security officers in removal centres in 7 different provinces have been given gender equality courses within the framework of human rights education.
- Within the scope of prevention of violence and abuse to immigrants, refugees and asylum-seekers at schooling age, The Education and Security Project has been prepared by the Ministry of Interior and the Ministry of National Education.

## 6. Objective : Achieve gender mainstreaming in all policies and measures

### 6.2 Policy changes

- In the women's section of the 11th Development Plan (2019-2023), which is the basic roadmap to meet the basic values and expectations of our nation, to raise the international position of our country and to increase the welfare of our people by revealing the development vision of our country with a long-term perspective, the main objective is to prevent all kinds of discrimination against women and to ensure that women benefit and strengthen equal rights and opportunities in all spheres of social life.
- In line with the “Regulations that improve the flexibility of the labour market, increased child care services and education opportunities and increased employment-oriented policies will enhance women's competencies in the labour market and support their more intensive participation in business life. Women's participation in the workforce with better jobs will contribute directly to savings by increasing household income and improving financing opportunities for investments” policy included in the 11th Development Plan of Turkey, it is aimed to raise awareness on balancing work and family life and to increase women’s knowledge and awareness on financial literacy.
- In the 2019-2023 Strategic Plan of Ministry of Family, Labour and Social Services, “Gender equality training should be added to the education curriculum starting at primary level” has been included.
- Within the framework of the Priority Transformation Programmes, objectives, targets and indicators related to gender equality have been included in “the Labour Market Activation Programme” and “Protection of the Family and Dynamic Population Programme”.
- Within the framework of 2019 annual programme, under the policy titled as Family and Women “Preparatory work on Gender Sensitive Budgeting will be completed in order to ensure gender equality in public policies and practices” is included.

## 7. Main challenges and lessons learned

- The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) published its report on Turkey on 15 October 2018. GREVIO’s final report and Turkey’s comments were published on the website of Ministry of Family, Labour and Social Services in Turkish and English; and relevant institutions and organisations were notified via formal letter. Our efforts to combat violence against women are carried out taking into account the issues mentioned in the report.

UKRAINE
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**Strategic objective: Prevent and combat gender stereotypes and sexism**

**1.1 Changes in legislation**

The Action Plan for the fulfilment of the Integrated Programme for implementation of gender approaches into the activities of the State Committee for Television and Radio-Broadcasting of Ukraine for 2019 has been approved and includes conducting outreach activities at the Ukrainian Institute of Advanced Training for TV & Radio Broadcast and the Press experts (UkrTeleRadioPressInstitute) with the inclusion of a training course for media workers "Gender Policy Basics for Mass Media", a training course for central executive bodies (CEBs) "Gender Content Fundamentals", workshops for employees of the State Committee for Television and Radio-Broadcasting and subordinate organisations.

**Other activities**

The Council of Europe's Recommendation on preventing and combating sexism has been translated and published in Ukrainian in co-ordination with the Council of Europe Office in Ukraine. Within the framework of monitoring the fulfilment of Ukraine's obligations as a member of the Council of Europe, the Ministry of Foreign Affairs monitors the implementation by CEBs of the Council of Europe recommendations, including on combating sexism.

The Ministry of Information Policy, with the support of the Council of Europe Office in Ukraine, has held a series of regional training workshops on combating sexism and stereotypes in advertising and media. About 150 journalists participated in the training. A practical guide "Media Without Bias: Words Matters" (Медіа без упереджень: слова мають значення) has been prepared for media representatives and government press offices, which provides recommendations on how to follow the principles of gender-sensitive journalism.

The Ministry of Information Policy also presented a series of videos on gender equality as part of a communication campaign called "Everyone is equal in the profession" (В професії всі рівні), which aimed to counter the stereotypes about the occupational segregation by sex.

The State Committee for Television and Radio Broadcasting jointly with UkrTeleRadioPressInstitute has launched a training course "Gender Policy Basics", which was attended by 44 persons: media representatives and employees of state authorities.

In order to respond to complaints and appeals of citizens on the grounds of gender discrimination, an advisory office operates at the Ministry of Social Policy – the Expert Council on the Prevention and Combating of Gender-Based Discrimination. During the period of 2018-2019, the Expert Council on the Prevention and Combating of Gender-Based Discrimination has received 78 appeals for expert evaluation of discrimination, and 57 advertisements were thus withdrawn following the consideration of appeals. There are 8 lawsuits related to advertisements filed in court.

The State Service of Ukraine on Food Safety and Consumer Protection actively co-operates with professional organisations in the field of advertising and marketing. During 2018, the State Service on Food Safety and Consumer Protection and its territorial bodies received 98 appeals from citizens and public organisations on advertising that violates ethical, moral standards and is gender-discriminatory. More than UAH 130 thousand of fines was collected.

One of the public projects on combating gender-based discrimination in advertising is the "Ukraine

without Sexism" project of NGO "Harmonia Rivnykh". The project monitors advertising, which results in complaints to the competent authorities.

Ministry of Social Policy, in partnership with the Industrial Gender Committee on Advertising and the Ukrainian Office of Friedrich Ebert Foundation, has held workshops on "Preventing Sexist Advertising: Local Government Tools and Interaction with Civil Society" in 2017-2019 in Ukrainian oblasts. During the reporting period, such training was held in the cities of Kamianets-Podilskyi, Lutsk, Mykolaiv.

The Ministry of Social Policy, in conjunction with the United Nations Population Fund in Ukraine, conducts an information campaign "Four Hands Happiness" (Щастя в 4 руки), which aims to overcome the stereotypes of traditional family responsibilities that are deeply-rooted in Ukrainian society. Public service announcements involving famous football players with their children (city lights, billboards and subway lights) are posted in Ukrainian oblasts ([https://drive.google.com/drive/folders/OB0ltEy\\_j4OeDYjBTaFptZVpqbtQ](https://drive.google.com/drive/folders/OB0ltEy_j4OeDYjBTaFptZVpqbtQ)). The campaign information website is available at: <http://zaqs.org.ua>.

**Key challenges:** countering the implementation of gender policy; the low level of gender-related training of specialists involved in the implementation of tasks and activities on ensuring equal rights and opportunities for women and men.

### Strategic objective: Prevent and combat violence against women and domestic violence

#### 2.1 Changes in legislation

The Law of Ukraine "On Amendments to Certain Laws of Ukraine in Relation to the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence" dated 6 December 2017 No. 2227-VIII amended the Criminal and Criminal Procedure Codes of Ukraine and thus criminalised domestic violence.

So as to apply the provisions of the Law of Ukraine on Preventing and Combating Domestic Violence, the ordinances and resolutions of the Cabinet of Ministers of Ukraine and departmental decrees have been approved on the following:

- On Approval of the Concept of the State Social Programme for Preventing and Combating Domestic and Gender-Based Violence (No. 728-p dated 10 October 2018);
- On Amendments to Some Resolutions of the Cabinet of Ministers of Ukraine (No. 43 dated 23 January 2019);
- On Approval of the Procedure for the Formation of, Keeping and Access to the Unified State Register of Domestic and Gender-Based Violence Cases (No. 234 dated 23 March 2019);
- On Approval of Model Provisions for Specialised Support Services for Persons Affected by Domestic and/or Gender-Based Violence (No. 824 dated 21 August 2019);
- Ministry of Social Policy Order No. 1852 dated 11 December 2018 on Establishment of the State Institution "Call Centre of the Ministry of Social Policy of Ukraine on Combating Trafficking in Human Beings, Preventing and Combating Domestic Violence, Gender-Based Violence and Violence against Children", registered with the Ministry of Justice of Ukraine on 22 December 2018 under No. 1458/32910;
- Joint Order of the Ministry of Social Policy and the Ministry of Internal Affairs No. 369/180 dated 13 March 2019 on Approval of the Domestic Violence Risk Assessment Procedure, registered with the Ministry of Justice of Ukraine on 2 April 2019 under No. 333/33304;
- MoH Order No. 278 dated 1 February 2019 on Approval of the Procedure for Conducting

and Documenting the Results of Medical Examination of Victims of Domestic Violence or Persons Suffering from Domestic Violence and for Providing Medical Assistance, registered with the Ministry of Justice of Ukraine on 14 March 2019 under No. 262/33233;

- Order of the Ministry of Internal Affairs on Approval of the Procedure for Issuing the Urgent Restraining Order against Offender by the Authorised Divisions of Bodies of the National Police of Ukraine (dated 1 August 2018 No. 654);
- Order of the Ministry of Education and Science “Guidelines for Identifying, Responding to Cases of Domestic Violence and Interaction of Pedagogical Workers with Other Bodies and Services” (dated 2 October 2018 No. 1047).

The national tasks of Sustainable Development Goals (Goal 5) include the task of “Reducing the level of gender-based and domestic violence, and ensuring efficient prevention of its manifestations and timely assistance to victims”.

#### **Other activities**

The Ministry of Social Policy, together with ICF “Ukrainian Foundation for Public Health” and oblast state administrations, supported by the Office of the United Nations Population Fund in Ukraine, have organised 46 mobile teams in 12 oblasts of Ukraine. The mobile team includes a social worker and 2 psychologists. More than 53,500 people were assisted, 90% of whom were women.

The Ministry of Social Policy jointly with the International Charitable Foundation "Ukrainian Foundation for Public Health", oblast state administrations, supported by the United Nations Population Fund, created and maintains activities of nine shelters for women victims of domestic violence in the cities of Kharkiv, Kryvyi Rih, Berdiansk, Sloviansk, Mariupol, as well as in the Lozovskyi raion of Kharkiv oblast and Vinnytsia raion of Vinnytsia oblast.

The Ministry of Social Policy holds inter-agency meetings on the practical application of the Law of Ukraine on Preventing and Combating Domestic Violence in the oblasts of Ukraine. In 2019, meetings were held in five oblasts of Ukraine.

By the end of 2019, the Ministry of Social Policy and the OSCE Project Co-ordinator in Ukraine plan to conduct training for psychologists on the implementation of the intervention programme for abusers in Kirovohrad, Khmelnytskyi, Sumy, Zhytomyr, Chernivtsi, Transcarpathian oblasts and in Kiev. The event will be attended by 175 people.

The Ministry of Internal Affairs has created a network of National Police mobile teams for responding to domestic violence cases called "Polina". The network is designed to identify cases of domestic violence in a timely manner, respond effectively, provide support and protect victims of domestic violence. The main tasks of the project are: introduction of the latest forms of, modern experience in responding to domestic violence, establishing interaction between units of the National Police and other actors working in the field of preventing and combating domestic violence, development of algorithms for responding to these facts, development and implementation of educating programs for police officers on the latest methods and forms of preventing and combating domestic violence, improvement of the hardware of police officers working in the field, and provision of the police officers with information materials on preventing and combating domestic violence. Information booklet for victims of domestic violence has been developed (contains information on forms of violence, institutions and organisations working in the field of combating and preventing domestic violence, personal security plan, questionnaire for identification of domestic violence). It is published in 100 thousand copies (average number of cases of domestic violence reported to the National Police every year). A note for police officers on “What to do in Cases of Domestic Violence” has been issued for each mobile team (5,000 copies).

As of September 2019, 37 mobile groups responding to acts of domestic violence have been piloted in the test mode (45 are planned).

Experts, including police officer, prosecutors, judges, lawyers, social workers, doctors, NGOs, are being trained to act in cases of domestic violence and violence against women.

The Free Legal Aid Co-ordination Centre, together with international partners, has developed a training and methodological training “Features of Assistance to Victims of Domestic and Gender-Based Violence” for specialists of Free Legal Aid Centres/Bureaus. Training is held for specialist of assistance bureaus/centres.

The National Guard of Ukraine for combating sexual harassment in the workplace has developed and approved the order, together with a number of activities being implemented.

The National Hotline for Prevention of Domestic Violence, Trafficking in Humans and Gender Discrimination continues to operate at NGO "La Strada – Ukraine" to provide advice to victims of violence. Working around the clock 7 days a week, the hotline is an important tool for service delivery, information and monitoring. The consultations are anonymous and confidential in accordance with international standards. In 2018, there were 22,542 consultations (81.9% of those appealed were women, 18.1% were men). Of the total number of appeals, 97.8% were requests for violence prevention, for the six months of 2019 there were 17,000 appeals. Requests for counselling cover these types of violence: psychological - 48.9%; physical - 35.9%; economic - 13.9%, sexual - 1.3%.

**Target group:** actors involved in preventing and combating domestic and gender-based violence, persons affected by gender-based and domestic violence, and the population.

**Main challenges:** insufficient level of competence among specialists, dissemination of gender stereotypes in society, lack of services to assist the victims.

### **Strategic objective: Ensure the equal access of women to justice**

#### **3.1 Changes in legislation**

The Law of Ukraine “On Free Legal Aid” has been amended. Pursuant to the amendments, persons who have suffered from domestic or gender-based violence are entitled to free secondary legal aid (protection; representation of the interests of persons entitled to free secondary legal aid in courts, other state bodies, local self-government bodies, other persons; drafting of procedural documents). As of 1 October 2019, there are more than 3,000 remote points of access to free legal aid in the territory of Ukraine.

#### **Other activities**

The "Family Counsellor" project has started, as part of which lawyers provide free secondary legal aid, including on domestic violence. Family counsellors co-operate with lawyers of the free legal aid system, specialists of the state executive service of the Ministry of Justice, employees of the Ministry of Social Policy, the National Police, psychologists, etc.

Thanks to the Legal Aid Co-ordination Centre and Secondary Legal Aid Centres, and with the support of the Ukrainian-Canadian Project "Quality and Accessible Legal Aid in Ukraine", the Free Legal Aid

System Library has been supplemented by the guide "Women's Health in Ukraine: Rights, Opportunities and Recommendations" (Здоров'я жінок в Україні: права, можливості та рекомендації) and the reference book "Organisations and Institutions that Provide Assistance and Advice to Women in Health" (Організації та заклади, які надають допомогу та консультації для жінок у сфері охорони здоров'я). The guide will help women become more aware of their health rights and opportunities, increase women's ability to assert their rights to maintain and save their own health ([https:// www.legalaid.gov.ua/images/docs/2019/Women\\_health\\_200x250\\_block.pdf](https://www.legalaid.gov.ua/images/docs/2019/Women_health_200x250_block.pdf)).

Training on response to domestic violence is being conducted for 102 police service operators with the support of the OSCE Office in Ukraine and the UN Population Fund. All operators from 14 oblasts have been trained.

At the beginning of 2019, the National School of Judges of Ukraine has begun work on the creation of a training course for judges on "Features of Proceedings against Gender-Based Crimes" jointly with NGO "La Strada-Ukraine", DCAF and the project "Pravo-Justice" supported by the European Commission. Training modules for judges on combating domestic violence being developed in 2017-2018, including within the framework of the Council of Europe project, and posted on the HELP Platform, are being implemented at all regional offices of the National School of Judges (Kharkiv, Dnipro, Chernivtsi, Lviv, Odesa).

The National Prosecution Academy has prepared a training manual on "The Role of the Public Prosecutor in Combating Domestic Violence" and has introduced training sessions for local prosecutor's offices Together with NGO "La Strada", DCAF and the project "Pravo-Justice", work has begun on developing a training course for prosecutors on combating violence against women, which also focuses on combating sexual violence.

**Target group:** women, girls, persons affected by domestic and gender-based violence.

**Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

#### 4.1 Policy changes

The National tasks of Sustainable Development Goals (Goal 5) includes the task of "Ensuring equal opportunities for representation at all levels of decision-making in political and public life".

In the Verkhovna Rada of Ukraine of the 9th convocation, the share of women is 20.52% and is the highest since 1991. In 1991, there were 3.5% women in Parliament. The representation of women in the new Government has also increased. In 2019 - 33%, in 2018 - 22%.

The Law of Ukraine on Political Parties in Ukraine provides for the possibility of financing the statutory activities of political parties from the state budget; the financing depends on the number of votes cast. The "gender quota" (30% voluntary gender quota in the electoral lists of candidates for deputies) allows receiving additional funds from the State Budget (equal share of 10% of the annual amount of state funding for statutory activities of political parties), that are provided to respective parties if the number of deputies of the same sex passed to the parliament following the party list does not exceed two-thirds of the total deputies from the party.

In 2019, 565 million 680.5 UAH is allocated for financing the statutory activities of political parties from the state budget, eleven parties receive state funding, two of which receive additional funding under "gender quota": "Voice" and "European Solidarity", which will have the ratio of women to men as approximately 40 to 60.

**Other activities**

Public awareness campaigns are conducted in order to overcome stereotypes about the role of women and men in politics, to encourage women to participate in politics.

In particular, there is an on-going practice of conducting Leadership Schools for women candidates for local council deputies, which includes training in strategic planning, project management, developing communication skills as a tool for organisational development, and training in debate skills. Theoretical knowledge is put into practice. In 2019, such Leadership Schools operate in 15 oblasts of Ukraine.

There is also a positive trend among local councils that join the European Charter for Equality of Women and Men at the local level. In 2017-2018, 34 local councils approved the corresponding decision, 16 more are in the process of preparing for accession to the Charter. This is especially important in view of the decentralisation reform being implemented in Ukraine.

**Target group:** women who lead or are members of political parties, leaders and members of NGOs, government officials.

**Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls****5.1 Changes in legislation**

The government has revised the procedure for providing monthly targeted assistance to cover living expenses, including housing and utility bills, cash withdrawals and non-cash transactions through a network of establishments of any banks in the territory where public authorities exercise their powers (not only through Oshchadbank's network of establishments). According to this resolution, IDPs with disabilities of the first group can receive social payments with home delivery at their actual place of residence. The procedure for obtaining secondary legal aid free of charge.

Resolution of the Cabinet of Ministers of Ukraine No. 553 dated 26 June 2019 "Certain Issues of Providing Services to Persons Suffered from Trafficking in Human Beings, Domestic Violence, Sexual Violence and Violence Against Children" provides for the development and approval of the Regulation on the State Institution "All-Ukrainian Centre for Services to Victims".

On 20 June 2019, the US Department of State released a Trafficking in Persons Report according to which Ukraine has been in Tier 2 for the third consecutive year (countries that do not meet the minimum TVPA standards but whose governments are making serious efforts to eradicate trafficking in human beings). The Report notes that the Ukrainian government is making significant efforts to address the problem of trafficking in human beings, but has not yet reached the minimum standards for combating this negative phenomenon, which is worldwide.

During the last FIVE years, there have been cases of human trafficking in Ukraine as well as trafficking in Ukrainians abroad. The main destination countries for Ukrainian citizens are Kazakhstan, Republic of Moldova, Poland, Russia and other European countries. At the same time, the US Department of State positively noted the efforts of the Government of Ukraine in the fight against trafficking in people, in particular:

- adoption of the Law of Ukraine "On Amendments to Article 149 of the Criminal Code of Ukraine on Harmonisation with International Standards";
- adoption of the Law of Ukraine "On Amendments to the Criminal Code of Ukraine on the Protection of Children against Sexual Abuse and Sexual Exploitation";
- investigation in more cases of forced labour;

- increasing training for officials working in the field of combating trafficking in human beings, etc.

## 5.2 Policy changes

The Ordinance of the Cabinet of Ministers of Ukraine No. 909-p dated № 909-p approved the Strategy for Integration of Internally Displaced Persons and Implementation of Long-Term Solutions for Internal Displacement for the Period up to 2020.

The aim of the Strategy is the socio-economic integration of internally displaced persons, taking into account the gender aspect, and the implementation of long-term solutions in order to exercise and protect their rights, freedoms and legitimate interests.

So as to implement the Strategy of the Ministry of the Temporarily Occupied Territories and Internally Displaced Persons of Ukraine, an Action Plan for its Implementation has been developed, which was approved by the Ordinance of the Cabinet of Ministers of Ukraine No. 944-p dated 21.11.2018. In addition, the reports and proposals for the draft Action Plan, received from representatives of academia, international and national organisations, were thoroughly examined and elaborated.

The Action Plan provides for an improvement in the mechanism for ensuring the collection and analysis of housing needs of internally displaced persons (indicating gender and presence of children), analysing the problems of internally displaced persons regarding access to social security services (benefits), taking into account gender and age aspects, development and implementation of mechanism for guaranteeing and ensuring equal rights and opportunities based on the analysis of problems of internally displaced persons in part of access to social security services (benefits), taking into account gender and age aspects, provision of professional retraining and advanced training for internally displaced persons, introduction of preferential long-term credits for the higher education and vocational education for internally displaced persons in need of this following the legislative procedure (in accordance with the principle of gender equality), development and implementation of effective financial and credit mechanisms for supporting the business of internally displaced persons respecting the principle of gender equality, which will have a positive impact on the economic development of host territorial communities, holding training workshops for territorial communities and law enforcement officials to enhance security in territorial communities and prevent gender-based sexual violence, including victims of sexual violence related to the conflict.

### Other activities

During the first half of 2019, the Ministry of Social Policy established the status of a person affected by trafficking in relation to 125 citizens (124 citizens of Ukraine, 1 foreigner (Russian Federation)), including 29 women, 88 men, 7 children (2 boys and 5 girls).

Domestic trafficking - 40 people, cross-border - 85 people.

Types of exploitation: 63 - labour, 19 - sexual, 1 - involvement in begging, 1 - mixed exploitation, 1 - trafficking in child, 29 - involvement in crime, 3 - exploitation in the pornography business, 8 - exploitation in armed conflicts.

The main destination countries are Russia, Ukraine, Poland, Germany, Turkey, Belarus and others.

**Target group:** migrant, refugee and asylum seeking women and girls (including internally displaced persons).

## Strategic objective: achieve gender mainstreaming in all policies and measures

### 6.1 Changes in legislation

The Decree of the President of Ukraine No. 722/2019 dated 30 October 2019 “on the Sustainable Development Goals” sets out the achievement of the Sustainable Development Goals. The Ministry of Economic Development, Trade and Agriculture of Ukraine has prepared a draft resolution of the Cabinet of Ministers of Ukraine “On approval of monitoring indicators for the implementation of the Sustainable Development Goals 2030”, which includes 182 indicators and 76 performance indicators.

In January 2019, the Ministry of Finance of Ukraine approved the “Methodological Recommendations on the Implementation of the GOB by the Main Spending Agencies”. This document is a guide for all institutions and organisations in their work on gender budget analyses and gender budgeting in the context of public finance management in Ukraine. Therefore, the Ministry of Finance plans to start evaluating the share of the budget aimed at promoting gender equality.

In order to ensure the fulfilment of the priority tasks of Ukraine's co-operation with the North Atlantic Treaty Organization (NATO), following the decisions taken during the NATO's North Atlantic Council meeting with Ukraine and Georgia held within the framework of the Summit of NATO Heads of State and Government (11-12 July 2018, Brussels, Kingdom of Belgium), the Decree of the President of Ukraine dated 10 April 2019 approved the Annual National Programme under the auspices of the NATO-Ukraine Commission for 2019, which has a separate section on gender equality.

In November 2018, the Government updated the Gender Legal Expertise Procedure.

In July 2019, amendments to the Regulation on the National Agency of Ukraine for Civil Service were approved in part to prepare proposals for improving the effectiveness of personnel management based on the analysis of the composition of civil servants of state bodies, their offices (secretariats), other bodies subject to the Law of Ukraine “On Civil Service”.

The resolution of the Cabinet of Ministers of Ukraine No. 486 dated 15 May 2019 on Amendments to the Military Lyceum Regulation, which grants girls access to military lyceums (naval lyceums), was adopted.

### 6.2 Policy changes

Following the nomination of the new Government, the responsibility for co-ordinating national gender policy has been re-assigned to Vice Prime Minister for European and Euro-Atlantic Integration, Dmytro Kuleba. The Office of the Vice Prime Minister has appointed a Gender Equality Advisor.

The Vice Prime Minister for European and Euro-Atlantic Integration has set up a donor working group: a mechanism to co-ordinate with representatives of donor countries, development partners, international and public organisations.

Five regional meetings were held in Dnipro, Zhytomyr, Ternopil, Mykolaiv and Kyiv for 25 oblasts and city of Kyiv under the initiative of and chaired by the Vice Prime Minister for European and Euro-Atlantic Integration in 2018-2019. The main purpose of the meetings is to strengthen state policy and co-ordinate work on gender equality through localisation at the regional level. This is a prerequisite for the successful implementation of a policy of equal rights and opportunities for

women and men at the local level. The meetings were attended by representatives of relevant ministries and central executive authorities (at the level of deputies), oblast state administrations, local self-government bodies, international and public organisations, mass media from all oblasts of Ukraine and the city of Kyiv. In total, about 600 people attended the meetings. The regional meetings were conducted in conjunction with training workshops for responsible persons from oblast state administrations and amalgamated territorial communities, during which the main issues were analysed and recommendations were made to improve the work. The meetings were held under the support of international projects and organisations (UN Women, the Gender Budgeting in Ukraine Project and the National Democratic Institute).

As a result of regional meetings on gender policy priorities under the chairmanship of the Vice Prime Minister for European and Euro-Atlantic Integration, 25 gender profiles of oblasts and the city of Kyiv have been prepared under the support of UN Women. Gender profiles include gender statistics by different fields of activity, as well as data on the implementation of gender policies in the regions. The information collected in these publications can be useful for gender-responsive planning and budgeting, for monitoring and evaluating gender equality activities, and for information and advocacy campaigns. This will contribute to the implementation of the National Social Programme for Equal Rights and Opportunities for Women and Men and other national and international commitments on gender equality.

From February to May 2019, representatives of relevant ministries, international and non-governmental organisations participated in two meetings chaired by the Vice Prime Minister: on combating gender-based violence, including domestic violence, as well as on combating sexual violence related with conflict. Aim of the meetings: Discuss ways to effectively combat domestic and sexual violence related to conflict, monitor and co-ordinate activities.

At the request of the Vice Prime Minister, a functional analysis of the scope and distribution of powers at the national, regional and local institutional levels has been undertaken to implement gender policy. Recommendations have been developed to strengthen the institutional mechanism.

At the request of the Vice Prime Minister, a communication strategy plan has been developed and submitted to the Ministry of Information Policy.

At the beginning of 2019, the Office of the Government Commissioner for Gender Policy, which is authorised by the Cabinet of Ministers of Ukraine, has been formed completely and entrusted with the function of organising the fulfilment by the Cabinet of Ministers of Ukraine of the obligations in the field of ensuring equal rights and opportunities for women and men in all spheres of society.

According to Article 12 of the Law of Ukraine on Equal Rights and Opportunities for Women and Men, as of 1 October 2019, the institutional mechanism for ensuring equal rights and opportunities for women and men includes 75 authorised persons (co-ordinators) for ensuring equal rights and opportunities for women and men, preventing and combating gender-based violence, of which 22 are at the level of oblast state administrations (executive branch), 53 are at the level of CEB (total 66 are CEB). 13 Advisers on Equal Rights and Opportunities for Women and Men have been appointed at the CEB level, and 14 Advisers - in the oblast state administrations. Pursuant to the Annual National Programme under the auspices of the Ukraine-NATO Commission, in addition to the structure of the Ministry of Defence, 57 Commissioners for Gender Issues have been appointed, i.e. advisers to the heads of structural units of the Ministry of Defence, General Staff of the Ukrainian Armed Forces, military educational establishments and units of Ukrainian Armed Forces.

The Ministry of Finance, in co-operation with other ministries at central and regional level, has

initiated the process of analysing budgetary programs for gender mainstreaming. As part of this work, the oblast state administrations began analysing local budget programs for their gender component. A rough estimate of the budget allocated to gender equality can now be prepared by adding the amounts allocated to the implementation of the National Action Plan 1325, the State Gender Equality Programme and the financial support of regional gender equality programs. The steps taken are the result of the successful and partnership work of the Gender Budgeting in Ukraine Project, funded by Sweden and implemented by a consortium of international organisations in partnership with ministries and agencies: Ministry of Education, Ministry of Social Policy, Ministry of Youth and Sport, Ministry of Health, Ministry of Culture, State Statistics Service of Ukraine, as well as of the Committees of the Verkhovna Rada of Ukraine (specific-related and budget), and oblast state administrations. The main partner of the project is the Ministry of Finance.

#### **Other activities**

Gender budgeting is still being implemented. Under the Gender Budgeting in Ukraine Project (GRB Project) funded by the Swedish International Development Agency (SIDA). During 2019, an online course on gender budgeting was conducted for representatives of structural subdivisions of oblast state administrations and officials of local self-government, as of 01.01.2019 more than 1.5 thousand people attended the training.

The Co-ordination Working Group on Gender Sensitive Budgeting in Ukraine held meetings during 2019, at which representatives of central and local executive authorities, together with the Ministry of Finance of Ukraine, discussed gender gaps and inequalities identified as a result of gender budget analysis of selected programs, shared their experience in the implementation of the gender budgeting in the oblasts and shared successful results.

Recognising the importance of sustainability of gender-competent staff, National Agency of Ukraine for Civil Service, jointly with the Office of the Vice Prime Minister for European and Euro-Atlantic Integration and with the support of the UN Women, has organised a School for Trainers on Gender Legal Expertise from representatives of retraining and advanced training centres, state-owned enterprises, institutions and organisations, interregional departments of the National Agency of Ukraine for Civil Service and higher education institutions, which train Masters majoring in Public Management and Administration.

Amendments were made to the Resolution of the Cabinet of Ministers of Ukraine dated 25.03.2016 No. 246 on Approval of the Procedure for Holding a Competition for Civil Service Positions. Competency requirements for civil service positions in categories A, B and C have been supplemented, for example, a component has been added for the higher category - the ability to assess gender impact in the formulation, implementation and evaluation of public policy.

Three types of training programs have been developed to enhance the competences of civil servants of different categories in the implementation of state gender policy.

The National Agency of Ukraine for Civil Service, together with the Centre for Adaptation of the Civil Service to the Standards of the European Union, has prepared a book "Gender Policy in the Public Administration System of Ukraine", which outlines the main directions of the formation and implementation of the state gender policy in the public administration system.

Ministry of Foreign Affairs with the support of the UN Women and the Ministry of Social Policy with the support of the International Labour Organization conducted a gender audit of the activities of the ministries in 2019.

The Ministry of Education and Science has launched an anti-discrimination expertise of draft textbooks. As of August 2019, more than 845 drafts have passed the expertise. The share of those that consider anti-discrimination approaches increased by 42% in 2019 compared to 2016. The share of discriminatory draft textbooks decreased from 86% to 1%.

The State Border Guard Service is also working to integrate gender issues into the curriculum of the National Academy of the State Border Guard Service for 2018–2019. In co-operation with the OSCE Secretariat, the State Border Guard Service of Ukraine participates in the activities of the OSCE Platform for Gender Equality for national agencies on border security and management. The purpose of this project is to strengthen the capacity of the OSCE member states by developing a mechanism that will promote gender equality in national agencies on security and border management at all levels, through an interactive gender equality training program.

The National Academy of Public Administration under the President of Ukraine delivers a specialised discipline on gender policy. Gender Policy is included in the curriculum of advanced training courses. Every year, 3-3.5 thousand civil servants undergo the advanced training.

The State Employment Service ensures the provision of information and consulting services related to employment, searching for a suitable job, vocational guidance and vocational training, assistance in the establishment of entrepreneurial activities. For searching a job, all employment centres and branches are equipped with installed touch screens with job databases, computers with free access to job search websites, including the state employment service portal, which formed a nationwide job database.

The State Employment Service of Ukraine continuously conducts information and practical activities to increase women's access to work, provide vocational guidance and rise the competitiveness in the labour market: lectures, training, classes, for example, on topics such as “Woman in the labour market”, which takes into account gender aspects of employment and reviews the women's position in the current job market, the issues of defining career plan, building a job search strategy, and more. The purpose of such activities is to increase women's legal awareness of the exercise and protection of their rights in employment. Specialists in employment law, financial and tax matters, pensions, entrepreneurs, lawyers, etc. are involved in the activities.

Also, the employment centres offer women individual professional advice in order to choose or change their profession, refer to vocational training, start their own business. Pursuant to the law, vocational training is organised at the request of the employer or for self-employment, the entrepreneurial activity in accordance with the wishes of those unemployed is conducted in vocational and higher educational institutions, enterprises, establishments and organisations regardless of ownership, type of activity and management. Such training is organised at the expense of the Compulsory State Social Insurance Fund of Ukraine for unemployment.

**Target group:** civil servants, women, men, girls, boys.

UNITED KINGDOM
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## 1. Strategic objective: Prevent and combat gender stereotypes and sexism

### 1.1 Legislative changes

The United Kingdom has launched a consultation to gather evidence about whether the current laws on protecting people from sexual harassment in the workplace are effective.

The United Kingdom wants everybody to feel safe at work so they can succeed and thrive. We are therefore looking at whether the current laws on this issue provide the protections they're supposed to; considering whether there are any gaps and thinking about what more can be done at a practical level to ensure people are properly protected at work.

To help us with this we want to understand people's experiences, focussing on some particular issues we might be able to tackle through changes to the law:

- How best to make sure employers take all the steps they can to prevent harassment from happening
- Strengthening and clarifying the law so it's clear employers should protect their staff from being harassed by clients, customers, or other people from outside their organisation
- Whether interns and volunteers are adequately protected by current laws and
- Whether people should be given longer to take a harassment, discrimination or victimisation claim to an Employment Tribunal

<https://www.gov.uk/government/consultations/consultation-on-sexual-harassment-in-the-workplace>

### 1.2 Policy changes

The Government wants to eliminate bullying, intimidation, violence and harassment both on and offline. Women and girls can suffer extreme online abuse, from unacceptable comments about their appearance and views, to intimate pictures shared without their consent, and even rape or death threats. Results from the 2018 Girl Guiding survey found that 47% of girls aged 11-21 had unkind things said about them on social media and 25% of girls aged 11-21 had threatening things said about them on social media.

The Government published its response to its Internet Safety Strategy consultation in May 2018, and announced plans to introduce:

- a social media code of practice, which will provide guidance to social media companies on appropriate reporting mechanisms and moderation processes to tackle harmful content; and
- transparency reporting, which will provide data on the amount of harmful content being reported to platforms in the UK, and how these reports are dealt with, including what mechanisms are in place to protect users.

In April 2019, the Department for Culture, Media and Sport published an Online Harms White Paper, which aims to gather views on plans for regulation and tackling online harms. This comprises both legislative and non-legislative measures, and will make companies more responsible for the safety of users online.

<https://www.gov.uk/government/consultations/online-harms-white-paper>

The White Paper proposes establishing in law a new duty of care towards users, which will be

overseen by an independent regulator. Companies will be held to account for tackling a comprehensive set of online harms, ranging from illegal activity and content to behaviours which are harmful but not necessarily illegal.

The Government has recently funded the Law Commission to review current legislation on offensive online communications to ensure that laws are keeping pace with technology. The Law Commission published their initial report on 1 November 2018. It recommends Government consider consolidating communications law so that it is clearer and more proportionate, including a review of co-ordinated harassment by groups online, and the misuse of private images and information. We are reviewing these recommendations.

## 2. Strategic objective: Prevent and combat violence against women and domestic violence

### 2.1 Legislative changes

The United Kingdom has published the landmark [draft Domestic Abuse Bill](#) aimed at supporting victims and their families and pursuing offenders. It comes as it is revealed the estimated cost for domestic abuse victims in the year ending March 2017 in England and Wales was £66 billion.

To help tackle the crime, new legislation will:

- introduce the first ever statutory government definition of domestic abuse to specifically include economic abuse and controlling and manipulative non-physical abuse - this will enable everyone, including victims themselves, to understand what constitutes abuse and will encourage more victims to come forward
- establish a Domestic Abuse Commissioner to drive the response to domestic abuse issues
- introduce new Domestic Abuse Protection Notices and Domestic Abuse Protection Orders to further protect victims and place restrictions on the actions of offenders
- prohibit the cross-examination of victims by their abusers in the family courts
- provide automatic eligibility for special measures to support more victims to give evidence in the criminal courts
- enable the United Kingdom to ratify the Istanbul Convention

<https://www.gov.uk/government/news/government-publishes-landmark-domestic-abuse-bill>

### 2.4 Research and awareness-raising

FGM has been illegal in the United Kingdom since 1985. In 2015, the United Kingdom introduced a number of provisions to strengthen the law on FGM. This made it a criminal offence for United Kingdom nationals to perform or arrange FGM overseas; increased the maximum prison sentence from 5 to 14 years; and allowed FGM victims to obtain lifelong anonymity. These changes alongside FGM Protection Orders and a new duty for professionals to notify the police if they discover that an act of FGM appears to have been carried out on a girl who is under 18, helped the United Kingdom secure its first conviction for FGM in February 2019.

To help raise awareness of FGM, the United Kingdom launched a communications campaign in October 2018. The campaign seeks to prevent FGM by changing attitudes among affected communities through raising awareness of the negative long-term health consequences of FGM. The campaign also raises awareness that FGM is a crime and encourages communities to report via the NSPCC's FGM helpline

<https://www.gov.uk/government/publications/fgm-campaign-materials>

The United Kingdom hosted an international conference in November 2018 in London on tackling forced marriage and FGM, in partnership with the Council of Europe. The conference demonstrated

the UK's global leadership in our work to tackle these crimes and brought together survivors, policy officials and international experts from countries to share best practice on effective interventions taking place and generated further commitments from international governments.

#### **4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making**

##### **4.4 Research and awareness-raising**

In 2018, the Government allocated £5 million to mark the centenary of voting rights for some women. The fund supported projects that raised awareness of this crucial milestone and encouraged more women to participate in democracy. These projects involved people who are under-represented in civic life, particularly women, young people, BAME people, people living with disabilities, LGBT people and people from lower socio-economic groups and included:

- £1.5 million 'Women's Votes Centenary Grant Scheme' for community projects;
- A suite of education projects to engage young people with democracy, including a schools resource and training for young Democracy Ambassadors;
- £1.2 million to seven towns and cities to celebrate their suffrage history;
- An #AskHerToStand event for 350 women giving them invaluable help to get on that crucial first rung of a political career; and
- A statue of suffragist Millicent Fawcett in the Parliament Square – the first statue of a woman to be installed in this iconic location.

The Government Equalities Office hosted a conference to celebrate the centenary of women being able to stand for Parliament on 21 November 2018. The Government also provided financial assistance to allow each MP in the House of Commons to invite a woman constituent to parliament for the day.

In November 2018, the United Kingdom Parliament and Government jointly hosted a Women MPs of the World Conference. This was a historic event bringing together 100 women parliamentarians from 86 countries to inspire the next generation and show how elected women globally shape the political agenda.

#### **8. Additional comments, if any**

In July 2019 the United Kingdom government published *Gender equality at every stage: a roadmap for change*, setting out the vision and actions to tackle the persistent gendered inequalities women and men face across their lives, supporting them to contribute to the country's economy and balance caring responsibilities with a rewarding career.

The roadmap sets out eight key challenges we need to tackle from childhood to retirement and government action to do so.

Alongside this, we are publishing a longer 'case for change', which examines in greater depth the factors that underlie gendered differences in work and pay, supporting the vision and action laid out in 'Gender equality at every stage: a roadmap for change'.

Thirdly, the Gender Equality Monitor (GEM) brings together a suite of indicators in a single place to monitor gender equality across five key areas:

- Economic participation and progression
- Attitudes and leadership

- Education and skills
- Crime and justice
- Health and wellbeing

Bringing these measures together allows users to understand the gendered nature of these issues and allows us to monitor progress.

<https://www.gov.uk/government/publications/gender-equality-at-every-stage-a-roadmap-for-change>

## Appendix – templates

COUNTRY:
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Information collected by means of this template will be used for the drafting of the annual report on the Gender Equality Strategy 2018-2023. Compared to previous years, some specific references to the strategy, links and examples have been included for the convenience of respondents. If necessary, further guidance can be found in the materials of the [Conference on “Gender Equality: Paving the Way - Conference to launch the Council of Europe Gender Equality Strategy 2018-2023”](#) (Copenhagen, 3-4 May 2018), especially the [final report](#).

### 1. Strategic objective: Prevent and combat gender stereotypes and sexism

Please, use the boxes below to highlight **by order of importance/priority**, any relevant change or development, having regard to the elements mentioned at **paragraph 45** of the [Gender Equality Strategy 2018-2023](#) including as reflected in the Committee of Ministers’ [Recommendation Rec\(2019\)1 on preventing and combating sexism](#).

<b>1.1 Legislative changes</b> e.g. regarding the prohibition of sexist acts and the criminalisation of sexist hate speech, including interesting case-law developments; remedies for victims of such acts.

<b>1.2 Policy changes</b> e.g. introduction of gender equality officers or rules of conduct amended to prohibit sexism in the workplace in public sector bodies; similar incentives for the private and not-for-profit sector; actions to promote equal economic independence for women and men and remove obstacles to women’s labour market participation (glass ceiling and glass walls etc).

<b>1.3 Institutional changes</b> e.g. establishment of a working group to draw up an overarching policy on sexism and gender stereotypes; establishment of a body to receive complaints related to sexism and/or to monitor the evolution of policies in this area.

<b>1.4 Research and awareness-raising</b> e.g. measures to support data collection and research on sexism, gender stereotypes and sex-based discrimination; campaigns organised to address the above issues generally or to remove gender stereotypes affecting particular groups of women (Roma women, women with disabilities, migrant and refugee women); measures to engage men and boys.

<b>1.5 Other pertinent developments</b> - see Rec(2019)1 on preventing and combating sexism, especially as regards a) language and communication; b) the internet, social media and on-line sexist hate speech; c) media, advertising and other communication products and services; d) workplace; e) public sector; f) justice sector; g) education institutions; h) culture and sport; i) private sphere.

### 2. Strategic objective: Prevent and combat violence against women and domestic violence

Please use the boxes below to highlight **by order of importance/priority** any relevant change or development, having regard to the elements mentioned at **paragraph 51** of the [Gender Equality Strategy 2018-2023](#) - see also the [Istanbul Convention](#), the [Anti-Trafficking Convention](#) and the [Lanzarote Convention](#); as well as the UN [Convention on the Elimination of All Forms of Discrimination against Women \(CEDAW\)](#).

**2.1 Legislative changes** e.g. in connection with requirements of the above conventions including interesting case-law developments as regards the offences which need to be criminalised; remedies for (female) victims of such acts.

Countries not yet parties to the above conventions: please provide an update on possible ratification and any reforms under way, in particular for the ratification of the Istanbul Convention.

**2.2 Policy changes** e.g. policies to deal with domestic violence or violence in the public space; adoption of a national strategy on violence against women and domestic violence or of specific initiatives to counter political violence and social violence against women; similar policies on (domestic and other) violence against elderly women and men; policies supporting shelters and housing measures.

**2.3 Institutional changes** e.g. setting-up of a co-ordinating body to deal with violence against women and domestic violence

**2.4 Research and awareness-raising** e.g. campaigns on specific forms of violence against women and girls; initiatives to support the gathering of disaggregated data; research on the specific forms of violence faced by women in vulnerable situations (older women; women with diverse sexual orientations and gender identities; marginalised women; migrant women; women with disabilities; young women and girls; homeless women; women drug users or victims of human trafficking) or against women who defy gender norms and take up public space (politicians, journalists, other public figures).

**2.5 Other pertinent developments** e.g. on promising policy reforms, the issue of resourcing etc.

**3. Strategic objective: Ensure the equal access of women to justice**

Please, use the boxes below to highlight **by order of importance/priority** any relevant change or development, having regard to the elements mentioned at **paragraph 56** of the [Gender Equality Strategy 2018-2023](#) including specific texts mentioned therein, especially CEDAW's [General Recommendation N° 33 on women's access to justice \(2015\)](#).

**3.1 Legislative changes** e.g. concerning:

- the accessibility, responsiveness, competence and gender-sensitivity of legal aid and public defence to the needs of women;
- the rules on the burden of proof in order to ensure a fair treatment of women's cases;
- rules to allow groups and civil society organisations with an interest in a given case to lodge petitions and participate in the proceedings;
- the removal from existing laws, procedures, regulations, jurisprudence, customs, of direct or indirect discrimination against women.

**3.2 Policy changes** e.g. to address the harmful impact of gender stereotyping on judicial decision-making; to ensure the standardised (on-going) collection of data disaggregated by sex concerning women's access to justice; to monitor and follow-up court decisions to address any such issues.

**3.3 Institutional changes** e.g. to promote the work and strengthening of the national equality body(ies) to combat sex-based discrimination and to promote gender equality including through litigation; to ensure women's equal participation in the judiciary (at all levels).

**3.4 Research and awareness-raising** e.g. to identify and disseminate existing victim support tools and good practices to empower women in the process of accessing justice; to encourage research, awareness and capacity-building programmes for all justice system personnel and law students, against gender stereotyping; to incorporate a gender perspective into all aspects of justice etc.

**3.5 Other pertinent developments** e.g. allocation of resources to programmes on women's access to justice, other promising developments and reforms.

#### 4. Strategic objective: Achieve balanced participation of women and men in political and public decision-making

Please use the boxes below to highlight **by order of importance/priority** any relevant change or development, having regard to the elements mentioned at **paragraph 61** of the [Gender Equality Strategy 2018-2023](#) including as reflected in the Committee of Ministers' [Recommendation Rec\(2003\)3 on balanced participation of women and men in political and public decision-making](#).

**4.1 Legislative changes** e.g. regarding the electoral system, possible quota laws, incentives in the rules on public support to political parties and candidates for elections to ensure a balanced participation of women.

**4.2 Policy changes** e.g. measures to support elected representatives in the reconciliation of their family and public responsibilities and, in particular, encouraging parliaments and local and regional authorities to ensure that their timetables and working methods enable elected representatives of both sexes to reconcile their work and family life.

**4.3 Institutional changes** e.g. measures to ensure a gender-balanced representation in public committees as well as posts or functions whose holders are nominated by government and other public authorities; measures to encourage businesses and associations to ensure balanced representation of women and men in their decision-making bodies, especially (but not only) those subsidised for providing public services or implementing public policies.

**4.4 Research and awareness-raising** e.g. mentoring/work-shadowing programmes, confidence building, leadership and media training for women considering entering political and public decision-making.

**4.5 Other pertinent developments** e.g. administrative measures so that official language reflects a balanced sharing of power between women and men; specific measures to address gender-based violence in the political arena (review of rules of conduct; complaint mechanisms and remedies; review of immunity rules in respect of freedom of speech).<sup>102</sup>

<sup>102</sup> See also the recent work of the Parliamentary Assembly on the [issue of sexism and harassment in parliaments](#)

### 5. Strategic objective: Protect the rights of migrant, refugee and asylum-seeking women and girls

Please use the boxes below to highlight **by order of importance/priority** any relevant change or development, having regard to the elements mentioned at **paragraph 66** of the [Gender Equality Strategy 2018-2023](#) including specific texts mentioned therein, including the Council of Europe [Action Plan on Protecting refugee and Migrant Children in Europe \(2017\)](#) and CEDAW's [General Recommendation N° 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women \(2014\)](#).

**5.1 Legislative changes** e.g. in relation to the principle of non-discrimination in granting asylum status or gender-sensitive amendments in the legislation on asylum and refugees (principle of non-refoulement and risks that the women concerned could be confronted with gender-related forms of persecution).

**5.2 Policy changes** e.g. integration of a gender equality dimension in policies and measures regarding migration, asylum and integration; measures to prevent migrant and asylum-seeking women and children from falling victim to criminal activity (trafficking, exploitation); care and support available specifically for women accompanying minors; setting as a general rule that pregnant women and nursing mothers should not be detained.

**5.3 Institutional changes** e.g. in relation to the above policies: housing, shelters, help services and hotlines for information, with a gender-sensitive approach; separate detention facilities and materials to meet the specific hygiene needs of women (where detention of women asylum seekers is unavoidable) and use of female guards and warders.

**5.4 Research and awareness-raising** e.g. production and dissemination of information on the support structures, services, NGOs and legal aid available.

**5.5 Other pertinent developments** e.g. to avoid gender stereotyping in the processing of cases by the asylum authorities; special forms of assistance made available to women to deal with high levels of illiteracy among women in some societies.

## 6. Strategic objective: Achieve gender mainstreaming in all policies and measures

Please use the boxes below to highlight **by order of importance/priority** any relevant change or development, having regard to the elements mentioned at **paragraph 70** of the [Gender Equality Strategy 2018-2023](#) and the Committee of Ministers recommendations to member States on gender mainstreaming policies in specific fields, listed in the footnote to paragraph 67.<sup>103</sup>

**6.1 Legislative changes** concerning the gender mainstreaming approach in your country, including developments as regards the legislative technique (mandatory gender impact assessments in certain areas, gender-sensitive budgeting).

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**6.2 Policy changes:** new developments as regards gender mainstreaming a) at central level (e.g. through a body responsible for a gender equality strategy and overall co-ordination); b) in specific areas in your country, e.g. sports, education, media, employment etc.

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**6.3 Institutional changes** to facilitate a gender mainstreaming approach and to promote gender equality across various sectors of government actions e.g. specific inter-agency arrangements at central level or within a given sector/ministry; appointment of gender equality officers (please give details about their exact role) etc.

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**6.4 Research and awareness-raising** measures taken in relation to the development of gender-mainstreaming approaches, e.g. inclusion in training for categories of public employees; target groups concerned etc.

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**6.5 Other pertinent developments**, e.g. elaboration/updating of the instruments developed by the government to help the process of mainstreaming in the country (checklists, monitoring instruments).

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<sup>103</sup> These are also accessible on the Council of Europe [webpage on gender mainstreaming](#)

## 7. Main challenges and lessons learned

Please, provide in the box below, **by order of importance/priority**, information on:

a) the **factors which influence positively or negatively the implementation of policies and measures** mentioned above, e.g. as regards interinstitutional co-operation and co-ordination, the involvement of the private sector and civil society, the acceptance of reforms, etc.;

b) **lessons learned which could be useful for other countries**, for instance the importance of certain policy elements or ways to overcome resistance or other difficulties - from a policy-maker's perspective (e.g. how best to involve and reach out to criminal justice personnel; use of memoranda of understanding with judicial and police training institutions).

## 8. Additional comments, if any

8.1 Please use this box to highlight **any other matter**.

8.2 You may also use it to mention areas for which **your country would be ready to share experience with other GEC members, or where it would welcome additional expertise** from other members, including through the co-operation activities run under the aegis of the Council of Europe.

8.3 Please note that the new thematic section in the annual report will address either **“artificial intelligence – threats and opportunities for gender equality”**, or **“On-line violence against women”**. To enrich this section with examples, please consider submitting **a brief summary of any relevant discussions and analyses in your country** on either of these subjects (and links to pertinent material).

<b>PAYS :</b>
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Les informations collectées seront utilisées pour la rédaction du rapport annuel sur la Stratégie pour l'égalité entre les femmes et les hommes 2018-2023. Par rapport aux années précédentes, des références spécifiques à la stratégie, des liens et des exemples ont été inclus pour la commodité des personnes soumettant les informations. Au besoin, d'autres indications utiles peuvent être trouvées dans les documents de la conférence [« Egalité entre les femmes et les hommes: ouvrir la voie - Conférence de lancement de la Stratégie du Conseil de l'Europe pour l'égalité entre les femmes et les hommes 2018-2023 »](#) (Copenhague, 3-4 mai 2018), en particulier le [rapport final](#).

### 1. Objectif stratégique : prévenir et combattre les stéréotypes de genres et le sexisme

Merci d'utiliser les rubriques ci-dessous pour signaler **par ordre d'importance/priorité** tout changement ou développement pertinent, eu égard aux éléments mentionnés au **paragraphe 45** de la [Stratégie pour l'Égalité entre les femmes et les hommes 2018-2023](#) y compris tels que reflétés dans la Recommandation du Comité des Ministres [Rec\(2019\)1 sur la prévention et la lutte contre le sexisme](#).

<b>1.1 changements législatifs</b> par ex. sur l'interdiction d'actes sexistes et l'incrimination des paroles haineuses sexistes, y compris des développements jurisprudentiels pertinents); moyens de recours pour les victimes de tels actes.

<b>1.2 changements dans les politiques publiques</b> par ex. la mise en place de responsables à l'égalité ou les modifications aux codes de conduite aux fins d'interdire le sexisme sur le lieu de travail dans le secteur public ; incitations de même portée pour les secteurs privé et caritatif / du bénévolat; actions aux fins de promotion de l'indépendance économique égale pour les femmes et les hommes et de suppression d'obstacles à la participation des femmes au marché du travail (plafond et murs de verre etc.).

<b>1.3 changements institutionnels</b> par ex. la mise en place d'un groupe de travail pour la définition d'une stratégie d'ensemble contre le sexisme et les stéréotypes; mise en place d'un organe pour traiter les allégations de sexisme et / ou pour le suivi des politiques dans ces domaines.

<b>1.4 recherche et sensibilisation</b> par ex. mesures soutenant la production de données et recherches sur le sexisme, les stéréotypes de genre et discriminations; campagnes organisées sur les questions ci-dessus en général ou en relation avec les stéréotypes affectant des groupes spécifiques de femmes (Roms, handicapées, migrantes et réfugiées); mesures pour impliquer les hommes et les garçons.

<b>1.5 autres développements pertinents</b> – voir Rec(2019)1 sur la prévention et la lutte contre le sexisme, spécialement en ce qui concerne a) le langage et la communication; b) l'internet, les réseaux sociaux et la violence sexiste en ligne; c) médias, publicité et aux produits et services de communication; d) monde du travail; e) secteur public; f) justice; g) éducation; h) culture et sport; i) sphère privée.

## 2. Objectif stratégique : prévenir et combattre la violence contre les femmes et la violence domestique

Merci d'utiliser les rubriques ci-dessous pour signaler **par ordre d'importance/priorité** tout changement ou développement pertinent, eu égard aux éléments mentionnés au **paragraphe 51** de la [Stratégie pour l'Égalité entre les femmes et les hommes 2018-2023](#) – voir aussi la [Convention d'Istanbul](#), la [Convention sur la traite des êtres humains](#) et la [Convention de Lanzarote](#) ainsi que la [Convention de l'ONU sur l'élimination de toutes les formes de discrimination à l'égard des femmes \(CEDAW\)](#).

**2.1 changements législatifs** par ex. en relation avec des dispositions des conventions ci-dessus, y compris des développements jurisprudentiels intéressants en relation avec les actes à incriminer; les voies de recours pour les (femmes) victimes de tels actes.

Pour les Etats non encore parties à l'une ou l'autre des conventions ci-dessus: merci de donner un état des lieux actualisé des éventuels processus de ratification et réformes engagées, en particulier pour la ratification de la Convention d'Istanbul.

**2.2 changements dans les politiques publiques** par ex. qui concernent la violence domestique ou la violence dans les lieux publics; l'adoption d'une stratégie nationale sur la violence contre les femmes et les violences domestiques, ou d'initiatives spécifiques pour contrer la violence politique et sociale contre les femmes; politiques similaires sur la violence (domestique ou autre) visant les femmes et hommes âgé-e-s; politiques de soutien aux lieux d'accueils et d'hébergement.

**2.3 changements institutionnels** par ex. La mise en place d'un organe de coordination en charge de la violence contre les femmes et les violences domestiques.

**2.4 recherche et sensibilisation** par ex. campagnes contre des formes spécifiques de violence contre les femmes et les filles; initiatives pour soutenir la production de données statistiques désagrégées; recherche sur des formes spécifiques de violence vécues par des femmes en situation vulnérable (femmes âgées; femmes avec des orientations et identités sexuelles diverses; femmes marginalisées; migrantes; handicapées; jeunes femmes et jeunes filles; femmes sans domicile fixe; consommatrices de drogues ou victimes de traite des êtres humains) ou à l'encontre des femmes qui remettent en question la situation en matière de genre dans l'espace public (politiciennes, journalistes, autres personnalités publiques).

**2.5 autres développements pertinents** par ex. sur des réformes prometteuses de certaines politiques, la question des ressources financières etc.

### 3. Objectif stratégique : garantir aux femmes l'égalité d'accès à la justice

Merci d'utiliser les rubriques ci-dessous pour signaler **par ordre d'importance/priorité** tout changement ou développement pertinent, eu égard aux éléments mentionnés au **paragraphe 56** de la [Stratégie pour l'Égalité entre les femmes et les hommes 2018-2023](#) y compris les textes qui y sont mentionnés, en particulier la [Recommandation Générale N° 33 sur l'accès des femmes à la justice \(2015\)](#) du CEDAW.

#### 3.1 changements législatifs concernant par ex.:

- l'accessibilité, la réactivité, les compétences et la prise en compte des questions de genre dans les mécanismes d'aide juridictionnelle et les dispositifs de recours;
- les règles sur la charge de la preuve aux fins d'un traitement équitable des affaires impliquant des femmes;
- les règles permettant à des groupes ou organisations de la société civile concernées par le sujet d'initier des recours et de participer à des procédures;
- la suppression dans les lois, procédures, réglementations, jurisprudence, coutumes en vigueur de formes de discriminations directes ou indirectes contre les femmes.

**3.2 changements dans les politiques publiques** par ex. pour remédier aux conséquences négatives de stéréotypes sur les décisions judiciaires; pour assurer la collecte (continue) de données standardisées désagrégées en fonction du sexe concernant l'accès des femmes à la justice; pour la veille et un suivi concernant les décisions des tribunaux et les éventuelles leçons à en tirer.

**3.3 changements institutionnels** par ex. pour la promotion et le renforcement du travail des/de l'organe(s) chargés de l'égalité, sa/leur capacité à combattre les discriminations liées au sexe et à promouvoir l'égalité y compris par le traitement de litiges; pour assurer la participation égale des femmes au pouvoir judiciaire (à tous les niveaux).

**3.4 recherche et sensibilisation** par ex. pour inventorier et faire connaître les outils de soutien aux victimes et les bonnes pratiques en matière d'autonomisation des femmes pour l'accès à la justice; pour encourager la recherche, l'expertise/sensibilisation et les programmes de formations pour les divers personnels de justice et étudiants en droit, pour contrer les stéréotypes; pour la prise en compte d'une perspective de genre dans tous les aspects de la justice etc.

**3.5 autres développements pertinents** par ex. l'allocation de ressources à des programmes sur l'accès des femmes à la justice, autres développements et réformes prometteuses.

#### 4. Objectif stratégique : assurer une participation équilibrée des femmes et des hommes à la prise de décision politique et publique

Merci d'utiliser les rubriques ci-dessous pour signaler **par ordre d'importance/priorité** tout changement ou développement pertinent, eu égard aux éléments mentionnés au **paragraphe 61** de la [Stratégie pour l'Égalité entre les femmes et les hommes 2018-2023](#) y compris tels que reflétés dans la [Recommandation Rec\(2003\)3 du Comité des Ministres aux Etats membres sur la participation équilibrée des femmes et des hommes à la prise de décision politique et publique](#).

**4.1 changements législatifs** par ex. concernant le système électoral, les éventuels quotas légaux, les mesures incitatives dans la réglementation sur le financement public des partis politiques et candidats aux élections visant à assurer une participation équilibrée.

**4.2 changements dans les politiques publiques** par ex. sur des mesures visant à aider les représentant-e-s élu-e-s, en particulier pour encourager les parlements et autorités locales et régionales à faire que leurs agendas et méthodes de travail permettent aux représentants élus des deux sexes à concilier travail et vie familiale.

**4.3 changements institutionnels** par ex. pour tendre vers une parité dans la composition des organes publics collégiaux ainsi que dans les postes et fonctions dont les titulaires sont nommés par le gouvernement et autres autorités publiques; mesures incitatives en faveur de la parité concernant les entités économiques et les associations et leurs organes décisionnels, spécialement (mais pas seulement) ceux bénéficiant de subventions pour la fourniture de services publics ou la mise en œuvre de politiques publiques.

**4.4 recherche et sensibilisation** par ex. programmes de mentoring et de développement de la confiance en soi, sur le leadership et le travail avec les médias pour les femmes nouvellement nommées à des fonctions politiques et publiques.

**4.5 autres développements pertinents** par ex. des mesures administratives pour faire que le langage officiel reflète un équilibre femmes-hommes; mesures spécifiques contre la violence basée sur le genre dans l'arène politique (révision des règles de conduites; mécanismes de recours et de réparation de préjudice ; révision des règles en matière d'immunités en relation avec la liberté d'expression)<sup>104</sup>.

<sup>104</sup> Cf. aussi les travaux récents de l'Assemblée parlementaire [sur le sujet du sexisme et du harcèlement dans les parlements](#)

### 5. Objectif stratégique : protéger les droits des femmes et des filles migrantes, réfugiées et demandeuses d'asile

Merci d'utiliser les rubriques ci-dessous pour signaler **par ordre d'importance/priorité** tout changement ou développement pertinent, eu égard aux éléments mentionnés au **paragraphe 66** de la [Stratégie pour l'Égalité entre les femmes et les hommes 2018-2023](#) y compris les textes spécifiques cités, dont le [Plan d'action du Conseil de l'Europe sur la protection des enfants réfugiés et migrants](#) (2017) et la [Recommandation générale no 32 sur les femmes et les situations de réfugiés, d'asile, de nationalité et d'apatridie](#) (2014) de la CEDAW.

**5.1 changements législatifs** par ex. en lien avec le principe de non-discrimination dans l'octroi du droit d'asile, ou avec la législation en matière de réfugiés et demandeurs d'asile (principe de non-refoulement et risques que les femmes concernées ne soient confrontées à des formes de persécution ciblant le genre des personnes).

**5.2 changements dans les politiques publiques** par ex. l'intégration de la dimension d'égalité **dans les politiques et mesures concernant les migrants**, l'asile et l'intégration sociale; mesures pour éviter que les femmes et enfants migrants ou demandeurs d'asile ne deviennent victimes d'activités criminelles (traite, exploitation sexuelle); services sociaux et de soutien disponibles spécifiquement pour les femmes accompagnées d'enfants mineurs; établissement du principe selon lequel les femmes enceintes et mères d'enfants en bas âge ne devraient pas être détenues.

**5.3 changements institutionnels** par ex. en relation avec les politiques ci-dessus: structures d'accueil et d'hébergement, services d'assistance et lignes téléphoniques, avec une approche prenant en compte les différences de genre; lieux de détention + équipements + éléments d'hygiène propres aux femmes (lorsque la détention des femmes demandeuses d'asile est inévitable) et recours à des personnels et gardiens de sexe féminin.

**5.4 recherche et sensibilisation** par ex. production et diffusion d'informations sur les structures d'aide et d'accueil, sur les services disponibles et les ONG ou l'aide concernée.

**5.5 autres développements pertinents** par ex. pour éviter les stéréotypes dans le traitement des dossiers par les autorités compétentes en matière d'asile ; modalités spéciales pour mettre une aide à disposition des femmes en tenant compte d'éventuels hauts niveaux d'illettrisme féminin dans certains pays.

## 6. Objectif stratégique : intégrer les questions d'égalité entre les femmes et les hommes dans toutes les politiques et mesures

Merci d'utiliser les rubriques ci-dessous pour signaler **par ordre d'importance/priorité** tout changement ou développement pertinent, eu égard aux éléments mentionnés au **paragraphe 70** de la [Stratégie pour l'Égalité entre les femmes et les hommes 2018-2023](#) et les recommandations du Comité des Ministres aux Etats membres en matière de politiques intégrées dans des domaines spécifiques, mentionnées à la note de bas de page du paragraphe 67<sup>105</sup>.

**6.1 changements législatifs** concernant l'approche intégrée de l'égalité dans votre pays, y comprise n matière de technique législative (études obligatoires d'impact sur l'égalité F-H dans certains domaines, processus budgétaires sensibles aux questions de genre).

**6.2 changements dans les politiques publiques:** nouveaux développements liés à l'approche intégrée a) au niveau central (par ex. par le biais d'un organe chargé de définir une stratégie générale sur l'égalité et de veiller à la coordination d'ensemble); b) dans des domaines spécifiques dans votre pays, par ex. les sports, l'éducation, les médias, le monde du travail etc.

**6.3 changements institutionnels** facilitant une approche intégrée de l'égalité et pour promouvoir l'égalité entre femmes et hommes dans divers secteurs d'action du gouvernement, tels que mécanismes interministériels spécifiques au niveau central ou au sein d'un domaine / ministère donné ; nominations de responsables à l'égalité femmes-hommes (merci de donner toute précision quant à leur rôle) etc.

**6.4 recherche et sensibilisation** – mesures prises pour le développement d'approches intégrées en matière d'égalité, telles que l'inclusion du sujet dans les formations pour certains groupes d'agents publics; groupes de personnes cibles etc.

**6.5 Autres développements pertinents**, par ex. l'élaboration / mise à jour d'outils développés par le gouvernement pour soutenir le processus d'intégration horizontale dans le pays (listes de critères, mécanismes de suivi).

<sup>105</sup> Accessibles également depuis la [page web du Conseil de l'Europe sur la politique intégrée en matière d'égalité](#)

## 7. Principaux défis ; leçons à retirer

Merci d'utiliser cette rubrique pour communiquer **par ordre d'importance/priorité** toute information sur :

- a) les **facteurs influençant positivement ou négativement la mise en place des politiques et mesures** mentionnées précédemment, par ex. pour ce qui est de la coopération inter-institutionnelle, les interactions et la coordination, l'implication du secteur privé et de la société civile, l'acceptation des réformes etc.,
- b) **les leçons à tirer susceptibles d'intéresser d'autres pays**, notamment quant à l'importance de certains aspects tenant aux politiques publiques, les moyens de contourner les résistances ou difficultés du point de vue du praticien chargé de développer ces politiques (par ex. comment parvenir à toucher et à impliquer les acteurs de la justice; le recours à des mémorandums/accords avec les institutions de formation judiciaires et policières).

## 8. Commentaires additionnels, le cas échéant

8.1 Merci d'utiliser cette rubrique pour signaler tout autre sujet.

8.2 Elle peut aussi être utilisée pour signaler tout domaine dans lequel votre pays serait intéressé à partager son expérience avec d'autres pays membres de la GEC, ou pour lequel votre pays serait intéressé par l'expérience des autres pays, y compris au travers des activités de coopération menées sous l'égide du Conseil de l'Europe.

8.3 Merci de noter que la nouvelle section thématique dans le rapport annuel portera soit sur « **L'intelligence artificielle – risques et opportunités pour l'égalité entre les femmes et les hommes** », soit sur « **La violence en ligne à l'égard des femmes** ». Afin d'enrichir ce volet du futur rapport avec des exemples, vous pouvez soumettre **un bref état des lieux de toute discussion ou analyse menée** dans votre pays sur l'un de ces sujets (ainsi que des liens vers toute documentation pertinente).