

**Group of Experts on Action against Violence  
against Women and Domestic Violence  
(GREVIO)**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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**Report submitted by Spain  
pursuant to Article 68, paragraph 1  
of the Council of Europe Convention  
on preventing and combating violence  
against women and domestic violence  
(Baseline Report)**

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**SPANISH GOVERNMENT REPORT ON THE  
IMPLEMENTATION OF THE COUNCIL OF EUROPE  
CONVENTION ON PREVENTING AND COMBATING  
VIOLENCE AGAINST WOMEN AND DOMESTIC  
VIOLENCE (ISTANBUL CONVENTION)**

**31 January 2019**

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## I. INTRODUCTION

On 11 May 2011, The Council of Europe Convention on preventing and combating violence against women and domestic violence was signed in Istanbul *ad referendum* by the Plenipotentiary of Spain and ratified in 2014 through publication in the Official State Gazette (*Boletín Oficial del Estado*) on 6 June, coming into force on 1 August of the same year. This Convention, better known as the Istanbul Convention, is the first binding instrument in the European sphere on violence against women and domestic violence, and the international treaty of greatest scope to address this serious breach of human rights.

Chapter IX of the Convention establishes a monitoring mechanism, entrusting the Group of Experts on action against violence against women and domestic violence (GREVIO) with the task of observing the application of the same and setting up a series of rules of procedure.

This report is intended to comply with the obligation referred to in article 68.1 of the Convention, which states that “*Parties shall submit to the Secretary General of the Council of Europe, based on a questionnaire prepared by GREVIO, a report on legislative or other measures giving effect to the provisions of this Convention, for consideration by GREVIO.*” This questionnaire was sent to Spain on 18 September 2018 by means of a communique from the Council of Europe in which it announced the start of the monitoring process for Spain, setting the deadline for the presentation of the official report on 18 February 2019.

In the four years since the Istanbul Convention came into force, Spain has made a series of important advances (including legislative reforms) which culminated with the adoption of the State Pact against Gender-based Violence in 2017 and the assumption in June 2018 by the Government Vice-presidency of responsibility for questions of equality, including public policies for combating violence against women, which marks an important step forward. While this report refers essentially to interventions made in the years 2016 and 2017, as requested in the questionnaire, mention is also occasionally made of some later actions, especially because important advances were made in 2018 as a consequence of the implementation of the measures included in the State Pact.

### A. GENERAL PRINCIPLES OF THE CONVENTION:

The general principles of the Convention, which are also present in the Spanish legal system, have been taken into account when drafting this report.

The **Spanish Constitution of 1978** states in the Preamble the will of the Spanish Nation to “*Protect all Spaniards and peoples of Spain in the exercise of human rights, of their cultures and traditions, and of their languages and institutions*”. Likewise, article 1.1 establishes Spain as a social and democratic state, subject to the rule of law, and identifies equality as one of the highest values of its legal order. Also, in article 9.2 it says that “*It is incumbent upon the public authorities to promote conditions which ensure that the freedom and equality of individuals and of the groups to which they belong may be real and effective, to remove the obstacles which prevent or hinder their full enjoyment, and to facilitate the participation of all citizens in political, economic, cultural and social life*”.

Part I, which deals with fundamental rights and duties, begins with the content of article 10, stated in the following terms:

- “1. Human dignity, the inviolable and inherent rights, the free development of personality, respect for the law and for the rights of others are the foundations of political order and social peace.*
- 2. The principles relating to the fundamental rights and liberties recognised by the Constitution shall be interpreted in conformity with the Universal Declaration of Human Rights and the international treaties and agreements thereon ratified by Spain.”*

In Chapter II within Part I, article 14 states that *“Spaniards are equal before the law and may not in any way be discriminated against on account of birth, race, sex, religion, opinion or any other personal or social condition or circumstance”* while article 15 states that *“Everyone has the right to life and to physical and moral integrity, and may under no circumstances be subjected to torture or to inhuman or degrading punishment or treatment”*. Both of these precepts are binding for all public authorities and their importance is further reinforced by a series of special guarantees established under article 53 of the Constitution and which are applicable, such as the principle of legal guarantee and protection from the Courts of Justice through preferential and summary procedure and, where appropriate, through an appeal for protection to the Constitutional Court.

The approval of two regulations in the Spanish legal system has been pivotal in the development of the constitutional foresight in the matter of gender equality.

- **Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence**, which considers this type of violence (directed against women for the fact of being women) as the most brutal symbol of inequality and one of the most flagrant attacks on fundamental rights such as freedom, equality, life, safety and non-discrimination.
- **Organic Law 3/2007 of 22 March, for the Effective Equality between Women and Men**, which establishes the universal nature of the principal of equality and introduces gender perspective in the activities of public authorities.

At the same time, in the international sphere, it should be noted that Spain has signed and ratified other treaties on human rights besides the Istanbul Convention, especially those mentioned in the Preamble of this Convention, which include the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the European Convention on Human Rights, the Convention of the Council of Europe on Action against Trafficking in Human Beings and the Convention of the Council of Europe for the Protection of Children against Sexual Exploitation and Sexual Abuse.

## **B. SCOPE OF APPLICATION OF THE CONVENTION AND KEY DEFINITIONS:**

This report contains references to the different forms of violence exercised against women considered in the Istanbul Convention, paying special attention to women victims as partners or ex-partners in a relationship.

As will be explained in epigraph V (“Substantive Law”), the different forms of violence that are referred to in the Convention are classified as crimes in Spain under Criminal Law. Furthermore, as regards domestic violence as defined in article 3 of the Convention, it should be noted that the Spanish legal system took note fifteen years

ago of the effect that violence within the family inflicted on women, who suffered disproportionately from this, and which the public authorities could not ignore. This led the legislating body to single out the type of violence exercised against women by the men who are their partners or ex-partners, ensuring it would be addressed comprehensively from all angles, and providing special protection as reflected in Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence. Besides this national legislation, the Autonomous Communities have passed their own integrated laws on violence against women, most of which include the different forms that this violence takes within their area of application. There is a clear difference under Spanish law between gender violence (which is committed by the male who is or who has been the partner or spouse of the woman victim, whether the aggression is committed against the woman or against her minor children) and domestic violence (which is committed in the home by any of the members of the family unit as specified in Article 173.2<sup>1</sup> of Spanish Criminal Law). Nevertheless, current legislation is being revised in order to consider any form of violence against women as gender violence, including that which occurs outside the context of partners and ex-partners. Autonomous Community legislation has extended the concept of gender violence to the effects of the support and services that it provides.

This report also contains occasional brief references to the fight against the trafficking in women and girls for the purpose of sexual exploitation as a form of violence against women, while acknowledging that this is not one of the aims of the Istanbul Convention but the Council of Europe's Convention on Action against Trafficking in Human Beings.

As regards the measures adopted to ensure that the Convention will apply in situations of armed conflict, Spain passed the II National Action Plan for Women, Peace and Security on 28 July 2017, which was drawn up by a cross-ministerial committee with the participation of social organizations and includes a series of measures to combat and eradicate all forms of violence against women. One of the actions that forms part of Objective 3 of the Plan, which focuses on guaranteeing protection and respect for women and girls human rights in conflict and post-conflict situations, is to monitor compliance of Spain's obligations in relation with the right of asylum and the recommendations made by CEDAW, the Palermo Protocol and the Plan against Trafficking, besides the Istanbul Convention, concerning identification, protection and support for women who are victims and survivors of violence.

### **C. OBLIGATIONS OF THE STATE AND DUE DILIGENCE:**

Spain honours the obligations and due diligence contemplated for signatory States in article 5 of the Convention. As previously stated, in virtue of the content of article 53.1 of the Spanish Constitution, both the principle of equality and non-discrimination (article 14) and the right to life and physical and moral integrity (article 15) are binding for all public authorities, who (in accordance with the content of article 9.2) shall promote the conditions in which liberty and equality are real and effective, removing any obstacles that impede or obstruct their full enjoyment. Article 9.3 also states that *"The Constitution guarantees the principle of legality, the hierarchy of legal provisions, the publicity of legal enactments, the non-retroactivity of punitive measures that are*

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<sup>1</sup> (...)physical or mental violence against the person who is or who has been his spouse or the person who is or who has been bound to him by a similar emotional relation, even without cohabitation, or against descendants, progenitors or biological, adopted or fostered siblings, against persons who, due to their special vulnerability are subject to custody or safekeeping in public or private centres, and against that person or the spouse or cohabiting partner, or against a person protected by any other relation by which that person is a member of the core family unit (...).

*unfavourable to or restrict individual rights, the certainty that the rule of law will prevail, the accountability of public authorities and the prohibition against arbitrary action on the part of the latter*". Similarly, article 24.1 establishes that "Every person has the right to obtain the effective protection of the judges and the courts in the exercise of their legitimate rights and interests and may in no case go undefended." Finally, article 149.1.1 of the Constitution includes the following among the exclusive competences of the State: "The regulation of the basic conditions guaranteeing the equality of all Spaniards in the exercise of their rights and in the fulfilment of their constitutional duties".

#### **D. BODIES, AGENCIES, INSTITUTIONS AND ORGANIZATIONS INVOLVED IN THE PREPARATION OF THE REPORT:**

Given the full priority that the Government of Spain has assigned to public policy destined to combat violence against women and the importance of the Istanbul Convention, the Ministry of the Presidency, Relations with Parliament and Equality (directed by the Vice-president of the Government) has been entrusted with the role of coordination required to complete the first phase of the evaluation procedure. This duty has been performed through the Government Delegation for Gender-based Violence (*Delegación del Gobierno para la Violencia de Género: DGVG*), which reports to the Secretary of State for Equality, and is assigned the task of proposing Government policy against the various forms of violence against women and to promote, coordinate and advise on all measures to be taken in this matter.

In relation with the drafting of this report, the questionnaire was analysed to identify the agents involved in each of the questions raised and then sent to the following Ministerial Departments, Public Authorities, organs and institutions with a request for information so that they could contribute in connection with their various areas of responsibility:

- **General Council of the Judiciary**
- **General State Administration:**
  - Ministry of Justice.
  - Ministry of the Interior.
  - Ministry of Education and Professional Training.
  - Ministry of Work, Migration and Social Security.
  - Ministry of the Presidency, Relations with Parliament and Equality: particularly the Government Delegation for Gender-based Violence and the Women's Institute.
  - Ministry of the Economy and Business: particularly the National Statistics Institute.
  - Ministry of Health, Consumer Affairs and Social Welfare.
  - Ministry of Science, Innovation and Universities.
- **Autonomous Administration: remission to the relevant organs of the 17 Autonomous Communities and Cities with a Statute of Autonomy:**
  - Autonomous Community of the Basque Country.
  - Autonomous Community of Catalonia.
  - Autonomous Community of Galicia.
  - Autonomous Community of Andalusia.
  - Autonomous Community of the Principality of Asturias.
  - Autonomous Community of Cantabria.
  - Autonomous Community of La Rioja.

- Autonomous Community of the Region of Murcia.
- Community of Valencia.
- Autonomous Community of Aragon.
- Autonomous Community of Castile-La Mancha.
- Autonomous Community of the Canary Islands.
- Foral Community of Navarre.
- Autonomous Community of Extremadura.
- Autonomous Community of the Balearic Islands.
- Community of Madrid.
- Community of Castile and Leon.
- City of Ceuta.
- City of Melilla.

Furthermore, on 11 December 2018, the Secretary of State for Equality and the Government Delegation for Gender-based Violence held a meeting with **non-governmental organizations and other social entities**, and in particular with representatives of the Istanbul Shadow Report Platform (*Plataforma Estambul Sombra*) for the purpose of sharing and exchanging information about the evaluation procedure for GREVIO on the implementation of the Istanbul Convention. During this meeting, the Platform presented the most prominent questions that they had tackled in the Shadow Report and made proposals to continue advancing in the fight against violence against women.

## I. INTEGRATED POLICIES AND DATA COLLECTION

### A. STRATEGIES/ACTION PLANS AND OTHER RELEVANT POLICIES:

As regards the strategies, action plans and other policies adopted by the authorities to tackle violence against women mentioned in article 7 of the Convention, the following should be considered at national level:

- **National Strategy for the Eradication of Violence against Women 2013-2016<sup>2</sup>**: this was passed as an Agreement of the Council of Ministers on 26 July 2013 and is an instrument to coordinate the interventions of public authorities in ending this type of violence, containing 284 coherent, coordinated and systematic measures to apply that involve all public administrations and authorities, and which was assigned an estimated budget of 1,558,611,634 euros for its full application.

The National Strategy was prepared through a participation process that gathered and took into account the proposals raised by the different public administrations involved and the entities that form part of the State Observatory on Violence against Women, forming a road map for all the public authorities during the period between 2013 and 2016.

The values that inspired the Strategy included respect for human dignity and fundamental rights, which must be safeguarded by public authorities, especially in the case of victims of gender violence, and they form the core of public policy on this issue.

In order to comply with the demands of various international bodies, the Strategy recognises the need to reach beyond the issue of violence inflicted in relationships referred to in Organic Law 1/2004 and advance in combating other forms of violence against women, such as forced marriages, female genital mutilation, the trafficking in women and girls for the purpose of sexual exploitation, harassment and sexual aggression. The Strategy therefore devotes one of its objectives to raising awareness and attention to other forms of violence, proposing a series of measures aimed at progressively dealing with them.

The 284 measures included in the Strategy are grouped into four general objectives and three cross-cutting themes:

- **FOUR GENERAL OBJECTIVES:**
  1. Breaking the silence that encourages abuse.
  2. Improving the response from institutions, personalised plans and progress towards the “single window”.
  3. Support for minors and women particularly vulnerable to gender violence.
  4. Visibility and attention to other forms of violence against women.
- **THREE CROSS-CUTTING THEMES:**
  1. Training and raising awareness of those taking part.
  2. Coordination, networking and operational excellence.

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<sup>2</sup> The English version of the National Strategy for the Eradication of Violence against Women 2013-2016 is available at the following link: [http://www.violenciagenero.igualdad.mpr.gob.es/planActuacion/estrategiaNacional/docs/Estrategia\\_Nacional\\_Ingles.pdf](http://www.violenciagenero.igualdad.mpr.gob.es/planActuacion/estrategiaNacional/docs/Estrategia_Nacional_Ingles.pdf)

3. Quality, evaluation, knowledge and continuous improvement.

The coordination of public policy in relation with violence against women is the responsibility of the Government Delegation for Gender-based Violence, as explained in section II.D. The Strategy identifies the agents responsible for carrying out each of the 284 measures, including the Autonomous Communities and Local Administrations where the measures fall within their competence. As regards the progress made, an interim report was published in 2015 on the implementation of the Strategy, and a provisional report on the final evaluation was issued in 2018, confirming a high level of compliance, at 87%.

- **State Pact against Gender-based Violence (adopted in 2017 for the period 2018-2022)<sup>3</sup>:** Spain unanimously passed the first State Pact against Gender-based Violence in September 2017. A pact that was made from the reports of the Congress Sub-commission and the Senate Committee created for this purpose, which proposed 214 and 267 measures respectively, to progress towards the eradication of violence against women. The Pact attracted the adherence of the National Government, the Autonomous Communities, the Spanish Federation of Municipal and Provincial Authorities (FEMP), the State Observatory on Violence against Women, confirming the triple consensus - political, territorial and social- that had been reached. It is also one of the most important national agreements achieved in the history of our democracy and sets out the roadmap to follow in the next five years (2018-2022), involving an additional financial commitment of 1,000 million euros.

The measures included in the Pact centre on the following axes:

- AXIS 1 - Breaking the silence: awareness raising and prevention.
- AXIS 2 - Improving the institutional response: coordination. Networking.
- AXIS 3 - Improving assistance, support and protection for victims.
- AXIS 4 - Enhancing support and protection for minors.
- AXIS 5 - Improved training to ensure better response of care services.
- AXIS 6 - Statistical monitoring.
- AXIS 7 - Recommendations for Autonomous Communities, local entities and other institutions.
- AXIS 8 - Visibility and attention to other forms of violence against women.
- AXIS 9 - Financial commitment.
- AXIS 10 - Monitoring of the pact.

The measures contained in the two reports that formed the basis of the Pact were combined by the Government Delegation for Gender-based Violence and allocated among the different administrations and institutions responsible for implementing them. The Delegation is also performing an essential role by arranging the coordination and monitoring of the Pact, with effective implementation beginning in 2018 with the distribution of the first 120 million euros to the Autonomous Communities and Municipal Authorities.

- **Other Plans:** there are other important plans that also have effects on the situation of violence against women, of which the following should be mentioned:
  - **Comprehensive Plan to Fight against Trafficking in Women and Girls for the Purpose of Sexual Exploitation 2015-2018.**
  - **Strategic Plan for Equal Opportunities 2014-2016.**

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<sup>3</sup> For more information about the State Pact against Gender-based Violence, see the following link: <http://www.violenciagenero.igualdad.mpr.gob.es/pactoEstado/home.htm>

- **II National Strategic Plan for Childhood and Adolescence 2013-2016.**
- **II National Action Plan on Women, Peace and Security.**
- It should also be noted that in work began in 2017 to prepare the **Action Plan for the implementation of the 2030 Agenda: towards a Spanish Strategy for Sustainable Development**, which was passed in June 2018.

There have also been a number of plans and strategies in relation with violence against women passed by Autonomous Communities, as listed in Annex 1 of this report.

The relevant legislation for public policies in the area of violence against women at states and autonomous community level is discussed in section A of Chapter V of the report, in relation with the legal framework.

#### **B. FINANCIAL RESOURCES:**

As regards the financial resources that the General State Administration and public bodies that depend on or are linked to it have set aside for the area of violence against women in 2016 and 2017, the following figures have been provided by the Ministerial Departments:

- In 2016, the sum of around **€330,769,279.71** was spent.
- In 2017, the sum of around **€340,909,092.55** was spent.

As regards the Autonomous Communities, the financial resources that they spent on public policy related with violence against women are shown in Annex 1, according to the data they provided themselves.

It should also be noted that every year, the State transfers funds from its budget to the Autonomous Communities to contribute towards ensuring that victims of gender-based violence are guaranteed their full rights under the law. In 2016, the sum of €6,000,000 euros (€5,000,000 for integrated social assistance and €1,000,000 for the implementation of the Common Proposal for improved coordination and the start of a personalised plan for victims) was transferred to the Autonomous Communities. In 2017, the sum of €10,700,000 was transferred to the Autonomous Communities (€5,700,000 to set up integrated social assistance programmes for victims of gender violence, €1,000,000 for programmes to improve coordination, €2,000,000 for sexual aggressions and abuse and €2,000,000 to the Autonomous Community of the Canary Islands to develop a Plan against gender-based violence).

Finally, although it falls outside the time limits of this report, it should be noted that the Budget Act for 2018 includes an additional €200,000,000 to finance the State Pact against Gender-based Violence, distributed as follows: €80,000,000 for the State, €100,000,000 for the Autonomous Communities and €20,000,000 for Local Councils.

#### **C. NGOs AND OTHER CIVIL SOCIETY ACTORS:**

In Spain, NGOs and other civil society actors, especially women's groups, play an essential role in this field. Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence, was itself the result of claims put

forward by women's associations, who had spent many years campaigning for the public authorities to tackle the issue of the violence they suffered.

The following should be seen as measures in recognition and support of the NGOs and other organizations of civil society, and to cooperate with them:

- **Their position among the guiding principles of Organic Law 1/2004:** article 2 considers among the ends that the Law is intended to address, to *"promote the collaboration and involvement of civil entities, associations and organisations engaged in the fight against gender violence"*.
- **Their inclusion in the State Observatory on Violence against Women:** article 30 of the Organic Law established that the composition of the Observatory, which is determined by regulation, shall guarantee the participation of, among others, social agencies and women's organisations with nationwide reach.<sup>4</sup>
- Its inclusion in **other collegiate bodies and forums** for participation and collaboration, such as the Women's Participation Committee or the Social Forum against Trafficking for the Purpose of Sexual Exploitation.
- **Financial support:**
  - o Public subsidies granted for activities of public interest financed from Income Tax revenue: these are awarded every year and the amounts destined to causes related with violence against women were €5,564,122.19 in 2016 and €7,085,441.40 in 2017.
  - o Public subsidies for projects offering support to women and girls who are victims of human trafficking for the purpose of sexual exploitation, and their children who are minors or disabled: these are also awarded annually, and the total amounts granted were €2,000,000 in 2016 and €2,000,000 in 2017.
- **Participation in the drafting of plans and strategies:** The State Observatory on Violence against Women has enabled the active participation of civil society in the creation of the National Strategy for the Eradication of Violence against Women 2013-2016. Civil society has also submitted proposals for the State Pact against Gender-based Violence through a document created by the working group set up to this effect in the Observatory.

#### **D. BODIES ESTABLISHED IN APPLICATION OF ARTICLE 10:**

There are two basic national organs in Spain in the field of violence against women, both created by Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence: The Government Delegation for Gender-based Violence (with important duties in coordination and implementation of public policy in this area) and the State Observatory on Violence against Women (which is responsible for evaluation and collaboration between institutions, among other aspects).

**1) The Government Delegation for Gender-based Violence (DGVG):** was created under article 29 of Organic Law 1/2004 as a body of the General State

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<sup>4</sup> For more information about the State Observatory on Violence against Women, its importance and functions, see section II.D.

Administration, with the status of a Directorate General. In 2016 and 2017 it was attached to the Ministry of Health, Social Services and Equality through the Secretary of State for Social Services and Equality. In June 2018 it was transferred to the Ministry of the Presidency, Relations with Parliament and Equality which, as mentioned previously, is controlled by the Vice-presidency of the Government.

As regards its responsibilities, in accordance with article 3 of Royal Decree 485/2017 of 12 May, to develop the basic organic structure of the Ministry of Health, Social Services and Equality<sup>5</sup>, it has to propose public policy against the different forms of gender-based violence against women and to promote, coordinate and advise on all measures taken in this area, especially the following functions:

- a) Driving application of gender mainstreaming in the measures intended to fight against the different forms of gender-based violence against women, to ensure that this application takes into account the specific needs and demands of the victims who are in situations of greater vulnerability.
- b) Social awareness and prevention of all forms of violence against women. This means the promotion of education in the values of equality between women and men with regard to their fundamental rights, in collaboration with the public education authorities and campaigns to inform and raise awareness, ensuring access to the same for all persons with special difficulties for integration, and especially for people with disabilities.
- c) Promotion of coordination and collaboration between the different services with responsibility to ensure integrated action with regard to the assessment and management of risks. Action plans and protocols were drafted for this purpose, to guarantee orderly interventions and procedures for prevention, detection, support, protection and prosecution of gender-based acts of violence against women, in collaboration with Ministerial Departments and the responsible authorities.
- d) Promoting collaboration, through appropriate legal instruments, with Autonomous Communities and local corporations to provide integrated social assistance to women who are victims of gender violence and their children.
- e) Driving coordination in the area of General State Administration dealing with the trafficking in women and girls for the purpose of sexual exploitation, and cooperation between the relevant institutions and administrations for protection and support for the victims.
- f) The preparation, promotion and distribution of reports, studies and research into questions related with the different forms of gender-based violence against women.
- g) The design, drafting and continuous updating of an information system based on the collection, analysis and publication of data on violence against women provided by public authorities and other entities, to enable an adequate understanding of the situation and to assess the level of effectiveness of the measures introduced. For this purpose, the Government Delegation for Gender-based Violence shall liaise with the National Statistics Institute, with the Centre for Sociological Research and with the entities involved.
- h) Encouraging training and specialisation among the professional groups who take part in the process of prevention, information, support and protection for victims.
- i) Promotion of collaboration and participation of civil society entities, associations and organizations that take action against the different forms of gender violence

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<sup>5</sup> In 2016, the applicable legislation was Royal Decree 200/2012 of 23 January, to develop the basic organic structure of the Ministry of Health, Social Services and Equality, whose article regulated the Government Delegation for Gender-based Violence and its functions in terms that were very similar to those of Royal Decree 485/2017, explained in this section. Current legislation is contained in Royal Decree 816/2018 of 6 July, to develop the basic organic structure of the Ministry of the Presidency, Relations with Parliament and Equality, also in very similar terms.

by programming and putting into practice mechanisms and activities to achieve the eradication of this phenomenon.

- j) Participate in and maintain international relations, without prejudice to the responsibilities assigned to the General Technical Secretariat.

As regards its composition, the following organs are attached to the DGVG:

- The **Sub-directorate General for Awareness Raising, Prevention and Knowledge of Gender-based Violence**, which is responsible for carrying out the functions listed in sections b), f), g), i) and j) and for acting as secretary for the State Observatory on Violence against Women.
- The **Sub-directorate General for Interinstitutional Coordination on Gender-based Violence**, which is responsible for carrying out the functions listed in sections a), c), d), e) and h).

The **Coordination Units on Violence against Women and the Violence against Women Units** depend functionally on the DGVG<sup>6</sup> and are located in the Governmental Delegations and Sub-delegations and the Island Offices<sup>7</sup>.

As regards human resources, the list of positions within the relevant Ministry amounted to 39 civil servant posts belonging to different ranks assigned to the DGVG in 2016 and 2017: A1 (Technical), A2 (Management), C1 (Administrative) and C2 (Auxiliary), mainly technical personnel specialising in Law and Statistics. According to the available data, 27 of the 39 existing positions were actually occupied during this period.

The total annual budget of the DGVG for 2016 was €25,228,180 and €31,728,180 in 2017, according to the sums assigned under the State Budget Act corresponding to both years. The sums destined for the transfers to the Autonomous Communities referred to in section II.B are taken from the budget of the DGVG.

As regards the main results achieved by the DGVG since its founding, it should be noted that its area of responsibility has gradually expanded from the earliest period when it only dealt with gender violence as defined in the terms of Organic Law 1/2004, and later, from 2012, it has come to include the different forms of violence against women, including responsibilities in issues like the trafficking in women and girls for the purpose of sexual exploitation. The DGVG has become a benchmark institution in national and international terms, because it has driven and coordinated public policy in this area since its founding, supporting the implementation of Organic Law 1/2004 and the different plans and strategies as well as better knowledge (through statistics, the design, obtaining and dissemination of indicators, studies and surveys) and awareness raising (through campaigns and other actions), aspects that are covered in more detail in other sections of this report. As indicated previously, the DGVG also currently has a fundamental role in the work to promote and monitor the State Pact against Gender-based Violence. The work and history of this institution has aroused great interest in other countries, and there have been many international study visits received in recent years (10 in 2017 and 14 in 2018), as well as requests for collaboration.

## 2) State Observatory on Violence against Women: the Observatory was created in article 30 of Organic Law 1/2004 and it was attached to the Ministry of Health, Social

<sup>6</sup> Organically, however, in 2016 and 2017 the Units depended on the Ministry of the Presidency and Territorial Authorities, and since June 2018 they depend on the Ministry for Territorial Policies and the Civil Service.

<sup>7</sup> The Government Delegations and Sub-delegations and the Island Offices are organs that make up the Peripheral Administration of the State, and they are responsible for carrying out the State's activities dispersed in national territory, specifically in the Autonomous Communities, provinces and two island archipelagos.

Services and Equality in 2016 and 2017 through the Government Delegation for Gender-based Violence. Since June 2018 it has been attached to the Ministry of the Presidency, Relations with Parliament and Equality, also through the DGVG. It is a collegiate inter-ministerial body that is regulated under Royal Decree 253/2006 of 3 March, which establishes its functions, regime of operation and composition.

As regards its responsibilities, the Observatory carries out consultancy, evaluation, institutional collaboration, preparation of reports, studies and proposals for action in questions of gender-based violence, with the following functions:

- a) Institutional collaboration in questions of gender violence, and the promotion of collaboration between the other institutions involved.
- b) It acts as the organ for the regular, standardised and systematic collection, analysis and dissemination of information on gender violence, drawn from the Public Administration and other State organs with responsibilities in this area and private entities. It shall create a reference database to this effect and regulate a series of indicators by setting coordination criteria for standardising the gathering and publication of data.
- c) It issues recommendations and proposals to improve the indicators and information systems relevant to gender violence.
- d) It gathers information about measures and actions set in motion by Public Administrations and private entities to prevent, detect and eradicate gender violence.
- e) It evaluates the impact of the policies and measures implemented in order to eradicate gender violence and redress its effects.
- f) It prepares reports and studies on gender violence with the aim of achieving the most accurate diagnosis possible of this social phenomenon.
- g) It advises Public Administrations and other institutions on issues of gender violence and is a forum for exchange and communication between public bodies and society.
- h) It makes proposals for actions in different areas with the aim of preventing, penalising and eradicating gender violence and to improve the situation of women who are its victims and monitors these proposals.
- i) It takes part in and maintains links with similar international institutions, without prejudice to the responsibilities of the Technical Secretariat General of the Ministry of Health, Social Services and Equality.
- j) It prepares, distributes and sends a report on changes in the violence used against women to the Government and Autonomous Communities, mentioning the types of punishment applied and the effectiveness of the measures agreed: preventive, in education, law, social, care services and follow-up attention for the victims. The report also highlights the possible need for regulatory reform, to guarantee that the application of the protective measures adopted can ensure the highest level of safeguard for women who are victims of this violence.
- k) It carries out any actions assigned to it to better fulfil its purpose.

The composition of the Observatory, which shall ensure gender balance, is drawn from Public Administrations (state, autonomies and local) and specialist institutions, entities and organisations of civil society, and is structured as follows:

- Presidency: Head of the Government Delegation for Gender-based Violence.
- First Vice-president: representative of women's organisations.
- Second Vice-president: representative of the Autonomous Communities and cities of Ceuta and Melilla.
- Members:
  - 6 representatives of Ministries (State Administration).
  - 6 representatives of the Autonomous Communities and Cities.
  - 1 representative of the Spanish Federation of Municipal and Provincial Authorities.

- Holder of the position of Delegate Prosecutor for Violence against Women, representing the State Prosecutor's Office.
- Representative of the General Council of the Judiciary who is also member of the Observatory of Domestic and Gender Violence.
- 13 representatives of the social agents, civic organisations and associations, distributed as follows: 5 representatives of nationwide women's organisations that work with gender-based violence: 2 representatives of business associations; 2 representatives of trade unions with widest membership, 1 representative of national consumer organizations; 3 NGO (representatives of the Red Cross, and NGOs working with people with disabilities and immigrants).
- 2 experts in the field of gender-based violence.
- Secretary: (member without voting rights) holder of the Sub-directorate General for Awareness Raising, Prevention and Knowledge of Gender-based Violence.

As regards the budget, it should be noted that the Observatory does not have its own budget, and its activities are financed by the DGVG, whose funds are mainly devoted to the translation, printing and publication of the Observatory's Annual Reports and the training grants that it offers. The amounts spent on the activities of the Observatory were approximately €53,129 in 2016 and €61,712 in 2017.

As regards the advances made since its creation, the Observatory has published an annual report every year since 2007 which consists of a statistical yearbook, which is a reference at national level, and a series of studies on topics of interest in the question of violence against women. The Observatory has also taken part in the preparation of the National Strategy for the Eradication of Violence against Women 2013-2016 and contributed in 2017 to the preparation of the State Pact against Gender-based Violence, setting up a working group to draft a document with a series of proposals. Finally, at the time of preparation of this report the Observatory is in a process of modification, essentially to expand its composition.

**3) Other bodies:** there are other bodies of a collegiate nature that hold regular meetings with the aim of coordinating and cooperating in this area:

- The **Sectoral Conference on Equality** (Formed by representatives of the General State Administration, Autonomous Communities and Cities with a Statute of Autonomy).
- The **Inter-ministerial Committee on Equality between Men and Women** (formed by representatives from the different Ministries).
- The **Government Delegate Commission for Equality Policies**.
- The **Women's Participation Council** (formed by representatives of Public Administrations, women's organizations and associations, the main national business and trade union groups and experts with recognised prestige in the area of equality).

Mention should also be made of the **Equality Units** that were set up within the different ministries as a result of article 77 of Organic Law 3/2007 of 22 March, for the Effective Equality between Women and Men, which have been assigned the role of developing functions in accordance with the principle of equality between women and men in the areas that are their responsibility.

#### **E. DATA COLLECTION:**

The following is a list of the entities that collect data, the type and their publication:

- **Government Delegation for Gender-based Violence (DGVG):** the Government Delegation for Gender-based Violence, the institution that was described in section II.D, gathers data from administrative sources, carries out studies and surveys based on representative population samples, publishes and promotes both the data extracted from the statistics that are the responsibility of the institution and that which is obtained from statistical operations carried out by other bodies that work in the area of violence against women. The DGVG works hard to expand the sources of knowledge, make better use of the data it collects each year and promote research, studies and projects that enable the phenomenon of violence against women to be examined with the utmost rigour and exactitude. The DGVG is continuously striving to have the greatest amount of data and to increase and update its statistical information on this topic. The DGVG obtains the following data directly from administrative sources:
  - **Fatalities caused by gender violence:** information about women murdered by their male partners or ex-partners or minors killed by gender violence under the terms of Organic Law 1/2004. The data is based on the corresponding individual reports and have been collected from 1 January 2003 in the case of women and since 2013 in the case of minors murdered in situations in which the mother is a victim of gender violence. In accordance with Spanish law, the victim in cases of gender violence is always a woman and the aggressor always a man, so there is no need to break down this data by sex. The data is broken down by geographical area (Autonomous Community, province and municipal area) where the crime took place. Information is also provided according to the social and demographic status of the victim and aggressor (age groups, country of birth, relations between victim-aggressor, cohabitation status), the existence of previous complaints, the employment status of victim and aggressor, disability of the victim, suicide of the aggressor and the number of children and children under legal age.
  - **016 - Telephone Service offering information and legal advice on questions of gender-based violence<sup>8</sup>:** information about relevant calls, calls which are not relevant and the length of the relationship between victim and aggressor. They are broken down by geography and the type of person who makes the call (user; family and friends, and others). Data is also published about the social and demographic status of the users and the aggressors: age, nationality (Spanish/other country) of the victim and aggressor, marital status, number of children of the victim. Data is also provided about the employment status of the users, the type of abuse suffered (physical, psychological, sexual, emotional, social and financial) time of onset of abuse (pregnancy, engagement, marriage, separation, others) and the distribution of malicious calls (jokes, insults, threats, obscene, others).
  - **Users of the Telephone Service for Attention and Protection of Victims of Gender Violence (ATENPRO)<sup>9</sup>:** data is collected on the number of users who are active on this service, those who have been registered or taken off the register. The information is broken down by social and demographic status (age groups, origins of the victim and aggressor by continent and country, type of relationship between victim and aggressor, cohabitation status). The information on active users at 31 December each year is broken down by Autonomous Community and province.
  - **Beneficiaries of financial support as contained in article 27 of the Law on Integrated Protection Measures against Gender Violence 1/2004:** this

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<sup>8</sup> For more information about this service, see section IV.E.

<sup>9</sup> For more information about this service, see section IV.G.

data is obtained from the bimonthly information provided by the Autonomous Communities and the requests for payments that these submit to the DGVG every six months. Information is provided about the number of women who benefit in each Autonomous Community, their age, nationality (Spanish, foreign by continent) and the number and distribution of the financial support granted according to the period in equivalent months of unemployment benefit (6 months, 12 months, 18 months and 24 months).

- **Remote monitoring system for restraining orders and other measures in cases of gender violence<sup>10</sup>**: Data related with the use of instruments with suitable technology to guarantee compliance of the restraining orders set by the courts and immediately verify any breach of the same. Publication of information about the number of:
  - o Electronic devices installed and removed over a set period (month, year or period of years since the start of the service) distinguishing aggressors and victims;
  - o Active devices on the last day of each month or the end of the year.
  - o Victims and aggressors with installations made in the last year.
  - o Victims and aggressors with installations removed in the last year.
  - o Victims and aggressors with active devices on the last day of each month or the end of the year.

This data is broken down by Autonomous Community and province where the victim resides. Information is also provided about the social and demographic status of the victim and aggressor with an electronic device (age groups, Spanish or other nationality).

The DGVG is responsible for drafting statistical information, likewise obtained from administrative records, on Autonomous Community resources available to women victims of gender violence and their children, based on information provided by the relevant services of the Autonomous Communities. The information on this statistic is offered in detail in section IV.D of the report.

The DGVG also publishes administrative data related with violence against women drawn from statistics prepared by other institutions and organizations.

DGVG data is published through:

- The **Statistics Portal** (digital application available for citizens and professionals).
- The **Monthly statistics bulletin**.
- The **Annual statistics bulletin**.
- The **Annual report by the State Observatory on Violence against Women**.
- The **statistical files on fatalities caused by gender violence**.

All this information, as well as the publications, are available at:

<http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/home.htm>

- **National Statistics Institute** (*Instituto Nacional de Estadística*: INE): the INE (autonomous administrative body currently attached to the Ministry of the Economy and Business) prepares the **Statistics on Domestic Violence and Gender Violence** (EVDVG) from the data registered, in relation with cases in process and final verdicts, by the courts dealing with this area, in the Central Records Office for the protection of victims of domestic violence and gender violence in the terms of Organic Law 1/2004 (in relation with partners or ex-partners), which is property of the Ministry of Justice. This is therefore statistical use of administrative records, and it is carried out every year. The study includes all accused persons aged 14 or over and the corresponding victims in cases where restraining orders have been

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<sup>10</sup> For more information about this service, see section IV.G.

imposed, and persons both absolved and condemned, entered in the Central Records Office during the period in question. The EVDVG data is broken down by sex, age, type of violence (domestic or gender-based, and the type or types of crimes committed in both cases), and the relationship between the victim and the accused. As regards the geographical location, this corresponds to the court where the case is heard and not where the events took place. Tables are published for national and autonomous community data. Although data by province is available, it is not published because of issues related with breach of statistical confidentiality. No data related with possible disabilities of those involved are offered. At the start of each year, the Ministry of Justice downloads the (anonymous) data recorded the previous year and sends this to the INE to prepare the publication tables, which are announced in May of the same year for the national and community results. For more information please use the following link to the INE web page: [http://www.ine.es/dyngs/INEbase/es/operacion.htm?c=Estadistica\\_C&cid=1254736176866&menu=ultiDatos&idp=1254735573206](http://www.ine.es/dyngs/INEbase/es/operacion.htm?c=Estadistica_C&cid=1254736176866&menu=ultiDatos&idp=1254735573206)

- **General Council of the Judiciary** (*Consejo General del Poder Judicial: CGPJ*): the CGPJ gathers data from the different judicial bodies through a quarterly statistical bulletin. The data collected in the Gender Violence Courts are related with the definitions on gender violence in the terms of Organic Law 1/2004 (partners or ex-partners). As regards the data collected in other judicial bodies, Criminal Courts, Provincial Courts, Minor Courts, First Instance and Instruction Courts and Instruction Courts (with jurisdiction for cases of gender violence), these also include cases of domestic violence as well as gender violence. The data contained in each statistical bulletin, specific to each organ, are summarised briefly below:

  1. **Specific bulletin on violence against women - Exclusive and compatible Courts for Violence against Women:** Charges brought and dropped by victim nationality; type of issue and type of crime; form in which procedures concluded; appeals and enforcements; instruments for mutual recognition EU ; protection orders and precautionary measures requested by nationality, minor/adult and type of relationship with the accused; granted and denied; types of penal and civil measures adopted; persons judged by sex and nationality; civil matters: movement and type of matter, appeals and enforcements.
  2. **Specific section in the bulletins of First Instance and Instruction Courts and Courts of Instruction:**
    - a. Domestic violence: accusations by sex, nationality and minor/adult status of victim and accused; issues, cases raised to other organs; protection and precautionary measures requested by nationality, minor/adult and type of relationship with the accused; granted and denied: types of penal and civil measures adopted; non-compliance; form of termination, persons judged by sex and nationality.
    - b. Courts of Instruction with no jurisdiction over violence against women when assigned these cases by rote: issued entered; protection orders requested by nationality, sex and minor/adult status; protection orders granted and denied.
  3. **Specific sections in the bulletins of Criminal Courts:**
    - a. Section 8 - domestic violence: cases classified by type, form of conclusion, persons judged by sex and nationality and enforcements.
    - b. Section 9 - gender violence: cases classified by type of proceedings; number of proceedings in which the victim exercises the right to silence by nationality; form of termination; persons judged by sex and nationality; number of enforcements and breaches of protective measures and penalties.
  4. **Specific section in the bulletins of Provincial Courts:**

- a. Section 15 - domestic violence: types of proceedings and form of termination.
  - b. Section 16 - gender violence: type of proceedings in first instance and appeals; number of proceedings in which the victim exercises the right to silence by nationality; form of termination; persons judged by sex, number of enforcements and breaches of protective measures and penalties.
- 5. Specific section in gender violence and domestic violence in cases heard before Minor Courts:** cases classified by domestic violence, gender violence and other issues; minors judged by sex, age and nationality; enforcements.

The only breakdown is by sex and nationality with regard to the charges made and dropped, requests for protection orders and persons judged. They are not broken down by type of crime/violence, although they do record the crimes/violence which start the proceedings. The relationship between victim and aggressor is only collected in the requests for protective measures. Further data on the vulnerability of the victim are not collected.

The data is collected from the bulletins or web forms of the judicial organs and are made public through the web page of the CGPJ in a summary report and the publication of the Excel files for quarterly and annual periods, by the type of organ and geographical distribution (Autonomous Communities, Provinces and Judicial Districts). For more information:

<http://www.poderjudicial.es/cgpi/es/Temas/Estadistica-Judicial/Estudios-e-Infornes/Violencia-sobre-la-Mujer/>

There are also qualitative annual studies carried out on the victims of domestic and gender violence at the hands of their partners or ex-partners, as well as minors at the hands of their parents and other women murdered because of their gender. The description of each case includes: age, relationship, nationality and other factors in vulnerability. For more information:

<http://www.poderjudicial.es/cgpi/es/Temas/Violencia-domestica-y-de-genero/Actividad-del-Observatorio/Infornes-de-violencia-domestica/>

- In the **Ministry of the Interior:** in relation with gender violence as defined in Organic Law 1/2004, the Integrated Monitoring System for cases of Gender Violence (VioGen), run by the State Secretary for Security collects all data related with women victims and minors in their care, and the data related with the aggressor. This system also monitors each and every one of the gender violence cases assigned to the State Security Forces so that the Agents entrusted with each of the victims can carry out “police risk assessment” and “police risk evolution assessment” that are then filed in the victims’ case histories to allow them to be subject to complete monitoring.

The National Police collect data through the Offices for Citizen Complaints and Support (*Oficinas de Denuncias y Atención al Ciudadano: ODAC*) in SAF<sup>11</sup>, SAM<sup>12</sup> y UFAM<sup>13</sup>, and in ONIG<sup>14</sup> Units in gender equality cases among members of the National Police. As regards the type of information, it is collected in complaints, statements, memos, minutes and reports, depending on the case. All the information is centralised and processed by the National Police Statistics Service. The information included in the complaints, statements and reports is registered in the HIPEST National Police statistics and are normally broken down by sex, age, type of crime, relationship with the victim, location and province, as well as other significant details. The information is compiled in “actions” or “implications” that record all the

<sup>11</sup> SAF: Family Support Service (*Servicio de Atención a la Familia*)

<sup>12</sup> SAM: Women’s Support Service (*Servicio de Atención a la Mujer*)

<sup>13</sup> UFAM: Family and Women’s Units (*Unidades de Familia y Mujer*)

<sup>14</sup> ONIG: National Office for Gender Equality (*Oficina Nacional para la Igualdad de Género*)

details used in preparing the relevant reports. This data is not published nationally, but at the Ministry of the Interior's request in other formats for use outside the National Police.

As regards the Civil Guard, the data recorded specifies the following fields: sex, date of birth, ID card, nationality, relationship with aggressor or aggressors, address, etc. This means that the data can later be used and the statistics adapted to the real nature of the problem.

Finally, in relation with the trafficking in human beings for the purpose of sexual exploitation, the Trafficking Database run by the Intelligence Centre for Terrorism and Organized Crime (*Centro de Inteligencia de Terrorismo y Contra el Crimen Organizado*: CITCO) should be noted as it is used to prepare official statistics and reports on Exploitation and Trafficking in Spain.

## **F. RESEARCH:**

The Government Delegation for Gender-based Violence has supported many studies and research projects, because a thorough knowledge of all aspects related with violence against women is essential in the design of suitable public policies that aim to achieve its eradication. In the period 2013-2017, the DGVG was responsible (either for the elaboration and development or by participating in the coordination and supervision) for the following studies and research projects:

- ***“Changes in Spanish Adolescent Attitudes to Equality and Prevention of Gender Violence”*** (2013).
- ***“Cyber Bullying as a Form of Gender Violence among the Young: a Risk of the Information and Knowledge Society”*** (2013)
- ***“Primary Care in Cases of Gender Violence. Needs and Proposals”*** (2015).
- ***“On the Reluctance of Victims of Gender violence to Report It”*** (2015).
- ***“Female Genital Mutilation in Spain”*** (2015).
- ***“Supporting the Victims of Trafficking. The Needs of Women Victims of Trafficking for the Purpose of Sexual Exploitation from the Perspective of Specialist Organizations and the Professionals Involved. Proposals for Raising Awareness against Trafficking”*** (2015).
- ***“The Invisible Victims of Gender Violence”*** (2015).
- ***“Study of the Social Vulnerability of Women Victims of Gender Violence”*** (2016).

The following studies have been undertaken in 2018 (in development at the time of preparing this report): ***“Study of the Time that Women Victims of Gender Violence Take to Ask for Help and/or Report It, and an Analysis of the Determining Factors”***, ***“Study of the Economic Cost of Gender Violence”***, ***“Minors and Gender Violence”***, ***“Women, Disability and Gender Violence”***, ***“Women Aged over 65 Who are Victims of Gender Violence”***, ***“Women Victims of Gender Violence in the Rural Environment”*** and ***“Analysis of Murders Due to Gender Violence in Spain over the Period 2003-2017”***.

In 2014, the DGVG also set up the **Government Delegation for Gender-based Violence Award for doctoral theses** (initially dealing with intimate partner violence but later extended to include the different forms of violence against women), with the aim of recognising and rewarding the authors of these doctoral theses who, as a result of their research, have contributed to improve our knowledge of this phenomenon, its consequences and the nature of violence against women, and the means to prevent it.

Finally, in order to ensure the widest distribution of studies and research carried out by the DGVG, the “**Collection against Gender Violence. Documents**” was created to publish the most important of these works, and the collection of printed books “**Government Delegation for Gender-based Violence Award for Doctoral Theses on Violence against Women**”, with the aim of publishing and promoting the winning theses.

All DGVG studies and research are available at: <http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/estudios/home.htm>

## **G. POPULATION-BASED SURVEYS:**

As regards population-based surveys, the Government Delegation for Gender-based Violence has carried out several, such as the “**Survey on Social Perceptions of Gender Violence**” (2013) and the “**Survey on Social Perceptions of Gender Violence among Adolescents and the Young**” (2014), and more recent publications, such as the following:

- “**Macro Survey on Violence against Women**” (2015): the Macro survey on Violence against Women, which takes place every four years, is the most important statistical operation undertaken in Spain on this topic. The Macro survey of 2015 involved a sample of 10,171 women aged 16 and over, representing the female population residing in Spain. The results are representative at the national level. The survey asked questions about violence against women. In the case of violence on the part of partners or ex-partners, the questions dealt with physical, sexual, psychological and financial violence. In the case of violence committed by persons other than partners or ex-partners (relatives, strangers, acquaintances, friends, teachers, work colleagues, etc.) the questions dealt with physical and sexual violence<sup>15</sup>.

The Government Delegation for Gender-based Violence is currently carrying out the preparations (drafting the questionnaire, methodology, etc.) for the **Macro Survey 2019** which will extend to include other forms of violence against women.

- Although it falls outside the period covered by this report, the importance of the **Survey on social perceptions of sexual violence (2018)** makes it worth mentioning as the first survey to be wholly focused on the study of sexual violence to be carried out in Europe as well as Spain. The DGVG carried out this survey with a sample of 2,465 persons aged 16 and over, representing the male and female population residing in Spain. The results are representative at the national level. The main objective of this survey is to increase our knowledge of how the resident population of Spain perceives the causes and consequences of sexual violence against women. The survey asked about sexual violence against women, including violence between partners in a relationship and that which occurs outside this definition<sup>16</sup>.

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<sup>15</sup> The main results of the *Macro Survey on Violence against Women 2015* can be seen at the following link (in English): [http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/macroencuesta2015/pdf/SPAIN\\_SURVEY\\_ON\\_VAW\\_2015.pdf](http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/macroencuesta2015/pdf/SPAIN_SURVEY_ON_VAW_2015.pdf)

<sup>16</sup> The main results of the *Survey on social perceptions of sexual violence* can be seen using the following link (in Spanish): [http://www.violenciagenero.igualdad.mpr.gob.es/laDelegacionInforma/2018/pdf/DGVG\\_INFORMA\\_PERCEPCION\\_SOCIAL\\_VIOLENCIA\\_SEXUAL.pdf](http://www.violenciagenero.igualdad.mpr.gob.es/laDelegacionInforma/2018/pdf/DGVG_INFORMA_PERCEPCION_SOCIAL_VIOLENCIA_SEXUAL.pdf)

- Finally, the DGVG is also taking part in the preparation of the **European Survey on Gender-based Violence**, a project arising from the need to obtain harmonised and comparable data on gender-based violence across the European Union.

## II. PREVENTION

### A. CAMPAIGNS AND PROGRAMMES:

The Government Delegation for Gender-based Violence launched a series of campaigns and actions in the period 2016-2017 that were intended to raise awareness and prevention against gender-based violence, including the following:

- The **web portal “For a society free of gender-based violence”** was started in November 2015 and registered approximately 17,000 visits during 2016 and 2017. It is a complete portal that gathers all the information about the campaigns, resources, plans and actions taking place in the context of public policies on the issue of violence against women, and which is kept permanently updated and intended to show the full range of institutions, standards and actions being undertaken. One of the most visited sections is the one dealing with news published in the bulletin “*The Government Delegation informs*” Link: <http://www.violenciagenero.igualdad.mpr.gob.es/>
- **Campaigns by the Government Delegation for Gender-based Violence<sup>17</sup>:** in order to raise awareness among the general public about gender violence and to encourage citizen participation in detection and prevention, the campaign “***Thanks to you there is a way out of gender violence. Join us***” which was broadcast in the media in 2016. In 2017, three more awareness-raising campaigns were launched and broadcast in the media.
  - “***Cut it out before you go too far. Gender violence doesn’t occur suddenly***”, aimed at a teenage audience.
  - “***Help stop gender violence***”, aimed at the general public.
  - “***Against the trafficking in women. Do not spend money on suffering***”, in relation with the trafficking in women and girls for the purpose of sexual exploitation.

The materials for the DGVG campaigns are made available to Autonomous Communities, Councils and other social and business entities through the portal “For a society free of gender-based violence”, in Spanish and the other official languages in Spain, as well as English and French so that their presence in the media acts as a permanent and continuous amplifier for the messages transmitted.

- The “**FREE**” (“**LIBRES**”) **app** was launched in 2013 and updated in 2016 to make the content more accessible for people with disabilities. The “Libres” app offers information about the first signs of abuse, what to do in a situation of gender violence, about the campaigns and resources available and access to the Web for resources to support prevention in cases of gender violence (WRAP). To date it has accumulated over 10,000 downloads. A new section was added in 2017 for the benefit of the teenage audience, with clear, direct messages to support prevention of gender violence.

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<sup>17</sup> For more information about DGVG campaigns, see Annex 6.

- Other actions taken with the private sector, such as the **initiative business for a society free of gender violence**, the **race “There is a way out”**, etc. which will be discussed in more detail in the section III.G.

For their part, the Autonomous Communities have also developed campaigns and actions in relation with prevention, as explained in Annex 1.

#### **B. TEACHING MATERIAL:**

The Government Delegation for Gender-based Violence has developed a range of prevention materials on gender violence that are aimed at the educational environment. Specifically, in 2016 and 2017 educational material in the form of **five short films** were made on the first signs of abuse and a **guide** to enable the teaching staff to work with the students. The **comic “Hooked on you”** was republished and a number of diptychs aimed at the teenage audience were created with information on the first signs of a toxic relationship and what to do in a situation of gender violence.

The Autonomous Communities have also created educational material (for more information see Annex 1).

#### **C. INITIAL TRAINING FOR PROFESSIONALS:**

See Table 1 in Annex 3.

#### **D. IN-SERVICE TRAINING:**

See Table 2 in Annex 3.

#### **E. PROGRAMMES FOR PERPETRATORS OF DOMESTIC VIOLENCE:**

In accordance with the information provided by the Secretariat General of Prisons (Ministry of the Interior), there are two programmes in the **application of custodial sentences** that respond to article 16.1 of the Convention and which are aimed at persons sent to prison for crimes of gender violence or domestic violence. These programmes are voluntary for the inmates and are offered by the state prison administration in the geographical areas that it has responsibility for. The number of places is adapted to the demand and the need in each prison. They are run by prison staff, but this does not prevent external entities from collaborating in giving the courses in many cases. They can be run in the prison itself or outside, in cases where the inmate is allowed out for good behaviour.

- **Intervention programme for aggressors in cases of gender violence (PRIA):** aimed at men sentenced to prison for violence against their partner or ex-partner. The data about the inmates and centres where these have been implemented in the last two years are shown below:

	<b>No. of inmates registered</b>	<b>No. of inmate participants (*)</b>	<b>No. of prisons</b>
<b>2016</b>	739	1073	50
<b>2017</b>	794	1048	49

(\*) Annual registrations plus inmates continuing the previous year's programme

Approximately 120 men convicted for gender violence, who are on day release

or in semi-liberty, across the whole country, take part every year in this open programme.

- **Intervention programme for violent behaviour (PICOVI):** this is aimed at people (men or women) convicted for a crime resulting from violent conduct towards a victim and for whom there are no other more specific intervention programmes, including violence in personal relationships and, therefore, in the context of the family. The data about the different types of violence is not collected separately, so the number of persons convicted for domestic violence who take part in this programme is not known.

There are two programmes in the area of **application of alternative punishments and measures** that respond to article 16.1. Both of these are run by the Management Services for Alternative Punishments and Measures that exist in all parts of the country where the General State Administration is responsible and the number of places is set according to the needs at the time. They are mandatory programmes for inmates sentenced to an alternative to prison for acts of gender or domestic violence, so they must be completed. Should they not be taken or are abandoned, the courts are informed so that a custodial sentence can be imposed.

- **Intervention programme for aggressors in cases of gender violence (PRIA-MA):** aimed at men sentenced to prison for violence against their partner or ex-partner.

Men condemned who have taken part in the programme*	
In 2016	In 2017
7659	8156

\*This is the total number; to see the data broken down by Autonomous Communities, see Annex 5.

- **Meeting Programme (*Programa Encuentro*):** this is aimed at men and women convicted for domestic violence (except for gender violence in the terms of Organic Law 1/2004). It covers three types of violence in the family: a) violence by women towards their partners or ex-partners; b) violence against parents: adult children towards their parents; c) violence against children: abuse of children or adolescents.

Condemned persons who have taken part in the programme*					
In 2016			In 2017		
MEN	WOMEN	TOTAL	MEN	WOMEN	TOTAL
131	101	232	117	107	224

\*This is the total number; to see the data broken down by Autonomous Communities, see Annex 5.

Interventions with persons convicted in alternative punishments and measures are made with special attention to situations of risk for the victim. If the existence of any imminent risk for third parties is detected during the course of the intervention, the State law-enforcement agencies are informed with the highest priority. The courts responsible for enforcement are also informed at the same time of any possible breaches in the victim's restraining orders that may occur on the part of the offender.

All programmes have a gender focus, integrating the gender perspective as a cross-cutting element. Specifically, the PRIA / PRIA-MA programme was designed to take the principles of the Risk-Need-Responsivity model and the Good Lives model into account, with a therapeutic cognitive-behavioural approach that includes elements of the gender perspective. The goal is to eliminate the sexist beliefs of the participants by including aspects of equality education and by emphasising the influence that inequality between men and women has in gender-based violence. It also incorporates the notion of new male roles, so that participants consider the advantages of a new idea of masculinity and of the roles played by women and men in a relationship. The gender focus is also part of the design of the Meetings programme, because the family setting is a context for personal development in which intimate relations can be directly or indirectly shaped by this cultural and psychological dimension of human beings. Specifically: in most cases of violence by women against male partners or ex-partners, this violence is a reaction against a situation of abuse; between 80 and 90% of victims of intergenerational violence are women; etc.

As regards the financing of the programmes, in general they are run with the resources of the prison administration itself, by professionals of the prison service using materials provided by the administration, making it impossible to specify the budget and/or annual cost of these programmes or to separate them from the other intervention programmes carried out in the prison system. There are also entities from the third or voluntary sector that collaborate in setting up these programmes, financed by annual state subsidies. In the field of alternative punishments and measures, the sum of €281,000 is assigned to these entities for carrying out these programmes, and they represent a major part of the interventions made with men convicted for crimes of gender violence.

In the area of custodial sentences, the evaluation of the intervention programme with gender violence aggressors was carried out by professors of the Psychology Department of the Complutense University of Madrid. It consisted of a comparison of the results of psychological assessment tests completed before and after treatment. In the area of alternative punishments and measures, the effectiveness of the intervention programme with male aggressors of gender-based violence was assessed at national level with a sample of 770 convicts (studies published in 2012 and 2017). This effectiveness is calculated at two different points: one year after the sample convicts have completed therapy, and again five years later. The assessment aims to measure the changes due to therapy (per and post treatment) and to analyse reoffending rates, with attention focused on new police reports. The results obtained reveal a significant therapeutic change after the intervention in those taking treatment: their attitudes were less sexist and they displayed less jealousy and emotional abuse of their partners, their relationships were less conflictive, with more empathy in general, less anger and better control of their anger, after completing the treatment. One year after the intervention and therapeutic treatment, the police had received no new reports about 95.4% of the participants in the programme for alleged gender violence offences, and after five years 93.2% of them had still not been reported to the police. For its part, the Meetings programme added an assessment protocol consisting of a semi-structured interview and psychometric questionnaires that professionals can use before and after the intervention to measure any therapeutic changes.

#### **F. PROGRAMMES FOR SEX OFFENDERS:**

According to the information provided by the Secretariat General for Prisons (Ministry of the Interior), there is a treatment programme for sex offenders included as part of the application of custodial sentences. These programmes are voluntary for the inmates and are offered by the state prison administration in the geographical

areas that it has responsibility for. The number of places is adapted to the demand and the need in each prison. They can be run in the prison itself or outside, in cases where the inmate is allowed out for good behaviour.

- **Sexual Assault Control Programme (PCAS)**, this is equally aimed at men convicted of sexually assaulting adults and those who abuse children. The data about the inmates and centres where these programmes have been implemented in the last two years are shown below:

	No. of inmates registered	No. of inmate participants (*)	No. of prisons
<b>In 2016</b>	193	419	39
<b>In 2017</b>	239	441	38

(\*) Annual registrations plus inmates continuing the previous year's programme

Approximately 100 men sent to prison for sexual assault offences, who are on day release or in semi-liberty, across the whole country, take part every year in this open programme.

There are two programmes in the **area of alternative punishments and measures** that respond to the indications of article 16.2. They are mandatory programmes for inmates sentenced to an alternative to prison, so they must be completed. Should they be abandoned, the courts are informed so that a custodial sentence can be imposed.

- **Sexual Assault Control Programme (PCAS)**, this is equally aimed at men convicted of sexually assaulting adults and those who abuse children.

<b>Men convicted who have taken part in the PCAS* programme</b>	
<b>In 2016</b>	<b>In 2017</b>
288	267

\*This is the total number: to see the data broken down by Autonomous Communities, see Annex 5.

- **Off-line Programme (*Programa Fuera de Red*)** is an intervention for online child sex offenders. It is aimed at persons convicted of the offence of possessing and/or distributing child pornography and subject to an alternative measure treatment programme. All those convicted of this offence are men.

<b>Convicted persons who have taken part in the Off-line programme (all are men)</b>	
<b>In 2016</b>	<b>In 2017</b>
57	154

\*This is the total number; to see the data broken down by Autonomous Communities, see Annex 5.

Special attention in any intervention in the framework of these programmes is paid to situations of risk for the victim, in accordance with the content of the previous section (III.E).

The current programme for controlling sexual assault (PCAS) adds the gender

perspective to its approach in the unit dealing with cognitive distortion. A working group is currently being set up to integrate this perspective fully in the programme for sex offenders in 2019, to comply with the State Pact against Gender-based Violence. The Off-line programme does not include gender perspective in its methodology.

Concerning the financing of these programmes, the details in the previous section (III.E) should be taken into account.

As regards the evaluation of the PCAS programme implemented in prisons, it was carried out by professors belonging to the Psychology Department of Barcelona University. It consisted of a comparison of the results of psychological assessment tests completed before and after treatment. The development of this programme in the area of alternative punishments and measures includes an assessment protocol consisting of a semi-structured interview and psychometric questionnaires that professionals can use before and after the intervention to measure any therapeutic changes. However, no assessment has been developed at national level to evaluate the effectiveness of this programme through reoffending rates of the persons convicted. The Off-line programme includes an assessment protocol consisting of a semi-structured interview and psychometric questionnaires that professionals can use before and after the intervention to measure any therapeutic changes. However, no assessment has been developed at national level to evaluate the effectiveness of this programme through reoffending rates of the persons convicted.

#### **G. PARTICIPATION OF THE PRIVATE SECTOR, THE INFORMATION AND COMMUNICATION TECHNOLOGY SECTOR AND THE MEDIA:**

The following actions are highlights in the bid to promote participation by the private sector, the information and communication technology sector and the media, including social media, in the drafting and implementation of public policy in relation with violence against women:

- The **National Strategy for the Eradication of Violence against Women 2013-2016** considered a series of measures in relation with the media, the private sector and new technologies.
- The **State Pact against Gender-based Violence** passed in 2017 calls attention to the importance of the media as a major instrument for raising awareness with enormous impact and effect on society, and to consider measures in relation with it, as well as others affecting the private sector and new technologies.
- The private sector is present in the **State Observatory on Violence against Women**, because two of its members are drawn from business associations and two more from trade unions with the largest memberships, as indicated in section II.D of this report.
- In 2012, the Government Delegation for Gender-based Violence set up an initiative called ***Companies for a society free of gender violence*** in order to take advantage of the power of business as an agent of social awareness. This initiative remained fully active in 2016 and 2017, with 129 public and private entities from different sectors of the Spanish economy joining in. These entities have made use of many internal and external activities to involve their employees, customers and the public in a range of awareness-raising actions and to spread and amplify the message “*There is a way out*” and contribute to achieving a society free of gender violence. They have carried out innovative actions through different channels and communications media: invoices, working equipment, company vehicles, magazines, voluntary activities for employees, checkout dividers in supermarkets, napkins in company or hospital canteens, shop window displays, service stations, social media campaigns, etc. Besides these awareness-raising campaigns, many

of the companies taking part in the initiative also have inclusive employment policies for women victims of gender-based violence.

- Madrid has held the **Hay Salida** (There is a Way Out) **Race** since 2014 to underline collaboration between the public and private sectors. The fifth edition of this race was held in 2018, and it was founded to raise awareness about gender violence in society and to support women.
- In March 2017, the *Pantallas Amigas* (Friendly Screens) association collaborated on the campaign “**Ten types of digital gender violence**” which underlined the importance of detecting the earliest indications of abuse, such as controlling use of the mobile phone or social media, as well as indicating behaviour that constitutes cyberbullying, especially for the young and adolescent audience. Twitter España played an active role in spreading this campaign.
- The competition “**End it when it starts**” was launched in 2017 by the Spanish Scouting Association in collaboration with the Government Delegation for Gender-based Violence and was aimed at teenagers aged between 11 and 14 members of Scout Groups. The aim of the competition was to make a viral message on the topic of saying no to gender violence in the form of audio WhatsApp messages, to encourage them not to copy sexist attitudes and behaviour and to spot the first symptoms of abuse.
- Since 2017, the Government Delegation for Gender-based Violence has its own **Twitter** account (**@DelGobVG**) which it uses to spread campaigns and initiatives as well as relevant news items, and to inform about its activities in relation with the different forms of violence against women.
- The **LIBRES app**, which was referred to in section III.A.
- The Government Delegation for Gender-based Violence collaborated with the Mutua Madrileña Foundation and ATRESMEDIA in 2016, 2017 and 2018 in the **competition “It hurts us all”** aimed at schools and vocational training centres.
- There has also been collaboration with MEDIASET in the “**Loves that hurt**” initiative, with the testimony of women who have suffered gender violence and the friends and experts who helped them find a way out of their situation.

#### **H. SELF-REGULATORY STANDARDS IN THE INFORMATION AND COMMUNICATION TECHNOLOGY SECTOR AND THE MEDIA:**

In compliance with the State Pact against Gender-based Violence, a new Observatory on Equality in the Spanish Radio and Television Corporation (**Observatorio de Igualdad en la Corporación RTVE**) was set up in 2017 to ensure progress towards full equality and to combat sex discrimination and one of its worst expressions, gender violence. This Observatory has a three-part membership: six members as management representatives of the RTVE Corporation, six more as representatives of the trade unions established in the RTVE Corporation and six more representing associations and organizations working on the issues of equality and gender violence. The objectives of the Observatory on Equality are:

- Promote respect, knowledge and diffusion of the principle of equality between women and men, seeking to avoid any form of inequality and sex discrimination in the activities of the RTVE Corporation.
- Encourage the presentation of an image of equality, plurality and balance between both sexes, without sexist stereotypes or standards of beauty, and of women’s active participation in the different functions performed in all areas of life, with special attention on the contents of programmes aimed at children and the young audience.

- Monitor the existence and application of ethical codes in favour of the promotion of equality and the prevention of gender violence in the activity of the RTVE Corporation.
- Ensure that the content broadcast on any of the media of the RTVE Corporation do not justify, trivialize or incite violence against women.
- Encourage the use of non-sexist language.
- Collaborate in institutional campaigns aimed at promoting equality between men and women and to eradicate gender violence.

The Women's Institute also has its own Women's Image Observatory (***Observatorio de la Imagen de las Mujeres: OIM***) which has a long record of activity in the media. The aim of this Observatory is to analyse the way women are represented in advertising and the media, and to note which of the roles assigned are the most significant. Should these be sexist in nature, the Observatory takes action to suppress stereotyped images and to present realistic, plural images of women. The OIM is entrusted with the following functions in order to fulfil its goals:

- Collect complaints from the public and monitor any content that is considered sexist.
- Analyse and classify any content observed or reported in order to get an overview on the contemporary treatment of women in advertising and the media.
- Take action against those issuing discriminatory messages, requesting the modification or withdrawal of campaigns that are excessively stereotyped or degrading for women, or requesting a change of approach for future campaigns.
- Spread the information obtained to continue to encourage social rejection of discriminatory treatment through media communications.
- Participation in training and awareness-raising activities on the influence of discriminatory treatment in the media and advertising on inequality.

In 2016, the Observatory received 1,079 complaints and another 1,027 in 2017, mostly related with advertising material. In this same period (2016 and 2017), the Observatory made, among others, 221 requests and claims and another 72 recommendations to improve the image of women, and 3 reports requesting the Public Prosecutor to take legal action for discriminatory advertising.

#### **I. MEASURES IN THE WORKPLACE:**

As regards the measures taken to promote the adoption of protocols and instructions to prevent violence in the workplace (such as sexual harassment) or to make human resources staff aware of questions of violence against women, including domestic violence, the following are the most significant:

- In 2016 and 2017 there was promotion and distribution of the "**Reference manual for creating protocols for action and prevention against sexual harassment and sexually-motivated harassment at work**" at [www.igualdadenedlasempresas.es](http://www.igualdadenedlasempresas.es). This is a free resource aimed at encouraging companies to establish working conditions that prevent practices of sexual harassment or sexually-motivated harassment at work, to set up specific procedures to prevent it from occurring and to channel any complaints or reports that the victims of this treatment may make.
- The following measures were taken in the area of the General State Administration:

- The resolution of 28 July 2011, by the Secretary of State for the Civil Service, approving and publishing the Agreement of 27 July 2011 of the de la General Negotiating Committee of the General State Administration on the **Action protocol on sexual harassment and sexually-motivated harassment in the General State Administration and Public Bodies attached to it**. This protocol, however, has still not been applied and has been under review since the middle of 2018 prior to implementation.
- The resolution of 25 November 2015 by the Secretary of State for the Public Administrations, establishing the procedure for **mobility of civil servants victims of gender violence**.
- The resolution of 16 November 2018 by the Secretary of State for the Civil Service, to publish the Agreement of the Sectoral Conference of the Public Administration, approving the Agreement to encourage **movement between administrations of civil servants who are victims of gender violence**.

#### **J. OTHER MEASURES:**

In 2018 the Government Delegation for Gender-based Violence launched three new **campaigns**<sup>18</sup> with the following hashtags:

- **“#Puesnolohagas”**, (So don't do it) aimed at teenagers.
- **“#Notrates”**, (Don't take part) against the trafficking in women for the purpose of sexual exploitation.
- **“#SomosUna”**, (We are one) against sexual violence.

Another landmark was the signing in 2018 of a **General protocol between the then Ministry of Health, Social Services and Equality and RTVE** (Spanish Radio and Television Corporation) to promote social awareness and sensitization in the framework of the State Pact against Gender-based violence. One of the first actions taken was the launch of a campaign against gender violence using the hashtag **#TodosSomosEllas** (We are all them).

It is also worth noting that the Government Delegation for Gender-based Violence and the **Spanish Federation of Municipal and Provincial Authorities (FEMP)** have signed an annual agreement to channel the subsidy granted explicitly in the Budget Act to the FEMP for the preparation of local training and information courses, aimed at professionals with different roles in local bodies.

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<sup>18</sup> For more information about DGVG campaigns, see Annex 6.

### III. PROTECTION AND SUPPORT

#### A. INFORMATION:

As regards women victims of gender-based violence by a partner or ex-partner, article 18 of Organic Law 1/2004 establishes that they “*have the right to receive comprehensive information and advice adapted to their personal circumstances, through the services, agencies and offices provided by the public authorities*”, and that this information shall include measures for their safety and protection, their rights and assistance, as well as the location of the care, crisis, support and integrated recovery services. The right of women with disabilities and those that may have greater difficulty due to their personal and social situation to access this information must also be guaranteed. Article 20 of the Act also establishes that the victims of gender violence have the right to receive free legal aid in the period immediately before making a report.

To ensure these rights are effective, the Government Delegation for Gender-based Violence operates a **016 Service** for legal advice and information on this issue (this service is mentioned in more detail in section IV.E). The Delegation is responsible for the creation and promotion of a **Web with support and prevention resources for cases of gender violence** (*Web de recursos de apoyo y prevención: WRAP*), that shows the closest resources to the victim’s location, which is reached through the following link: <https://wrap.igualdad.mpr.gob.es/recursos-vdg/search/Search.action>. The **web portal “For a society free of gender violence”** offers more information of interest, concerning other resources, a guide to the rights of women victims (available in several languages), etc.

As regards the other forms of violence against women, article 5 of Act 4/2015 of 27 April, on the Statute of Victims of Crime, establishes that “*all victims have the right, from the first meeting with authorities and civil servants, including the period before presenting an accusation, to receive, without undue delay, information adapted to their personal circumstances and conditions and the nature of the crime committed and the losses and damages suffered*” on a number of aspects, such as the care and support facilities available, the right to press charges, the procedure for obtaining legal advice and defence, the option to request protection and compensation, the interpretation and translation services available, etc. The Victim Support Offices, regulated by Royal Decree 1109/2015 of 11 December, which develops the Statute of Victims, are able to provide a wide range of functions in relation with this information. These Offices may be operated by the State or Autonomous Communities, depending on whether these have accepted responsibility for matters of Justice.

Finally, see Annex 1 for the information provided by the Autonomous Communities in this area.

#### B. GENERAL SUPPORT SERVICES:

Article 10 of the Statute of Victims establishes that all victims have the right to free and confidential access to support services offered by public administrations as well as those provided by the Victim Support Offices.

Social support is the responsibility of the Autonomous Communities, as specified in article 148.1.20 of the Spanish Constitution and accepted as such in their respective Statutes of Autonomy. For more information about general support services, see Annex 1, in relation with the Autonomous Communities.

### **C. ASSISTANCE IN INDIVIDUAL/COLLECTIVE COMPLAINTS:**

Article 3 of act 4/2015 of 27 April, on the Statute of Victims of Crime, states explicitly that all victims have the right to protection, support and care, as well as active participation in the criminal proceedings, and to receive respectful, professional, personal and non-discriminatory treatment from the first contact with the authorities. Besides what has already been stated in terms of the right to information in section IV.A, it also confirms that there are several options in Spanish law for bringing individual or group accusations, either through the Citizen Support Unit of the General Council of the Judiciary or the Ministry of Justice, depending on the issue. The role played by the Victim Support Offices should also be noted in these cases.

### **D. SPECIALIST SUPPORT SERVICES:**

As regards specialist support, article 19 of the Organic Law 1/2004 states that “*female victims of gender violence are entitled to receive care, crisis, support and refuge, and integrated recovery services*”, a right that is also extended to minors who are in their care, guardianship or custody. This article also establishes that multidisciplinary care especially includes: information for the victims, psychological assistance, social assistance, monitoring of claims for women’s rights, educational support for the family unit, preventive training in the values of equality and support for employment training and insertion. It also, along with other questions, affirms that the services must act in coordination and collaborate with other agents (law enforcement, violence against women judges, health services, etc.)

As stated above, social assistance is the responsibility of the Autonomous Communities (see section IV.B) and the State makes financial contributions to these, through transfers of funds, to contribute to ensuring the rights that the law upholds for the victims of gender violence (see section II.B).

Information about the specialist services offered by the Autonomous Communities referred to in articles 22, 23 and 25 of the Convention is offered below, in accordance with the information contained in the Statistics of Community Resources in matters of Gender Violence 2017, drafted by the Government Delegation for Gender-based Violence and drawing on the information provided by the Autonomous Communities. The information and quantitative data contained in the statistics refer to victims of gender violence in the case of partners or ex-partners (Organic Law 1/2004) However, these resources may also include, depending on the decision of each Autonomous Community, victims of other types of violence against women.

- **Shelters:** There are two types of centre that should be distinguished within this category: crisis centres for short stays (normally several days) and shelter houses for longer periods. Beyond the differences in organization of each Autonomous Community, the common criteria that these centres share were established by the Government Delegation for Gender-based Violence in the instructions given for refuge as a way of ensuring that the data was standardised and comparable, as can be seen in the definitions marked for each category:

- **Crisis centres:** according to the definition, “*crisis centres are those facilities intended to provide immediate shelter and assistance for a short period to women victims of gender violence and their children in their care who are minors or disabled, in order to prevent situations of risk and to guarantee their safety and physical protection. In general, they shall be open 24 hours a day every day of the year. This category may include homes or any other type of centre that has room and spaces set aside to provide these services, as long as they satisfy the conditions mentioned above. It is normal practice for these centres to establish a brief period of several days in which they can shelter women and the children in their care, following which these must be transferred to another type of centre that caters for longer residence and which permit full recovery”.*
- **Shelter houses:** according to the established definition, “*these are residential facilities with specialist staff that are intended to offer women victims of gender violence without resources and their children who are minors or disabled in their charge refuge for a specified period of time (medium-term stays), providing the services they need to ensure their full recovery. As long as they meet the conditions listed above, this category may include homes or centres that offer both accommodation and personalised services of information, psychological support, legal assistance, accompaniment and any other services or interventions that help in the full recovery of the victims and the children in their care. It is normal for the victims to share these facilities in common with other victims. There may also be centres of this type which are specialised or adapted to women who are minors, over 65, of foreign birth, disabled, etc.”*

Both the crisis centres and the shelter houses referred to in this section belong to the Autonomous Communities, although there may be others that are locally run, and in some cases they may be run by third parties (private bodies, NGOs, etc.). As regards the number and geographical distribution of these facilities and the specialists who work in them, or the women sheltered with children in their charge who are minors or disabled, see the table in Annex 4.

- **Crisis support centres for victims of rape or sexual violence:** The Statistics on Autonomous Community Resources for Gender Violence does not collect information on centres specifically dedicated to sexual violence. Each Autonomous Community, however, may arrange that some or all of the centres it runs to assist victims of gender violence in the terms of Organic Law 1/2004 also attend to victims of sexual assault. In fact, the State transferred 2 million euros to the Autonomous Communities and the cities of Ceuta and Melilla in 2017 to support victims of sexual assault and/or abuse, specifically to contribute to the information and advice, assistance and accommodation, social and psychological support, training and employment insertion services provided by the Autonomous Communities for the victims.
- **Integrated Support Centres:** According to the established definition, “*these are spaces where multidisciplinary teams of specialist professionals provide women victims of gender violence with integrated care, including information, support and guidance in all areas (psychological, legal, social, employment, financial...).* They shall always meet the characteristics mentioned above, and this category may include Women’s Institutes/Centres/Houses, long-term or crisis integrated centres or any other centres that offer integrated support, excluding shelter houses”. In general, these centres are not open 24 hours a day, 7 days a week, but have restricted opening hours, although some provinces may have a centre that is open

at all hours. These centres belong to the Autonomous Community, although there may be others that are locally run, and in some cases they may be run by third parties (private bodies, NGOs, etc.). As regards the number and geographical distribution of these facilities and the specialists who work in them, or the women sheltered with children in their charge who are minors or disabled, see the table in Annex 4.

- **Other resources:** besides the resources mentioned above, the Autonomous Communities have many others to provide social care for the victims, including, as examples: staffed or transitory houses (with personal supervision on the part of specialist staff) and priority access to public accommodation; specific training and guidance programmes for employment and claiming subsidies for entrepreneurship or self-employment; family meeting points; mobile remote support services (victims press a button to receive immediate, personal attention to each request or situation from specialist personnel who can arrange for the resources available in the local area to be mobilised); etc.

All of the specialist support services referred to in this section are free for the victims regardless of their income. The Autonomous Communities have inter-institutional protocols<sup>19</sup> for coordinating the different services.

It should also be mentioned that in December 2018, the Government Delegation for Gender-based Violence published documents prepared in conjunction with the Autonomous Communities that include a summary description with information on the main resources they offer and the actions that they have taken with the aim of guaranteeing the rights of victims and to prevent and eradicate gender violence. This is a significant step forward, because until then only statistical data on the resources had been made public. This information is available at this link:

[http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/Recursos\\_Autonomicos/Informacion\\_Descriptiva/home.htm](http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/Recursos_Autonomicos/Informacion_Descriptiva/home.htm)

Alongside this, the DGVG also has a guide to the support **resources available for victims of trafficking** for the purpose of sexual exploitation, which is updated every six months and contains information about these (regardless of who owns and runs them -public or private- or where their financing comes from), arranged by location (Autonomous Communities and provinces), the type of care offered (accommodation, psychological support, medical attention, interpreters and legal assistance, social care and employment services) and the entity offering it. According to the data available on 31 December 2017, there were 58 entities offering 499 accommodation places for victims of trafficking for the purpose of sexual exploitation, in a total of 107 flats or residential centres. Among these, 13 offered accommodation for victims who are minors and 31 for victims with children who are minors. 122 centres also offered drop-in assistance.

#### **E. TELEPHONE HELPLINES:**

Spain has a **telephone and online helpline (016)** in application of the right to information contained in article 18 of Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence. This public service offers women who are victims of gender violence (according to the definition contained in the law, involving partners or ex-partners) and their circle information and counselling on

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<sup>19</sup> The Autonomous Community protocols are available at this link:

<http://www.violenciagenero.igualdad.mpr.gob.es/profesionalesInvestigacion/protocolosAmbitoAutonomico/home.htm>

what action to take in the case of mistreatment; it also refers them to the Offices for assisting victims of violent crimes and crimes against sexual freedom and other public care and support services for cases of violence not explicitly covered by the Organic Law (trafficking, sexual abuse, etc.).

The 016 Service offers information about the resources and rights of victims of gender violence in questions of employment, social services, financial support, information, assistance and accommodation for victims of this type of violence. Legal assistance is also available.

The service is available nationwide and depends on the Government Delegation for Gender-based Violence, who manages it through a public contract that is put into practice by the contractor company, in accordance with the terms and conditions of the contract and the supervision of the Delegation<sup>20</sup>. This public service has been available since September 2007, is free of charge and operates 24 hours a day, every day of the year. The hours for legal assistance through the 016 line, however, are from 8 am to 10 pm, Monday to Sunday.

It is also an anonymous service that guarantees the confidentiality of the users, an aspect that is expressly mentioned in the contract and which is also reinforced by data protection laws.

The operators receive, in accordance with the conditions in their contract, specialist courses to deal with this issue, and the staff working in this department also has legal training. The contractor company must guarantee and pay for the specialist training of its teams, organizing regular courses for continuous education. The content of these courses and the speakers who present them should also be arranged in collaboration and under the supervision of the Government Delegation for Gender-based Violence.

The service can also divert critical calls to the 112 line so that the national law enforcement agencies can be alerted to intervene in an emergency situation. It can also coordinate and divert consultations from one part of the country to similar services run by the Autonomous Communities when this is requested by the caller. In accordance with the Agreement signed with the ANAR Foundation for Support for Children and Adolescents, it can divert calls to its helpline when the callers are minors. It can also refer to the helpline of the Ministry of the Interior in cases involving prostitution or the trafficking in women and girls for the purpose of sexual exploitation.

It can be accessed in a number of languages, as it offers telephone support in 53 different languages: Spanish, Catalan, Gallego, Valencian, English, French, German, Portuguese, Mandarin Chinese, Russian, Arabic, Rumanian, Bulgarian, Tamazight and another 38 languages through a remote translation service.

Universal access to the service is also guaranteed for persons with hearing and/or speaking disabilities, because communication with the 016 line is possible through a range of media:

- Textphone (DTS) using the number 900 116 016

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<sup>20</sup> The information about this public service is available on the official web page of the Government Delegation for Gender-based Violence:  
<http://www.violenciagenero.igualdad.mpr.gob.es/informacionUtil/recursos/telefono016/home.htm>.

- Telesor Service, through the web page of Telesor. This requires an Internet connection. <https://www.telesor.es>
- Mobile phone or PDA. A free application must be installed in both cases, following the steps indicated in the web page of Telesor. <https://www.telesor.es>
- SVIsual video interpretation service through the web page <http://www.svisual.org>

Finally, according to the latest annual statistical bulletin published, referring to 2017<sup>21</sup>, since the start of the 016 line in September 2007 and until 31 December 2017, a total of 725,423 relevant calls were received. Between 1 January and 31 December 2017, 77,796 relevant calls were received.

#### **F. PROTECTION AND SUPPORT FOR CHILD WITNESSES:**

As a result of the revision of Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence in Organic Law 8/2015 of 22 July, modifying the protection system for children and adolescents, so that children who are minors or under guardianship, in the safekeeping or custody of women who are victims of gender violence are also considered as victims, and are therefore included in the scope of the integrated protection offered by the law (article 1). As indicated in the Explanatory Statement for Organic Law 8/2015, this form of violence affects minors in many ways, jeopardising their welfare and development, leading to grave health issues and making them weapons with which to exert dominion and violence against women, encouraging the transmission of this conduct between generations. Exposing children to this form of violence at home means that they also become victims of it. Furthermore, law 26/2015 of 28 July, modifying the protection system for children and adolescents, introduced legal changes to improve current legislation in questions of allowances in the case of culpable homicide offences.

Alongside this, article 156 of the Civil Code<sup>22</sup> establishes, among other questions, that *“when a conviction has been made and until the criminal responsibility has expired, or when criminal proceedings have been started against one of the parents for threatening the life, freedom, physical and moral integrity, or the freedom, sexual indemnity of shared children who are minors, or for threatening the other parent, the consent of the latter is sufficient for the provision of care and psychological support for the children who are minors, after the former has been notified.”*

It should also be noted that 2,450,000 euros was destined to specialist care for minors within the State transfers to Autonomous Communities for the integrated social assistance for victims of gender violence in 2017.

#### **G. OTHER MEASURES:**

Besides the resources mentioned in the sections above, women who are victims of gender violence in the terms of Organic Law 1/2004 have other resources for their safety, integrated assistance and support, including the following:

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<sup>21</sup> For more information about the statistical bulletin, use the following link: [http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/boletines/boletinAnual/docs/Principales\\_Datos\\_2017.pdf](http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/boletines/boletinAnual/docs/Principales_Datos_2017.pdf)

<sup>22</sup> In the version resulting from the modification made under Royal Decree - law 9/2018 of 3 August, on urgent measures for developing the State Pact against Gender-based Violence.

- The **Telephone Service for Attention and Protection of Victims of Gender Violence (ATENPRO)** is a type of service that, using appropriate technology, offers the victims of gender violence immediate assistance to cope with any possibilities that may arise, 24 hours a day, 365 days a year, wherever they may be.
- The **Remote Monitoring System for Restraining Orders and other Measures in cases of Gender Violence**, which makes it possible to check the compliance of restraining orders and other measures prohibiting approximation to the victim imposed by procedures against gender violence in cases where the Courts approve their use.

## IV. SUBSTANTIVE LAW

### A. LEGAL FRAMEWORK:

The main legal provisions under Spanish law in the issue of violence against women and domestic violence are the following:

- **SPANISH CONSTITUTION OF 1978.**
- **SPANISH LAW ON EQUALITY AND GENDER-BASED VIOLENCE:**
  - Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence.
  - Organic Law 3/2007 of 22 March, for the Effective Equality between Women and Men.
- **ORGANIZATION OF THE GENERAL STATE ADMINISTRATION:**
  - Royal Decree 485/2017 of 12 May, to develop the basic organic structure of the Ministry of Health, Social Services and Equality.<sup>23</sup>
  - Royal Decree 253/2006 of 3 March, establishing the functions, operating procedure and composition of the State Observatory on Violence against Women.
- **COURTS DEALING WITH VIOLENCE AGAINST WOMEN:**
  - Law 38/1988 of 28 December, on Jurisdiction and Judicial Organization.
  - Organic Law 6/1985 of 1 July, on the Judiciary.
- **CRIMINAL LAW:**
  - Organic Law 10/1995 of 23 November, approving the Criminal Code.
  - Royal Decree of 14 September 1882 approving the Law of Criminal Proceedings.
  - Law 4/2015 of 27 April, on the Statute of Victims of Crime.
  - Royal Decree 1109/2015 of 11 December, developing Law 4/2015 of 27 April, on the Statute of Victims of Crime, regulating the Offices for Supporting Victims of Crime.
- **CIVIL LAW:**
  - Royal Decree of 24 July 1889 approving the Civil Code.
  - Law 1/2000 of 7 January, on Civil Proceedings.
- **PROTECTION ORDERS:**
  - Law 27/2003 of 31 July, regulating the Protection Order for victims of domestic violence.
  - Law 23/2014, of 20 November on Mutual Recognition of Criminal Sentencing in the European Union.

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<sup>23</sup> This was the applicable law in 2017 (replacing Royal Decree 200/2012, applicable in 2016) which established the functions and organization of the Government Delegation for Gender-based Violence when this was attached to the Ministry of Health, Social Services and Equality. Its current legislation is, as already stated, in Royal Decree 816/2018 of 6 July, to develop the basic organic structure of the Ministry of the Presidency, Relations with Parliament and Equality.

- Royal Decree 95/2009 of 6 February, regulating the Administrative Registration System that supports the Justice System.
- **LEGAL ASSISTANCE:**
  - Law 1/1996 of 10 January, on Free Legal Assistance.
  - Royal Decree 996/2003 of 25 July, approving the Regulations on free legal assistance.
- **LAWS OF SOCIETY, EMPLOYMENT AND SOCIAL SECURITY:**
  - Legislative Royal Decree 2/2015 of 23 October, approving the revised text of the Employment Statute Act.
  - Law 20/2007 of 11 July, on the Self-Employment Statute.
  - Legislative Royal Decree 5/2015 of 30 October, approving the consolidated text of the Civil Service Basic Statute Act.
  - The resolution of 25 November 2015 by the Secretary of State for the Public Administrations, establishing the procedure for mobility of civil servants who are victims of gender violence.
  - Royal Decree 1917/2008 of 21 November, approving the social and employment insertion programme for women victims of gender violence.
  - Royal Decree 1369/2006 of 24 November, regulating the job seeker's allowance programme for unemployed persons with special financial needs and difficulties in finding employment.
  - Law 43/2006, of 29 December to improve growth and employment.
  - Legislative Royal Decree 8/2015 of 30 October, approving the revised text of the Social Security Act.
- **FOREIGNERS AND IMMIGRATION:**
  - Organic Law 4/2000 of 11 January, on the Rights and Freedoms of Foreigners in Spain and their Social Integration.
  - Royal Decree 557/2011 of 20 April, approving the regulation of Organic Law 4/2000, on the Rights and Freedoms of Foreigners in Spain and their Social Integration, following its reform under Organic Law 2/2009.
  - Royal Decree 240/2007 of 16 February, on the Entry, Free Movement and Residence in Spain of Citizens of the Member States of the European Union and other States party to the Agreement on the European Economic Area.
- **MINORS:**
  - Organic Law 1/1996 of 15 January, on the Legal Protection of Minors, partially modifying the Civil Code and the Law of Civil Proceedings.
- **OTHER RELATED REGULATIONS:**
  - Organic Law 2/2010 of 3 March, on Reproduction and Sexual Health and the voluntary interruption of pregnancy.
  - Royal Decree 1452/2005 of 2 December, regulating the financial aid established in article 27 of Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence.
  - Royal Decree 1618/2007 of 7 December, on the Organization and Operation of the Guarantee Fund for Maintenance Payments.
  - Law 1/2013 of 14 May, of measures to strengthen protection for mortgage debtors, debt restructuring and social tenancies.
- **AUTONOMOUS COMMUNITY LAW ON GENDER VIOLENCE:**
  - ANDALUSIA: Law 13/2007 of 26 November, on Integral Protective and Preventive Measures against Gender Violence.

- ARAGÓN: Law 4/2007 of 22 March, on Integral Protection and Prevention for Women Victims of Violence in Aragón.
- CANARY ISLANDS: Law 16/2003 of 8 April, on Integral Protection and Prevention for Women Victims of Gender Violence.
- CANTABRIA: Law 1/2004 of 1 April, for Integral Prevention Measures against Gender Violence and Protection for its Victims.
- CASTILE-LA MANCHA: Law 5/2001 of 17 May, on Prevention of Abuse and Protection of Abused Women<sup>24</sup>.
- CASTILE AND LEON: Law 13/2010 of 9 December, against Gender Violence in Castile and León.
- CATALONIA: Law 5/2008 of 24 April, on the Rights of Women to Eradicate Sexist Violence.
- COMMUNITY OF MADRID: Law 5/2005 of 20 December, against Gender Violence in the Community of Madrid.
- FORAL COMMUNITY OF NAVARRE: Foral Law 14/2015 of 10 April, to act against violence against women.
- COMMUNITY OF VALENCIA: Law 7/2012 of 23 November, against Violence against Women in the territory of the Community of Valencia.
- EXTREMADURA: Law 8/2011 of 23 March, on Equality between Women and Men and against Gender Violence.
- GALICIA: Law 11/2007 of 27 July, on the Prevention and Integral Treatment of Gender Violence.
- BALEARIC ISLANDS: Law 11/2016, of 28 July on Equality between Women and Men.
- LA RIOJA: Law 3/2011 of 1 March, on Protection, Prevention and Institutional Coordination on Violence in La Rioja.
- BASQUE COUNTRY: Law 4/2005 of 18 February, for Equality between Women and Men.
- PRINCIPALITY OF ASTURIES: Law 2/2011 of 11 March, for Equality between Women and Men and the Eradication of Gender Violence.
- REGION OF MURCIA: Law 7/2007 of 4 April, on equality between Women and Men and Protection against Gender Violence in the Region of Murcia.

In Spain, specific legislation on the issue of violence against women consists of:

- National Law, which is the aforementioned **Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence** (which applies, as already explained in this report, to violence against women in the case of partners or ex-partners).
- The **17 specific laws of the Autonomous Communities** mentioned in this section, which generally consider a wider definition, referring to the different forms of violence against women.

For more information about the specific legislation listed, see Annex 2 (on Organic Law 1/2004) and Annex 1 in the case of Autonomous Community laws.

## **B. GUIDANCE TO IMPLEMENT THE LEGAL FRAMEWORK:**

Given the multi-disciplinary and integrated nature of public policy in matters of violence against women and domestic violence, there is a broad group of inter-institutional protocols for action, instructions and other instruments at national,

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<sup>24</sup> Provision valid in 2016 and 2017, the reference years for this report, and repealed in 2018 by Law 4/2018 of 8 October, for a Society Free of Gender Violence in Castile-La Mancha.

autonomic and local level in Spain, as well as other areas (education, health, employment, courts, prisons, advertising, the media, integrated social care, safety, etc.) They include the following:<sup>25</sup>

- Basic intervention protocol for child abuse within the family environment (2014)
- Common protocol for health action in cases of Gender Violence (2012), with an additional Annex on health intervention in cases of trafficking for the purpose of sexual exploitation (2017).
- Common Protocol for Health Intervention in cases of Female Genital Mutilation (2015).
- Guide criteria for judicial intervention in cases of gender violence (2013).
- Agreement to encourage self-regulation of advertising between the Secretariat General for Equality Policy and the Association for Self-Regulation of the Commercial Communications (2007).
- Protocol for the constitution of the Advisory Committee on Images of Women in Advertising and the Media (2007).
- Protocol for referrals between Autonomous Communities for coordination of their sheltered accommodation networks for women victims of gender violence and their children (2014)
- Proposal of guidance for integrated and individualized interventions with women victims of gender violence, their children and other dependent persons (2014).
- Common guidelines for the preparation of a non-employability report issued by the relevant public employment service for claiming the support included in article 27 Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence.
- Protocol for the application in prisons of the remote monitoring systems for compliance with restraining orders and other measures in cases of gender violence (2015).
- Protocol for the application of the remote monitoring systems for compliance with restraining orders and other measures in cases of gender violence (2013).
- Forensic medical protocol for urgent assessment in cases with risk of gender violence (2011).
- Intervention Protocol for Law Enforcement Agencies with the Courts and Prosecutor's Office for the Protection of Victims of Domestic and Gender Violence (2005).
- Circular no.6/2011 of 2 November, on criteria for the specialist intervention unit of the Prosecutor's Office for cases of violence against women.
- Circular no. 4/2005 of 18 July, on the criteria for application of the Comprehensive State Public Prosecutor's Office Act.
- Protocol for coordination between civil and criminal jurisdictional orders for the protection of victims of domestic violence.
- Circular no. 2/2014 of the Secretariat General of the Justice System, on procedural measures for protecting victims of human trafficking and victims of gender and domestic violence and the Victim Support Offices.
- Instruction no. 7/2005 of 23 June, of the State Prosecutor, on the role of the Prosecutor against violence against women and the sections against violence of the Prosecutor's Offices.
- Instruction 2/2005 of 2 March, on the interpretation of article 23 of the Comprehensive Law (Organic Law 1/2004), of the State Public Prosecutor's Office.
- Instruction no. 7/2016, establishing a new protocol for police assessment of the level of risk of gender violence and controlling the safety of the victims.

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<sup>25</sup> For more information about the protocols used in the different areas, see the following link:  
<http://www.violenciagenero.igualdad.mpr.gob.es/profesionalesInvestigacion/home.htm>

- Protocol for intervention and coordination of the State Law Enforcement Agencies and lawyers to improve legal assistance and information provided to victims of gender violence (2007).
- Framework collaboration agreement on questions of public safety and road safety signed by the Ministry of the Interior and the Spanish Federation of Municipal and Provincial Authorities (2007).
- Protocol for the implementation of the order for protection of victims of gender violence (2004).
- Intervention Protocol for Law Enforcement Agencies with the Courts and Prosecutor's Office for the protection of victims of domestic and gender violence (2005).
- Collaboration and coordination protocol for Law Enforcement Agencies with Local Police Forces for the protection of victims of domestic and gender violence (2006).
- Instruction 1/2012 of 2 April 2012 of the Secretariat General of Prisons, day release and programmed day releases.
- Instruction 2/2012 of 7 June 2012 of the Secretariat General of Prisons, intervention of non-governmental organizations, associations and entities that collaborate with the prison system.
- Instruction 4/2015 of 29 June 2015 of the Secretariat General of Prisons, on aspects of penal custody affected by the review of the Criminal Code in Organic Law 1/2015 of 30 March.
- Intersectoral Proposal for Integrated Local Intervention on Violence against Women.

The Autonomous Communities also have a series of specific protocols of their own in different areas of intervention that they apply in their respective territories<sup>26</sup>.

### **C. CIVIL REMEDIES:**

As regards the **civil remedies against the perpetrator**, it should be noted that under Spanish law, civil actions arising from the commission of the crime can be pursued during a criminal trial or be held back for a later civil procedure. In any case, if the purpose of the victim is to claim as the "civil remedies", referred to in the Convention, the restriction of the accused's fundamental rights, these resolutions must be adopted in the framework of criminal proceedings, either as a precautionary measure during the investigation of the case or as a form of punishment, once a verdict has been passed. We must therefore distinguish between "civil remedies" that are adopted as precautionary measures and those agreed as punishments, which we shall list below.

- **Precautionary measures:** pursuant to the provisions of article 13 of the Criminal Procedures Act in relation with the provisions of articles 544 bis and 544 of the same law, without prejudice to the possibility of ordering the arrest and, where relevant, remanding in custody the presumed offender, the following may be agreed:
  - Prohibition of residence in a specified place, neighbourhood, town, province or other designated locality, or Autonomous Community.
  - Prohibition against visiting certain places, neighbourhoods, towns, provinces and other designated locality, or Autonomous Community, or from approaching or communicating, to the degree specified, certain other persons.

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<sup>26</sup> The Autonomous Community protocols are available at this link:  
<http://www.violenciagenero.igualdad.mpr.gob.es/profesionalesInvestigacion/protocolosAmbitoAutonomico/home.htm>

- Protection order for victims of domestic violence, which may include civil measures such as the attribution and use of the family home, regimes of guardianship and custody, visits, communications and time with minors or persons with altered legal capacity; the maintenance regime and any other arrangement considered appropriate to preserve them from danger or to prevent them being harmed.
- **Punishments imposed:** besides those specifically assigned for each of the offences, article 57 of the Criminal Code establishes that in felonies of unlawful killing, abortion, injuries, against liberty, of torture and against moral integrity, sexual freedom and integrity, privacy, the right to personal dignity and the inviolability of the home, honour, property and the social and economic order, in view of the severity of the facts or the danger posed by the convict, when they have been committed against the person who is or has been the spouse, or a person who has been bound to the convict by a similar emotional relationship, even without cohabitation, or against the descendants, parents or biological, adopted or fostered siblings, of that person or of the spouse or cohabiting partner, or against minors or persons with disabilities cohabiting with them or subject to the parental rights, guardianship, care, fostering or de facto safekeeping of the spouse or cohabiting partner, or against any person protected by any other relationship arising within the core family relationship, as well as against persons who, due to their special vulnerability are subject to their custody or safekeeping in public or private centres, the punishment foreseen in section 2 article 48 shall be imported in all cases for a time that shall not exceed ten years if the offence is serious, or five years if it is less serious. The punishments in article 48 of the Criminal Code consist of:
  - Deprivation of the right to reside in specific places or to visit them.
  - Prohibition to approach the victim or those family members or other persons determined by the Judge or Court.
  - Prohibition to communicate with the victim or those family members or other persons determined by the Judge or Court.

As regards the **civil remedies against state authorities**<sup>27</sup> who fail to fulfil their duty to take the protective or preventive measures necessary within the range of their powers, Spanish law ensures that these victims, or their assignees, may use these two proceedings for the purposes indicated in article 29 of the Convention:

- a) Article 121 of the Spanish Constitution establishes that “*damages caused by judicial errors, as well as those arising from irregularities in the administration of justice, shall be subject to compensation by the State, in accordance with the law.*” This constitutional precept has been further developed by articles 292 et seq. of Organic Law 6/1985 of 1 July, on the Judiciary, regulating the procedure for making a claim.
- b) The procedure for protecting fundamental personal rights is foreseen in article 53.2 of the Spanish Constitution. This is a preferential and summary procedure against the harming of the rights subject to protection from the standpoint of agreement between the actions of the administration and the law. It is laid out in articles 114 to 122 of Law 29/1998 of 13 July, regulating the Contentious-Administrative Jurisdiction.

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<sup>27</sup> The recent 1st Sentence number 1263/2018 of 17 July 2018, of the Fourth Section of the Judicial Review Court of the Supreme Court, refers precisely to this issue. It recognises the right of a mother to be compensated for the murder of her daughter at the hands of the child’s father when they were together during the visiting time that had been agreed by the court.

The list below shows the **data** provided by the General Council of the Judiciary, broken down by year and by type of violence, related with:

- a. Number of civil remedies demanded against the offender:** the General Council of the Judiciary collects data on the measures adopted, not those demanded. The following criminal and civil precautionary measures were adopted in 2016 and 2017:

MEASURES	2016	2017
Imprisonment	1,232	1,566
Expulsion from the home	3,304	3,347
Restraining orders	23,486	23,874
Prohibition from communication:	22,964	22,825
Prohibition from returning to the crime scene, place of residence	3,246	2,795
Suspended possession and use of arms	4,059	4,232
Other penal measures	2,567	2,430
Assignment of the home	4,689	4,382
Suspension of visiting rights	1,035	793
Suspension of parental rights	121	116
Suspension of guardianship and custody	1,496	1,318
Maintenance orders	5,614	5,273
Measures to protect minors	281	211
Other civil measures	3,190	3,072

- b. Number of civil remedies demanded against the State:** the General Council of the Judiciary does not have this data.
- c. Number of civil remedies granted or guaranteed in accordance with sections a and b:** 16,675 protection orders were adopted in 2016, 60% of all those demanded. 26,044 measures were adopted in 2017, 68% of all those demanded.

#### **D. COMPENSATION:**

In all criminal cases the victim may bring a private action either from the start or later, when the proceedings have begun. Once the victim has appeared in court, she has the same power as the public prosecutor to request the start of criminal proceedings and the adoption of precautionary measures, challenge the court's decisions, request oral proceedings, testify in the same, appeal the verdict, etc.

**Civil actions** arising from the commission of a crime are the arbitrated means proposed under Spanish law for demanding compensation as the consequence of the offence committed, and they can be started by the victim as part of the criminal proceedings or held back for later civil proceedings. Even when the victims do not bring a private action, they have the right to the redress, reparation or compensation that may be assigned to them in the final verdict. In these cases, this redress, reparation or compensation is ordered by the Public Prosecutor's Office.

Law 4/2015 of 27 April, on the Statute of Victims of Crime describes the legal standing of victims of crime clearly and systematically, listing their procedural and extra-procedural rights in order to offer victims the widest possible response from the public authorities, not only in legal, but also in social terms, regardless of their involvement in the court proceedings. Article 14 of the aforementioned law is pertinent

to these effect, stating: *“The victim who has taken part in the procedure shall have the right to the return of all expenses necessary in the exercise of their rights and shall have priority over the State with regard to the procedural costs, when the verdict orders the guilty party to pay them for offences that the Prosecutor would not have accused them of without the victim’s action, or after overturning the dismissal of the case through an appeal submitted by the victim.”* Similarly, the Law establishes that the Victim Support Offices shall provide them with assistance that includes, at least, information and guidance on their financial rights in relation with legal action, especially with regard to the procedure to demand compensation for losses and damages suffered and the right of access to free legal assistance (article 28).

As regards existing procedures that enable women victims to demand, where appropriate, **compensation from the State** when they have suffered serious damage to their physical integrity or health, Law 35/1995<sup>28</sup> of 11 December, on help and assistance for the victims of violent crimes and crimes against sexual freedom establishes a series of public measures to benefit direct and indirect victims of malicious or violent offences committed in Spain that result in the death, grievous bodily harm or serious physical or mental injuries, including among the beneficiaries those persons who are victims of offences against sexual freedom even when committed without violence. These measures are available to those persons who, at the time of the offence being committed, are Spanish or belong to a member State of the European Union, or others who reside normally in Spain or are nationals of another State that offers similar measures to Spaniards in its territory. They are also available to women of any other nation who are in Spain, whatever their official status may be, when they are victims of gender violence in the terms foreseen under Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence, whenever the offences are the result of acts of violence against women.

#### **E. PROCEDURES IN ISSUES OF CUSTODY:**

As regards the procedures to ensure that incidents of violence against women are taken into account when assigning custody and establishing visiting rights for minors, the **principle of the best interest of the minor** is one which has inspired Spanish legislation in establishing the regulations and is uppermost in the interpretation of the law made by our tribunals. This principle is defined in article 2 of Organic Law 8/2015 of 22 July, modifying the system for the protection of children and adolescents.

There are several precepts in Spain that establish the evaluation that jurisdictional bodies must undertake of incidents of violence against women when determining which parent shall be assigned guardianship and custody of the children and, where relevant, visiting rights:

**1) Article 94 of the Civil Code** establishes that *“The parent who does not live with their children who are minors or incapacitated shall be entitled to visit them, communicate with them and have them in their company. The judge shall determine the time, manner and place to exercise this right, which may be limited or suspended in the event that serious circumstances should advise this or of serious and repeated breaches of the duties imposed by the judicial resolution.*

**2) Article 92.7 of the Civil Code** establishes that *“No joint custody shall be granted when either parent should be subject to criminal proceedings as a result of an attempt against the life, physical integrity, freedom, moral integrity or sexual freedoms of the*

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<sup>28</sup> In the draft presented in Law 6/2018 of 3 July, on the State Budget Act for 2018.

*other spouse or of the children that live with both of them. Neither shall it apply where the Judge should observe, from the parties' allegations and the evidence provided, that there is well-founded circumstantial evidence of domestic violence.* This necessarily leads to the impossibility on the tribunal's part of establishing a system of shared custody when criminal proceedings are under way in cases of gender or domestic violence, or when there are indications that it exists even when no criminal proceedings have been started.

**3) Articles 61.2, 65 and 66 of Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence.** Article 61.2 establishes the need for the judge to rule in all cases related with gender violence on the advisability of adopting precautionary measures for the safety of the children. Article 65 enables the Judge to suspend the alleged perpetrator of acts of gender violence from exercising parental authority, guardianship or custody, fostering, wardship, trusteeship or de facto guardianship over the children that are their dependants. In cases where suspension is not imposed, the Judge can still rule on the manner in which parental authority and, where relevant, guardianship and custody of the children may be exercised, adopting any measures necessary to ensure the safety, integrity and recovery of the children and the woman, and monitor developments regularly. Finally, article 66 enables the Judge to order the suspension of the visiting rights, time, relations and communications of the person accused of gender violence with their dependent children, but where this is not agreed, the Judge must rule on how the person accused of gender violence may exercise their visiting right and communications with the children, and adopt the measures necessary to ensure their safety, integrity and recovery and can monitor developments regularly.

**5) Article 544 ter of the Law of Criminal Proceedings,** regulating the protection order that establishes that when there are minors or persons with altered legal capacity who cohabit with the victim and are dependent on her, the Judge must rule in all cases, even by own motion, on the advisability of adopting civil measures such as; attribution of use of the family home, regimes of guardianship and custody, visits, communication and time with the minors or persons with altered legal capacity, the maintenance regime and any other arrangement considered appropriate to preserve them from danger and prevent them from being harmed.

**6) Article 544 quinquies of the Law of Criminal Proceedings** regulating the protection measures for minors that the Judge can adopt in the framework of criminal proceedings without the need for a protection order. In these cases, the Judge may: suspend the parental authority of either parent; suspend wardship, trusteeship, de facto guardianship or fostering; establish a regime of supervision for parental authority, wardship or any other function of responsibility, protection or support for the minor; or suspend or modify the existing visiting arrangements or communications with the parent who does not cohabit or other relative, when this is considered necessary to guarantee the protection of the minor or the person with altered legal capacity.

**7) Article 55 of the Criminal Code** establishes that when custodial sentences of ten years or more are imposed, the Judge may *"order special barring from the exercise of parental authority, guardianship, care, safekeeping or fostering, or the deprivation of parental authority, when these rights have a direct relation to the felony committed. This relationship must be specifically determined in the judgement."*

As regards the **procedures to ensure that women victims and their children are protected from harm in the exercise of visiting rights,** in these cases, the situation is that visiting rights have been arranged when there has been an incident of

violence. In this sense, the content of article 66 of Organic Law 1/2004 shall apply, obliging the Judge to rule on how the visiting rights and communications between the minors and the person accused of gender violence shall be carried out, and to adopt the measures necessary to ensure the safety, integrity and recovery as well as regular monitoring of developments. In these cases, the tribunals can arbitrate a system of picking up and dropping off the children at a Family Meeting Point, so there is no contact between the parents. In the event that there are incidents in compliance with the visiting rights set by the Judge, they should be reported to the corresponding legal body, who will request regular reports on the matter. On other occasions, the tribunals can arrange a system in which the visiting rights are supervised, in the sense that they take place in the Family Meeting Point, overseen by the professionals employed there.

## **F. CRIMINALISATION OF THE DIFFERENT FORMS OF VIOLENCE:**

The Spanish Criminal Code criminalises the different forms of violence against women as follows:

### **1. Psychological violence (article 33 of the Istanbul Convention):**

**Threats** are classified as an offence under articles 169 et seq. of the Criminal Code, punishable with prison sentences between one year and five years for the most serious cases. As regards violence against women and domestic violence, threats are considered under article 171.4 of the Criminal Code *“Whoever lightly intimidates his wife or former wife, or woman with whom he has been bound by a similar emotional relation even without cohabiting, shall be punished with a sentence of imprisonment of six months to one year, or community service from thirty-one to eighty days and, in all cases, deprivation of the right to own and carry weapons from a year and a day to three years, as well as, when the Judge or Court of Law sees it fit in the interest of the minor or person with disability requiring special protection, special barring from exercise of parental authority, guardianship, care, safekeeping or fostering for up to five years.*

*The same punishment shall be imposed on whoever lightly intimidates an especially vulnerable person who lives with the offender.”*

**Coercion** is considered under articles 172 et seq. of the Criminal Code, imposing prison sentences from six months to three years in more serious cases, with special consideration of the content of article 172.2: *“Whoever lightly coerces his wife or former wife, or woman with whom he has been bound by a similar emotional relation even without cohabiting, shall be punished with a sentence of imprisonment of six months to one year, or community service from thirty-one to eighty days and, in all cases, deprivation of the right to own and carry weapons from a year and a day to three years, as well as, when the Judge or Court of Law sees it fit in the interest of the minor or person with disability requiring special protection, special barring from exercise of parental authority, guardianship, care, safekeeping or fostering for up to five years.*

*The same punishment shall be imposed on whoever lightly coerces an especially vulnerable person who lives with the offender.*

*The punishment shall be imposed in the upper scale when the offence is committed in the presence of minors or takes place in the common dwelling or in the dwelling of the victim, or is committed in breach of a punishment of those set forth in Article 48 of this Code or a precautionary or security measure of the same kind.*

*Notwithstanding what is set forth in the preceding paragraphs, the Judge or Court of Law may, giving the reasons in the judgement, in view of the*

*personal circumstance of the offender and those arising when the offence was committed, impose a punishment one degree lower.*<sup>29</sup>

## 2. **Stalking (article 34 of the Istanbul Convention):**

This offence, considered under article 172 of the Criminal Code, was introduced in the reform of the Organic Law 1/2015 of 30 March, and is regulated under the following terms:

*“1. Whoever harasses a person repeatedly and insistently, without any legitimate authorisation to do so, with the following acts, thereby altering significantly their daily life, shall be punished with a prison sentence of between three months and two years, or a fine of six to twenty-four months:*

*1. Surveillance, persecution or desire for physical proximity.*

*2. Establishing or trying to establish contact with them through any media or through third persons.*

*3. Improper use of personal details, acquisition of products, goods or services, or putting third parties in contact with them.*

*4. Offences against their freedoms or property, or against the freedoms or property of another person close to them.*

*If the person is especially vulnerable because of their age, condition or situation, a prison sentence of six months to two years shall be imposed.*

*2. When the victim is one of the persons referred to in section 2 of article 173, a prison sentence of one to two years, or community service of sixty to one hundred and twenty days shall be imposed. In this case, it is not necessary to bring the action referred to in section 4 of this article.*

*3. The punishments foreseen in this article shall be imposed regardless of those that may apply to the offences resulting from the stalking acts.*

*4. The facts described in this article shall only be prosecuted when reported by the person who is their victim or their legal representative.”*

## 3. **Physical violence (article 35 of the Istanbul Convention):**

The Criminal Code classifies **murder** in article 139, establishing a prison sentence of between fifteen and twenty-five years and permanent prison subject to review when certain circumstances foreseen in article 140 occur, including that the victim be under sixteen years of age, or a person especially vulnerable due to their age, illness or disability, or because the action was subsequent to an offence against sexual freedom that the accused committed against the victim.

**Injuries** are classified in articles 147 et seq. of the Criminal Code. The punishment that corresponds to the injuries varies in according to their degree: a prison sentence of three months to three years or a fine of six to twelve months (when a medical or surgical intervention is necessary), a fine of one to three months (injuries that do not require treatment), a fine of one to two months (physical violence that does not cause an injury). Specifically, the content of article 148 should be taken into account, which says the following: *“The injuries foreseen in section 1 of the previous article may be punished with a sentence of imprisonment of two to five years, in view of the result caused or the risk produced:*

*1. If weapons, instruments, objects, means, methods or ways that are specifically dangerous to life or physical and mental health of the injured party were used.*

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<sup>29</sup> Besides the articles indicated, the Spanish Criminal Code punishes psychological violence in other precepts.

2. *If perpetrated with wanton cruelty and premeditation.*
3. *If the victim is under twelve years of age or disabled and needing special protection.*
4. *If the victim is or has been the wife or woman bound to the offender by a similar emotional relation, even when not cohabiting.*
5. *If the victim is an especially vulnerable person who lives with the offender.”*

The content of article 153.1 should also be noted: “*Whoever, by any means or procedure, causes another minor mental damage or a less serious injury than those foreseen in section 2 of article 147, or hits or actively abuses another without causing damage, when the victim is his wife or former wife, or woman with whom he has been bound by a similar emotional relation even without cohabiting, or a specially vulnerable person who lives with the offender, shall be punished with a sentence of imprisonment of six months to one year, or community service from thirty-one to eighty days and, in all cases, deprivation of the right to own and carry weapons from a year and a day to three years, as well as, when the Judge or Court of Law sees it fit in the interest of the minor or person with disability requiring special protection, barring from exercise of parental authority, guardianship, care, safekeeping or fostering for up to five years.*”

4. **Sexual violence, including rape (article 36 of the Convention):**

**Sexual assaults**, including **rape**, are regulated under articles 178 et seq. of the Criminal Code in the following terms:

Article 178: “*Whoever offends against the sexual freedom of another person, using violence or intimidation, shall be punished for sexual assault with a sentence of imprisonment from one to five years.*”

Article 179: *When the sexual assault consists of vaginal, anal or oral penetration, or inserting body parts or objects into either of the first two orifices, the offender shall be convicted of rape with a sentence of imprisonment from six to twelve years.*

Article 180 establishes that the assaults of article 178 shall be punished with imprisonment from five to ten years, and those of article 179 punished with imprisonment from twelve to fifteen years, when the circumstances considered in this article concur, such as the victim being especially vulnerable or if the offender has availed himself of a superiority or family relationship with the victim, among others.

**Sexual abuse** is regulated under articles 181 et seq. of the Criminal Code. Article 181 specifically states the following:

1. *Whoever, without violence or intimidation and without there being consent, perpetrates acts against the sexual freedom or indemnity of another person, shall be convicted of sexual abuse, with a sentence of imprisonment from one to three years or a fine of eighteen to twenty-four months.*

2. *For the purposes of the preceding section, non-consensual sexual abuse is deemed to be that perpetrated on persons who are unconscious, or whose mental disorder is taken advantage of, as well as those committed by overcoming the will of the victim using narcotics, drugs or any other natural or chemical substance that is appropriate for such purpose.*

3. *The same punishment shall be imposed when consent is obtained by the offender availing himself of a situation of manifest superiority that deprives the victim or liberty.*

4. *In all the preceding cases, when the sexual abuse consists of vaginal, anal or oral penetration, or inserting body parts or objects into either of the first*

*two orifices, the offender shall be punished with a sentence of imprisonment from four to ten years.*

Section 5 of this article also establishes that the punishments shall be imposed in the upper scale when the circumstances include the victim's especially vulnerable situation or that the offender has taken advantage of a superiority or family relationship.

Alongside these, the Criminal Code also dedicated articles 183 et seq. specifically to sexual abuse and assault on children aged under 16.

#### **5. Forced marriage (article 37 of the Istanbul Convention):**

The offence of **forced marriage**, considered under article 172bis of the Criminal Code, was also introduced in the reform of the Organic Law 1/2015 of 30 March, and is regulated under the following terms:

*“1. Whoever uses serious intimidation of violence to compel another person to marry shall be punished with a sentence of imprisonment from six months to three years and six months or a fine of twelve to twenty-four months, in view of the seriousness of the coercion or means used.*

*2. The same punishment shall be imposed on whoever, in order to commit the offences referred to in the previous paragraph, uses violence, serious intimidation or deceit to force another to leave Spanish territory or not return.*

*3. The punishments shall be imposed in the upper scale when the victim is a minor.”*

#### **6. Female genital mutilation (article 38 of the Istanbul Convention):**

The Criminal Code defines **genital mutilation** in the following terms under article 149.2: *“Whoever causes to another person a genital mutilation in any form shall be punished with a sentence of imprisonment from six to twelve years. Should the victim be a minor or a disabled person, the punishment of special barring from exercise of parental rights, guardianship, care, safekeeping or fostering shall be applicable for a term from four to ten years, should the Judge deem it appropriate in the interest of the minor or disabled person.”*

#### **7. Forced abortion (article 39.a of the Istanbul Convention):**

**Forced abortion** is defined in the Criminal Code in the following terms under article 144: *“Whoever perpetrates an abortion on a woman without her consent shall be punished with a sentence of imprisonment from four to eight years and special barring from practising any health profession or from providing services of any kind at public or private gynaecological clinics, institutions or surgeries, for a term of three to ten years.*

*The same penalties shall be applied to whoever perpetrates an abortion having obtained the consent of the woman through violence, intimidation or deceit.”*

#### **8. Forced sterilisation (article 39.b of the Istanbul Convention):**

The Criminal Code refers to **forced sterilisation** in article 156, stating the following: *“Notwithstanding what is set forth in the preceding Article, valid, free, conscious and specifically expressed consent shall exempt from criminal accountability in cases or organ transplant carried out pursuant to the terms of the Law, sterilisations and transsexual surgery carried out by a surgeon, except*

*if the consent is flawed, or obtained by price of reward, or when the person consenting is a minor or incapacitated person, in which case that provided by these or their legal representatives shall not be valid.*

*Sterilisation shall not be punishable when authorised by a judge in the case of persons who are permanently incapable of giving consent as referred to in the previous paragraph, when there are exceptional circumstances in which there is a serious conflict of legally protected rights as a measure to protect the greater interest of the person in question, in conformity with civil legislation.*

#### **G. SEXUAL HARASSMENT:**

The Criminal Code defines **sexual harassment** in the following terms under article 184:

*“1. Whoever solicits favours of a sexual nature, for himself or for a third party, within the setting of continuous or regular relations for work, teaching, or service provision, and by such conduct causes the victim a situation that is objectively and seriously intimidating, hostile or humiliating, shall be convicted of sexual harassment and punished with a sentence of imprisonment of three to five months or a fine from six to ten months.*

*2. Should the party guilty of sexual harassment have committed the act availing himself of a situation of superiority at work, school, or in a hierarchy, or specifically or tacitly warning of harm to the victim in relation to the lawful expectations that person may have within the setting of that relation, the punishment shall be five to seven months imprisonment or a fine of ten to fourteen months.*

*3. When the victim is especially vulnerable due to age, illness or circumstances, the punishment shall be five to seven months imprisonment or a fine of ten to fourteen months in the situation foreseen in section 1, and six months to one year's imprisonment in the situation foreseen in section 2 of this article.”*

#### **H. AIDING OR ABETTING:**

The Spanish Criminal Code states in article 27 that the principals and their **accessories** are criminally responsible for felonies. Article 28 considers the perpetrators to be those who commit the act alone, jointly or by means of another used to aid and abet and whoever directly induces another or others to commit an offence and those who cooperate in performing an act without which the crime could not have been committed. Article 29 considers accessories those who, without being included in article 28, cooperate in the commission thereof with prior or simultaneous acts. As a general rule, article 63 establishes that *“accessories to a crime committed or attempted shall be sentenced to a lesser degree of punishment to that set by law for the principals of the same offence”*.

#### **I. ATTEMPT:**

In accordance with article 15 of the Spanish Criminal Code, both **attempted** and committed crimes are punishable. According to article 16, *“an attempted offence takes place when a person begins to perpetrate an offence by direct action, committing all or part of the actions that objectively should produce the intended result, and notwithstanding this, it is not attained due to causes beyond the control of the principal”*. As a general rule, article 62 establishes that *“principals of an attempted crime shall have a punishment imposed that is lower by one or two degrees to that set by law for the consummated crime, to the extent deemed appropriate, in view of the danger inherent to the attempt and to the degree of execution achieved.”*

## **J. UNACCEPTABLE JUSTIFICATION OF CRIMINAL ACTS:**

The Spanish Constitution of 1978 states in article 14, as indicated at the start of this report, that “*Spaniards are equal before the law and may not for any reason be discriminated against on account of birth, race, sex, religion, opinion or any other personal or social condition or circumstance.*”

Section 4 of article 22 of the Spanish Criminal Code establishes that it shall be considered an aggravating circumstance “*committing an offence for racist or anti-Semitic reasons, or another kind of discrimination related to ideology, religion or beliefs of the victim, ethnicity, race or nationality they belong to, gender, sexual orientation or identity, gender issues, an illness they suffer from or disability.*” The aggravating circumstance of gender issues was added in Organic Law 1/2015 of 30 March, modifying the Criminal Code. Article 510 of the Criminal Code also defines hate crimes as those “*against a group, a part of the same or a specific person because of their membership of the same, for reasons of racism, anti-Semitism or other issues related with ideology, religion or beliefs, family situation, or membership of an ethnicity, race or nation, national origins, gender, sexual orientation or identify, gender issues, illness or disability.*”

## **K. RELATIONSHIP BETWEEN PERPETRATOR AND VICTIM:**

The offences foreseen in the Convention are sanctioned in the Spanish legal system independently of any existing relation between the victim and the perpetrator of the offence, as can be seen in the explanation of the way that the Criminal Code regulates the different types of offences, although it does foresee specific measures for cases in which the victim is the partner or ex-partner of the perpetrator or there is a family relation or one of superiority at work, in a hierarchy, etc., as seen in the section V.F. (“Criminalisation of the different forms of violence”) of this report.

## **L. SANCTIONS AND OTHER MEASURES:**

As regards the **sanctions** that apply to the different forms of violence considered in the Convention, see section V.F. of this report. The Spanish Criminal Code considers imprisonment, fines, community service work, prohibition from approaching or communicating with the victim, etc.

There are also new aspects introduced with Organic Law 1/2014 of 13 March, modifying Organic Law 6/1985 of 1 July, on the Judiciary, concerning **universal jurisdiction**. In virtue of the content of the same, Spanish jurisdiction includes (art. 23.4.I of the Judiciary) the “*Felonies regulated in the Council of Europe Convention of 11 May 2011 on preventing and combating violence against women and domestic violence, on condition that: 1. The procedure is applied against a Spaniard; 2. The procedure is applied against a foreigner who resides habitually in Spain; or, 3. The offence was perpetrated against a victim who, when the acts were committed, had Spanish nationality or habitual residence in Spain, as long as the person accused of committing the crime is in Spain.*”

As regards the **measures on the surveillance or monitoring of the convict**, article 64.3 of Organic Law 1/2004 of 28 December, on Integrated protection measures against gender violence foresees the possibility that the courts may agree to use appropriate technological instruments to monitor compliance with the restraining orders imposed as cautionary measures in ongoing procedures for crimes of gender violence. Article 48.4 of Organic Law 10/1995 of 23 November, on the Criminal Code, permits

the option that courts agree to monitor punishments that restrict rights, including those that prohibit approaching the victim, through electronic means that make this possible. Article 57.3 of the Criminal Code extends this possibility to those infractions classified as minor offences. As a result of this, Spain has set in motion the “Remote monitoring system for restraining orders and other measures in cases of gender violence”, which was referred to previously, the purpose of which is to improve the safety and protection of victims and offer them reassurances so that they can engage in recovery.

As regards the **loss of rights ensuing from paternal authority**, the Criminal Code establishes in article 46 that “*Special barring from the exercise of parental rights, guardianship, care, safekeeping or fostering, deprives the convict of the rights inherent to the former, and brings about extinction of the others, as well as incapacity to obtain appointment to such offices during the term of the sentence. The punishment of deprivation of paternal rights implies the loss of entitlement thereof, while the rights the offspring have with regard to the convict shall subsist. The Judge or Court of Law may order these penalties regarding all or some of the minors or incapacitated parties under the charge of the convict, in view of the circumstances of the case*”. The loss of rights derived from paternal authority is also referred to in articles 55 and 56, within the provisions for accessory punishments, and in some of the articles mentioned in section V.F of the report, such as 149.2 and 153.1.

#### **M. AGGRAVATING CIRCUMSTANCES:**

Article 22 of the Spanish Criminal Code establishes that the following are aggravating circumstances:

1. Perpetrating the act with premeditation.  
There is premeditation when the convict commits any of the offences against persons using ways or means to do so that tend directly or specifically to assure them, without risk to his person that might arise from defence by the victim.
2. Perpetrating the act using a disguise, abuse of superiority or taking advantage of the circumstances of the place, time or aid from other persons that weaken the defence of the victim or facilitate impunity of the convict.
3. Perpetrating the act for a price, reward or promise.
4. Committing the offence for racist or anti-Semitic reasons, or another kind of discrimination related to ideology, religion or beliefs of the victim, ethnicity, race or nationality they belong to, gender, sexual orientation or identity, gender issues, an illness they suffer from or disability
5. Deliberately and inhumanely increase the suffering of the victim, causing unnecessary suffering while committing the crime.
6. Acting with abuse of trust.
7. When the convict avails himself of his public status.
8. Having a criminal record.

Alongside these, the provisions of article 23 of the Criminal Code should be taken into account, referring to the mixed circumstance of kinship: “*A circumstance that may mitigate or aggravate accountability, according to the nature, motives and effects of the crime, is when the victim is or has been the spouse or person with whom the convict has had a stable emotional relationship, or being the ascendant, descendant or biological or adoptive sibling of the offender or spouse or cohabiting partner thereof.*” In the offences related with the forms of violence foreseen in the Istanbul Convention, kinship in general is an aggravating circumstance, as indicated, for example, in the penalties foreseen in the Criminal Code in articles such as 153.1 or 172.2.

## **N. PROHIBITION OF MANDATORY ALTERNATIVE DISPUTE RESOLUTION PROCESSES:**

Article 44 of Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence, introduced article 87 *ter* in Organic Law 6/1985 of 1 July, on the Judiciary, whose section 5 expressly prohibits mediation in the cases of gender violence referred to in Organic Law 1/2004.

## **O. ADMINISTRATIVE AND JUDICIAL DATA**

As regards the administrative and judicial data, the following are provided:

### **1. Data on cases that resulted in the woman's death<sup>30</sup>:**

	<b>VICTIMS KILLED</b>	<b>WITH PRIOR REPORT</b>
<b>2016</b>	49	17 (34.7%)
<b>2017</b>	51	12 (23.5%)

<b>2016*</b>	<b>Sentences pronounced</b>	<b>Convictions</b>
<b>Between partners</b>	38	37
<b>Between non-partners</b>	9	9

\* Data from the latest report of the General Council of the Judiciary on sentences for murders, corresponding to 2016 (it should be borne in mind that the cases on which sentences were passed in this year were committed in previous years).

As regards the punishments imposed in the collection of sentences pronounced in 2016:

- The main punishment in all cases with a guilty verdict was prison, with an average sentence of approximately 18 years.
- 74 Accessory punishments were agreed in 2016.

<b>ACCESSORY PUNISHMENTS</b>	<b>No. SENTENCES</b>	<b>% OF TOTAL SENTENCES</b>
CONFISCATION WEAPON AND AMMUNITION	1	3%
PROBATION	3	8%
LOSS OF RIGHT TO POSSESS OR BEAR ARMS	4	11%
LOSS OF RIGHT OF RESIDENCE IN CERTAIN PLACES	8	22%
PROHIBITION TO CONTACT VICTIM OR INJURED PARTIES	8	22%
DISQUALIFICATION/LOSS OF PARENTAL RIGHTS	9	25%
PROHIBITION TO CONTACT RELATIVES OR THIRD PARTIES	9	25%
PROHIBITION TO APPROACH VICTIM OR INJURED PARTIES	9	25%
SPECIAL DISQUALIFICATION RIGHT TO STAND AS A CANDIDATE IN ELECTIONS	11	31%
PROHIBITION TO APPROACH RELATIVES OR THIRD PARTIES	12	33%
FULL DISQUALIFICATION	28	81%

### **2. Data on acts of violence against women that constitute attempted unlawful killing:**

The statistics do not distinguish trials for unlawful killing on the basis of whether they were attempted or consummated.

<sup>30</sup> Source: General Council of the Judiciary

**3. Data on other cases of violence against women<sup>31</sup>:**

YEAR	TOTAL No. REPORTS	BY THE VICTIM	BY THIRD PARTIES
2016	142,893	98,799	44,094
2017	166,260	114,935	51,325

YEAR	CRIMINAL CASES REGISTERED IN THE COURTS FOR VIOLENCE AGAINST WOMEN
2016	197,937
2017	206,244

YEAR	No. OF MEN CONVICTED
2016	15,822
2017	16,744

PENAL PROTECTION MEASURES	2016	2017
Imprisonment	1,232	1,566
Expulsion from the home	3,304	3,347
Restraining order	23,486	23,874
Prohibition from communication	22,964	22,825
Prohibition from returning to the place	3,246	2,795
Suspended possession and use of firearms	4,059	4,232
Others	3,067	2,430
<b>Total</b>	<b>60,858</b>	<b>61,069</b>

MONITORING MEASURES	
Year	No. of devices* active on 31 December
2016	884
2017	1,019

\*Remote monitoring system for restraining orders and measures in cases of gender violence

CIVIL PROTECTION MEASURES	2016	2017
Assignment of the home	4,689	4,382
Change of the home	60	72
Suspension of visiting rights	1,035	793
Suspension of parental rights	121	116
Suspension of guardianship and custody	1,496	1,318
Maintenance orders	5,614	5,273
Other measures to protect minors	281	211
Others	3,190	3,072
<b>Total</b>	<b>16,485</b>	<b>15,237</b>

**4. Data on cases that resulted in the death of children of the women victims<sup>32</sup>.**

YEAR	CHILD FATALITIES DUE TO GENDER VIOLENCE
2016	1
2017	8

**P. OTHER MEASURES:**

With regard to the law, the passing of the following regulations should be mentioned as advances in 2018:

<sup>31</sup> Source: General Council of the Judiciary

<sup>32</sup> Source: Government Delegation for Gender-based Violence

- **Law 6/2018 of 3 July, on the State Budget for 2018** which, besides approving the financial commitment towards the State Pact against Gender-based Violence for this financial year, includes as its fifth final provision the modification of Law 35/1995 of 11 December, on Help and Assistance for Victims of Violent Crimes and Crimes against Sexual Freedoms, introducing significant improvements in the conditions for accessing this support for victims of gender violence, thereby complying with the provisions of the State Pact.
- **Royal Decree-law 7/2018, of 27 July, on universal access to the National Health System.**
- **Royal Decree-law 9/2018 of 3 August, on urgent measures for the development of the State Pact against Gender-based Violence**, which introduces a series of regulatory modifications, essentially in Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence.

It should also be noted that the State Pact against Gender-based Violence foresees the following among its measures:

- Passing of a **comprehensive law on sexual violence**<sup>33</sup>.
- Passing of a **comprehensive law against human trafficking for the purpose of sexual exploitation.**
- Until specific comprehensive laws have been drafted to meet the need for intervention and protection from the **other types of violence against women** considered in the Istanbul Convention, these shall receive preventive and statistical treatment within the framework of the Organic Law 1/2004.

Work is currently under way on a **preliminary bill for the integral protection of children against violence.**

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<sup>33</sup> Recently a Legislative Proposal for Integral Protection of Sexual Freedom and for the eradication of sexual violence has been registered in Congress.

## V. INVESTIGATION, PROSECUTION, PROCEDURAL LAW AND PROTECTIVE MEASURES

### A. IMMEDIATE RESPONSE, PREVENTION AND PROTECTION:

In accordance with the provisions of Law 4/2015 of 27 April, on the Statute of Victims of Crime, victims of gender and sexual violence are given priority attention, and this is reflected in the plans and manuals that regulate the actions of law enforcement agencies: maximum facility to press charges, preferential and respectful treatment for victims, attention from specialist personnel, respect for the victim's privacy, ensuring that they are not in the same space as the aggressor, guaranteeing transfers when these are necessary.

Rapid response and consultation with the appropriate specialists: there are units in the National Police force that are specialised in handling crimes against women: 173 Family and Women's Care Units (UFAM) that serve the whole country. Their members have specific training in issues of violence against women and interventions are entirely subject to standard procedure. The Civil Guard (*Guardia Civil*) have Women-Child Teams (EMUME) with specific and appropriate training in this area.

There are also intervention protocols and instructions on how to treat victims of any type of violence against women as soon as they are detected. These protocols are intended to work together in coordination, so that all the institutions involved in the prevention, detection and protection of the victims are all closely linked to each other, enabling smooth information flow, working in unison and establishing safe and fast-acting support mechanisms. Instruction 7/2016 of the Secretary of State for Security should be mentioned here, as it has set up the new Protocol for Police Assessment of the Risk of Gender Violence and Victim Safety Management.

The following data has been provided in relation with the number of interventions in cases of violence against women<sup>34</sup>:

VIOLENCE AGAINST WOMEN		2016	2017
Physical and psychological violence	between partners and ex-partners	41,814	43,681
	other domestic violence	7,817	8,641
Stalking		106	104
Rape		217	296
Other sexual assault		3,749	4,088
Female genital mutilation		0	1
Forced abortion		1	1

### B. ASSESSMENT:

The state law enforcement agencies make a police assessment of risks based on the VioGen system (Integrated Monitoring System for cases of Gender Violence), which is run by the Secretary of State for Security of the Ministry of the Interior. These initial assessments establish the risk that the victims can suffer further attacks on the part of their aggressor, and represent the application of first police safety measures, along with self-protection measures for victims and children. It is followed by another

<sup>34</sup> Source: Directorate General of the Police (Ministry of the Interior)

risk assessment at judicial level, when further measures of legal protection can be put in place alongside those of the police.

Once the victim has been registered in the VioGen System, following the first police assessment of risk, the police will make regular assessments of changes to this risk according to the level of risk which the victim is exposed to and the protection measures that have been imposed. If the level of risk is considered to have changed, the measures are adapted by informing the courts, who shall then decide in each case which legal measures of protection should be adopted.

The mechanisms of control and coordination between the police and the courts are continuous and fluid, so that the victims are continuously monitored by both authorities.

The victims are also informed of the social resources that they are entitled to and the entities they should address to ensure their social welfare. The work with the social agencies for victim protection is also continuous and involves permanent contact.

### **C. EMERGENCY BARRING ORDER:**

This section explains the provisions for precautionary protection measures that are contemplated in the Spanish legal system. The adoption of these precautionary protection measures is the responsibility of the courts, normally the Courts for Violence against Women. These measures are regulated under article 544bis of the Law of Criminal Proceedings (LECrim), which states that when investigating crimes of unlawful killing, bodily harm, against sexual freedoms, etc. precautionary prohibitions against visiting or residing in certain places, neighbourhoods, towns, etc. can be imposed, when justified and necessary for the victim's protection. In accordance with the Law in question, the order must be adopted with the maximum term of 72 hours. For issues of gender violence, the Spanish courts operate a 24-hour permanent service that can adopt the protection measures necessary. In cases of bodily harm, threats and most cases of violence against women in general, the aggressor will remain in police custody until the court decides what measures to take. The Spanish law enforcement agencies have developed a strict zero-tolerance policy in cases of violence against women and usually detain the aggressors when there is a risk to the victim until the court makes a decision in accordance with legal parameters. Precautionary protection measures may remain in place during the whole procedure until the sentence is confirmed. The duration may be extended until the protection order is approved. The measure of remanding the accused in custody is exceptional and is of limited duration. These measures can be applied in all cases with women victims of domestic violence and may be accompanied by other measures such as police protection and possible surveillance with electronic devices to ensure compliance with the measures and the safety of the victim. Failure to comply with the precautionary measures is a breach of sentence and is sanctioned as such under the Criminal Code. There are various institutions that ensure that victims are duly informed of all their rights (police, courts, assistance). See section VI.E for the relevant data.

### **D. RESTRAINING OR PROTECTION ORDERS:**

The procedure in the Spanish legal system for adopting precautionary measures and protection orders is regulated by articles 544bis and 544ter respectively of the Law of Criminal Proceedings. The measures foreseen in art. 544bis of the Law of Criminal Proceedings mentioned in the previous section can be applied to all victims covered by the Convention. Protection Orders, which also entail measures of civil law, as regulated by art.544ter, can be applied to victims of gender and domestic violence.

Spanish law offers victims of gender violence the right to free legal aid which includes legal assistance from the time immediately prior to bringing charges. In any case, criminal proceedings are not subject to any kind of fee. Protection orders apply immediately once the courts decide to impose them and the parties have been notified. They can then remain in force during the whole procedure until the sentence has been confirmed. Protection orders can be imposed as supplementary measures to the main legal proceedings. There are two types of measure that can be taken when a protection order is breached:

- a) Impose more restrictive precautionary measures, in accordance with articles 544bis and 505 of the Law of Criminal Proceedings, including provisional imprisonment.
- b) Penalise it as a breach of sentence in accordance with article 468.2 and 3 of the Criminal Code.

There are various institutions that ensure that victims are duly informed of all their rights (police, courts, assistance) in accordance with Law 4/2015 of the Statute of Victims and Organic Law 1/2004, which implements European directives on this issue.

#### **E. DATA:**

As regards the figures<sup>35</sup>, the Courts for Violence against Women approved 16,675 protection orders and 7,692 measures from article 544bis of the Law of Criminal Proceedings (LECrim) in 2016; duty courts also approved a further 3,849 protection orders. In total, the Courts for Violence against Women approved 26,044 protection orders and measures for the safety and protection of the victims (article 544bis and ter LECrim) in 2017 while the duty courts passed another 4,116. There were 11,570 cases of breach of sentence in 2016, and 15,432 in 2017.

#### **F. LEGAL PROCEEDINGS EX OFFICIO:**

In accordance with articles 259, 262 and 264 of LECrim, whoever is aware of the commission of a crime which entails automatic prosecution must report it to the Prosecutor's Office, the Jurisdictional Court, the District Judge or a police officer, without the need to provide evidence of the acts reported nor to make a formal accusation except in the case of lawyers, court lawyers or ministers of religion in carrying out their roles. As regards the forms of violence contemplated in the Convention, most of these, especially those involving physical and psychological violence, are public offences that entail automatic prosecution. There are only a limited number of offences, such as slander or minor vexations, for which the victim or her legal representative has to press charges.

#### **G. LEGAL PROCEEDINGS EX PARTE:**

The Spanish legal system allows the Public Prosecutor to continue proceedings *ex parte* even when the victim withdraws the accusation or decides not to proceed. The victim need not take part in the proceedings when the offence in question is of a public nature.

#### **H. NGOs OR OTHER CIVIL SOCIETY ACTORS:**

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<sup>35</sup> Source: General Council of the Judiciary

There are many NGOs and other organizations in Spanish society that specialise in offering support and legal assistance to women who are victims of violence, as well as providing assistance in court hearings and administrative procedures.

Article 27 of Law 4/2015 of 27 April, on the Statute of Victims of Crime, setting up Victim Support Offices, states that the Ministry of Justice or Autonomous Communities can sign collaboration agreements with private and public non-profit entities to provide services of support and assistance, which may include psychological attention and help for court hearings, etc.

Article 544ter LECrim states that when there is an objective situation of risk for a victim of domestic or gender violence that calls for the adoption of some of the protective measures mentioned in this article, these measures shall be approved by the presiding Judge automatically or at the request of the victim, a person who is related with her as specified in the law or the Prosecutor's Office. Without prejudice to the duty to press charges set out in article 262 of this law, the public or private organizations offering assistance who have knowledge of some of the facts mentioned must report them immediately to the duty court or Prosecutor's Office so that proceedings may be taken in order to approve protection orders. Orders may also be requested from social services or the institutions for assistance run by the Public Authorities, placing information and forms etc. at their disposal.

## **I. MEASURES OF PROTECTION:**

Part III (articles 19 *et seq*) of Law 4/2015 of 27 April, on the Statute of Victims of Crime deals with the **protection of victims in the course of criminal proceedings**. This section establishes the victims' right to protection, their right to avoid contact with the aggressor and for security during criminal proceedings, their right to privacy and the individual assessment of the victims to determine their special requirements for protection. Article 25 also considers a series of protection measures:

*"1. During the investigation stage, the following measures may be ordered for the protection of the victims:*

- a) Victims may be interviewed in buildings specially conceived and adapted for the purpose.*
- b) Victims may be interviewed by professionals who have received special training to reduce or limit harm to the victim, or with the help of such professionals.*
- c) All statements from a single victim may be taken by the same person, except where doing so could have a significant adverse effect on the conduct of the proceedings or where the statement must be taken by a judge or public prosecutor directly.*
- d) In the case of any of the victims referred to in numbers 3 and 4 of letter b) of section 2 of article 23 and victims trafficked for the purpose of sexual exploitation, statements may be taken by a person of the same sex as the victim where the victim requests it, except where doing so could have a significant adverse effect on the conduct of the proceedings or where the statement must be taken by a judge or public prosecutor directly.*

*2. During the trial stage, in accordance with the Criminal Procedure Rules, the following measures may be ordered as protection for the victims:*

- a) Measures to avoid visual contact between the victim and the alleged offender, even when giving evidence, for which communication technologies may be used.*
- b) Measures to ensure the victim can be heard without being present in the courtroom, by using appropriate communication technologies.*
- c) Measures to avoid the victim being asked questions relating to his or her private life which are not relevant to the offence being tried, apart from exceptional cases where the judge or the court considers that they must be answered to adequately assess the*

*facts or the credibility of the victim's statement.*

*d) Holding a private oral hearing. In such cases, the judge or presiding judge may, nevertheless, authorise the presence of persons who can show they have a particular interest in the case.*

*The measures referred to in points a) and c) may also be employed during the investigation stage.*

*3. One or more of the protection measures referred to in article 2 of Organic Law 19/1994 of 23 December, on the protection of witnesses and experts in criminal cases, may also be ordered for the protection of victims."*

As regards the protection measures for **minors**, article 26 of the Statute of Victims states the following:

*"1. In the case of victims who are minors or victims with disabilities in need of special protection, as well as the measures provided for in the preceding article, such measures shall be employed, in accordance with the Criminal Proceedings Rules, as are necessary to avoid or limit, as far as possible, the conduct of the investigation or the trial becoming a new source of harm for the victim. In particular, the following shall apply:*

*a) Statements taken during the investigation stage shall be recorded by audio-visual means and may be played in court in the cases and under the conditions determined by the Criminal Proceedings Rules.*

*b) Statements may be taken by experts.*

*2. The public prosecutor shall obtain from the judge or court the appointment of a court-appointed guardian for the victim, to represent him or her in the investigation and the criminal proceedings, in the following cases:*

*a) Where the public prosecutor considers that there is a conflict of interest between a victim who is a minor or a person whose capacity has been modified by a court and his or her legal representatives, whether or not it arises from the act under investigation, which makes it impossible to be sure that the victim's interests will be properly represented in the investigation or the criminal proceedings.*

*b) Where the victim is a minor a person whose capacity has been modified by a court, the conflict of interest referred to in point a) of this section relates to one of the victim's parents and the other is not in a position to properly represent or assist the victim.*

*c) Where the victim is a minor or person whose capacity has been modified by a court and is not accompanied or is separated from his or her legal guardians or those having parental responsibility.*

*3. Where there are doubts about the age of the victim and this cannot be established with certainty, it shall be assumed that the person is a minor for the purpose of the provisions of this Law."*

Article 7 of the Statute of Victims deals with the right to receive information about the criminal case, including decisions to remand the accused in custody or subsequent release of the offender, or if the offender has escaped custody, and the rulings or decisions of any judicial or prison authority that affects individuals convicted of crimes committed with violence or intimidation and which represent a risk for the victims' safety. These decisions will appear directly in the VioGen system when they are entered by the prison administration, making it possible to reassess the risk they pose.

Part II of the Statute of Victims refers to their participation in criminal proceedings, establishing their right to appear before the authorities responsible for the investigation to provide them with evidence and any information they consider relevant to clarify the facts. Article 9 of the Statute states the right to translation and

interpretation for all victims who do not speak or understand Spanish or the official language used in the act in question.

Article 10 of the Statute regulates the right to access the assistance and support services free of charge and in confidence, a right that can be extended to the family of the victim when the crimes in question have caused particularly serious harm.

As regards the need to ensure that contact between the women victims and their aggressors in the court building or police facilities can be prevented as far as possible, plans are currently being discussed to modify the areas which are not adapted to enable this separation and to comply with the provisions in the State Pact against Gender-based Violence.

The protection afforded the victims on the part of the specialist units of the law enforcement agencies should also be noted, as it is applied as soon as the crime has been detected, regardless of whether charges have been brought, and while the risk which the victim is exposed to is studied through the Police Risk Assessment (*Valoración Policial de Riesgo: VPR*) and the Police Risk Evolution Assessment (*Valoración Policial de la Evolución del Riesgo: VPER*). This protection will continue throughout the investigation phase, adapting to the decisions taken by the court on the issue and can continue after the case is dismissed or the sentence served, as long as there is sufficient objective evidence to think that the risk of new aggressions remains.

#### **J. FREE LEGAL ASSISTANCE:**

Article 119 of the Spanish Constitution states that “*Justice shall remain free when thus provided by law and shall in any case be so in respect to those who have insufficient means to litigate.*”

Article 20 of Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence establishes legal aid in the following terms (for victims of violence in relation with partners or ex-partners):

*“1. Victims of gender violence have the right to be defended and represented free of charge by a Lawyer or Court Representative immediately prior to pressing charges and in all administrative processes and proceedings that ensue directly or indirectly from the violence suffered. In such cases, a single legal counsel shall take on the defence of the victim, when this duly guarantees their right to defence. This right is extensive to the successors in interest in the event that a victim dies, on condition that they were not participants in the acts. In any case, all victims of gender violence who so request shall be guaranteed free, specialist legal services immediately available.*

*2. In any event, the provision of legal representation and counsel to the victims of gender violence shall be as prescribed by Law 1/1996 of 10 January on Free Legal Assistance.*

*3. Bar associations which require specialisation courses for future duty lawyers shall ensure that these include specific training to help them exercise an effective professional defence of gender violence victims.*

*4. Bar associations shall likewise take the necessary steps to allow the urgent appointment of a duty lawyer in gender violence proceedings.*

*5. Associations for Court Representatives shall take the necessary steps to allow the urgent appointment of a court representative in gender violence proceedings when the victim wishes to bring a private prosecution.*

6. *The lawyer appointed for the victim must also be legally qualified to represent him or her until a court representative is appointed, as long as the victim has not taken legal action as indicated in the preceding point. Until this occurs, the lawyer shall provide an address for the purpose of receiving notifications and documents.*

7. *Victims of gender violence may initiate a private prosecution at any point in the proceedings although this will not enable the withdrawal or repetition of steps already taken prior to their action, nor shall it impair the accused's right of defence."*

On the other hand, article 2.g) of Law 1/1996 of 10 January, on Free Legal Assistance establishes that *"The right of immediate access to free legal aid is acknowledged, regardless of the resources available for litigation, for victims of gender violence, of terrorism, of human trafficking in those proceedings which are linked, derive from or are the result of their condition as victims, as well as minors and persons with intellectual disabilities or mental illness when they are victims of situations of abuse or mistreatment."*

In cases with other forms of violence against women, the provisions of article 16 of the Statute of Victims and especially the Free Legal Assistance Act shall apply, and they recognise this right for, among others, Spanish citizens, citizens of other member states of the European Union and foreigners who are in Spain, when they have insufficient means to engage in litigation. Article 3 of this Act establishes the basic requirements, with special attention to the provisions in section 1: *"The right to free legal assistance is recognised for those natural persons who lack sufficient means and have insufficient gross income, when calculated annually for the family unit and considering all resources, to exceed the following thresholds:*

- a) Two times the current public indicator of income of multiple effects that was valid when the request was made for persons in question do not form part of a family unit.*
- b) Two and a half times the current public indicator of income of multiple effects that was valid when the request was made for persons who formed part of a family unit with fewer than four members.*
- c) Three times this indicator when dealing with family units of four or more members or who have large family status in accordance with current legislation."*

## VI. MIGRATION AND ASYLUM

### A. AUTONOMOUS RESIDENCE PERMITS:

The following applies for situations in which the Spanish authorities ensure that a migrant woman victim can obtain an autonomous residence permit in the cases listed below:

#### **a. When there is a marriage or relationship dissolution in particularly difficult circumstances, regardless of the duration of this matrimony or relationship:**

Temporary residence and work permits are foreseen for these cases under exceptional circumstances for foreign women who are in an irregular situation, as regulated by article 31a of Organic Law 4/2000 of 11 January, on the Rights and Freedoms of Foreigners in Spain and their social integration (LOEX), and articles 131 *et seq* of Royal Decree 557/2011 of 20 April, passing the Regulation of Organic Law 4/2000 on the Rights and Freedoms of Foreigners in Spain and their social integration which has the following features (RELOEX):

- A foreign woman in an irregular situation may request temporary work and residence permits from the time when a protection order has been issued in her favour or a report sent by the Prosecutor's Office which shows the existence of evidence of gender violence.
- Residence permits shall also be issued for her children who are minors or who are disabled and objectively incapable of satisfying their own needs (residence and work permits for children aged over 16 who are in Spain at the time of the report).
- Provisional work and residence permits shall be granted until there is a final concession or rejection of authorisation. This provisional authorisation can be extended to the children mentioned in the previous paragraph and shall imply the possibility of salaried or self-employed work in any field, sector or territory (with the same scope for children aged over 16).
- Administrative disciplinary proceedings will not be taken for a breach of article 53.1.a) and any such proceedings under way for a breach committed prior to the report, or the execution of deportation orders that have been approved will be suspended. If the disciplinary proceedings had not been started when the offence was reported, any decision on whether to proceed with it shall be postponed until the criminal proceedings have concluded.
- The validity of the provisional authorisation mentioned, which shall be effective from the moment of its approval, is conditioned by the final granting of temporary residence and work permits for exceptional circumstances, which is in turn conditioned by the conclusion, where relevant, of the criminal proceedings with a conviction or a judicial verdict which confirms that the woman has been the victim of gender violence, including when the case has been abandoned due to the whereabouts of the accused being unknown, or the case provisionally withdrawn due to the deportation of the accused. If the woman had not requested authorisation at the time, she will be notified of the possibility of obtaining authorisation when the process has ended.
- Duration of the authorisation: 5 years, without prejudice to the possibility of obtaining long-term residence during this period, on request, in which case the time when she held provisional authorisation will be included.
- The processing of these authorisation requests shall be given preferential treatment.

**b. In the case of deportation of the spouse or partner (abuser) on whom her resident status depended:**

There are two different situations:

1. In the case of foreign women whose authorisation depends on that of their spouse or partner (family reunification, article 19.2 LOEX), foreign women reunited with their spouse or partner shall be granted independent residence and work permits (this point is developed in art. 59.2.b of the RELOEX). Reunited spouses or partners can obtain an independent residence or work permit when they are victims of gender violence, once a judicial protection order has been approved in their favour or there is a report from the Prosecutor's Office which indicates the existence of proof of gender violence. This premise shall also apply when they are victims of a crime of violent behaviour in the family environment, once a judicial protection order has been issued on behalf of the victim or there is a report from the Prosecutor's Office which indicates the existence of violent behaviour in the family environment. The processing of requests submitted in these cases shall be given preferential treatment. The independent residence and work permits shall be valid for a term of five years.

2. Article 9.4 of Royal Decree 240/2007 of 16 February, on the Entry, Free Movement and Residence in Spain of Citizens of the Member States of the European Union and other States party to the Agreement on the European Economic Area says that "*in the case of nullity of marriage, divorce or cancellation of the registration as a couple, involving a citizen of the Member States of the European Union or another State party to the Agreement on the European Economic Area and a citizen of a state that is not, the latter is bound to notify the relevant authorities of this situation.*"

They may, however, maintain the right of residence by proving that they are in one of the situations mentioned in this article, which include those of particularly difficult circumstances such as:

- a) Being a victim of gender violence during the marriage or registered relationship as partners, a circumstance that will be provisionally considered as valid when there is a protection order issued in their favour or a report by the Prosecutor's Office indicating the existence of proof of gender violence, and permanently considered as proven when there is a court verdict that permits the deduction to be made that the alleged circumstances really existed.
- b) Having been a victim of human trafficking on the part of her spouse or partner during the marriage or registered relationship as partners, a situation that shall be provisionally considered as valid when there are legal proceedings in which the spouse or partner is accused and she or her family member is a possible victim, and as permanent when there is a court verdict that permits the deduction to be made that the alleged circumstances really existed.

**c. When her personal situation makes it necessary for her to remain in the country:**

This situation is regulated by article 59a of the LOEX (victims of human trafficking) and articles 140-146 of the RELOEX. In cases where a foreigner (regardless of gender) is identified as a victim of human trafficking, the granting of a period of recovery and reflection (90 days) shall be proposed to the relevant authority, in which no penalty proceedings shall be started and any that are in progress shall be suspended. They will be granted temporary residence during this time, and their sustenance and that of their children will be provided. At the end of this period, an assessment of their personal situation shall be made to determine whether the period should be extended.

The relevant authorities may declare the victims free of administrative responsibility and provide them with an assisted return to their country or authorisation for work and residence for exceptional circumstances when

considered necessary due to their cooperation in investigations or with criminal charges, or in view of their personal situation and possibilities of social integration.

Provisional permission for work and residence may be provided until the authorisation process for work and residence for exceptional circumstances is completed, allowing them to take employment or self-employment of any kind, in any sector or any part of the country, and it will be valid from time of the notification of granting until a verdict is passed on the final authorisation.

The authorisation for work and residence will be valid for five years when approved, without prejudice to the possibility for the holder to obtain long-term residence, which would include the time in which he or she held provisional authorisation granted in accordance with the provisions. This authorisation implies the option to be employed or self-employed in any occupation, sector or geographical area.

**d. When their presence is required for cooperation with the relevant authorities as part of an investigation or criminal proceedings:**

Both the LOEX and the RELOEX foresee the granting of work and residence permits for exceptional circumstances in the case of victims of human trafficking, in accordance with the provisions of part c above, in cases where the (potential) victims of human trafficking cooperate with the relevant authorities.

**e. When they have lost their resident status as the result of forced marriage by being moved from her place of residence:**

Forced marriages are included among the purposes of the crime of human trafficking (article 177a of Organic Law 10/1995 of 23 November, on the Criminal Code), thereby allowing access to work and residence permits for exceptional circumstances to victims of human trafficking, which are valid for 5 years. In this point we may find ourselves with a person who is a victim of human trafficking according to her own personal situation, as expressed in part c.

As regards the data on the number of women who have been granted the right to remain in the country for any of the reasons mentioned in categories A.1.a to A.1.e, with the figures broken down by the type of residence status awarded (permanent, renewable, other residence permit) see the following table<sup>36</sup>:

AUTHORISATIONS FOR VICTIMS OF GENDER VIOLENCE	YEAR	
	2016	2017
<b>TYPE OF PERMIT</b>		
<b>Provisional temporary residence for exceptional circumstances.</b>		
Children of victim of gender violence <16 in Spain (art. 133.1)   (VARIOUS SITUATIONS)	114	78
<b>Provisional temporary work and residence for exceptional circumstances</b>		
Presumed victim of gender violence (art. 133.1)   (VARIOUS SITUATIONS)	410	468
Minor children of victim of gender violence in Spain > 16 in Spain (art. 133.2)   (VARIOUS SITUATIONS)	39	38
<b>Initial temporary residence for exceptional circumstances</b>		
Children of victim of gender violence <16 in Spain (art. 134.1 RELOEX)   With a conviction or assimilated court verdict.	134	124
<b>Temporary work and residence for exceptional circumstances</b>		
Victim of gender violence (art. 134.1)   With a conviction or assimilated court verdict.	514	534
Minor children of victim of gender violence in Spain > 16 in Spain (art. 134.1)   With a conviction or assimilated court verdict	26	29

<sup>36</sup> Source: Ministry of Work, Migration and Social Security.

<b>Initial residence and work in employment or self-employment</b>		
Holder of residence permit for family reunification who ends this situation   Spouse victim of gender violence (art. 59.2.b)	29	33
Holder of residence permit for family reunification who ends this situation   Partner victim of gender violence (art. 59.2.b)	3	2

## **B. GENDER-BASED VIOLENCE IN ASYLUM REQUESTS:**

Spanish domestic legislation, specifically article 3 of Law 12/2009 of 30 October, regulating the right of asylum and subsidiary protection, states that “*The condition of refugee is recognised to any person who, having a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion, membership of a particular social group, gender or sexual orientation is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country (...)*”. Article 7 also refers to persecution for reasons of gender.

In any case, the personnel who form part of the social assistance services must be trained and have suitable knowledge of human rights, regulations affecting foreign nationals, international protection, intercultural mediation, as well as gender perspective and violence against women.

As regards the data, a number of projects may be engaged to enable specific plans for improving processing, taking into account the gender perspective, using the base called “Asylum” which maintains the series and changes in the most relevant data concerning international protection in Spain in recent years. As regards the figures on the number of women victims or at risk who received complementary or subsidiary protection for these reasons, it should be noted that they are not available at the time of writing this report because the current application does not allow this data to be extracted. The Ministry of the Interior has annual statistical studies with the most important data about international protection in Spain, which are available at the link below:

<http://www.interior.gob.es/web/archivos-y-documentacion/documentacion-y-publicaciones/publicaciones-descargables/extranjeria-y-asilo/asilo-en-cifras>

## **C. STEPS TAKEN:**

Information on the steps taken to develop the following points is provided below:

**a. Gender-sensitive reception procedures and support services for asylum seekers:** taking into account article 17.5 of law 12/2009, regulating the right of asylum and subsidiary protection, “*The Administration shall adopt the measures necessary so that, when required, different treatment is offered to seekers due to their gender or other circumstances specified in article 46 of this Law. This process must be duly noted in the administrative file*”.

**b. Gender-based guidelines:** The Ministry of the Interior’s Asylum and Refugee Office (*Oficina de Asilo y Refugio: OAR*) shall supervise the processing of the files and try to provide suitable treatment for women and children with specific needs who request international asylum and adopt a gender perspective when resolving these cases, following guidelines for training and confidentiality on the part of civil servants to ensure correct attention when formalising a request for international asylum for women who suffer violence in a number of contexts, and victims of

human trafficking. The provisions of article 17.5 of Law 12/2009 will be taken into account when formally presenting the applications.

**c. Gender-sensitive asylum procedures, including the acceptance of the condition of refugee and the request for international asylum:** The Sub-directorate General for International Protection, which forms part of the General Directorate of the Interior (Ministry of the Interior), is the specialist body within the Spanish international asylum system that is in charge of directing and processing questions of international asylum as well as recognizing the status of the stateless persons, adopting a gender-sensitive approach.

#### **D. NON-REFOULEMENT:**

The current system of international asylum, based on European Union law, is articulated by Law 12/2009 of 30 October, which ensures that all the guarantees available to asylum seekers are respected in all international asylum procedures

Article 37 of this Law, which refers to the effects of verdicts that dismiss the request, states that “*The rejection of the request or dismissal of the asylum application shall result in the return, expulsion, deportation or forced departure from Spain or transfer of the asylum seekers to the State territory responsible for examining the asylum request unless, in accordance with Organic Law 4/2000 of 11 January, and its legislation for implementation, one of the following circumstances apply: (...)* b) *Their stay or residence in Spain is authorised for humanitarian reasons as determined in the current legislation*”.

Article 44 also states, in section 4, that “*no later repeal or expulsion may result in the transport of the interested parties to a country where their lives or freedom are under threat or where they are exposed to torture or inhuman or degrading treatment or, where relevant, they lack effective safeguards against deportation to the country where they are persecuted or at risk*”.

#### **E. OTHER MEASURES:**

The Government Delegation for Gender-based Violence is part of the Interministerial Commission on Asylum and Refuge (*Comisión Interministerial de Asilo y Refugio*: CIAR) where it carries out a specialist analysis of the international asylum files that are sent to it for women who may suffer gender-based persecution, women in vulnerable situations and victims of different forms of violence against women.

The DGVG also collaborates in the preparation of protocols for detecting and assisting women victims of sexual assault and gender-based violence together with the Secretary of State for Immigration and Emigration and is currently applying the detection and action protocol for possible cases of human trafficking for the purpose of sexual exploitation (2014). The Coordination and Violence against Women Units have a vital role in applying these protocols, as they are informed of cases where the risk of the different forms of violence against women have been detected during the reception and processing of immigrants and asylum seekers.

Finally, the DGVG has collaborated in training the personnel who direct the processing of the asylum files organised by the Sub-directorate General of International Protection of the Ministry of the Interior, issuing training material on the processing of these files from a gender perspective

**ANNEX 1. INFORMATION ABOUT AUTONOMOUS  
COMMUNITIES AND CITIES WITH STATUTES OF AUTON**

**AUTONOMOUS COMMUNITY OF THE BASQUE COUNTRY**

<b>1. LEGISLATION</b>	Law 4/2005 of 18 February, for Equality between Women and Men. According to this law, violence against women includes any violent act motivated by gender which results, or could result, in physical, sexual or psychological damage or in women's suffering, including threats to commit these acts, coercion or arbitrary deprivation of liberty that may occur either in public or private life.
<b>2. PLANS AND PROGRAMMES</b>	Two inter-institutional agreements have been signed to improve care for victims of domestic abuse and sexual assault, in 2001 and 2009. These agreements register, as part of a Strategic Plan, the main strategies, measures and resources.
<b>3. BUDGET</b>	2016: €5,908,592.00   2017: €16,908,834.00
<b>4. SUPPORT AND COLLABORATION WITH NGOs</b>	There are subsidies for associations working at all levels of the administration. There are many structures and organs of participation at local and regional level, especially Emakunde, the Basque Women's Institute which has a Consultation Committee of women for liaison with the feminist movement.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	There are continuous campaigns to raise awareness, especially those aimed at teenagers and the general public. The campaigns launched every 8 March and 25 November every year are prominent, enjoying the support of the three foral authorities and the association of Basque municipal bodies, collaboration with the Department of Education, the University of the Basque Country and the Basque Regional Broadcaster EITB. There are also talks and conferences, especially the "Volar" project for the recovery of women victims of violence.
<b>6. TRAINING</b>	A range of educational material has been prepared, such as the Nahiko Programme, in which over 36 schools and centres have taken part, with around 4,500 pupils. The experience of the pilot project Beldur Barik in secondary schools should also be mentioned. There have been calls for public and semi-private schools to develop projects for co-education, with over 300 professionals taking part. As regards courses, there are specific programmes for professionals who work in the field of Gender Violence, including 358 of these between 2016 and 2017.
<b>7. INFORMATION FOR WOMEN</b>	The main information service for women is the specialised telephone information and helpline (900 840 111), a free 25-hour call service (SATEVI). The average annual number of women attended is around 1,300. This service is available in 51 different languages and includes a specialist Telesor service for deaf women. There is also a straightforward guide titled "What to do in cases of violence against women".
<b>8. SUPPORT SERVICES</b>	In the case of the Basque Country, general services are the basic social services, employment orientation, health care, etc. which have long been subject to a transverse gender focus and priorities, specialising in attention protocols for women victims of violence, specific training, guides and other resources. There is a guide or map of the resources available for women victims of violence in the Autonomous Community of the Basque Country that can be accessed online: <a href="http://www.emakunde.euskadi.eus/contenidos/informacion/violencia_atencion/es_def/adjuntos/mapa_recursos_mujeres_violencia_capv.pdf">http://www.emakunde.euskadi.eus/contenidos/informacion/violencia_atencion/es_def/adjuntos/mapa_recursos_mujeres_violencia_capv.pdf</a>

**AUTONOMOUS COMMUNITY OF CATALONIA**

<b>1. LEGISLATION</b>	Law 5/2008 of 24 April, on the rights of women to eradicate sexist violence. Sexist violence is defined as that which is used against women as an expression of discrimination and inequality in the context of a system of power relations of men over women and which take the form of physical, financial or psychological acts, including threats, intimidation and coercion, whether resulting in bodily, sexual or psychological injury or suffering or taking place in a public or private setting. It expands the idea of violence against women to include a context for intervention that includes protection from all forms of sexist violence.
<b>2. PLANS AND PROGRAMMES</b>	Safety and attention plan for victims of sexist and domestic violence; Protocol for tackling sexist violence in the health sector in Catalonia, Action protocol in cases of forced marriage and an Intervention protocol to prevent female genital mutilation. The National Committee for coordinated intervention against sexist violence has promoted the execution, monitoring and evaluation of the regional government's actions against violence.
<b>3. BUDGET</b>	This data has not been supplied by the regional government
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	The participation of the third sector is managed by the National Commission for coordinated intervention against sexist violence, which also encourages the government's participation and collaboration alongside social entities and organizations dedicated to this topic. The Commission is behind the coordination of the network of agents working on this issue.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	There are continuous campaigns to raise awareness, especially those aimed at teenagers and the general public. The campaigns on 8 March and 25 November every year are prominent. They can be seen on this link <a href="http://dones.gencat.cat/ca/ambits/violencia_masclista/">http://dones.gencat.cat/ca/ambits/violencia_masclista/</a>
<b>6. TRAINING</b>	There is a specific training plan aimed at experts in gender violence that can be consulted using the following link: <a href="http://dones.gencat.cat/ca/ambits/Serveis-recursos-i-formacio/Formacio/">http://dones.gencat.cat/ca/ambits/Serveis-recursos-i-formacio/Formacio/</a>
<b>7. INFORMATION FOR WOMEN</b>	There is a telephone help line 900 900 120 and 5 offices for direct attention in the Community, as well as the violence points in most local councils.
<b>8. SUPPORT SERVICES</b>	There is a guide or map of the resources available for women victims of violence in the Autonomous Community of Catalonia that can be seen using the following link: <a href="http://www.recursosviolenciamasclista.cat/">http://www.recursosviolenciamasclista.cat/</a>

**AUTONOMOUS COMMUNITY OF GALICIA**

<b>1. LEGISLATION</b>	Law 11/2007 of 27 July, on the Prevention and Integral Treatment of Gender Violence. This defines gender violence as physical, psychological, financial and sexual violence and sexual abuse, sexual harassment, trafficking of women and girls for the purpose of sexual exploitation and any kind of violence included in international treaties that injures or may injure the dignity, integrity and freedom of women.
<b>2. PLANS AND PROGRAMMES</b>	There is a current Protocol for institutional coordination and cooperation against gender violence that tackles the following areas: health, police-legal and social. This protocol was prepared by the Galician Observatory on Gender Violence with the participation of all judicial, political and social groups in Galicia which have responsibilities in the area of gender violence.
<b>3. BUDGET</b>	The Autonomous Community of Galicia spent a total of €28,882,087.18 on policies related with the eradication of Gender Violence in the period 2016-2017.
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	The participation of the third sector is enabled by a number of coordination meetings held throughout the year and by entities and NGOs taking part in collegiate organs such as the Galician Observatory on Gender Violence (with 3 working groups) and the Galician Women's Council.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	There are continuous campaigns to raise awareness, especially those aimed at teenagers and the general public. The campaigns on 8 March and 25 November every year are prominent. The development of the ESCAAPP app, with advice and support for victims of gender violence should be highlighted, along with the campaign "Think before sexting" on the dangers of sexting and a campaign against trafficking for the purpose of sexual exploitation. A number of workshops and conferences have also been held.
<b>6. TRAINING</b>	2 specific courses for free assignation in education have been prepared: a course on "gender equality" in secondary education and "co-education for the 21st century" in pre-university cycles. The "I Plan for action on equality in schools in Galicia 2016-2020" has also been prepared as reference material for all education centres. All the civil servants of Galicia, including teaching staff, health workers and those employed in the Justice system as well as in the regional police force have received training in this area.
<b>7. INFORMATION FOR WOMEN</b>	There is an online legal advisory service with information provided by specialist personnel in gender issues and gender violence. There is also a free 24h information line for women available all year round on 900400273 which operates in up to 65 different languages.
<b>8. SUPPORT SERVICES</b>	There is a guide or map of the support resources for women victims of violence in the Autonomous Community of Galicia that includes financial support with regular payments, compensation arising from court verdicts when the aggressor is declared insolvent, a network of sheltered housing, support for accommodation, free legal advice, 82 Women's information centres, psychological support and employment services, among others. There is also a health service protocol for institutional coordination and cooperation in cases of gender violence. A total of 32,844 women received assistance from the Women's Information Centres during 2016-2017.

**AUTONOMOUS COMMUNITY OF ANDALUSIA**

<b>1. LEGISLATION</b>	Law 13/2007 of 26 November, on Integral Protective and Preventive Measures against Gender Violence. Gender Violence is defined as physical violence between partners or ex-partners, including without cohabiting, psychological violence, financial violence and sexual assault and sexual abuse, regardless of whether the aggressor has a sentimental relation as spouse or partner, or is related to the victim.
<b>2. PLANS AND PROGRAMMES</b>	The Annual Report on Gender Violence compiled by the regional government, the <i>Junta de Andalucía</i> , is a thorough diagnosis of the work carried out in this field in the different interventions made in Andalusia, in response to the mandate established in the first additional provision of Law 13/2007 and its development in Decree 1/2009 of 7 January, regulating the preparation and content of the Annual Report.
<b>3. BUDGET</b>	2016: €18,693,369   2017: €20,418,086
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	The Andalusian Council for Women's Participation is conceived as a collegiate body for the participation of women's organizations in the gender equality policies of the Junta, with the aim of channelling their causes and interests, and encouraging participation. It is an organ of the Department with responsibility for equality and operates as part of the Andalusian Women's Institute. There is also a group of Women's Association and Federation Subsidies for carrying out projects to eradicate gender violence in 2016 and 2017.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	The General Directorate of Gender Violence ran the campaign "We are your network" in 2017 as a way to offer women victims of Gender Violence the services available for their protection, safety and assistance, with a clear message that they are not alone and that there is an extensive network of institutional support for them. As regards educational materials, the school year 2016/2017 saw the start of a Higher Education cycle "Promoting Gender Equality".
<b>6. TRAINING</b>	The III Andalusian Plan for Permanent Teacher Training involves the development of training projects in Teacher Training Centres every year. The start of the II Strategic Plan for Gender Equality in Education in the school year 2016/2017 included a training itinerary in gender equality aimed at members of the Andalusian School Board. The General Directorate of Gender Violence carried out activities for training and specialisation for the professionals who deal with victims of gender violence, especially the following: the Congress for Studying Violence against Women; the training action for prosecutors and two editions of the "Governance Forum on issues of gender violence". It has also collaborated in specialist training for the different police forces.
<b>7. INFORMATION FOR WOMEN</b>	There is a telephone line 900200999 which is free and operates around the clock, every day of the year, day and night. It covers the whole Autonomous Community. It is anonymous and confidential and is available in 57 languages. There is also a telephone line and online service offering legal guidance on gender violence. Staff are also available in person in 8 provincial centres and 170 municipal centres with Women's Information in Andalusia.
<b>8. SUPPORT SERVICES</b>	The regional government has a wide resource network that includes: financial aid for women victims, online and telephone legal assistance and Information, legal assistance and psychological support services, employment service and an Integrated Attention and Accommodation Service for Women Victims. 1,139 women were treated in 2016, and 1,265 in 2017. For more information, link to the map of resources: <a href="http://www.juntadeandalucia.es/institutodelamujer/index.php/2013-08-08-10-31-21/servicios-especializados-en-violencia-de-genero">http://www.juntadeandalucia.es/institutodelamujer/index.php/2013-08-08-10-31-21/servicios-especializados-en-violencia-de-genero</a>

**AUTONOMOUS COMMUNITY OF THE PRINCIPALITY OF ASTURIES**

<b>1. LEGISLATION</b>	Law 2/2011 of 11 March, for Equality between Women and Men and the Eradication of Gender Violence. The definition of gender violence is based on Organic Law 1/2004 of 28 December, on Integral Protective Measures against Gender-Based Violence	
<b>2. PLANS AND PROGRAMMES</b>	In July 2016 the Government of the Principality of Asturias worked with all political groups, women's associations and professionals on the joint creation of a Social Pact against Violence against Women of the Principality of Asturias (2016-2019), The plan includes 150 measures for the period 2016-2018, organised to achieve different goals related with the prevention, awareness and training of professionals, full support for victims and their children, coordination between institutions, assessment and supervision.	
<b>3. BUDGET</b>	2016: € 2,998,329.75	2017: € 3,028,182.96
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	The Government of the Principality of Asturias guarantees enough resources to ensure continuous work and relations with civil society, especially women's organizations fighting against gender violence through the Asturian Women's Council and the Observatory of Violence against Women of the Principality of Asturias. The Asturian Women's Institute also maintains a subsidy line that amounted to 179,600 euros in 2016 and 2017, specifically for women's groups and entities working to achieve effective equality between women and men. Cruz Roja also directly runs the Network of Women's Refuges for the full care of women victims and their children.	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	Institutional campaigns were launched on 8 March and 25 November and in both years. These centred on the Social Pact on Violence against Women. In 2016 the campaign was "We all have a voice against Violence", and in 2017 the message was "I'm joining in". On 8 March 2017 the motto was "One step back to get momentum", underlining the importance of constantly working in the fight for equality. For the third year running, the Women in Music concert has been organized by the Martínez Torner Conservatory of Music with the collaboration of Oviedo City Council, along with other campaigns.	
<b>6. TRAINING</b>	26 courses on equality, violence and other subjects were held in 2016 along with other gender-related courses with 423 professionals taking part. There were 22 courses in 2017 and two courses for the local police with gender violence content run by the School of Public Safety. There have also been other programmes and guides aimed at the educational community to raise awareness and educate in equality, reaching a total of 5,584 pupils and 228 teachers.	
<b>7. INFORMATION FOR WOMEN</b>	The fundamental resource that guarantees the right to information are the Women's Support Centres. They are staffed by 15 lawyers who cover the whole region of Asturias and offer women free specialist legal advice. In 2016/2017 they helped 4,565 women specifically with gender violence in the context of their relationships. They also provide information through the social media of the Asturian Women's Institute (Facebook, Twitter and Instagram), where information about existing resources is permanently available.	
<b>8. SUPPORT SERVICES</b>	There are a number of services such as the Regional Network of Women's Refuges for women victims of gender violence, free legal aid for victims, psycho-social workshops, group therapy programmes, employment services and the Sicar-Asturias programme of social support for women in prostitution and/or victims of trafficking for the purpose of sexual exploitation.	

**AUTONOMOUS COMMUNITY OF CANTABRIA**

<b>1. LEGISLATION</b>	Cantabrian Law 1/2004 of 1 April, for Integral Prevention Measures against Gender Violence and Protection for its Victims. The law covers the following forms of violence: physical mistreatment, psychological mistreatment, financial mistreatment, sexual assault, sexual abuse of girls, sexual harassment, trafficking or use of women or girls for the purpose of sexual exploitation, prostitution or sexual commerce, female genital mutilation, violence against the sexual and reproductive rights of women and any other acts or behaviour that harms or may lead to harming women's dignity or integrity.	
<b>2. PLANS AND PROGRAMMES</b>	The human rights of victims of gender violence are present in all areas of intervention, in the creation of protocols and in drafting agreements, contracts, subsidies and direct assistance for victims. The creation of personal assistance plans and progressing towards the "single window" in providing an "integrated information, guidance and assistance service for victims of gender violence in the Autonomous Community of Cantabria", as well as adopting coordination protocols.	
<b>3. BUDGET</b>	2016: € 652,750.00	2017: € 771,583.00
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	Subsidies were offered in 2016 and 2017 for non-profit entities and associations to develop projects for information, prevention, attention, awareness and training for the eradication of gender violence in the Community.	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	There were a number of activities in 2016 and 2017 to raise awareness; programmes to prevent gender violence in secondary schools and summer camps for teenagers, programmes for prevention and awareness in rural communities and training activities for professionals. Information about the campaigns at: <a href="http://mujerdecantabria.com/sensibilizacion-2/">http://mujerdecantabria.com/sensibilizacion-2/</a>	
<b>6. TRAINING</b>	Since 2016 the Region has implemented a Higher Education Professional Training cycle of "Promoting gender equality". Topics related with the effective equality between women and men and with Organic Law 3/2007 of 22 March, for effective equality between women and men were included in the official examinations for public employment in the Autonomous Community of Cantabria,	
<b>7. INFORMATION FOR WOMEN</b>	Personalised legal information is provided by women lawyers in the centres for Integrated information and attention for Women. There are also user guides (6,000 copies in 2016 and 6,000 in 2017) with the QR code to access the guide in Spanish sign language (LSE) distributed among the different professional and public bodies to inform about resources and the law.	
<b>8. SUPPORT SERVICES</b>	General support services include: financial support for social emergencies, rent support, free legal assistance for women victims, free psychological counselling and a network of housing resources. There is a protocol for medical treatment in cases of mistreatment and a healthcare protocol for victims of sexual assault/abuse. There is also an intervention protocol for the professionals of Primary Care Social Services. More than 1,000 women and more than 50 children were dealt with in 2016 and 2017.	

**AUTONOMOUS COMMUNITY OF LA RIOJA**

<b>1. LEGISLATION</b>	Law 3/2011 of 1 March, on Protection, Prevention and Institutional Coordination on Violence in La Rioja. This applies to cases of violence against women committed by those who are or have been spouses, or those who are or have been attached to them by similar emotional bonds, with or without cohabiting. It also includes violence within the family unit.
<b>2. PLANS AND PROGRAMMES</b>	The Institutional Committee of La Rioja for coordinating awareness actions, protection and full recovery of victims of violence is responsible for designing and preparing the Sector plan for awareness, protection and full recovery of victims and has created a series of protocols on Gender Violence that lay out specific action plans and measures.
<b>3. BUDGET</b>	A total of 2,511,962 euros was invested in 2016-2017 in policies aimed at eradicating Gender Violence.
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	To develop the public policies for combating violence against women, the Department of Social Policy, Family, Equality and Justice of the Regional Government of La Rioja signed collaboration agreements with the Neighbourhood Network against Domestic Violence through a programme developed jointly by the Government of La Rioja, the Federation of Neighbourhood Associations and the Association of families and women in the rural environment.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	A number of awareness campaigns were run in 2016 and 2017 aimed at young people and the general public, such as “Free yourself” and “We don’t see it but it happens. Spot the signs and act” There have been other programmes such as a Good behaviour programme for teaching the values of getting along, the “Positive Relations” programme, a prevention programme for men who represent a risk of Domestic Violence, action aimed at protecting women victims of mistreatment and the Crime Victim Support Office for prevention, awareness and training in these three areas.
<b>6. TRAINING</b>	Training workshops and courses have been run for the following groups: State law enforcement agencies, health workers, teachers, judges and magistrates, Red Cross remote assistance professionals, volunteers of the Neighbourhood Network against Gender Violence. The project “School for Parents” has also been developed for parents who use the Family Meeting Point and who are separated, divorced, whose relation has been annulled, or similar. The following training courses have also been prepared: Specialisation Diploma as an Equal Opportunities Agent for Men and Women at the University of La Rioja and a course at the University of La Rioja aimed at students in the second course of Teacher Training. 15 workshops for 396 students (future teachers).
<b>7. INFORMATION FOR WOMEN</b>	La Rioja has a women’s information telephone line on 900 711010 which offers women access to personalised information and is available 24 hours a day. There is also a help line for children, at 116 11. <a href="https://www.larioja.org/mujer/es/violencia-genero">https://www.larioja.org/mujer/es/violencia-genero</a>
<b>8. SUPPORT SERVICES</b>	The Women’s Advisory Centre (CAM) offers multi-disciplinary support through the following services: legal, psychological and social guidance, a network of women’s accommodation, the ‘support me’ programme (integrated support programme for children exposed to gender violence), support office for victims of crime, a family meeting point and family support centre.

**AUTONOMOUS COMMUNITY OF THE REGION OF MURCIA**

<b>1. LEGISLATION</b>	Law 7/2007 of 4 April, on equality between Women and Men and Protection against Gender Violence in the Region of Murcia. Gender violence is defined as any physical or psychological aggression against a woman because of her gender that may cause harm to her health, physical integrity or any other situation that limits her freedom, including that exercised against her under age children or persons who depend on her, when this is done because of her gender.
<b>2. PLANS AND PROGRAMMES</b>	The Women's Institute for the Region of Murcia was created under Law 12/2002 of 3 December as the organization that leads women's policies, considered as the practice of all actions aimed at achieving sexual equality, removing obstacles that prevent women's full involvement and rights and the elimination of all forms of discrimination in the region of Murcia. There is a Protocol for Coordination between Institutions for Gender Violence in the Autonomous Community of the Region of Murcia.
<b>3. BUDGET</b>	The data has not been provided
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	The Regional Advisory Body for Violence against Women is the collegiate consultation organ entrusted with collaboration, cooperation and coordination between the different bodies, institutions and entities that are working to combat violence against women. The Observatory on Equality, attached to the Department responsible for women's policies, is an organization in which many equality associations and groups take part.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	The prevention campaigns and activities can be seen at the following link: <a href="http://igualdadyviolenciadegenero.carm.es/">http://igualdadyviolenciadegenero.carm.es/</a>
<b>6. TRAINING</b>	A guide has been prepared aimed at professionals who work in Education Centres which is intended to provide a series of basic guidelines to help detect suspected cases of gender violence in this area, and how to respond from the first moment. The Guide proposes four cases or situations that could arise and which require different approaches to deal with them. <ul style="list-style-type: none"> <li>• Students are victims of gender violence.</li> <li>• The alleged abuser is a student of the school.</li> <li>• Students are children of women victims of gender violence.</li> <li>• Women victims of gender violence who work in the school</li> </ul> The training material can be consulted at the following link: <a href="http://igualdadyviolenciadegenero.carm.es/">http://igualdadyviolenciadegenero.carm.es/</a>
<b>7. INFORMATION FOR WOMEN</b>	The Equality centres of the local council or Autonomous Community have material with information and there are online resources on the web page <a href="http://igualdadyviolenciadegenero.carm.es/">http://igualdadyviolenciadegenero.carm.es/</a>
<b>8. SUPPORT SERVICES</b>	The Region of Murcia has an extensive range of resources for victims of gender violence that includes a 112 attention device, an urgent number for women victims of abuse, accommodation resources, a Regional Network of Specialist Care Centres for Women Victims of Gender Violence, Psychological Support Service for Children of Women Victims of Gender Violence, Telephone Interpretation Service for Foreign Women Victims of Gender Violence, Coordination Point for Protection Orders. More resources can be found here: <a href="http://igualdadyviolenciadegenero.carm.es/web/violenciaeigualdad/recursos-y-servicios">http://igualdadyviolenciadegenero.carm.es/web/violenciaeigualdad/recursos-y-servicios</a>

**COMMUNITY OF VALENCIA**

<b>1. LEGISLATION</b>	The Generalitat, Integral Law 7/2012 of 23 April, against Violence against Women. This law defines violence against women as any behaviour, action or omission through which a man inflicts physical, sexual and/or psychological injury on a woman, based on her condition as a woman, arising from a situation of inequality and relations of dominance of men over women, regardless of their relationship as partners or ex-partners. It includes female genital mutilation, sexual assault and the trafficking of women and girls. There is also regulation that recognises the compensation and financial support for victims of violence against women foreseen in Law 7/2012.
<b>2. PLANS AND PROGRAMMES</b>	The Valencia Pact against sexist and gender violence was passed in 2017 with the aim of transforming society and eradicating violence against women through coordination with civil society, the network of feminist associations and public bodies and institutions. It is structured by 5 Strategic lines, 21 objectives and 293 measures.
<b>3. BUDGET</b>	2016: €7,013,003.07   2017: €7,502,875.09
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	As regards financial support for organizations, the Community of Valencia uses a credit line derived from income tax to assess their projects and proposals on the issues of equality and gender violence, along with agents of civil society. In 2017 it enjoyed the collaboration of CERMI CV in preparing the Care Protocol for disabled women victims of gender violence. NGOs and groups in the Community have taken part in the preparation of the Valencia Pact against sexist and gender violence.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	A campaign was launched in the 2015-2016 school year to run workshops for students in the 2 <sup>nd</sup> year of secondary education to prevent and raise awareness about gender violence with the title “Hands off my WhatsApp”. More than 1,000 of these workshops were held over the two years, reaching over 29,000 students. There were also co-education talks for the parents of students in secondary schools as a supplement to these workshops. There were 70 of these workshops that reached over 1,500 parents. There have also been communication campaigns aimed at teenagers, and the publication of a guide showing what to do at home to prevent gender violence between teenagers.
<b>6. TRAINING</b>	Each and every one of the professionals working in outpatient and care resources have received 30 hours of training, 20 of which dealt with gender violence.
<b>7. INFORMATION FOR WOMEN</b>	The 24-hour Women’s Centres in Castellón, Valencia, Alicante and Denia provide complete information and care and are specialised in treating women. They are drop-in resources staffed by multidisciplinary teams consisting of social workers, psychologists and lawyers. Free Telephone Support Service 900 58 09 88 For more information, follow these links: <a href="http://www.sinmaltrato.gva.es/es">http://www.sinmaltrato.gva.es/es</a> and <a href="http://www.inclusio.gva.es/es/web/mujer">http://www.inclusio.gva.es/es/web/mujer</a> .
<b>8. SUPPORT SERVICES</b>	The Community of Valencia has a full and extensive network of resources and care. The most important are the 24h Women’s Centres, the long-term Residential centres for full recovery and the Crisis centres for women victims and their children, psycho-social support, legal assistance, activities for children of women residents by age, post-institutional monitoring and social and employment services.

**AUTONOMOUS COMMUNITY OF ARAGON**

<b>1. LEGISLATION</b>	Law 4/2007 of 22 March, on Integral Protection and Prevention for Women Victims of Violence in Aragón. Violence against women is defined as any act or aggression against them, motivated by the gender of the victim, which causes or may cause physical or psychological damage, and aggressions against their sexual freedoms and indemnity, including the threat of such actions, coercion or arbitrary removal of liberty, taking advantage of the victim's situation of physical proximity, psychological weakness or dependence on family, work or finances in relation with the aggressor.	
<b>2. PLANS AND PROGRAMMES</b>	There are several protocols and plans, such as: Protocol for Coordination between Institutions for the Prevention of Gender Violence and Assistance for its Victims in Aragon, IV Strategic Plan for the Prevention and Eradication of Violence against Women in Aragon (2018-2021), Integrated Plan to fight trafficking of Women and Girls for the purpose of Sexual Exploitation 2015-2018, Protocol for Prevention and Action on Female Genital Mutilation in Aragon 2016 and the Aragon Forum against the trafficking of women and girls for the purpose of sexual exploitation.	
<b>3. BUDGET</b>	The data for 2016 has not been provided	The data for 2017 has not been provided
<b>4. SUPPORT AND COLLABORATION WITH NGOs</b>	There are subsidies for non-profit entities carrying out activities to prevent violence against women with mental, physical or sensorial disabilities, and subsidies for non-profit entities who work to raise awareness about, prevent and eradicate violence against women. There are also a number of non-profit entities who take part in forums and councils, such as the Aragon Network of Local Entities Free of Sexual Aggression and The Aragon Observatory of Violence against Women.	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	Click on this link to see the awareness campaigns <a href="http://www.aragon.es/DepartamentosOrganismosPublicos/OOAA/InstitutoAragonesMujer/AreasTematicas/Violenciacontramujer/ci.07_campa%C3%B1as.detalleDepartamento?channelSelected=785189dc3e83b210VgnVCM100000450a15acRCRD">http://www.aragon.es/DepartamentosOrganismosPublicos/OOAA/InstitutoAragonesMujer/AreasTematicas/Violenciacontramujer/ci.07_campa%C3%B1as.detalleDepartamento?channelSelected=785189dc3e83b210VgnVCM100000450a15acRCRD</a>	
<b>6. TRAINING</b>	The Government of Aragon publishes a range of educational materials that can be seen at this link: <a href="http://www.aragon.es/DepartamentosOrganismosPublicos/OOAA/InstitutoAragonesMujer/AreasTematicas/CentroDocumentacion/ci.06_Formacion.detalleDepartamento?channelSelected=2de389dc3e83b210VgnVCM100000450a15acRCRD">http://www.aragon.es/DepartamentosOrganismosPublicos/OOAA/InstitutoAragonesMujer/AreasTematicas/CentroDocumentacion/ci.06_Formacion.detalleDepartamento?channelSelected=2de389dc3e83b210VgnVCM100000450a15acRCRD</a>	
<b>7. INFORMATION FOR WOMEN</b>	Free 24-hour hotline: 900 504 405, web page and informative leaflets.	
<b>8. SUPPORT SERVICES</b>	The support services for victims of gender violence in Aragon can be seen here <a href="http://www.aragon.es/DepartamentosOrganismosPublicos/OOAA/InstitutoAragonesMujer/AreasTematicas/Violenciacontramujer/ci.02_Servicios_Atencion_Mujeres_Victimas_Violencia.detalleDepartamento?channelSelected=785189dc3e83b210VgnVCM100000450a15acRCRD">http://www.aragon.es/DepartamentosOrganismosPublicos/OOAA/InstitutoAragonesMujer/AreasTematicas/Violenciacontramujer/ci.02_Servicios_Atencion_Mujeres_Victimas_Violencia.detalleDepartamento?channelSelected=785189dc3e83b210VgnVCM100000450a15acRCRD</a>	

**AUTONOMOUS COMMUNITY OF CASTILE-LA MANCHA**

<b>1. LEGISLATION</b>	Law 4/2018 of 8 October, for a Society free of Gender Violence in Castile-La Mancha. This law considers all types of violence that women endure because they are women, including those which take place between partners or ex-partners, femicide, the murder of a woman because of her gender, the different forms of sexual violence, trafficking of women, sexual exploitation, forced or arranged marriage or engagement at a young age, female genital mutilation, the different forms of violence enabled by technology and social media, sexual harassment or due to gender at work and coercion of freedoms. The provision valid in 2016 and 2017 (and repealed in 2018 by Law 4/2018) was Law 5/2001 of 17 May, on Prevention of Abuse and Protection of Abused Women.	
<b>2. PLANS AND PROGRAMMES</b>	Castile-La Mancha has its II Strategic plan for equal opportunities between women and men. Protocol for Prevention of Female Genital Mutilation in Castile-La Mancha	
<b>3. BUDGET</b>	2016: €362,181.00	2017: €482,395.15
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	Law 12/2010 states the need for women's associations to take part in public policy on equality and regional women's representations to participate in the decision-making organs of the public consultation and advisory councils in Castile-La Mancha. The Women's Institute also promotes the effective collaboration with NGOs and other social organizations through the different subsidies in which they appear as beneficiaries.	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	There have been several campaigns in 2016 and 2017, including the following: Campaign: "new girls, 24 hours", Summer campaign: "without a yes, it's no", Winter campaign: "don't cover up sexist violence", Campaign: "there is a way out of gender violence", 25 November: "International Day for the elimination of violence against women".	
<b>6. TRAINING</b>	Castile-La Mancha has prepared material for the course on Education for Equality, Tolerance and Diversity for the 5 <sup>th</sup> year of Primary Education and 3 <sup>rd</sup> year of Secondary Education. Curricular material on co-education has also been incorporated through the Growing in Equality Programme for Secondary students. Over 3,700 professionals in various fields have received training in 2016 and 2017, such as psychological support, legal aid, education and the media.	
<b>7. INFORMATION FOR WOMEN</b>	There are 84 Women's Centres distributed across the whole region that offer free information and advice for women victims of gender violence, with psychological, legal, social and employment support. There is also a permanent telephone helpline 900 100 114 that is free, covers the whole region and is available 24 hours a day, 365 days a year. <a href="http://institutomujer.castillalamancha.es/recursos-y-servicios/centros-de-la-mujer">http://institutomujer.castillalamancha.es/recursos-y-servicios/centros-de-la-mujer</a>	
<b>8. SUPPORT SERVICES</b>	There is a network of resources for the protection of women victims of gender violence and their children: Sheltered housing, Crisis Centres, Integrated Centres, Care centres for young women, Women's Centres, psychological, legal and court assistance, mutual help, social support, aid for autonomy of women residents of sheltered accommodation, the "Leonor Serrano Pablo" grant programme for women victims of gender violence and their children, assisted housing, rent support. The "With you" Programme for Integrated Prevention and Intervention in cases of sexual aggression and abuse in Castile-La Mancha offers coordinated specialist psychological support and legal assistance for women aged over 18 who are victims of sexual aggression and/or abuse from men who are not partners or ex-partners.	

**AUTONOMOUS COMMUNITY OF THE CANARY ISLANDS**

<b>1. LEGISLATION</b>	Law 16/2003 of 8 April, on Integral Protection and Prevention for Women Victims of Gender Violence. Article 3 of this law states that gender violence can take the following forms: physical violence, sexual violence and abuse, financial violence and expressions of violence against women in relationships with partners or ex-partners, trafficking or women and girls, sexual exploitation, violence against women's sexual and reproductive rights, marriage at a young age, forced or arranged marriages, female genital mutilation, femicide or any other form of violence that harms women's dignity, integrity and liberty.
<b>2. PLANS AND PROGRAMMES</b>	The Canary Islands have a strategy for equality between women and men 2013-2020. This is the guiding instrument that arranges and defines the priorities and general strategy of the Canary Government in implementing transverse gender policies and methods to apply them. In 2016, the Canary Islands Equality Institute planned the Strategy for preventing gender violence in adolescents and young people in the Autonomous Community of the Canary Islands. There is also an Action framework for early prevention of gender violence in relationships 2017-2020.
<b>3. BUDGET</b>	A total amount of €17,200,985.55 has been budgeted for eradicating violence against women.
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	Law 1/2010 of 26 February, on Equality between Women and Men in the Canary Islands, includes provisions for encouraging social participation and associations for women. There is a line of subsidies for the provisions of the Equality Strategy for Women and Men 2013-2020, passed by the Canary Government. The Canary Islands Council for Gender Equality is the consultation body of the Canary Islands Equality Institute and for the participation of women's organizations in equality issues.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	A number of campaigns were organized in 2016 and 2017 for the 25 November, for the International Day against Sexual Exploitation and Trafficking, with the "Cibermolo" mobile application and its user manual and a range of activities as part of the agreement between the Canary Islands Equality Institute and the Island Councils. Information about campaigns is available at: <a href="http://www.gobiernodecanarias.org/igualdad/temas/violencia_genero/">http://www.gobiernodecanarias.org/igualdad/temas/violencia_genero/</a>
<b>6. TRAINING</b>	Seminars and training courses have been held, including: "Relate" seminars, with 12 hours of training aimed at teaching staff in Secondary Schools. There is also a bibliographical selection for school libraries on the subject of co-education. There is a line of direct subsidies for research in the public universities of the Canary Islands. There have also been training courses and seminars for young people, professionals in the justice system and a seminar on the State Pact, with training for local police, among others.
<b>7. INFORMATION FOR WOMEN</b>	Information services and Integrated cross-disciplinary assistance and interventions are available in the Canary Islands to attend, inform, guide and advise on social, psychological, legal and educational issues for the people who request the Service.
<b>8. SUPPORT SERVICES</b>	The Canary Islands Integrated Intervention System for Violence against Women is arranged as a coordinated cross-sector programme for action in the fields of health, education, employment, society and safety, regardless of the coordination links with other programmes and educational areas that the public administrations operate in the Islands. The general support services include: financial aid, the Canary Fund for Social Crises, accommodation services, a network of legal assistance services, psychological support services, education, training and employment services, with 39 municipal offices for Gender Violence: <a href="http://www.gobiernodecanarias.org/igualdad/temas/violencia_genero/">http://www.gobiernodecanarias.org/igualdad/temas/violencia_genero/</a>

**FORAL COMMUNITY OF NAVARRE**

<b>1. LEGISLATION</b>	Foral Law 14/2015 to act against violence against women. The law includes the different types of violence against women: violence by partner or ex-partner (physical, psychological, financial and sexual); different forms of sexual violence; trafficking of women and girls for the purpose of sexual exploitation, work or marital servitude; marriage at a young age, arranged or enforced; sexual exploitation, female genital mutilation, femicide.
<b>2. PLANS AND PROGRAMMES</b>	The action plan for the law on violence against women was set up in compliance with article 75 of the Foral Law 14/2015. The Plan will cover a period of 6 years (2016-2021) The III Inter-institutional Agreement on Coordination on Violence against Women in Navarre was signed in November 2017 to serve as a framework and basis for all legal, police, education, health and social interventions required to provide integrated attention to surviving victims of violence against women in Navarre. The Navarre Institute for Equality is the body designated by the Government of Navarre to coordinate and manage the measures for integrated action against violence against women.
<b>3. BUDGET</b>	The Community of Navarre has spent around 5 million euros between 2016 and 2017.
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	Besides the 150,000 euros that were assigned to subsidies for women's associations and NGOs in the budget for 2017, the Strategy for women's social and political involvement in the foral community of Navarre has progressed with the participation of these groups, principally in forums such as the Navarre Council for Equality. The Navarre Council for Equality has grown with the addition of the Navarre Forum against the trafficking of women for the purpose of sexual exploitation and the drafting and promotion of the protocols for prevention and attention (Victims of trafficking for sexual exploitation, female genital mutilation).
<b>5. CAMPAIGNS AND PROGRAMMES</b>	A number of different campaigns were developed in 2016 and 2017 to raise awareness in the context of the local festivities for the patron of Pamplona, as well as 25 November, International Day against sexual exploitation and the trafficking of women and children, with training programmes financed by the Navarre Institute for Equality (INAI) in collaboration with UNED in Tudela and ANFAS.
<b>6. TRAINING</b>	The SKOLAE programme by the Government's Education department offers all pupils the chance to learn to live in equality with content on the prevention of violence against women and girls. It was used in 16 pilot schools in the academic year 2016-2017. Training was also given to over 690 professionals, including: experts on Gender Violence in the health sector, legal specialists in questions of violence against women, seminars in local councils and in the School for Public Safety in Navarre.
<b>7. INFORMATION FOR WOMEN</b>	Publication in the web page of the Government of Navarre (navarra.es) of the support services available for victims of violence, publication of explanatory leaflets in 6 languages (Spanish, Basque, English, French, Russian and Arabic) and in "easy to read" format. Publication of a Guide for young people on violence against women and of leaflets about the Women's Legal Assistance Service (SAM) in Spanish and Basque.
<b>8. SUPPORT SERVICES</b>	Network of support services: financial support services; accommodation services, primary health care, legal assistance services, 24-hour specialist advice and legal assistance through an agreement with INAL and the 4 Colleges of Law in Navarre and psychological support services for women and children.

**AUTONOMOUS COMMUNITY OF EXTREMADURA**

<b>1. LEGISLATION</b>	Law 8/2011 of 23 March, on Equality between Men and Women and against Gender Violence in Extremadura. Article 4.5 of the law contains the definition of gender violence which the different prevention mechanisms and instruments for awareness and intervention on the issue are based on. The concept has been expanded since 2011 to cover questions such as sexual violence and the trafficking of human beings for the purpose of sexual exploitation.	
<b>2. PLANS AND PROGRAMMES</b>	The Extremadura Women's Institute (IMEX) leads coordination projects such as the Action Protocol between the Government of Extremadura, the Government Delegation and the Federation of Municipal and Provincial Authorities of Extremadura for monitoring and protection in cases with victims of gender violence. It also has a Plan for Raising Awareness, Prevention and Eradication of Gender Violence to comply with the Istanbul Convention and the State Pact against Gender Violence. On the issue of trafficking, the Government of Extremadura has started the First Extremadura Plan for Prevention and Awareness against the Trafficking of Women for the Purpose of Sexual Exploitation.	
<b>3. BUDGET</b>	2016: € 4,257,832.00	2017: €4,972,310.00
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	There is regular collaboration between organization, foundation, unions and other women's associations, both specialised and professional, as well as others whose main purpose is to encourage the representation of women in Extremadura, encouraging visibility and empowerment. Extremadura has its own Council for Women's Participation as an organ for consultation and participation on the part of women's associations and organizations and economic and social agents.	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	Campaigns are run to coincide with 25 November each year to make the public more aware and the display the resources that are available. Recent campaigns have placed special emphasis on sexual violence, especially among young people The Education Department is working on the implementation of equality plans in schools to encourage a true strategy in co-education.	
<b>6. TRAINING</b>	The main work carried out by IMEX has focused on teaching staff to improve their training in this area and raise their sensitivity towards it. The University of Extremadura has also added a course on its Early and Primary Education training degree called "Sociology of Gender Relations". The Government of Extremadura has included a cross-disciplinary module on equality and sexist violence in all its training courses for civil service employees.	
<b>7. INFORMATION FOR WOMEN</b>	All persons identified as victims receive information through various channels; personal interviews with specialist professionals, leaflets with details of contact numbers and addresses, printed sheets listing the services that are available. The IMEX Resource Guide stands out, because it lists all the services on offer in Extremadura. <a href="https://ciudadano.gobex.es/web/violencia-de-genero/inicio">https://ciudadano.gobex.es/web/violencia-de-genero/inicio</a>	
<b>8. SUPPORT SERVICES</b>	The articles of Law 8/2011 of Extremadura state the right to complete care and specifically for medical attention, legal assistance and social care, which includes access to residence, protection at work, financial support and access to education. Extremadura has therapeutic residential services and protection for victims of violence against women. There is a reserved placement in social housing set aside for women victims of gender violence that is run by the Regional Government and local councils. The Extremadura network of Psychological Support Points consists of 20 centres distributed in both provinces and supported by the Women's Houses of Badajoz and Caceres. The Extremadura Public Employment Service has a network of Employment Equality Agents specialists in Gender Violence who work in orientation towards work and in supporting the active search for employment by its users.	

**AUTONOMOUS COMMUNITY OF THE BALEARIC ISLANDS**

<b>1. LEGISLATION</b>	Law 11/2016 of 28 July, on Equality between Women and Men of the Autonomous Community of the Balearic Islands. This defines Gender Violence as any violent act motivated by gender that results in, or could result in, injury or suffering in terms of physical, sexual or mental health and includes threats of such acts, coercion and arbitrary deprivation of liberty, whether in a public or private environment.	
<b>2. PLANS AND PROGRAMMES</b>	The Social Pact against sexist violence and the Plan for Government Council Measures against sexist violence 2017-2020, with 6 strategic lines, 21 goals and 135 measures. Protocols: Health protocol against sexist violence coordinated by the Department of Health and protocol against female genital mutilation.	
<b>3. BUDGET</b>	2016: € 3,332,000	2017: data not provided
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	There is a line of subsidies for non-profit groups to finance projects to encourage and support equal opportunities between men and women. There are also organs for collaboration and participation such as the local coordination committee for the prevention of gender violence, and others like the direct assistance network for sex workers (XADPEP) and the assistance board for supporting sex workers (MAPCAL).	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	Among the other campaigns and programmes developed are: the mobile office for the Social Pact against sexist violence, the annual campaign to prevent sexist violence and the joint campaigns with local administrations against sexual assaults “No! Full Stop”; the “Genérica” equality school.	
<b>6. TRAINING</b>	A number of plans and initiatives were started in 2016 and 2017, such as: training of co-education agents, co-education programmes in schools, implementation of the figure of co-education agent, co-education seminars and a Summer University course in Gender Studies with a Chair of Gender Violence Studies. The book “Schools without sexist violence” by Kika Fumero was published, and the University Master’s Degree in Equality Policies and Prevention of Gender Violence was set up at the University of the Balearic Islands. Training courses have also been run for the following professional groups: Police and other civil servants in law enforcement, Prosecutors and Judges, social workers and health staff, psychologists, immigration/asylum offices, education staff and school administrators, journalists and other media professionals.	
<b>7. INFORMATION FOR WOMEN</b>	The Autonomous Community of the Balearic Islands has women’s information centres and care centres on all the islands, a tele-translation service and 24-hour information service, psychological support service and arranged for the preparation and distribution of two-page information leaflets.	
<b>8. SUPPORT SERVICES</b>	The Autonomous Community of the Balearic Islands runs a series of general support services such as Guaranteed Social Benefits, a network of flats for crisis accommodation, legal information points and psychological support centres on each island. There is a network of employment guides for women and the IRIS Project, which aims to provide women who are victims of gender violence with self-protection mechanisms for future episodes of violence. The Balearic Women’s Institute has helped 3,922 women and the Health Service of the Balearic Islands helped 1,276 women between 2016 and 2017.	

**COMMUNITY OF MADRID**

<b>1. LEGISLATION</b>	Law 5/2005 of 20 December, against Gender Violence in the Community of Madrid. This law defines gender violence as physical or psychological aggression against women by whoever is or has been their spouse or with a similar relationship, with or without cohabiting, and in the case of disabled women without being a spouse. It also considers gender violence to include sexual assault and abuse of women, genital mutilation, inducing a woman to prostitute herself, using violence, intimidation or deceit, sexual harassment at work, illegal detainment, threats or coercion and trafficking or the encouragement of clandestine immigration of women for the purpose of sexual exploitation.
<b>2. PLANS AND PROGRAMMES</b>	Madrid Strategy against Gender Violence (2016-2021). In the first years of execution, it carried out over 5,383 actions in 2016 and another 11,331 in 2017, in the framework of 160 established measures. There is also a Madrid Strategy against Human Trafficking for the purpose of Sexual Exploitation.
<b>3. BUDGET</b>	The Women's Directorate General dedicated nearly 30 million euros in 2016 and 2017 to eradicating gender violence.
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	The support and collaboration with NGOs is channelled through their active participation in the Madrid Strategies against Gender Violence and against Human Trafficking for the purpose of Sexual Exploitation, as well as through participation in the Madrid Network for Preventing Female Genital Mutilation and through the Women's Council of the Community of Madrid. They also take part through the granting of subsidies for general interest programmes for socially beneficial purposes in the region of the Community of Madrid.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	A number of awareness campaigns have been organised, including: campaign against trafficking "Your money pays for my exploitation. Are you paying?" which was launched on social networks, the campaign "Not a drop more" in the press, radio, television, Internet and other media, on equal opportunities, and there has been a campaign under the banner "You don't know. And you don't care" and the campaign "Don't hold back" for teenagers. There have also been 48 institutional awareness campaigns in towns and county councils.
<b>6. TRAINING</b>	In 2017, the teaching guides for Equal Opportunities and Prevention of Gender Violence were prepared for teachers and pupils in primary and secondary schools, with the distribution of 400,000 copies to schools in the region. A guide was also made for pupils in secondary education and vocational training, which is still pending printing and distribution.
<b>7. INFORMATION FOR WOMEN</b>	Information leaflet from the Integrated Support Centre for Women Victims of Violence with explanations of what sexual violence consists of, who commits it, where and how it is perpetrated, the services offered by the centre and how to access them, translated into various languages and with an easy reader system for women with intellectual disability. <a href="http://www.comunidad.madrid/servicios/asuntos-sociales/violencia-genero">http://www.comunidad.madrid/servicios/asuntos-sociales/violencia-genero</a>
<b>8. SUPPORT SERVICES</b>	The Women's Directorate General manages a range of resources that make up the resources network for victims of gender violence which include: Financial support for victims, residential facilities, free legal aid for women, employment services, etc. It also runs the Mira Programme which offers integrated specialist psychosocial services, accompaniment and support for the recovery process. A total of 37,943 women in the Community of Madrid have been assisted in 2016 and 2017.

**COMMUNITY OF CASTILE AND LEON**

<b>1. LEGISLATION</b>	Law 13/2010, against Gender Violence in Castile and Leon. This accepts a wide definition of the victim: women with children and others who depend on her; it also accepts a broad notion of gender violence which includes: Physical, psychological, sexual and financial violence, trafficking of women and girls for the purpose of sexual exploitation, violence deriving from the application of cultural traditions that breach human rights, sexual harassment, bullying at work for reasons of gender, etc. The Regional legislation acknowledges that the forms of violence listed above can appear in the following areas: with partners, ex-partners or similar emotional relationships, the family, workplace, social or community environments.	
<b>2. PLANS AND PROGRAMMES</b>	The Integrated Attention Model for Victims of Gender Violence “Target zero violence” was started in 2015. This model was based on personalised attention for women victims and enables professionals to coordinate to give each victim an integrated response adapted to their needs at all times. The model has been expanding since 2015 in terms of the agents involved, resources, services and professionals receiving training.	
<b>3. BUDGET</b>	2016: €7,458,583	2017: €8,015,947
<b>4. SUPPORT AND COLLABORATION WITH NGOs</b>	There are a number of third sector groups dedicated to attending victims of gender violence and who also manage sheltered accommodation, psychological support services, legal aid, awareness, etc. The collaboration with these entities takes place through a number of subsidies for development of prevention activities, integrated attention and for providing resources and services. They are also used in collaboration agreements for preparing joint initiatives with these groups.	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	Awareness campaigns are aimed at a range of groups: young people, business, the rural environment and the general public. Every year, over 26,000 people, including more than 19,000 young people and 2,800 companies and 7,000 women and men in rural environments have benefited from actions promoted by the Government of Castile and Leon. The use of social media in favour of equality and against gender violence has been notable, with the hashtag #yodigocero (I say zero); there have also been campaigns against gender violence launched every year aimed at the general public, through the press, radio and social media.	
<b>6. TRAINING</b>	The curricular content of Primary and Secondary Education and for Vocational Training has been augmented since 2015 with specific material to promote equality and the prevention of gender violence. Training courses focusing on Gender Violence were also organized for more than 6,970 professionals, including: State law enforcement agencies, judicial bodies, lawyers, health personnel, educators, psychologists, social workers and journalists	
<b>7. INFORMATION FOR WOMEN</b>	The 012 line in Castile and Leon also offers a specialist line for women with legal advice and psychological support in 50 languages. The social action centres offer information on all the resources and services available. There is also a translation and interpretation service for women victims of gender violence who are not fluent speakers of Spanish. <a href="https://familia.jcyl.es/web/jcyl/Familia/es/Plantilla100/1284564316206/ / /">https://familia.jcyl.es/web/jcyl/Familia/es/Plantilla100/1284564316206/ / /</a>	
<b>8. SUPPORT SERVICES</b>	There are a number of financial resources offering guaranteed income for victims of violence and orphans. As regards accommodation resources, there is a network of crisis centres and sheltered housing, accompaniment services and legal-social guidance, free legal defence, psychological support, an employment help network and a psycho-social network for supporting victims of trafficking. One pioneering element is accreditation as a victim of gender violence by the social service professionals. In 2017, gender violence assessments were carried out for 1,100 women. There are currently 1,834 active files.	

**AUTONOMOUS CITY OF CEUTA**

<b>1. LEGISLATION</b>	The forms of violence covered are those established by State legislation (Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence). The Autonomous City of Ceuta does not have legislative capacity.	
<b>2. PLANS AND PROGRAMMES</b>	Protocol for inter-institutional coordination against gender violence in preparation. Strategic Plan for Equal Opportunities (III Strategic Plan) which includes specific measures to eradicate Gender Violence.	
<b>3. BUDGET</b>	2016: Data not available	2017: Data not available
<b>4. SUPPORT AND COLLABORATION WITH NGOS</b>	Collaboration with the Spanish Red Cross, through an agreement that generates a nominative subsidy. The Progressive Women's Association of Ceuta has set up a year-long series of training workshops related with gender violence. The Women's Sectoral Council enables all the city's women's associations to take part in its equality policies	
<b>5. CAMPAIGNS AND PROGRAMMES</b>	There have been several campaigns, including the following: Campaigns for prevention and awareness against gender violence, campaigns against sexual assaults during the celebration of the City's patron, with the distribution of informative leaflets from the Women's Advisory Centre. There have also been prevention seminars on sexual assault, with the collaboration of the Ministry of Education and the College of Psychologists of Ceuta, with the publication of a digital magazine and video for local TV. There were also seminars for extending skills and coordination in handling cases of gender violence and educational campaigns on sharing responsibility "Housework is for everyone" for primary school pupils.	
<b>6. TRAINING</b>	The DIANA programme and the ATENEA programme by the Women's Institute, both for pupils in the 4 <sup>th</sup> and 5 <sup>th</sup> year of primary school. Campaigns in the different schools in Ceuta, "Breaking stereotypes" to prevent gender violence in relationships aimed at secondary school pupils. As part of the activity to commemorate the International Day for the Elimination of Violence against Women, the Autonomous City of Ceuta created an award to recognise the fight against gender violence with a special mention for schools.	
<b>7. INFORMATION FOR WOMEN</b>	There is a Women's Advisory Centre that offers information and guidance for women, as well as a free 24-hour telephone line for women's information (900 700 099)	
<b>8. SUPPORT SERVICES</b>	There is a network of services consisting of the Women's Advisory Centre, the Crisis centre, Sheltered accommodation, a supervised flat for women and children victims of gender violence, and a victim support office, a family meeting point, and INTEGRALIA (specialist service for children victims of gender violence). More information is available at: <a href="http://www.ceuta.es/ceuta/cam">http://www.ceuta.es/ceuta/cam</a>	

**AUTONOMOUS CITY OF MELILLA**

<b>1. LEGISLATION</b>	The forms of violence covered are those established by State legislation (Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence). The Autonomous City of Melilla does not have legislative capacity.
<b>2. PLANS AND PROGRAMMES</b>	The autonomous policy of prevention and the efforts to eradicate violence against women are applied through inter-institutional collaboration between all the bodies engaged with the problem: from the Deputy council of women of the Autonomous City of Melilla, the National Institute for Health Management, the Illustrious College of Lawyers of Melilla, the courts, law enforcement agencies, the Government Delegation for Gender-based Violence through measures for prevention and awareness and integrated support measures for women with a series of housing resources, multi-disciplinary support: social, psychological, legal, employment and job seeking.
<b>3. BUDGET</b>	The Autonomous City of Melilla dedicated 250,000 euros in the years 2016 and 2017.
<b>4. SUPPORT AND COLLABORATION WITH NGOs</b>	The Autonomous City of Melilla recognises and supports the work of NGOs and women's associations which aim to fight against violence against women. The crisis and accommodation facilities offered by the City are provided by the Red Cross in Melilla through a collaboration agreement with the Autonomous City of Melilla and the Sheltered House is run by the Association of Women for Equality.
<b>5. CAMPAIGNS AND PROGRAMMES</b>	A number of different campaigns and talks were given in 2016 and 2017. "You deserve to be happy" for 25 November, awareness talks for different groups, a day for reflection on gender violence and presentation of the "healthy couple test" application, I "Clara Campoamor" junior writing competition, personal defence course, IV Women-Gender Violence Days or the 12 <sup>th</sup> edition of the "Carmen Goes" journalism award.
<b>6. TRAINING</b>	The Autonomous City of Melilla has no competence over education, so it has collaborated with educational groups to promote co-education and equality among young people. A 2/3 day seminar on Women-Gender Violence was held at the illustrious College of Lawyers of Melilla for 230/250 professionals working in different areas, health, justice, psychologists, social workers, lawyers, NGOs, etc.
<b>7. INFORMATION FOR WOMEN</b>	Intervention is personalised and direct, and the advice is tailored to the individual's personal, social and employment situation. Women sometimes attend the Women's Information Centre even before they bring charges, other times they are sent by the law enforcement agencies or others involved in the issue.
<b>8. SUPPORT SERVICES</b>	The support programme for women victims of gender violence provided by the Women's Centre for Information and Assistance attended 340 women in the years 2016 and 2017. The support services provided include financial help, accommodation services, legal advice, psychological support, education and training, employment and any other relevant service.

**ANNEX 2. SUMMARY OF ORGANIC LAW 1/2004 OF 28  
DECEMBER ON INTEGRATED PROTECTION MEASURES  
AGAINST GENDER VIOLENCE**

## **SUMMARY OF THE ORGANIC ACT 1/2004 OF 28 DECEMBER, ON INTEGRATED PROTECTION MEASURES AGAINST GENDER VIOLENCE**

The Preamble of the Organic Act 1/2004 of 28 December on Integrated Protection Measures against Gender Violence states that “*Gender violence is not a problem confined to the private sphere. On the contrary, it stands as the most brutal symbol of the inequality persisting in our society. It is violence directed against women for the mere fact of being women; considered, by their aggressors, as lacking the most basic rights of freedom, respect and power of decision*”. The Preamble also notes that “*The public authorities cannot remain indifferent to gender violence, which stands as one of the most flagrant attacks on the basic rights such as freedom, equality, life, integrity and non-discrimination defended by our Constitution*”.

The Organic Act 1/2004 is organized into a preliminary title, five titles, twenty additional provisions, two transitional provisions, one derogatory provision and seven final provisions.

### **PRELIMINARY TITLE**

The preliminary title sets out the general provisions of the Act with regard to its purpose and guiding principles. Article 1, in the wording given by the Organic Act 8/2015 of 22 July, states as follows:

- 1. The purpose of this Act is to combat the violence exercised against women by their present or former spouses or by men with whom they maintain or have maintained analogous affective relations, with or without cohabitation, as an expression of discrimination, the situation of inequality and the power relations prevailing between the sexes.*
- 2. The present Act establishes integrated protection measures whose goal is to prevent, punish and eradicate this violence and lend assistance to its victims: women, their minor children and minors under their guardianship, care or custody.*
- 3. The gender violence to which this Act refers encompasses all acts of physical and psychological violence, including offences against sexual liberty, threats, coercion and the arbitrary deprivation of liberty.*

### **TITLE I: SENSITIZATION, PROTECTION AND DETECTION MEASURES**

Title I sets out sensitization, prevention and detection and intervention measures in a number of contexts:

- In the education sphere, it specifies the duties of the system to instill values of respect for the dignity of women and equality between men and women. The essential goal of education is to give children the skills they need to form their own identity, and to build a conception of reality which embraces both an understanding and ethical valuation. In secondary education, sexual equality and the rejection of violence against women become part of the curriculum. Likewise, School Councils will henceforth have a designated member to

promote educational measures in favour of equality and against gender violence.

- In advertising, all materials must respect the dignity of women and their right to an image that is neither stereotyped nor discriminatory, whether such materials are on display in private or public communication media. The rules governing legal actions for the withdrawal or rectification of advertisements are modified, whereby such actions may now be initiated by institutions and associations working for equality between men and women.
- In the health sphere, new measures are envisaged regarding early detection and assistance to victims, while specific protocols will be applied in the case of aggressions resulting from gender violence, which shall be referred to the relevant courts in order to speed up legal proceedings. A special Commission is created under the Interterritorial Council of the National Health Service to advise on, coordinate and evaluate the healthcare measures established herein.

## **TITLE II: THE RIGHTS OF FEMALE VICTIMS OF GENDER VIOLENCE**

Title II deals with the rights of the female victims of violence:

- a) The right to information (Article 18).
- b) The right to integrated social assistance (Article 19).
- c) Legal Aid (Article 20).
- d) Employment and Social Security rights (Articles 21-23).
- e) The rights of civil servants (Articles 24-26).
- f) Economic Rights (Articles 27-28).

## **TITLE III: INSTITUTIONAL PROTECTION**

Title III, dealing with institutional protection, provides for the creation of two administrative bodies. Firstly, the Government Delegation for Gender-based Violence, initially within the Ministry of Employment and Social Affairs, whose functions include the drafting of Government policies on violence against women, and coordinating and promoting all actions taken in this area, necessarily including actions designed to enforce the guarantee of women's rights. Secondly, the State Observatory on Violence against Women, a collegiate body initially attached to the Ministry of Employment and Social Affairs, whose main functions is to serve as a centre of analysis regarding the status and evolution of violence against women, and to advise and collaborate with the Delegation in drafting proposals and measures to eradicate this type of violence.<sup>37</sup>

## **TITLE IV: PROTECTION UNDER CRIMINAL LAW**

Title IV introduces regulations under criminal law, creating a specific category of serious assault, subject to increased penalties, when the injury is done to the wife or former wife of the accused, or a woman with whom he shares or has shared an analogous affective relationship, with or without cohabitation. Minor instances of

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<sup>37</sup> Both institutions are currently attached to the Ministry of the Presidency, Parliamentary Relations and Equality.

coercion or threats against such women shall likewise be regarded as punishable offences.

The intention in this case is to provide a firm response to all citizens, women and especially those suffering these kinds of aggression, by unhesitatingly categorizing them as discrete criminal offences.

## **TITLE V: JUDICIAL PROTECTION**

Title V establishes the judicial protection to be afforded to victims of gender violence inside the family, to guarantee an appropriate and effective treatment of their legal, family and social situation.

From a legal standpoint, this is a complex phenomenon that requires a multi-pronged approach covering everything from procedural and substantive rules to provisions for the care of victims. This is only possible through a specific legislative text. An Act to prevent and eradicate violence against women must establish rules of procedure allowing fast-track, summary trials. These must also be combined, in the criminal and civil spheres, with protection measures for women and their children, and interim measures of urgent enforcement.

Regarding judicial measures to ensure an appropriate and effective treatment of the legal, family and special situation of the female victims of family violence, the following provision have been made: in keeping with Spanish judicial tradition, the formula chosen is one of the specialization in the criminal system of Investigating Judges, with the creation of specific Violence against Women Courts, rather than creating a new jurisdictional system or assigning criminal law competences to Civil Court Judges. These new Courts examine and, where appropriate, rule on criminal cases involving violence against women, as well as any related civil causes, such that both are dealt with in first instance before the same bench. This assures a mediation that guarantees due legal process with regard to the fundamental rights of the presumed offender, without impairing the legal possibilities under this Act to give victims the most immediate, complete and effective protection, and the means to avoid any repetition of the abuse, or escalation in the degree of the violence.

Other regulations, affecting the Public Prosecutor's Office, create the figure of Public Prosecutor for Cases of Gender Violence, entrusted with supervising and coordinating the actions of the said Office in this area, as well as an equivalent Section in each Prosecutor's Office of the Regional High Courts and County Courts, with specialist Prosecutors attached. These Prosecutors will appear in criminal proceedings with regard to acts constituting crimes or offences within the jurisdiction of the Violence against Women Courts, as well as intervening in civil processes of annulment, separation and divorce, or hearings for the guardianship and custody of minors in cases of alleged abuse of wife or children.

## **ADDITIONAL AND TRANSITIONAL PROVISIONS**

The Act's additional provisions represent a far-reaching reform of the judicial system to adapt legislation to the new framework established by its text. In order to harmonize existing rules and provide a coordinating nexus between legal texts, part of

this comprehensive reform is enacted by amending different regulations. Hence the additional provisions implement the measures envisaged in its articles, but writing them directly into educational, advertising, employment, social security and civil service legislation; likewise, these provisions devote specific attention to the recognition of pension rights and allocations to the Fund envisaged in the Act to facilitate integrated social assistance to the victims of gender violence.

Transitional provisions extend the application of this Act to the judicial proceedings in progress when it comes into force, while respecting the competences of each court.

### **ANNEX 3. TRAINING: TABLES 1 AND 2**

**Table 1: Initial training (education or professional training)<sup>38</sup>**

	PREVENTION AND DETECTION OF VIOLENCE	STANDARDS OF INTERVENTION	EQUALITY BETWEEN WOMEN AND MEN	NEEDS AND RIGHTS OF VICTIMS	PREVENTION OF SECONDARY VICTIMISATION	MULTI-AGENCY COOPERATION	KNOWLEDGE REQUIRED FOR QUALIFICATION TO PRACTICE THE PROFESSION	LENGTH OF CURRICULUM
<b>Police and other law-enforcement officials</b>	X	X	X	X	X	X		
<b>Prosecutors</b>	X	X		X	X		X	
<b>Judges</b>	X		X	X	X			
<b>Social workers</b>								
<b>Medical doctors</b>								
<b>Nurses and midwives</b>								
<b>Psychologists, in particular counsellors/psychotherapists</b>								
<b>Immigration/asylum officials</b>	Training in human trafficking (EASO)-2017			X		X (EASO)		3 weeks online+2 days face-to-face
<b>Educational staff and school administrators<sup>39</sup></b>	2015/16: <b>62</b> 2016/17: <b>42</b>	X	X	X	X		Master's degree: Training of Nursery School Teachers	1 year

<sup>38</sup> Data provided by the General Council of the Judiciary, the State Prosecutor's Office and different Ministries.

<sup>39</sup> Number of students enrolled in the different levels of education.

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	2015/16: <b>409</b> 2016/17: <b>728</b>	X	X	X	X		Master's degree: Training of Primary School Teachers	1 year
	2015/16: <b>28.378</b> 2016/17: <b>29.621</b>	X	X	X	X		Master's degree: Training of Secondary School and Vocational Training Teachers	1 year
	2015/16: <b>44.884</b> 2016/17: <b>44.683</b>	X	X	X	X		Bachelor's degree: Training of Nursery School Teachers	4 years
	2015/16: <b>73.715</b> 2016/17: <b>73.567</b>	X	X	X	X		Bachelor's degree: Training of Primary School Teachers	4 years
<b>Journalists and other media professionals</b>								
<b>Servicemen and women</b>								
<b>Any other relevant category: prison administration staff</b>	2016: <b>335</b> people 2017: <b>591</b> people	X	X				It depends on the administrative category of the staff.	Total amount of training hours: - 2016: 48.5 - 2017: 69  The length of the programs varies according to the target groups.

**Table 2: In-service training<sup>40</sup>**

	NUMBER OF PROFESSIONALS TRAINED	MANDATORY NATURE	AVERAGE LENGTH OF CURRICULUM	PERIODICITY	FUNDING SOURCE	BODY MANDATED TO CARRY OUT/CERTIFY IN-SERVICE TRAINING	TRAINING EFFORTS SUPPORTED BY GUIDELINES AND PROTOCOLS
<b>Police and other law-enforcement officials</b>	Online: <b>9.655</b> National Police Officers	No	30 hours	Annual	Directorate-General of the Police	Directorate-General of the Police	20%
	Face-to-face training: <b>405</b> National Police Officers	Yes	90 hours	2-3 per year	Directorate-General of the Police	Directorate-General of the Police	20%
	All new Civil Guards receive training in GBV. Moreover, 54 new specialist are trained every year	Yes, in all ranks	It depends on the length of the training and future functions	Annual	Civil Guard budget for training	Civil Guard	
<b>Prosecutors</b>	<b>552</b>	Mandatory for specialized prosecutors	5-10% of the curriculum	Annual	Ministry of Justice	General Prosecution Office in cooperation with the training school	X
<b>Judges</b>	<b>563 / 1155</b>	Optional	It depends: 3-day in-service training courses		General Council of the Judiciary	General Council of the Judiciary	Only the specialization course is supported by guidelines
	<b>20</b>	Mandatory	15 days				X
	<b>20</b>	Optional	3-month introductory online course				
<b>Social workers</b>	<b>261</b> (data from 2016)	Healthcare Training Plan.		Annual	Autonomous Communities		

<sup>40</sup> Data provided by the General Council of the Judiciary, the State Prosecutor's Office and different Ministries.

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		Autonomous Communities					
<b>Medical doctors</b>	<b>2171</b> <sup>41</sup> (data from 2016)	Healthcare Training Plan. Autonomous Communities		Annual	Autonomous Communities		X
<b>Nurses and midwives</b>	<b>2036</b> <sup>42</sup> (data from 2016)	Healthcare Training Plan. Autonomous Communities		Annual	Autonomous Communities		X
<b>Psychologists</b>	<b>38</b> (data from 2016)	Healthcare Training Plan. Autonomous Communities		Annual	Autonomous Communities		
<b>Immigration/asylum officials</b>	<b>2</b>	No	(See table 1)	Annual	EASO	EASI	EASO guides on Evidence assessment, Inclusion, interview guidelines.
<b>Educational staff and school administrators</b> <sup>43</sup>	<b>31</b>	Framework legislation: - Organic Act 2/2006 of 3 May of Education (articles 102 and 103).	100 hours	Annual	Asociación para la Formación, el Ocio y el Empleo (Training, Leisure and Employment Association )	National Institute for Education Technologies and Educational Staff Training (INTEF- Ministry of Education and Professional Training)	X
	<b>69</b>	- Organic Act 1/2004 of 28 December of Integrated Protection Measures against Gender-based Violence (art. 7).	50 hours	Biannual	Europe 4U Association		X
	<b>30</b>		20-60 hours		Deputy-Directorate General for Equal Treatment and Non- Discrimination		X
	<b>134</b>		20-45 hours		Ministry of Education and Professional Training		X
	<b>172</b>	Regional regulatory implementation of framework legislation.	10 hours	Annual	Prado Museum		X

<sup>41</sup> Including 149 pediatricians and 14 psychiatrists

<sup>42</sup> Including 1816 nurses and 220 midwives

<sup>43</sup> The training of educational staff is within the competences of the different education Administrations; therefore, this information includes the data of the Autonomous Communities.

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	<b>368</b>	Regional regulatory implementation of framework legislation.	254 hours	Annual	Department of Education of the Regional Government of Andalusia.	Educational Administration of Andalusia	X
	<b>113</b>		100 hours	Annual	ANPE (trade union)	Educational Administration of Aragón	X
	<b>6</b>		30 hours	Annual	Department of Education of the Regional Government of Aragón	Educational Administration of Aragón	X
	<b>2.492</b>		3036 hours	Annual	Department of Education and Culture of the Regional Government of the Principality of Asturias	Educational Administration of Asturias	X
	<b>348</b>		68 hours	Annual	Teacher Centre in Santander	Educational Administration of Cantabria	X
	<b>8.452</b>		11.424 hours	Annual	Department of Education of the Regional Government of Castile and Leon	Educational Administration of Castile and Leon	X
	<b>161</b>		54 hours	Annual	Department of Education and General Secretariat for Equality of the Regional Government of Galicia	Educational Administration of Galicia	X
	<b>7.241</b>		346 hours	Annual	Department of Education of the Regional Government of Galicia		X
	<b>575</b>		80 hours	Annual	Department of Education and University of the Regional Government of the Balearic Islands	Educational Administration of the Balearic Islands	X
	<b>389</b>		85 hours	Annual	Balearic Women's Institute		
	<b>22.270</b>		405 hours	Annual	Department of Education and Research of the Regional Government of Madrid.	Educational Administration of Madrid	X
	<b>30</b>		32 hours	Annual	Department of Education, Youth and Sport of the Regional Government of Murcia.	Educational Administration of Murcia	

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<b>Journalists and other media professionals</b>							
<b>Servicemen and women</b>							
<b>Any other relevant category: prison administration staff</b>	<b>54</b> (data from 2016)	No	21-23 hours per programme		National budget and training for employment grant	Training Unit in the Human Resources Deputy-Directorate	X

### **ADDITIONAL INFORMATION (Annex 3):**

In general terms, it should be noted that article 61 of Organic Law 3/2007 of 22 March, for effective equality between women and men refers to education for equality, establishing the following:

1. All of the entrance exams for public employment in the Government Administration and public bodies that are linked or attached to them shall consider the study and application of the principle of equality between women and men in the different areas of the civil service.
2. The Government Administration and public bodies that are linked or attached to them shall run training courses on equal treatment and opportunities between women and men and on the prevention of gender violence, aimed at all their employees.

As regards training for judges, the full curriculum of the selection exams for the Judiciary and Prosecutors for 2017, which was approved by the Selection Committee referred to in article 305 of the Judiciary Act through the Agreement of 10 July 2017 (BOE no. 164 11/07/2017), contains many points related with the right to not suffer discrimination and the principle of equal treatment and opportunities.

Article 329.3a of Organic Law 6/1985 of 1 July, on the Judiciary states that when a judge or magistrate achieves or is appointed to a Court of Violence against Women or a Criminal Court specialised in gender violence or to criminal or civil sections specialised in gender violence, they must take part, before occupying their new position, in specialist activities on issues of gender violence arranged by the Judiciary. Besides the above, in those cases in which the destination of the judges has responsibilities in issues of violence against women, albeit not exclusively, they shall be offered the chance to take part in these courses.

If we focus only on activities dealing with violence against women in the years 2016 and 2017, there were a total of 33 training actions exclusively devoted to this that were taken by 563 members of the Judiciary. If we add cross-disciplinary activities that include this issue, there will be a further 71 actions which have attracted the participation of 1155 magistrates. As regards the nature of these, they are only mandatory when changing orders, the duration of the courses is variable, and they are wholly financed by the Judiciary. There were 12 courses for changing orders (for members of the judiciary destined to courts specialising in violence against women) in 2016 and 2017 and there were 20 members of the judiciary who became specialised in this way. As regards the voluntary 3-month initial training course on gender violence (those who complete it do not have to take the theory part of the changing order course on violence), it was first offered in 2017 and was requested by only 20 members of the Judiciary, 31 chose it in 2018 and in 2019 it has been requested by 143.

A new development is that 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 Violence, foresaw the inclusion of specific material on entrance exams and specialist training in the College of Magistrates and continuous training for the Judiciary. This would include studies and training in the principal of equality between women and men, including measures against violence against women and their application across subjects as part of jurisprudence, and the gender perspective in the interpretation and application of the law. It also considers the

introduction of specialisation tests for access to those courts that specialise in dealing with violence against women and promoting specialisation in the Criminal Courts.

As regards medical personnel, one of the main objectives for training and awareness in gender violence since 2006 has been to offer training with standard criteria and indicators of quality for assessments. When they finish their basic training in treating gender violence, the medical professionals in the National Health System must be able to:

- Provide complete, continuous high-quality care from the gender perspective, applying the established intervention protocol.
- Acknowledge gender violence as a public health issue.
- Improve quality and equality in medical attention offered to women who suffer gender violence.
- Support the health authorities in organizing this training by sharing best practices, processes and materials.

As regards the experts on the question of asylum, the case instructors of the Asylum and Refugee Office (OAR) are civil servants who have received training in gender violence. The purpose of this training is to detect these situations and the danger they represent for those applying, bearing in mind the countries they come from and which should protect them. On the other hand, new case instructors who are joining the OAR receive a specific course on the preparation and processing of applications for international protection and statelessness. It also includes a day dedicated to the approach for gender violence issues in case instruction (Government Delegation for Gender-based Violence) and the approach for equality issues in case instruction (Directorate General for Equal Treatment and Diversity), while another day is set aside for ACNUR.

Besides the information shown in the table, it should be noted that in the local area, the Government Delegation for Gender-based Violence collaborates with the Spanish Federation of Municipal and Provincial Authorities (FEMP) to promote the hosting of training activities through the granting of a nominative subsidy to the FEMP and taking part in the whole process of preparing content and selecting the students. Training activities on gender violence for the local area are carried out through a virtual classroom and are aimed at the professionals who play a role in prevention, detection, informing, care and protection of the victims of gender violence. The curriculum has expanded since 2015 by running three editions of a course on trafficking for the purpose of sexual exploitation. To encourage information and training for professionals, the Agreement with the FEMP also includes maintenance and updates of the web site for awareness, prevention, detection and care in cases of gender violence intended for members of School Boards (<http://www.aulaviolenciadegeneroenlocal.es/consejosescolares/>), which has been running since 2010 and whose educational content has been updated since 2012 and contains information about the trafficking of women and girls for the purpose of sexual exploitation. The following courses were run in 2016, with around 110 students each time.

- “Online training about Equality between women and men Gender Violence” (60 hours), aimed at local law enforcement officers working in collaboration with other relevant authorities on matters of gender violence.
- “Online training module on gender violence for professionals in rural areas” (60 hours), aimed at Council employees in rural areas who work in towns with fewer than 20,000 residents and employees who take part in projects run by these,

especially those employed as Local Development Agents, in Social Services and Home Help services.

- “Online training course for local professionals on the trafficking of women and girls for the purpose of sexual exploitation” (60 hours), this is intended to impart skills and support tools for Council service employees and especially local police forces, social workers and other professionals who interact or may interact with them in their direct or indirect handling of trafficking victims.

**ANNEX 4. DATA ON AUTONOMOUS RESOURCES FOR  
VICTIMS OF GENDER-BASED VIOLENCE AND MINORS OR  
DISABLED CHILDREN IN THEIR CHARGE (2017)**

## DATA ON AUTONOMOUS RESOURCES FOR VICTIMS OF GENDER-BASED VIOLENCE AND MINORS OR DISABLED CHILDREN IN THEIR CHARGE (2017)

### 1. Number of crisis centres, specialists working in them, places available and victims sheltered, by autonomous community/city and province:

AUTONOMOUS COMMUNITY/CITY AND PROVINCE	Available resources – 31 Dec. 2017			Number of victims sheltered in 2017		
	No. of crisis centres	No. of specialists	No. of places	Total	Women	Minors or disabled children
COMUNIDAD/CIUDAD AUTÓNOMA Y PROVINCIA	Recursos disponibles a 31-dic-2017			Nº víctimas acogidas en 2017		
	Nº centros de emergencia	Nº especialistas	Nº plazas	TOTAL	Mujeres	Hijas/os menores o con discapacidad
<b>Andalucía</b>	<b>9</b>	<b>35</b>	<b>146</b>	<b>1.569</b>	<b>781</b>	<b>788</b>
Almería	1	4	13	141	82	59
Cádiz	2	7	26	233	136	97
Córdoba	1	4	20	134	81	53
Granada	1	4	15	208	108	100
Huelva	1	4	10	112	72	40
Jaén	1	4	19	196	96	100
Málaga	1	4	30	225	124	101
Sevilla	1	4	13	320	82	238
<b>Aragón</b>	<b>3</b>	<b>17</b>	<b>15</b>	<b>69</b>	<b>37</b>	<b>32</b>
Huesca	1	5	3	31	17	14
Teruel	1	5	3	19	10	9
Zaragoza <sup>1</sup>	1	7	9	19	10	9
<b>Asturias, Principado de</b>	<b>3</b>	<b>2</b>	<b>30</b>	<b>267</b>	<b>162</b>	<b>105</b>
<b>Balears, Illes<sup>1</sup></b>	<b>1</b>	<b>15</b>	<b>14</b>	<b>..</b>	<b>..</b>	<b>..</b>
<b>Canarias</b>	<b>13</b>	<b>62</b>	<b>53</b>	<b>878</b>	<b>542</b>	<b>336</b>
Las Palmas	6	33	27	320	210	110
Santa Cruz de Tenerife	7	29	26	558	332	226
<b>Cantabria<sup>1</sup></b>	<b>2</b>	<b>12</b>	<b>..</b>	<b>35</b>	<b>19</b>	<b>16</b>
<b>Castilla y León</b>	<b>3</b>	<b>18</b>	<b>47</b>	<b>292</b>	<b>158</b>	<b>134</b>
Ávila	-	-	-	-	-	-
Burgos	1	6	16	53	32	21
León	1	6	15	89	47	42
Palencia	-	-	-	-	-	-
Salamanca	-	-	-	-	-	-
Segovia	-	-	-	-	-	-
Soria	-	-	-	-	-	-
Valladolid	1	6	16	150	79	71
Zamora	-	-	-	-	-	-
<b>Castilla-La Mancha</b>	<b>7</b>	<b>69</b>	<b>38</b>	<b>201</b>	<b>144</b>	<b>57</b>
Albacete <sup>1</sup>	1	10	6	33	33	..
Ciudad Real	1	9	14	86	42	44
Cuenca	1	14	12	33	20	13
Guadalajara <sup>1</sup>	2	16	4	27	27	..
Toledo <sup>1</sup>	2	20	2	22	22	..
<b>Cataluña</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Barcelona	-	-	-	-	-	-
Girona	-	-	-	-	-	-
Lleida	-	-	-	-	-	-
Tarragona	-	-	-	-	-	-
<b>Comunitat Valenciana</b>	<b>2</b>	<b>20</b>	<b>19</b>	<b>141</b>	<b>71</b>	<b>70</b>
Alicante/Alacant	1	8	12	141	71	70
Castellón/Castelló <sup>1</sup>	1	12	7	..	..	..
Valencia/València	-	-	-	-	-	-
<b>Extremadura</b>	<b>2</b>	<b>23</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>
Badajoz <sup>1</sup>	1	7	..	..	..	..
Cáceres <sup>1</sup>	1	16	..	..	..	..
<b>Galicia</b>	<b>7</b>	<b>44</b>	<b>23</b>	<b>104</b>	<b>62</b>	<b>42</b>
A Coruña <sup>1</sup>	2	20	..	..	..	..
Lugo <sup>1</sup>	3	4	..	..	..	..
Ourense <sup>1</sup>	1	10	..	..	..	..
Pontevedra	1	10	23	104	62	42
<b>Madrid, Comunidad de</b>	<b>5</b>	<b>28</b>	<b>73</b>	<b>445</b>	<b>217</b>	<b>228</b>
<b>Murcia, Región de</b>	<b>1</b>	<b>10</b>	<b>30</b>	<b>162</b>	<b>86</b>	<b>76</b>
<b>Navarra, Comunidad Foral de</b>	<b>1</b>	<b>8</b>	<b>19</b>	<b>192</b>	<b>96</b>	<b>96</b>
<b>País Vasco</b>	<b>7</b>	<b>40</b>	<b>15</b>	<b>150</b>	<b>85</b>	<b>65</b>
Araba/Álava <sup>1</sup>	2	7	..	..	..	..
Bizkaia	1	11	15	150	85	65
Gipuzkoa <sup>1</sup>	4	22	..	..	..	..
<b>Rioja, La</b>	<b>1</b>	<b>8</b>	<b>5</b>	<b>35</b>	<b>19</b>	<b>16</b>
Ceuta <sup>1</sup>	1	6	..	48	19	29
Melilla <sup>1</sup>	1	5	..	52	22	30

## 2. Number of shelter houses, specialists working in them, places available and victims sheltered, by autonomous community/city and province:

AUTONOMOUS COMMUNITY/CITY AND PROVINCE	Available resources – 31 Dec. 2017			Number of victims sheltered in 2017		
	No. of shelter houses	No. of specialists	No. of places	Total	Women	Minors or disabled children
COMUNIDAD/CIUDAD AUTÓNOMA Y PROVINCIA	Recursos disponibles a 31-dic-2017			Nº víctimas acogidas en 2017		
	Nº casas de acogida	Nº especialistas	Nº plazas	TOTAL	Mujeres	Hijas/os menores o con discapacidad
<b>Andalucía</b>	<b>8</b>	<b>48</b>	<b>234</b>	<b>691</b>	<b>299</b>	<b>392</b>
Almería	1	6	20	54	34	20
Cádiz	1	6	33	105	42	63
Córdoba	1	6	26	96	41	55
Granada	1	6	28	106	40	66
Huelva	1	6	20	53	32	21
Jaén	1	6	20	95	33	62
Málaga	1	6	54	91	29	62
Sevilla	1	6	33	91	48	43
<b>Aragón</b>	<b>3</b>	<b>17</b>	<b>30</b>	<b>58</b>	<b>28</b>	<b>30</b>
Huesca	1	5	14	20	8	12
Teruel	1	5	6	19	10	9
Zaragoza	1	7	10	19	10	9
<b>Asturias, Principado de</b>	<b>3</b>	<b>33</b>	<b>168</b>	<b>507</b>	<b>261</b>	<b>246</b>
<b>Balears, Illes</b>	<b>1</b>	<b>15</b>	<b>28</b>	<b>152</b>	<b>82</b>	<b>70</b>
<b>Canarias</b>	<b>9</b>	<b>79</b>	<b>111</b>	<b>176</b>	<b>91</b>	<b>85</b>
Las Palmas	4	38	47	89	51	38
S. C. Tenerife	5	41	64	87	40	47
<b>Cantabria</b>	<b>2</b>	<b>12</b>	<b>30</b>	<b>34</b>	<b>17</b>	<b>17</b>
<b>Castilla y León</b>	<b>14</b>	<b>61</b>	<b>185</b>	<b>227</b>	<b>114</b>	<b>113</b>
Ávila	1	5	9	10	6	4
Burgos	1	3	18	20	9	11
León	4	20	68	67	35	32
Palencia	1	4	8	10	6	4
Salamanca	2	11	21	24	12	12
Segovia	1	2	16	12	5	7
Soria	1	4	15	29	14	15
Valladolid	2	10	20	40	18	22
Zamora	1	2	10	15	9	6
<b>Castilla-La Mancha</b>	<b>12</b>	<b>110</b>	<b>205</b>	<b>321</b>	<b>149</b>	<b>172</b>
Albacete	4	39	85	84	33	51
Ciudad Real	3	21	44	71	37	34
Cuenca	1	14	14	22	10	12
Guadalajara	2	16	25	67	34	33
Toledo	2	20	37	77	35	42
<b>Cataluña</b>	<b>6</b>	<b>72</b>	<b>129</b>	<b>301</b>	<b>131</b>	<b>170</b>
Barcelona	3	41	60	153	72	81
Girona	1	11	26	52	19	33
Lleida	1	10	23	46	20	26
Tarragona	1	10	20	50	20	30
<b>Comunitat Valenciana</b>	<b>9</b>	<b>81</b>	<b>200</b>	<b>488</b>	<b>240</b>	<b>248</b>
Alicante/Alacant	5	43	96	214	112	102
Castellón/Castelló	1	12	28	111	50	61
Valencia/València	3	26	76	163	78	85
<b>Extremadura</b>	<b>2</b>	<b>23</b>	<b>44</b>	<b>115</b>	<b>68</b>	<b>47</b>
Badajoz	1	7	6	34	19	15
Cáceres	1	16	38	81	49	32
<b>Galicia</b>	<b>3</b>	<b>30</b>	<b>49</b>	<b>125</b>	<b>68</b>	<b>57</b>
A Coruña	2	20	34	80	41	39
Lugo	-	-	-	-	-	-
Ourense	1	10	15	45	27	18
Pontevedra	-	-	-	-	-	-
<b>Madrid, Comunidad de</b>	<b>4</b>	<b>34</b>	<b>92</b>	<b>183</b>	<b>74</b>	<b>109</b>
<b>Murcia, Región de</b>	<b>5</b>	<b>25</b>	<b>47</b>	<b>34</b>	<b>34</b>	<b>0</b>
<b>Navarra, Comunidad Foral de</b>	<b>1</b>	<b>4</b>	<b>12</b>	<b>26</b>	<b>11</b>	<b>15</b>
<b>País Vasco</b>	<b>7</b>	<b>44</b>	<b>65</b>	<b>270</b>	<b>158</b>	<b>112</b>
Araba/Álava	2	7	9	101	48	53
Bizkaia	1	15	26	42	42	0
Gipuzkoa	4	22	30	127	68	59
<b>Rioja, La</b>	<b>1</b>	<b>16</b>	<b>24</b>	<b>39</b>	<b>17</b>	<b>22</b>
<b>Ceuta</b>	<b>1</b>	<b>6</b>	<b>20</b>	<b>14</b>	<b>7</b>	<b>7</b>
<b>Melilla</b>	<b>1</b>	<b>5</b>	<b>16</b>	<b>52</b>	<b>22</b>	<b>30</b>

**3. Number of integrated support centres, specialists working in them and centres with facilities and services adapted for disabled persons and minors on 31 December 2017, by autonomous community/city and province:**

AUTONOMOUS COMMUNITY/CITY AND PROVINCE	No. of integrated support centres			No. of specialists
	Total	Adapted for disabled persons	Adapted for minors	
COMUNIDAD/CIUDAD AUTÓNOMA Y PROVINCIA	Nº centros de atención integral			Nº especialistas
	TOTAL	Adaptados para discapacidad	Adaptados para menores	
<b>Andalucía</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>32</b>
Almería	1	1	1	4
Cádiz	1	1	1	4
Córdoba	1	1	1	4
Granada	1	1	1	4
Huelva	1	1	1	4
Jaén	1	1	1	4
Málaga	1	1	1	4
Sevilla	1	1	1	4
<b>Aragón</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>69</b>
Huesca	1	1	1	14
Teruel	1	1	1	12
Zaragoza	1	1	1	43
<b>Asturias, Principado de</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>15</b>
<b>Balears, Illes</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>21</b>
<b>Canarias</b>	<b>36</b>	<b>0</b>	<b>0</b>	<b>194</b>
Las Palmas	24	0	0	121
S. C. Tenerife	12	0	0	73
<b>Cantabria</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>8</b>
<b>Castilla y León</b>	-	-	-	-
Ávila	-	-	-	-
Burgos	-	-	-	-
León	-	-	-	-
Palencia	-	-	-	-
Salamanca	-	-	-	-
Segovia	-	-	-	-
Soria	-	-	-	-
Valladolid	-	-	-	-
Zamora	-	-	-	-
<b>Castilla-La Mancha</b>	..	..	..	..
Albacete	..	..	..	..
Ciudad Real	..	..	..	..
Cuenca	..	..	..	..
Guadalajara	..	..	..	..
Toledo	..	..	..	..
<b>Cataluña</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>46</b>
Barcelona	3	3	3	23
Girona	1	1	1	7
Lleida	2	2	2	..
Tarragona	2	2	2	16
<b>Comunitat Valenciana</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>64</b>
Alicante/Alacant	2	2	2	28
Castellón/Castelló	1	1	1	16
Valencia/València	1	1	1	20
<b>Extremadura</b>	<b>2</b>	..	<b>2</b>	<b>19</b>
Badajoz	1	..	1	7
Cáceres	1	..	1	12
<b>Galicia</b>	<b>1</b>	..	..	..
A Coruña	1	..	..	..
Lugo	-	-	-	-
Ourense	-	-	-	-
Pontevedra	-	-	-	-
<b>Madrid, Comunidad de</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>14</b>
<b>Murcia, Región de</b>	<b>22</b>	<b>17</b>	<b>17</b>	<b>78</b>
<b>Navarra, Comunidad Foral de</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>19</b>
<b>País Vasco</b>	-	-	-	-
Araba/Álava	-	-	-	-
Bizkaia	-	-	-	-
Gipuzkoa	-	-	-	-
<b>Rioja, La</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>7</b>
<b>Ceuta</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>16</b>
<b>Melilla</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>5</b>

#### 4. Number of victims and children in their care or with disabilities assisted in integrated support centres in 2017, by autonomous community/city and province:

AUTONOMOUS COMMUNITY/CITY AND PROVINCE	TOTAL Women and children	Women				Minor or disabled children
		TOTAL	<18 years of age	>65 years of age	With disabilities	
COMUNIDAD/CIUDAD AUTÓNOMA Y PROVINCIA	TOTAL Mujeres e hijas/os	Mujeres				Hijas/os menores o con discapacidad
		TOTAL mujeres	<18 años	>65 años	Con discapacidad	
<b>Andalucía</b>	<b>10.124</b>	<b>10.124</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Almería	648	648	..	..	..	..
Cádiz	561	561	0	0	0	0
Córdoba	816	816	0	0	0	..
Granada	1.555	1.555	..	..	..	..
Huelva	1.483	1.483	..	..	..	..
Jáén	1.042	1.042	..	..	..	..
Málaga	2.259	2.259	..	..	..	..
Sevilla	1.760	1.760	..	..	..	..
<b>Aragón</b>	<b>4.436</b>	<b>4.255</b>	<b>..</b>	<b>0</b>	<b>..</b>	<b>181</b>
Huesca	669	584	..	..	..	85
Teruel	374	363	..	..	..	11
Zaragoza	3.393	3.308	..	0	..	85
<b>Asturias, Principado de</b>	<b>2.385</b>	<b>2.385</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>
<b>Balears, Illes</b>	<b>2.512</b>	<b>2.482</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>30</b>
<b>Canarias</b>	<b>8.792</b>	<b>7.782</b>	<b>126</b>	<b>173</b>	<b>374</b>	<b>1.010</b>
Las Palmas	4.162	3.933	69	98	142	229
S. C. Tenerife	4.630	3.849	57	75	232	781
<b>Cantabria</b>	<b>456</b>	<b>393</b>	<b>1</b>	<b>19</b>	<b>12</b>	<b>63</b>
<b>Castilla y León</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Ávila	-	-	-	-	-	-
Burgos	-	-	-	-	-	-
León	-	-	-	-	-	-
Palencia	-	-	-	-	-	-
Salamanca	-	-	-	-	-	-
Segovia	-	-	-	-	-	-
Soria	-	-	-	-	-	-
Valladolid	-	-	-	-	-	-
Zamora	-	-	-	-	-	-
<b>Castilla-La Mancha</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>
Albacete	..	..	..	..	..	..
Ciudad Real	..	..	..	..	..	..
Cuenca	..	..	..	..	..	..
Guadalajara	..	..	..	..	..	..
Toledo	..	..	..	..	..	..
<b>Cataluña</b>	<b>5.103</b>	<b>4.126</b>	<b>49</b>	<b>40</b>	<b>2</b>	<b>977</b>
Barcelona	2.240	1.773	14	23	..	467
Girona	649	539	9	0	2	110
Lleida	914	784	14	-	-	130
Tarragona	1.300	1.030	12	17	-	270
<b>Comunitat Valenciana</b>	<b>4.342</b>	<b>4.225</b>	<b>65</b>	<b>..</b>	<b>109</b>	<b>117</b>
Alicante/Alacant	1.877	1.822	29	..	32	55
Castellón/Castelló	790	770	11	..	20	20
Valencia/València <sup>1</sup>	1.675	1.633	25	..	57	42
<b>Extremadura</b>	<b>1.781</b>	<b>1.550</b>	<b>38</b>	<b>35</b>	<b>0</b>	<b>231</b>
Badajoz	840	720	17	16	0	120
Cáceres	941	830	21	19	0	111
<b>Galicia</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>
A Coruña	..	..	..	..	..	..
Lugo	-	-	-	-	-	-
Ourense	-	-	-	-	-	-
Pontevedra	-	-	-	-	-	-
<b>Madrid, Comunidad de</b>	<b>1.452</b>	<b>1.369</b>	<b>0</b>	<b>..</b>	<b>..</b>	<b>83</b>
<b>Murcia, Región de</b>	<b>5.636</b>	<b>3.393</b>	<b>77</b>	<b>113</b>	<b>110</b>	<b>2.243</b>
<b>Navarra, Comunidad Foral de</b>	<b>847</b>	<b>760</b>	<b>18</b>	<b>7</b>	<b>18</b>	<b>87</b>
<b>País Vasco</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Araba/Álava	-	-	-	-	-	-
Bizkaia	-	-	-	-	-	-
Gipuzkoa	-	-	-	-	-	-
<b>Rioja, La</b>	<b>244</b>	<b>177</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>67</b>
<b>Ceuta</b>	<b>255</b>	<b>181</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>74</b>
<b>Melilla</b>	<b>248</b>	<b>90</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>158</b>

For more information about other resources, see chapter 7 of the annual statistics bulletin for 2017:

[http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/boletines/boletinAnual/docs/B\\_E\\_Anuar\\_2017\\_1.pdf](http://www.violenciagenero.igualdad.mpr.gob.es/violenciaEnCifras/boletines/boletinAnual/docs/B_E_Anuar_2017_1.pdf)

**ANNEX 5. DATA ON PROGRAMMES FOR AGGRESSORS IN  
THE AREA OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT**

**DATA ON PROGRAMMES FOR AGGRESSORS IN THE AREA OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT**<sup>44</sup>

**1) Section III. E – Programmes for aggressors in the area of domestic violence:**

Data broken down by Autonomous Communities:

- **Intervention programme for aggressors in cases of gender violence (PRIA- MA):**

<b>AUTONOMOUS COMMUNITY</b>	<b>Men condemned who have taken part in the programme</b>	
	<b>In 2016</b>	<b>In 2017</b>
Andalusia	2275	2360
Aragon	263	331
Asturies	174	278
Balearic Islands	151	192
Canary Islands	481	500
Cantabria	194	161
Castile-La Mancha	272	380
Castile and Leon	436	360
City of Ceuta	4	7
Community of Madrid	1540	1208
Community of Navarre	258	269
Community of Valencia	765	1208
Extremadura	146	145
Galicia	401	427
La Rioja	80	77
City of Melilla	13	14
Basque Country	17	17
Region of Murcia	189	222
<b>TOTAL</b>	<b>7659</b>	<b>8156</b>

<sup>44</sup> Source: Secretariat General of Prisons (Ministry of the Interior)

- Meeting Programme (*Programa Encuentro*):

AUTONOMOUS COMMUNITY	Condemned persons who have taken part in the programme in 2016			Condemned persons who have taken part in the programme in 2017		
	MEN	WOMEN	TOTAL	MEN	WOMEN	TOTAL
Andalusia	34	18	52	38	22	60
Aragon	0	0	0	2	0	2
Asturies	5	3	8	9	8	17
Balearic Islands	0	1	1	0	2	2
Canary Islands	11	7	18	15	6	21
Cantabria	2	1	3	1	1	2
Castile-La Mancha	5	6	11	4	5	9
Castile and León	3	6	9	5	7	12
City of Ceuta	0	0	0	0	0	0
Community of Madrid	36	35	71	21	27	48
Community of Navarre	8	7	15	5	13	18
Community of Valencia	13	11	24	6	12	18
Extremadura	1	0	1	1	0	1
Galicia	9	2	22	6	2	8
La Rioja	2	1	3	2	0	2
City of Melilla	0	0	0	0	0	0
Basque Country	0	0	0	0	0	0
Region of Murcia	2	3	5	2	2	4
<b>TOTAL</b>	<b>131</b>	<b>101</b>	<b>232</b>	<b>117</b>	<b>107</b>	<b>224</b>

## 2) Section III. F - Programmes for sexual aggressors:

Data broken down by Autonomous Communities:

### - Sexual Assault Control Programme (PCAS):

AUTONOMOUS COMMUNITY	Men convicted who have taken part in the PCAS* programme	
	In 2016	In 2017
Andalusia	40	49
Aragon	11	11
Asturies	2	1
Balearic Islands	7	17
Canary Islands	50	45
Cantabria	5	4
Castile-La Mancha	6	11
Castile and Leon	9	11
City of Ceuta	0	0
Community of Madrid	64	32
Community of Navarre	8	8
Community of Valencia	55	42
Extremadura	3	3
Galicia	15	17
La Rioja	3	3
City of Melilla	0	0
Basque Country	4	4
Region of Murcia	6	9
<b>TOTAL</b>	<b>288</b>	<b>267</b>

### - Off-line Programme (*Programa Fuera de Red*):

Spanish Government Report on the Istanbul Convention

<b>AUTONOMOUS COMMUNITY</b>	<b>Convicted persons who have taken part in the Off-line programme (all are men)</b>	
	<b>In 2016</b>	<b>In 2017</b>
Andalusia	6	26
Aragon	3	4
Asturies	0	6
Balearic Islands	1	7
Canary Islands	17	42
Cantabria	1	1
Castile-La Mancha	2	5
Castilla and Leon	1	1
City of Ceuta	0	0
Community of Madrid	9	29
Community of Navarra	1	1
Community of Valencia	11	21
Extremadura	0	4
Galicia	3	5
La Rioja	0	0
City of Melilla	0	0
Basque Country	1	0
Region of Murcia	1	2
<b>TOTAL</b>	<b>57</b>	<b>154</b>

**ANNEX 6. AWARENESS-RAISING CAMPAIGNS BY THE  
GOVERNMENT DELEGATION FOR GENDER-BASED VIOLENCE**

**AWARENESS-RAISING CAMPAIGNS BY THE GOVERNMENT DELEGATION FOR GENDER-BASED VIOLENCE**

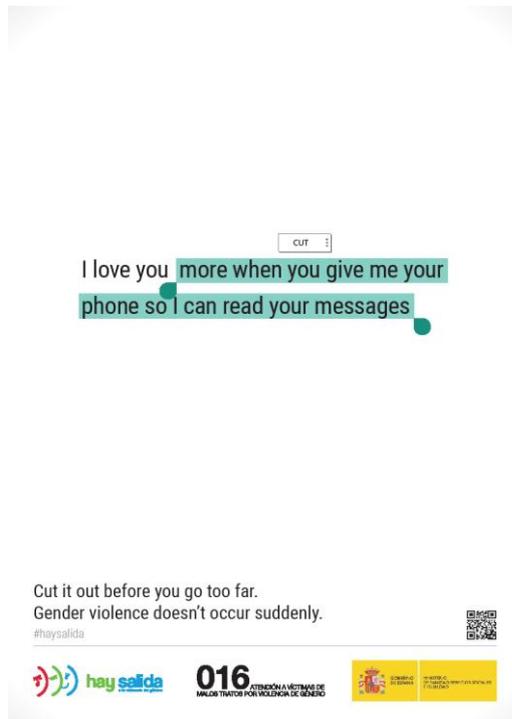
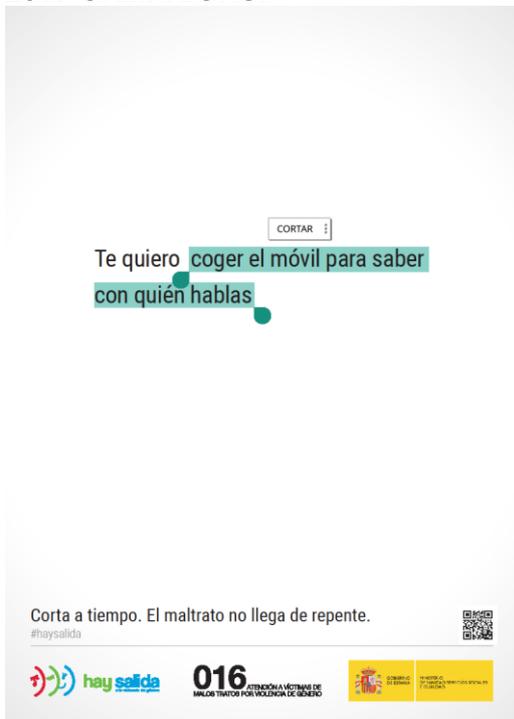
**2016 CAMPAIGN:**



More information:

<http://www.mscbs.gob.es/campannas/campanas16/haySalidaUneteM.htm>

**2017 CAMPAIGNS:**



More information:

<http://www.mscbs.gob.es/campannas/campanas17/haySalidaM1.htm>



More information:

<http://www.mscbs.gob.es/campannas/campanas17/violenciaGeneroM.htm>



More information:

<http://www.mscbs.gob.es/campannas/campanas17/trataMujeresM.htm>

2018 CAMPAIGNS:



More information:

<http://www.violenciagenero.igualdad.mpr.gob.es/sensibilizacionConcienciacion/campanas/violenciaGobierno/puesNoLoHagas/home.htm>



More information:

<http://www.violenciagenero.igualdad.mpr.gob.es/sensibilizacionConcienciacion/campanas/violenciaGobierno/noTrates/home.htm>



More information:

<http://www.violenciagenero.igualdad.mpr.gob.es/sensibilizacionConcienciacion/campanas/violenciaGobierno/somosUna/home.htm>