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European Women's Lobby Position Paper

Towards a Europe Free from All Forms of Male Violence against Women

Prepared by the EWL Centre on Violence against Women

*'Women's lives rest upon a continuum of unsafety. Wherever women are, their peripheral vision monitors the landscape and those around them for potential danger. As all women reach adulthood, they share a common awareness of their particular vulnerability. Learning the strategies for survival is a continuous lesson about what it means to be female.'*¹

Despite progress over the last decades on many aspects related to equality between women and men, there is not a single country in the world where women are free from male violence, and there is not a single area in any woman's life where she is not exposed to the threat or realisation of acts of male violence. Male violence against women knows no geographical boundaries, no age limit, no class distinctions, no race nor cultural differences. It manifests itself in multiple forms and involves a wide variety of perpetrators from intimate partners and family members, work colleagues and social or community acquaintances, to strangers and institutional actors such as police, health professionals, teachers and soldiers. Yet male violence against women is still invisible and the voices of women victims silenced...

This position paper constitutes the basis for the European Women's Lobby (EWL) and its members to develop advocacy work on the issue of male violence against women at European and national level. It highlights the EWL position on the issue and presents its recommendations towards a Europe free from all forms of male violence against women.

I – Male violence against women is the main structural expression of gender inequality

Counting all forms of male violence against women, 45% of women in Europe have been subjected to and suffered from men's violence.² Between 40 and 50% of women in the European Union report some form of sexual harassment in the workplace;³ it is estimated that every fifth woman in Europe has been subjected to male domestic violence.⁴

Male violence against women impacts on the whole society. Indeed, it is estimated that the total annual cost of domestic violence in the 27 Member States of the EU could be as high as 16 billion Euros, amounting to 1 million Euros every half hour,⁵ whereas the annual budgets of EU Member States for prevention programmes of male violence are 1000 times less.

Male violence against women is a structural violation of women's human rights and is recognised as such by international human rights instruments. The General Recommendation No. 19 of the Committee of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) states that *'Gender-based violence against women is violence that is directed against a woman because she is a woman or that affects women disproportionately,*

¹ 'Everyday Violence – How Women and Men Experience Sexual and Physical Danger', Elizabeth Stanko; Pandora; 1990; cited in Women's Aid 'Violence Against Women – an obstacle to women's participation submission to the Community Platform from Women's Aid', Dublin, 1999

² Council of Europe, 2009

³ EC, 1998

⁴ European Women's Lobby, 'Unveiling the hidden data on domestic violence in the EU', 1999

⁵ Psytel, 2006 Daphne Project on the cost of domestic violence in Europe



and includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty’.

The EWL uses the expression ‘male violence against women’ to bring to light the social dimension of violent acts perpetrated by men against women and supported by social norms and stereotypes. Male violence against women is a structural historical phenomenon resulting from patriarchal societies, where the domination of men over women has been naturalised in all areas of public and private life. The Beijing Platform for Action (1995), endorsed by all EU Member States, states that ‘*violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement’.*

Male violence against women therefore refers to a structural system of patriarchal values by which violence against women and girls is tolerated, legitimised and even trivialised. It aims at ensuring men domination over women, through different forms and levels of violence, in order to control women and girls, their bodies and their sexuality. It is part of a broader system of patriarchy, where men establish and keep on developing strategies to control all sectors of society, disempowering women. Women’s unequal access to power, prosperity and safety, constrains and undermines their space for action (poverty of time and money; diminished voice in public and private decisions; constrained personal autonomy; lack of safety across private and public spheres). This is why the issue of violence against women is gendered.

The prevention and eradication of male violence against women rests on addressing women’s inequality and patriarchy. Women’s inequality is both cause and consequence of male violence against women, and vice versa. In addition to the direct impacts on individuals and the aggregate costs to society, male violence against women shapes women’s place in society: their health, access to employment and education, integration into social and cultural activities, economic independence, participation in public and political life and decision-making, and relations with men. At the same time, inequality between women and men creates the conditions for male violence against women and legitimises it. This is why gender (in)equality indicators, such as the gender pay gap, women in decision-making, women’s employment, etc., should be used for both addressing gender inequality and male violence against women.

Male violence against women is a crosscutting issue that is relevant to a range of policy fields and national or international institutions. All aspects of public and private life have an impact on the societal gender norms that allow or not for male violence. For example, family law provisions which put women in a situation of dependence will not make it easier for women facing male domestic violence to escape such violence. The structure of capitalism, which brings different forms of exploitation and oppression, also fuels patriarchal structures and men’s domination over women, as it exacerbates economic inequalities and discrimination. United Nations Secretary General Ban Ki Moon has acknowledged that the impact of globalisation and of policies such as deregulation of economies and privatisation of the public sector have tended to reinforce women’s economic inequality, especially within marginalised communities.⁶ This is why the issue of male violence against women should be mainstreamed in all policy areas to measure the impact of the political messages brought forward by legislation and social representations in terms of women’s rights and gender equality.

Finally, the persistence of male violence against women in our societies strongly questions our vision of human security and peace: are we really living in peace when half of the world’s population is experiencing or might experience some form of male violence just because they are female?

⁶ <http://www.un.org/womenwatch/daw/vaw/violenceagainstwomestudydoc.pdf>, 2010



The EWL maintains that male violence against women is:

- The most serious and globally widespread violation of women's human rights and fundamental freedoms.
- A cause and consequence of gender inequality.
- An expression of the failure to uphold the values of women's integrity and equality: it is a direct attack of the mental, emotional, bodily and sexual integrity and dignity of all women.
- An obstacle to women's full participation in economic, social, political and cultural life.
- A major barrier to the achievement of the goal to create a society based on the principles of participation and citizenship.
- A cause of suffering and trauma which has devastating consequences for the mental, physical and sexual health of individual women.
- In direct contradiction with the EU Treaty goal of promoting equality between women and men.
- An intolerable phenomenon which has an impact on all women.

II – Male violence against women in the 21st century in Europe: a tolerated violation of women's human rights

'The mechanism of violence is what destroys women, controls women, diminishes women and keeps women in their so-called place.' Eve Ensler, founder of V-Day⁷

Male violence against women remains invisible and underestimated.

The lack of official data, both at European level and in some European countries, whereas women's NGOs continue to alert to the persistence of male violence against women, demonstrates the absence of political will to concretely address violence against women. This perpetuates the invisibility of some forms of violence against women and the underestimation of its prevalence as a structural phenomenon. The lack of specific services also means that women and girls subjected to male violence are not properly considered as victims and neither are they supported when they seek help.⁸ The minimisation or denial of the health consequences of male violence against women is also a sign of the political unwillingness to recognise the gravity of such violence and tackle it.

Male violence against women is de-politicised and therefore disappearing from political agendas.

It is with great concern that the EWL has witnessed a worrying trend aiming at de-politicising the issue of male violence against women: public policies mainly aim at tackling domestic violence or violence in the family from a gender-blind perspective, without consideration of the gendered power relations at stake in male domestic violence against women. There is a tendency to differentiate between structural (public) violence and individual (private) violence, therefore avoiding tackling the gender-specific root causes of all forms of male violence against women, namely the structural power imbalances between women and men; violence against women cannot be considered as a private matter, it is a human rights issue. As public services and NGOs work within the definition defined by the law, there is a complete lack of a gender perspective in prevention and service provision.

⁷ In 'A Memory, a Monologue, a Rant, and a Prayer'; <http://www.vday.org/home>

⁸ According to recommendations by the European Parliament (<http://www.legislationline.org/documents/action/popup/id/8716>) and the Council of Europe Task Force to Combat Violence against Women (http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf), at minimum standard of 1 family place in a shelter should be provided per 10.000 inhabitants. According to the 2008 Council of Europe study, based on a questionnaire answered by governments, only 3 EU Member States fulfil these minimum standards. 7 EU Member States provide only 0, 25 or less places per 10.000 inhabitants; 1 country only provides 0,04 place.



Male violence against women is trivialised in our societies.

The trivialisation of some forms of male violence against women, such as sexual abuse and sexual exploitation of women and girls, is very worrying as it impacts directly on people's representations of gender roles, especially that of youth. The EWL is concerned by the 'pornification' of the public sphere, where degrading images of women referring to the pornographic imaginary are used in advertising and media, therefore trivialising men's access to women's bodies and sexuality, and allowing for the tolerance of the lower status and availability of women and girls as objects for sale, notably in prostitution. This makes raising awareness on the different forms of male violence against women harder and works against the establishment of policies addressing all forms of male violence against women, linking them with discriminatory norms and behaviours.

Women in the EU are not equally protected against male violence.

Male violence against women is prevalent in all EU Member States, yet tackled in widely differing ways, ranging from an absence of its recognition as a fundamental violation of women's human rights, to a broad policy framework based on a feminist analysis of gender power relations in our societies. This has important consequences on the ability of women to resist and survive male violence. An overview of the very different protection systems for women victims of male violence developed by the EU Member States demonstrates how unequally women are protected from male violence in Europe. This is true in terms of information on, access to and provision of shelters, support services and rights, protection or barring orders, help lines, rape crisis centres, etc. This points to the lack of political will to adopt or effectively implement the existing legislations on violence against women and to provide for all types of services in sufficient numbers, in all regions, capable of meeting the diverse needs of women and girls.

Perpetrators remain unpunished.

EWL members point to the persistence of impunity in many Member States, leaving perpetrators without prosecution and therefore women victims without support and proper recognition by the judicial system. Sexual violence in particular still has one of the lowest conviction rates of any crime, and high levels of 'attrition' (the process by which reported rape cases are lost from the legal process, and thus do not result in a criminal conviction) in the course of investigations and prosecutions.⁹ This calls into question the effectiveness of legislation, the competence of the professionals involved in the investigation process, the level of awareness among the judiciary of the dynamics of violence against women and gender inequality, and the support for victims prior to and during legal proceedings. Above all, it questions the contribution of states to impunity by not condemning male violence in their legislation. There is also growing concern that mediation is being promoted and in many instances is replacing criminal justice sanctions in cases of violence against women, particularly in situations of male domestic violence. Perpetrators' programmes should not be promoted as an alternative, but be one component of an integrated strategy on violence against women with the overall aim of ensuring women's safety through different systems, i.e. police, judiciary, primary health care services, etc.

Protection of women from male violence should take into account the diversity of women's needs and identities.

Women are not a homogenous group; they have a diversity of needs which have to be taken into account when protecting them from male violence. For example, women with psychological and intellectual disabilities are particularly vulnerable to sexual violence – and yet these groups are least likely to see the perpetrator brought to justice. Women with disabilities are four times more likely to experience sexual violence and face forced sterilisation or abortion; many of them depend on the perpetrator for their daily care or even survival.¹⁰

Girls and young women are more likely to experience sexual violence. When tackling male violence, older women are often marginalised and violence against them is considered as elder abuse, therefore with a gender-blind perspective

⁹ 'Different Systems, similar outcomes? Tracking attrition in reported rape cases in eleven countries,' European Briefing, Kelly, L. & Lovett, J., April 2009, CWASU

¹⁰ European Disability Forum, Response to the consultation on an EU strategy to combat violence against women, July 2010



and leading to a lack of adequate support and services.¹¹ Women with fewer economic resources are often prevented from escaping violent environments because they are unable to afford alternative accommodation or support themselves independently.

Third-country national women might face additional legislative barriers to accessing protection such as the denial of access to shelters or the fact that their legal status is attached to their (potentially violent) spouse or employer; the situation is even worse for undocumented women who can face deportation when reporting facts of male violence. Girls and women with a migrant background might also experience particular forms of violence, such as forced marriage, female genital and sexual mutilation,¹² and crimes so-called 'in the name of honour'. Women asylum seekers who have been victims of gender-based persecutions such as rape, forced marriages or female genital and sexual mutilation are also confronted with the uneven recognition in practice of these persecutions in the different Member States as a ground for protection and the lack of adapted care in reception centres.

Lesbian and bisexual women face targeted sexual harassment and abuse, and may often receive an inappropriate response from authorities. Transgender women are particularly vulnerable to violence, especially in the public space and in street prostitution. The EWL is concerned by acts of violence targeting specifically people who deviate from what is considered 'appropriate' behaviour on the basis of sexual orientation or change of gender identity.¹³

Women and girls are at greater risk of male violence in times of recession.

A recent EWL/Oxfam study¹⁴ shows that economic recession aggravates the unequal power relations between women and men, be it in terms of access to employment, health, decision-making, education, etc. The recovery policies, often leading to cuts in funding of public services and NGOs, create conditions whereby women and girls have fewer resources to get safe, to flee, and to protect themselves and their children from male violence. The report shows that economic recession leads to an increase of domestic/intimate relationship violence, trafficking in women for sexual exploitation, and a rise in prostitution and attacks on prostituted women. In such times, women experiencing male violence should therefore be supported more strongly, which implies resourced public services and support to mainstream services such as health, employment, housing and education, instead of austerity measures leading to less state intervention and support to public services and NGOs. Male violence against women is intrinsically linked to women's unequal situation in society; national and European policies should address women's economic independence, including during and after prosecution processes in cases of violence in order to protect them from further victimisation.

Conservative attacks threaten women's sexual and reproductive health and rights.

Women's control over their bodies and their sexuality is a key human right, the violation of which is a clear form of male violence against women and patriarchy. We witness a growing backlash to women's sexual and reproductive health and rights in Europe, due to strong pressure and lobbying from conservative and/or religious groups at local, national and EU levels. New strategies are being used to prevent women's access to reproductive health care such as the abusive and unregulated use of conscientious objection in many EU Member States. The economic crisis is used as a pretext to stop funding service providers and public services related to sexual and reproductive health (such as family planning or contraception).

¹¹ 'Older women and domestic violence in Scotland', 2004, <http://www.healthscotland.com/uploads/documents/DMViolenceReport.pdf>

¹² The wording 'female genital and sexual mutilation' highlights the political aspect of such mutilation, as it aims at controlling a girl's sexuality, and not only cutting its genitals as a clinical practice.

¹³ ILGA-Europe's contribution to the consultation on the EU strategy for combating violence against women, July 2010

¹⁴ 'Women's poverty and social exclusion in the European Union at a time of recession. An invisible crisis?', Oxfam International / European Women's Lobby, a GenderWorks Paper, 2010



III - All forms of male violence reflect the structural domination of men over women in society

Understanding male violence against women as a structural phenomenon linked to the patriarchal system is important as it explains the links between the different forms of male violence, without placing them on a hierarchical scale, but bringing together commonly-used expressions of sexism and acts of criminal violence. Male violence against women is clearly linked to the general sexism in our societies, coupled with symbolic forms of violence against women such as women's poverty, women's economic dependence, the gender pay gap, women's unequal participation in political life and the lack of parity democracy, women's unequal access to public services and common goods (including health, education, culture, transport, housing, media, etc.), gender stereotyping in the media, etc.

All European legal systems at the national level have a negative legacy of male domination, with laws historically enforcing the male right to control women's time, property and bodies.¹⁵ During the last century, laws have proclaimed *de jure* equality between women and men, which means that now women have the right to control their own time, property and bodies. In practice however, including in society at large and in domestic justice systems, the legacy and mentality of male domination continues to be applied. Current legal systems in the EU maintain non-individualisation of tax and social security systems, where women often have derived rights through their relationship to men, including for access to health services and pensions. Member States thus continue to be involved in the denial of full citizenship rights to women through the selective ways state services are delivered to women, including for women's physical safety. Domestic legal systems, including immigration laws, which enforce dependency of the wife/mother, are enforcing social conditions that perpetuate male domestic violence. They should be rethought from a feminist perspective.

It is crucial to address all forms of violence against women and always link them to the issues of gender equality and women's human rights. The European Women's Lobby condemns all male violence against women, which takes very diverse forms, from obvious violations of women's rights to subtle or distorted forms of men's control over women's lives, bodies, and sexuality.

The UN and the Council of Europe use the following categories to qualify the context in which male violence against women is tolerated and therefore denounce a whole system of patriarchal values. The EWL believes that all forms of male violence against women should be named and shamed; we support the four UN categories and have tried to establish a (non-exhaustive) list of the existing forms of male violence for each of them:

Violence occurring in the family or domestic unit

Physical and mental aggression; emotional and psychological abuse; rape and sexual abuse; incest; rape between spouses (marital rape), regular or occasional partners and cohabitants; crimes committed in the so-called name of honour (acid attacks, forced suicide, stoning, murder...); female genital and sexual mutilation; forced marriages; child marriages; dowry-related violence; virginity testing; dating violence; domestic violence between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim; financial and economic abuse; abuse of female children; sex-selective abortion; battering; psychological violence; stalking...

Violence occurring within the general community

Rape; sexual abuse; sexual harassment and intimidation at work, in institutions or elsewhere; trafficking in women for

¹⁵ Women's time refers to different aspects: women's biological time is impacted by laws on contraception, maternal health, abortion, etc.; women's social times (work, family, leisure, education, culture, etc.) are affected by laws on employment, parental leave, education, health, etc.



the purposes of sexual exploitation and economic exploitation and sex tourism; prostitution; gender-related harassment; violence related to exploitation; financial and economic abuse; non-spousal violence; femicide/feminicide; all forms of mobbing; violation of women's sexual and reproductive health and rights; media sexism, sexist advertising and virtual violence (sexist stereotyping, pornification of the public space, cyber violence and bullying); violence in institutional settings like hospitals and care institutions, prisons or reception centres for asylum seekers...

Violence perpetrated or condoned by the state or its officials

Violence against women in institutional care, in prisons, in retention centres, in religious institutions; violence committed by officials such as police officers, carers, health professionals, justice professionals...

Violation of the human rights of women in situations of armed conflict

Taking of hostages; forced displacement; systematic rape; sexual slavery, forced pregnancy; trafficking for the purposes of sexual exploitation and economic exploitation...

Male violence in the family sphere, including male intimate partnership violence.

95% of all acts of violence taking place within the home are male violence against women. In Italy, one woman is killed every three days by her partner or ex-partner.¹⁶ In 2008 in France, 156 women died of the consequences of domestic violence perpetrated by their intimate or formerly intimate partner, namely 13 women per month.¹⁷ Figures¹⁸ show that male domestic violence tends to be the norm and not the exception; it has direct impact on the health and well being of women and impacts on women's performance in the work place, threatening their employment status. Male violence against women is a contributing factor to the feminisation of poverty as women experience a drop in income after separation.¹⁹ For a significant proportion of women, domestic violence is a pathway to homelessness.²⁰ Male violence against women in the couple or the family is one of the causes of suicide among women and continues to threaten the life and well being of women even after they leave the abusive environment.

Sexual violence and sexual abuse.

When attacked, almost all women fear that they might be sexually abused, whereas men mainly fear physical violence. Our patriarchal societies use sexual violence and exploitation as a means to ensure the control of men over women's bodies and sexuality. Social norms about gender roles and sexuality in the context of marriage can also often diminish a woman's 'right' and ability to say no to her husband. One in four female students on UK campuses said they had been subjected to an unwanted sexual experience while at university or college.²¹ In Lithuania, 26.5% of women aged 16 or over said they had been sexually abused by a stranger.²² All legal systems should ensure that women's sexual rights and sexual autonomy is defined and that the right to bodily integrity and free consent in the context of sexuality is clearly understood.

¹⁶ Casa delle donne, 2008

¹⁷ Mission Égalité des Femmes et des Hommes, 2009

¹⁸ European Women's Lobby, 'Unveiling the hidden data on domestic violence in the European Union', 1999

¹⁹ In the national survey Making the Links (1995) in Ireland, the two major reasons given by women for being unable to leave violent men were no money and nowhere to go.

²⁰ FEANTSA (European Federation of National Organisations Working with the Homeless) contribution to the consultation on an EU strategy for combating violence against women, July 2010. While further gender specific research in the area of homelessness is needed, punctual surveys and studies in different countries show that a high proportion of homeless women have experienced gender based violence and abuse, including during childhood. See for instance: Kesia Reeve, Rosalind Goudie and Rionach Casey, 'Homeless Women: Homelessness Careers, Homelessness Landscapes', 2007, Crisis, UK, http://www.crisis.org.uk/data/files/publications/Homeless_Women_Landscapes_Aug07.pdf

²¹ National Union of Students, 2010

²² Purvaneckiene, 1999



Prostitution.

Prostitution is not a question of whether the women involved want or do not want to be in prostitution. The issue of 'consent' in a situation of prostitution does not constitute 'free choice' since the latter very much depends on the economic, social, cultural and political options of women in a given society. The prevailing lower access to power and resources – including employment – for women in society severely restricts their freedom of choice. Neither is prostitution a question of sexuality; there is no specific sexual act or practice exclusively related to prostitution and which could not take place between two human beings in an equal non-monetary relationship. Prostitution is a question of patriarchy: it is the ultimate way in which men control women's bodies and sexuality, through an exchange of money. Men prostitute women by making the most of the unequal relations between a person who needs money and another person who owns this money. Money is just another tool to perpetuate male domination, in sexuality as in all sectors of society. Prostitution is first and foremost a question of human rights standards: it is a question of whether we want to live in a world where the human body can be commodified or whether we want to implement the human right to freedom from body and sex commercialisation, regardless of consent.

The EWL considers that prostitution is a violation of the fundamental human right to dignity, and perpetrates the domination of men over women through the use of money. Being in prostitution leads in itself to a situation of violence; many women face male violence in prostitution, be it sexual abuse, beating, economic violence, psychological threats, etc.²³ The tolerance of the EU and its Member States for the system of prostitution allows for men's use of and control over women's bodies and sexuality, and fuels trafficking in women for sexual exploitation. Considering prostitution as a form of violence against women implies setting a standard of human dignity for all women and girls around the world, and will help to stop trafficking in women for sexual exploitation. Above all, the persistence of systems of prostitution in EU Member States is a strong indicator of the failure of Europe as a whole to engage in reaching gender equality and promoting women's rights. Women state that their wish to be respected by their partners and work colleagues is constantly undermined because of the normalisation of prostitution.²⁴ This clearly shows how urgent it is to address the EU's tolerance for prostitution in light of its commitment to gender equality.

Trafficking in women.

Trafficking in women is a severe form of male violence against women. According to the United Nations,²⁵ women are reported to be victims in more than 80% of trafficking cases; 79% of reported trafficking in human beings is for sexual exploitation; and women constitute 85% of the victims of trafficking for sexual exploitation. Moreover, in all cases of trafficking, women are victims of various acts of male violence (rape, battery, psychological violence, economic violence, etc.). There is an urgent need for a gender equality analysis and perspective in all policies, strategies and measures aiming at tackling trafficking in human beings. All aspects of these policies should comprise prevention, protection and prosecution dimensions, which should be framed on gender equality objectives and perspectives. Trafficking in women is not only a transnational issue; trafficking, defined as a transfer or recruitment, also happens within European borders, often in the same country or even the same city. Tackling trafficking from only a security and justice perspective is irrelevant and ineffective if its root causes are not addressed and seriously fought against. Addressing and tackling trafficking in women cannot be completely effective through migration, justice or home affairs policies when many European Member States do not condemn the sexual exploitation of women in our societies, when procurers and prostitute-users face impunity.

²³ For example, more than half of UK women in prostitution have been raped and/or seriously sexually assaulted at the hands of pimps and punters; up to 95% of women in street prostitution are problematic drug users (Home Office 2004); and 68% of women in prostitution meet the criteria for Post Traumatic Stress Disorder in the same range as victims of torture undergoing treatment (Farley, et al. 2003). For more facts and figures on male violence against women in prostitution, see here: <http://www.prostitutionresearch.com/factsheet.html>.

²⁴ 'La Prostitution, un métier comme un autre?', Yolande Geadah; VLB éditeur; 2001

²⁵ UNODC 2009 Global Report on Trafficking in Persons, and UNODC Preliminary findings of the human trafficking database (2003)



Pornography.

According to a European survey, 80% of boys between 14 and 18 years old and 45% of girls watched a pornographic movie during the past year; almost 75% of boys discovered pornography at 14 or 15 years old.²⁶ Pornography promotes damaging stereotypes in its portrayal of men and women. The production and sale of pornography is not harmless: it entails and encourages violence against women and plays a key role in shaping men's and women's conceptions of relationships. Pornography is a potent teacher of both beliefs and behaviours; it can teach not only specific sexual behaviours, but general attitudes toward women and children, what relationships are like, and the nature of sexuality. Pornography makes violence sexy. Figures show that the states with higher circulation rates of pornographic magazines have higher rape rates.²⁷ The degrading way in which women are portrayed in pornography has an impact on all women and increases men's violence against women. Studies have shown that high percentages of female victims of domestic violence or women in prostitution victims of sexual abuse report that their abuser views pornography.²⁸ The rapid growth of pornographic sites on the internet facilitates men's easy access to pornography making this form of gender-based violence accessible every minute of the day in both the public and the private spheres of women and men's lives. Pornography also promotes and sexualises racism: it turns racism into sexual entertainment, dark skin into something sexy and fun. Whereas the EU is very active in condemning child pornography and the promotion of sex tourism targeting children, there is no recognition of pornography as a form of male violence against women, which it is for two main reasons: pornography conveys very harmful and unequal messages, and women in this 'industry' experience many forms of abuse and male violence. The EWL denounces the business of pornography and wants to bring to light the enormous financial profits made by pornography industries, in complicity with prostitution businesses (for which pornography is a very efficient advertising system).

Prostitution, pornography, and sexuality

Some pro-pornography and pro-prostitution activists define themselves as pro-sex or sex-positive, therefore implying that people and organisations which do not support the systems of prostitution and pornography are anti-sex or sex-negative. However, sexuality is not the issue; erotica brings the vision of a society where there are no taboos about sexuality. But sexual liberation has nothing to do with the industries of pornography and prostitution, where money and domination are the key determinants to display sexual relationships. Let us explore sexuality, but free from market forces, domination and violence.

Sexism in media, sexist advertising and cyber violence.

Sexism in the media is a widespread phenomenon which forms part of a system of use and control of women's bodies, through the creation, promotion or dissemination, by any means in any type of media, of messages which violate human dignity and equality between women and men. Whether consciously or subconsciously included, sexist stereotypes and representations in the media, advertising and virtual spheres, both reproduce the patriarchal structure of our societies and contribute to its perpetuation, through the representation of women as commodities, in male or family-dependent roles (victim or sexual object, sacrificial wife or mother...). Media coverage of male violence against women often conveys and reproduces established stereotypes and myths of this violence (and about victims and perpetrators); for example a murder might be called a 'family drama' and a rapist might be described as a 'sex-offender'.

²⁶ European survey ESPAD France, Inserm-CSA, 2004

²⁷ Baron & Straus (1984), in Mary Anne Layden, 'Pornography and Violence: a new look at research', 2009

²⁸ Utah Domestic Violence Coalition, 2009, available at: www.udvc.org. Silbert & Pines, 1984: In her research with 200 women in prostitution, Mimi Silbert recognised the role played by pornography in legitimising victimisation; in the account of rape, almost a quarter of these women made reference to pornography used by the rapist.



The fashion industry (including through magazines) is eroticising increasingly younger models, and adopting the visual images of vulnerability common in pornographic media.²⁹ Video games also use stereotypical and sexualised representations of women, and even promote in many cases for male violence against women such as rape and forced abortion.³⁰ Children Now reports that 38% of the female characters in video games are scantily clad, 23% baring breasts or cleavage, 31% exposing thighs, another 31% exposing stomachs or midriffs and 15% baring their behinds.³¹ Popular singers often intentionally use sexist and violent messages against women in their songs, sometimes even calling for acts of violence against women like raping or beating them.³²

The phenomenon known as 'cyber bullying' is also becoming more prevalent³³, with increasing numbers of young women admitting that they have experienced this type of behaviour (threats, bad jokes, harassment, and humiliation over the Internet or by mobile phone). It is always harmful to the girl being targeted and, like face-to-face bullying, can in extreme circumstances result in direct physical violence, including self-harm or even suicide. All these phenomena further impact on the increasing acts of dating violence against young people.³⁴

Violations of women's sexual and reproductive health and rights.

Sexual rights are a component of human rights: they are an evolving set of entitlements related to sexuality that contribute to the freedom, equality and dignity of all people. The lack of sexual and reproductive health affects one's ability to study, to work, to enjoy human relationships, to blossom and to contribute to the community as a whole. The full enjoyment of their sexual and reproductive rights and health includes the right for all women in Europe to choose whether or not to marry and to found and plan a family; the right to decide whether or when to have children; access to reliable, safe and affordable contraception; the right to legal and safe abortion; the right to health care and health protection at all ages; the right to information and education; and the right to the benefits of scientific progress.

However, women's sexual and reproductive health and rights are not given political attention and face challenges that lead to their violation. Indeed, despite international commitments,³⁵ all women in Europe do not benefit from the same sexual and reproductive health and rights, depending on the country they live in or their migration status. The right to abort is still denied or restricted in four EU Member States (Malta, Cyprus, Ireland and Poland) and its access is made difficult in many countries in practice due to cases of conscientious objections, incomplete information and lack of sexuality education, lack of public health funding, community pressure or excessive cost of contraception.

Roma women and women with disabilities in Europe especially have faced cases of forced sterilisation, which constitutes a serious violation to bodily integrity, freedom of choice and the entitlement to self-determination of reproductive life.³⁶ The rights of lesbian women to have children by artificial insemination or adoption should be recognised. Transgender persons face unnecessary forced sterilisation in the transition processes. Women with disabilities are stigmatised as asexual and dependent, which lead to their sexual life being controlled by others. Migrant, refugee and undocumented women face insecure economic and social situations, where concerns about sexual and

²⁹ Media Awareness Network, 'Media and Girls'

³⁰ See Equality Now's call for action on the Japanese video game RapeLay: http://equalitynow.org/english/actions/action_3301_en.html

³¹ Children Now, 'From Sidekick to Superwoman: TV's Feminine Mystique', Report on the 1995 conference on Children and the Media, 1995

³² See for example the lyrics of Orelsan's songs, or some very popular songs like 'I'm a slave for u' (Britney Spears).

³³ United Nations, 2006, 'In-depth study on all forms of violence against women. Report of the Secretary-General', <http://www.un.org/womenwatch/daw/vaw/SGstudyvaw.htm>

³⁴ See MIGS Resource Book 'Date Rape Cases Among Young Women and the Development of Good Practices for Support and Prevention', 2008

³⁵ The ICPD Programme of Action (1995), also known as Cairo consensus, addresses all people's rights to sexual and reproductive health.

³⁶ See: European Disability Forum, 'Violence against women: Forced sterilization of women with disabilities is a reality in Europe', 25 November 2009 ; European Roma Rights Center, <http://www.errc.org/en-search-results.php?mtheme=17>



reproductive health are often minimised or ignored. Many women in Europe continue to be affected by issues of maternal mortality,³⁷ illegal abortions, HIV and other sexually transmitted infections.³⁸

A key policy to guaranty women's sexual and reproductive rights consists in providing sex education, promoting respectful and equal relationships between girls and boys, and deconstructing stereotypes about sexuality and sexual 'roles' of women and men. Such education programmes are not a reality in many EU Member States and cannot therefore play their positive role towards reducing male violence against women.

Violence against women at work.

Violence against women at work is the only form of male violence against women which is addressed legally by the European Union. Since 2002, harassment and sexual harassment are defined as discrimination on the grounds of sex and therefore prohibited.³⁹ However, a recent European survey showed that women employees are still significantly more exposed to workplace bullying than their male colleagues and that the difference is even greater in the case of sexual harassment: more than three times as many female as male employees report having experienced sexual harassment in the previous 12 months.⁴⁰ Workplace violence ranks very high as a cause of fear of violence for individual women. At community level, the costs of such violence encompass health care, including mental health care, and long-term rehabilitation of women victims, unemployment and retraining costs for those women who lose their jobs as a result of such violence, and disability and invalidity costs where the working capacities of the women victims are impaired by violence at work.⁴¹ Patriarchal structures and behaviours, coupled with liberal values (such as competition, profit-led activities, etc.) on the labour market, trivialise male violence at work or in situations related to work and therefore make it very difficult for women to detect and denounce such violence.

Male violence against women committed in the name of tradition, so-called 'honour' or religion.

No custom, tradition or religious consideration justify male violence against women. The forms of male violence against women referred to as 'committed in the name of tradition, so-called honour or religion', are often looked at as 'foreign' practices; in fact, they are only the most visible forms of male violence from across a large spectrum. Indeed, incest, rape, beatings or intimate-partnership violence are also very traditional forms of male violence in the history of Europe. The EWL strongly supports the Council of Europe's report and Resolution, 'Women and religion in Europe', stating that: 'Freedom of religion cannot be accepted as a pretext to justify violations of women's rights, be they open, subtle, legal or illegal, practiced with or without the nominal consent of the victims – women.'⁴²

What all the forms of male violence against women have in common is the patriarchal structures and attitudes that underpin them. They are a result of family and community conventions that put girls and women at the bottom of the hierarchy and so allow men – fathers, brothers, husbands, community leaders – to make decisions for them, treat them inappropriately, 'punish' them when they are considered to have 'broken the rules', and pressure female family or community members to be complicit in the exercise of this patriarchal power. An average of two persons per month dies in Germany due to these 'traditions'.⁴³ Forced marriage often brings forced sexual initiation and/or ongoing

³⁷ Five new EU Member States have maternal mortality ratios higher than 18/100 000; The Lancet, 'Maternal mortality for 181 countries, 1990-2008: a systematic analysis of progress towards Millennium Development Goal 5', April 2010

³⁸ See EWL position paper on Women's Health in the European Union

³⁹ EU Directive 2002/73 (recast in 2006) on 'Equal treatment between women and men as regards access to employment, vocation training, promotion and working conditions'

⁴⁰ European Foundation for the Improvement of Living and Working Conditions, 2007, 'Women and violence at work'

⁴¹ Mental Health Europe, 'Violence against women at work... Let's talk about it', 2010

⁴² Text adopted by the Parliamentary Assembly of the Council of Europe on 4 October 2005 (26th Sitting).

⁴³ The Berlin crisis centre for young migrants, Papatya, collected and analyzed all the press releases related to so-called honour crimes from 1996 to the middle of 2005



unwanted sexual experiences for girls and women. The exact number of women and girls living with female genital and sexual mutilation in Europe is still unknown, although the European Parliament estimates that it is around 500,000, with another 180,000 women and girls at risk of being subjected each year to a practice designed to control girls' and women's bodies and lives.⁴⁴ Due to the diversity of laws, legal implementation and approaches to female genital and sexual mutilation across the EU, there are many cross-border movements of girls within the EU in order to perform the mutilation.⁴⁵

Practical, sympathetic and ongoing support – from authorities as well as individual members of the broader community – is vital in order to help women and girls from migrant communities to break out of the isolation that exacerbates their situation. This includes access to appropriate housing, education for themselves and their children, skills training and access to the job market, health, legal and social services and protection for women fleeing these situations either in the EU or in their countries of origin. Political will should go beyond declarations, conferences or resolutions of the European Parliament, and lead to concrete measures to abolish all forms of male violence committed in the name of tradition, so-called 'honour' or religion.

Institutional male violence against women.

Violence against women in conflict

In conflict situations, men use violence against women as a strategy or a weapon of war; this results in the objectification of women as symbols of 'conquered territory', the systematic sexual and physical abuse of women and girls, an increased risk of sexual violence in post-conflict contexts for women and girls, and women's increased vulnerability with the breakdown of social structures, from families to police. In conflict as well as post-conflict settings, girls and women in refugee camps are particularly vulnerable to sexual exploitation and sexual violence. The EU and its Member States should take the necessary legislative or other measures to re-affirm commitment to the full implementation of the United Nations Security Council Resolutions on women, peace and security, by developing national action plans, providing full access to sexual and reproductive health services and support programmes, including counselling, to women who have suffered sexual violence and condemning all forms of male violence against women in situations of armed conflict and in post conflict societies.

Women in institutional care, in prisons, in retention centres, in religious institutions

In all situations where women and girls are confined to a location where their rights are controlled, they are made more vulnerable to male violence. This is particularly the case in prisons and retention centres, where women may face violence from the staff and find it very difficult to report this violence. There is a strong correlation between social exclusion, gender violence and crime; the effects of having suffered gender violence may lead to social exclusion and increased social vulnerability, which may lead to criminal activity. In Europe, women constitute on average 5% of the total penitentiary population; however, nearly 90% have suffered male violence throughout their lives.⁴⁶ Given this overrepresentation of victims of violence, there is a need for penitentiary institutions to develop action plans addressing this reality, through the development of gender-focused in-prison support programs for women and awareness-raising programmes for prison staff and policy-makers. Regarding women in retention centres, restrictive immigration policies within the EU create intolerable situations where women feel that they cannot complain as they fear for their migration or asylum status. The European Parliament has already alerted to this and called for all EU and national policies related

⁴⁴ European Parliament resolution of 24 March 2009 on combating female genital mutilation in the EU ([2008/2071\(INI\)](#))

⁴⁵ Replace FGM, a Daphne-funded project, www.replacefgm.eu

⁴⁶ 'Leaflet on gender violence and prison', Spread project, <http://www.surt.org/spread/index.html>



to imprisonment to take a gender perspective.⁴⁷ In a context of media attention focusing on the sexual abuse of young boys within religious institutions, the EWL recalls that many young girls have been also subjected to such violence and questions why political and media attention is addressing only male abuse of young men as criminal and reprehensible acts.

Particular attention should also be paid to the situation of women with mental health problems living in institutions as they are more vulnerable to victimisation by medical and pharmaceutical abuse or to being forced into treatment programmes or procedures without their consent, such as forced sterilisation. Reported rapes and incidences of violence experienced by women in these situations are rarely, if ever, highlighted. Older women also face male violence while staying in nursing homes.⁴⁸ Women with disabilities living in institutions are particularly vulnerable to violence and abuse. The exclusion and isolation of women with disabilities from society in separate schools or in residential institutions, and the lack of mobility aids or assistive devices and the training needed to use them, increases vulnerability to violence and also contributes to impunity.⁴⁹

Women's violence against women.

We witness a growing trend, especially in the media and therefore in the general public, to react to feminist declarations on male violence against women by stating that women are also the perpetrators of some acts of violence. An emblematic example lies in the phenomenon of female genital and sexual mutilation, where the persons in charge of mutilating the girls are often female family members of the victim.

Projects within different communities in Europe show that the practice of female genital and sexual mutilation takes place within a patriarchal community framework, where male values state that girls should be virgins to be able to marry and be respected, or that female genital and sexual mutilation is essential for men's sexual pleasure or 'honour'. Female violence against women must be condemned in the same way as male violence against women, but any policy should address the root causes of such forms of violence, where men's domination over women allows for women's complicity and men's silence in perpetrating violence against women.⁵⁰

Men's sexual violence against men.

Studies show⁵¹ that the relationships between homosexual men, and the violence which can be perpetuated by one man towards another, reflect a gendered framework similar to the heterosexual model, in which there is an uneven power relationship. This specific gender construction perhaps partially explains the high desirability of boys in commercial sex exploitation, since boys may be considered more 'feminine', i.e. less powerful and easier to put in sexually passive roles. Sexual violence against men and boys is no less a gendered issue than sexual violence against women and girls. Social stigmatisation of male rape victims is directly linked to perceptions of gender, masculinity and sexuality. The perpetrators of male sexual assault are overwhelmingly men who identify themselves as heterosexual. As with the rape of girls and women, the rape of men and boys is most often an act of power intended to reinforce the dominant status of the perpetrator. Male rape in particular can also have the function of negating the masculinity of the victim and affirming the masculinity of the perpetrator. In this context, those males already perceived as powerless, such as boys, adolescents and men in institutions and with disabilities, are often the most vulnerable to sexual violence.

Women's violence against men.

⁴⁷ European Parliament resolution of 13 March 2008 on the particular situation of women in prison and the impact of the imprisonment of parents on social and family life ([2007/2116\(INI\)](#))

⁴⁸ 'Older women and domestic violence in Scotland', 2004, <http://www.healthscotland.com/uploads/documents/DMViolenceReport.pdf>

⁴⁹ European Disability Forum, Response to the consultation on an EU strategy to combat violence against women, July 2010

⁵⁰ Replace FGM, a Daphne-funded project, www.replacefgm.eu

⁵¹ Promundo & MenEngage, 'Men, masculinities, sexual exploitation and sexual violence. A literature review and call for action', 2008



The EWL is concerned about the de-politicization of the concept of 'victim', which has to do with the legal recognition of a criminal situation and therefore calls for society to identify the crime, render justice to the victim and sanction the perpetrator. Some men's movements⁵² accuse women's organisations of exaggeratedly 'victimising' women. The EWL strongly recalls that it is a fundamental human rights duty to recognise the legal status of 'victims' in situations of male violence against women, in order to change societal representations about women and men.

In parallel, the same men's movements use the word 'victim' in a very broad sense and try to argue that there are as many male victims as female victims in cases of domestic violence. This tendency is very problematic as it focuses on individual situations and does not refer to a societal analysis of power relations between women and men; it also has a negative impact on the use of the concept of 'victim' as men's movements try to apply it to a plethora of individual situations, out of social context.

IV – No modern European Union without the eradication of all forms of male violence against women

The fight against all forms of violence against women has to be intrinsically linked to the commitment made by the European Union and all its Member States to achieve gender equality and promote women's rights, a fundamental and founding value of the EU, as stated in Article 2 of the Treaty on European Union⁵³ and in the Charter of Fundamental Rights of the EU.⁵⁴ Any action to combat male violence against women, at any level, should comprise a comprehensive policy framework, which would mainstream the issue across all policy areas.

The EU and its Member States must take action on all fronts (prevention, protection, prosecution, provision, partnership) and address all facets of male violence against women, with the aim of leaving no girl or woman behind. They should also ensure that all sectors of government and society play their part and that EU and national policies take a gendered approach so that they foster equality and the human rights of women, through both specific measures for the promotion of women's rights and gender mainstreaming.

Any action on combating male violence against women has to address five key areas referred to as the 'five Ps' - (prevention, protection, persecution, provision and partnership), both at EU and national levels:

- PREVENTING male violence:

Actions should aim at raising awareness of the issue and influencing social attitudes and behaviour, through concrete actions in the field of formal and informal education and training, the development of awareness-raising campaigns, the training of public service professionals, the establishment of codes of self-regulation in the media sector.

A crucial role in changing gender-biased attitudes and behaviours is played by the training of women and girls in order to deconstruct prevailing myths about gender-based violence and to develop prevention skills (recognising potentially dangerous situations, implementing prevention and protection strategies, especially verbal and physical self-defence).⁵⁵ After more than 30 years of ground-breaking and mostly invisible work in many European countries,⁵⁶ the feminist self-

⁵² Miguel Lorente, the Spanish government's representative for gender-based violence, call them 'postmachists'. Read his interview in EWL magazine FEM21, pages 66-67, http://www.womenlobby.org/IMG/pdf/fem21_magazine.pdf.

⁵³ 'The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.' (Art. 2 TEU)

⁵⁴ The Charter of Fundamental Rights of the EU states that 'Equality between women and men must be ensured in all areas' (Art. 23)

⁵⁵ WHO, 'Preventing intimate partner and sexual violence against women: Taking action and generating evidence', Geneva, 2010

⁵⁶ Liz Kelly & Corinna Seith: 'Achievements Against the Grain: Self-Defence Training for Women and Girls in Europe', London, 2003



defence movement needs official recognition and sufficient support (including funding) for extending this kind of efficient⁵⁷ training to all women and girls. Boys and men need to be trained as well to deconstruct myths about masculinity and to build relationships with women and girls that are based on equality and mutual respect.

- **Supporting and PROTECTING all women and girls, taking into account their diversity:**

Actions should aim at providing the most protective legal measures to protect victims such as protection orders⁵⁸, establishing sufficient and easily accessible information and advisory services, ensuring coordination between the various institutions and bodies involved in assisting and caring for victims/survivors, training professionals on gender equality and women's human rights. The EU and its Member States are responsible for creating the conditions whereby victims are no longer economically or legally (including in relation to immigration, housing, social security insurance payments and marital status) dependent on the perpetrators of violence, showing sensitivity in particular to the more vulnerable/marginalised groups of women. The EU is responsible for assuring that women victims of violence enjoy freedom of movement within the EU without forfeiting protection measures.

- **Addressing the PROSECUTION of perpetrators:**

Actions should aim at implementing the principle of due diligence, emphasising the crucial need to hold perpetrators accountable for their violence, ensuring access to justice and remedies for all women victims. All women, whatever their migration, marital or housing status, should be given due consideration and treated properly when reporting acts of male violence against them to the police, as well as during investigation and prosecution procedures. Perpetrators' programmes should by no means divert funding for services for women victims and they should in no instance replace criminal prosecution and sanctions; they should be elaborated from a feminist perspective and funded by the perpetrator or the state; they should commit to the safety of the victims as their ultimate goal. Legal sanctions should be strictly implemented in cases of male violence against women, and judges that grant unfair reductions to perpetrators of male violence against women should be strictly punished. In cases of intimate-partnership violence, mediation programmes should not be used as they re-victimise women by placing them again in an unequal power relationship seeking compromise with the perpetrator. In joint custody and visitation legislation, children's and women's safety should be considered in priority. All Member States should guarantee an appropriate minimum level of compensation for victims of male violence.

- **PROVIDING services to victims/survivors:**

Actions should aim at encouraging Member States to set up a diversity of services responding to the diversity of women's needs, seeking the highest standards of such service provision, through the implementation of guidelines and protocols for all agencies on the basis of international quantity and quality standards⁵⁹ and in partnership with women's NGOs.⁶⁰ Such services include women-specific national and local help-lines, accessible and appropriate women's shelters and safe houses, rape crisis centres, health and legal services, economic security, etc. To reach quality

⁵⁷ Leanne R. Brecklin & Sarah E. Ullman, 'Self-defense or Assertiveness Training and Women's Responses to Sexual Attacks', in: *Journal on Interpersonal Violence*, Vol.20, No 6, June 2005, 738-762

⁵⁸ Over the past decades, the range of substantive measures included in protection orders has been widened and exist under various names, depending on the type of behaviour it prohibits, restrains or prescribes. The most common are: protection order, injunction, order of protection, restraining order, eviction or barring-order. We use the term protection orders here as an umbrella category, to cover the different measures. Despite the differences, the goal of all protective orders is to prevent violence from (re-)occurring. The focus is on the protection of the victim. See Renée Römkens' expert document 'Legal protective provisions or protection orders' prepared for the CAHVIO, May 2010, http://www.coe.int/t/dgh/standardsetting/violence/CAHVIO_2010_8.pdf

⁵⁹ See the Council of Europe study 'Combating violence against women: minimum standards for support services', 2007, http://www.coe.int/t/dc/files/themes/violence_femmes/minimum_standards_en.pdf

⁶⁰ See WAVE's guidelines and standards for good cooperation between state agencies and women's NGOs, 'Bridging gaps. From good intentions to good cooperation', Women Against Violence in Europe, 2004



standards, services for women should aim at empowering them, providing an individualised approach and treatment, be gender-specific and specialised.

- **Building PARTNERSHIPS with civil society organisations:**

Actions should aim at recognising and supporting the role of NGOs in combating male violence against women and promoting cooperation between NGOs and official authorities in the elaboration, implementation, monitoring and evaluation of policies and actions. This includes appropriate and sustainable financial support for NGOs' work in this context.

The EWL calls on the EU and its Member States to set up **evidence-based, comprehensive and coordinated policies** which include a wide range of actions, going from legally-binding instruments to awareness-raising activities, and allocated with sufficient and sustainable human and financial resources. Male violence against women should be addressed in all aspects of substantive law: in civil law, through remedies, restraining and protection orders, compensation, custody/visitation/safety in domestic violence cases, etc.; in criminal law, by including all forms of male violence against women in criminal codes and addressing them as crimes, and through jurisdiction, sanctions and measures, application of criminal offences, aggravating circumstances, etc.; in procedural law through investigations, measures of protection, legal aid, etc.; asylum law should be amended; specialised police and prosecutorial units, specialised courts should be created; departments on preventing violence against women and children should be established in hospitals; etc. In this perspective, the UN handbook for legislation on violence against women should be adopted and implemented by all Member States and the EU.⁶¹

At European level, the EWL asks the EU to:

- Set up a European Action Plan to fight all forms of male violence against women;
- Deliver legal instruments, including a European Directive on all forms of male violence against women;
- Ensure coherence between internal and external policies;
- Establish data collection, research and policy development;
- Declare a European Year on the eradication of all forms of male violence against women;
- Develop awareness-raising and educational activities;
- Strengthen support to women's organisations;
- Implement gender budgeting;
- Ask Member States to develop national action plans on all forms of male violence against women, deliver legal instruments, establish data collection, develop awareness raising and education activities, strengthen support to women's organisations, and implement gender budgeting.

Regarding women from third-countries, the EWL also calls on the EU and its Member States to:

- Ensure the rights of women asylum seekers to access to asylum determination processes and the recognition of the gender-specific nature of persecution, on the basis of the UN Refugee Agency (UNHCR) Gender Guidelines on International Protection and on the UNHCR's guidance note on refugee claims relating to sexual orientation and gender identity;⁶²
- Ensure that immigration legislation, including on family reunion and labour migration, grant women an independent legal status within maximum one year of their arrival;

⁶¹ 'Handbook for legislation on violence against women', United Nations, 2009, <http://www.un.org/womenwatch/daw/vaw/v-handbook.htm#handbook>

⁶² <http://www.unhcr.org/refworld/pdfid/48abd5660.pdf>, 2008



- Ensure that access to effective protection is granted to all women independent of their legal status and provide a residence status to all third-country nationals survivors of male violence against women.

Regarding women's sexual and reproductive health and rights, the restrictive Protocols and Unilateral Declarations annexed to Accession Treaties to the European Union for Ireland, Malta and Poland must be denounced.

Regarding prostitution, the EWL maintains that strategies and policies to reach a Europe free from prostitution should be multifaceted and address the various actors involved in the system of prostitution.

- Towards persons in prostitution: Put an end to any repressive measures towards persons in prostitution and the taxation of their incomes; Implement credible policies providing concrete alternatives for all persons wishing to quit the system of prostitution; Promote the implementation of policies on the prevention of prostitution and on education to a respectful sexuality; Put an end to conditionality in the deliverance of residence permits to foreign persons in prostitution; Ensure that women in prostitution reporting acts of male violence receive equal treatment in the process of their complaint and access jurisdiction and courts;
- Towards prostitute-users: Make it a crime to buy sexual 'services'; Implement campaigns on accountability and deterrence towards prostitute-users; Promote the implementation of policies on the prevention of prostitution and on education to a respectful sexuality;
- Towards procurers: Condemn all forms of procuring and pimping and refuse its decriminalisation; Demand the restitution of all procuring benefits and funds;
- Towards society and public authorities: Implement policies on the prevention of prostitution; Promote education to equality between women and men; Raise awareness on the reality of prostitution and break stereotypes.

Women survivors of male violence

Women experiencing male violence are not passive victims; they develop a wide range of strategies to avoid violence, to preserve their dignity, to protect their children, in short, to get on with their lives. Their stories are stories of resistance, to the extent that resistance is possible given the social, cultural and economic situation of each woman. Research has shown that the majority of women experiencing violence from male partners cope quite well and parent successfully.⁶³ Women's organisations, while advocating for policies combating male violence against women, should also work with all women to strengthen their self-esteem and courage.

Women's rights defenders – women speak out!

When women speak out and assert their rights or the rights of other marginalised groups, they run grave risks because they challenge cultural or social beliefs and pose a threat to vested interests. Women human rights defenders may be targeted by community members or organised political or religious groups for not complying with their views. Sometimes they are harassed by the authorities. Sometimes governments are complicit in violence against women, as they don't take action to prevent this violence; human rights defenders should also support them. Women human rights defenders may be stigmatised and accused of undermining their culture's values and traditions. They may be subjected to gender-specific forms of violence and abuse including acid attacks, rape and other sexual violence.

⁶³ Radford, L. & Hester, M., 2006, 'Mothering through Domestic Violence', London: Jessica Kingsley