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Good Practice in Preventing Domestic Violence against Women and their Children

Council of Europe CoE

- Council of Europe Campaign Stop domestic violence against women Nov 2006 – June 2008
 - Task Force of 8 experts
- Task Force Final Activity Report: www.coe.int/stopviolence
Main recommendations of Task Force:
- A European human rights convention on violence against women
 - Monitoring in preventing Femicides (Femicide Watch)
 - A Special Rapporteur on violence against women in Europe to monitor progress

UN activity of the Division for the Advancement of Women DAW

Expert group meeting on Good practices in legislation on violence against women in May 2008 in Vienna
REPORT now available at:

<http://www.un.org/womenwatch/daw/>

Domestic Violence DV against women as gender-based violence and as violence against children

- We need a clear theoretical framework to analyse the problem in order to find solutions that work.
- DV does not effect everybody in the same way, in the majority of cases women and their children are the victims.
- According to police statistics in Austria, more than 92% of the victims are female, and about 94% of the perpetrators are male family members.
- The UN CEDAW committee speaks of gender-based violence against women as 'violence that is directed against a woman because she is a woman or violence that affects women disproportionately'. (CEDAW Recommendation No. 19/1992).
- Children are always affected by violence against their mother, either directly or indirectly.
- We need a gender-specific, not a gender-neutral approach, because the problem is not gender-neutral.

Obligation of states and role of civil society

Violence against women in the family is not a private affair, but a public concern and represents a violation of the human



rights of women and their children to life, health and freedom.

States have a clear and binding obligation to exercise due diligence to prevent violence against women, and to protect victims.

States can not fulfil this role alone, women's NGOs as part of civil society are important actors. Research shows that states with many active women's NGOs have made more progress than states with few women's NGOs.

In Europe women's NGOs have started to establish women's shelters and other services in the 1970-ies.

They have contributed considerably to ending the taboo of speaking about the problem and to improving the family lives of many women and children suffering domestic violence.

Women's NGOs are not only providing services, they are also engaging in awareness raising in the community, training of police and other professions and other activities.

The importance of a comprehensive and coordinated Intervention System

In order to effectively prevent violence against women and protect victims, states need to have a comprehensive and coordinated intervention system in place, including measures and legal provisions in all relevant areas as well as adequate resources for implementation.

A comprehensive intervention system should be based on the needs of victims and balance these needs with the obligations of the state to exercise due diligence to protect victims.

Core elements of an intervention system

In order to prevent violence against women and their children in the family victims of domestic violence need to have the RIGHT to :

1. Information
2. Comprehensive and empowering support
3. A safe place in a women's shelter
4. Protection by the police
5. The right to stay safely in their own home
6. Effective civil law protection orders and the right to divorce/separation
7. The right to stay in a relationship and not to experience violence - through work with the abusive partner
8. The right to justice, active participation and support in criminal proceedings
9. And last but not least social and economic rights to be able to live a life independent from the husband or family, the right to affordable housing and income, the right for immigrant women to an independent residence permit.

Standards regarding support for victims – example Austria

Austria: 8 Million inhabitants, member of the Council of Europe, member of the European Union, party to CEDAW and other human rights conventions

1 national women's helpline, 24 hours, toll free, phone: 555 222 8000 run by the Women's Shelters Network, funded by the Ministry for Women

30 women's shelters (since 1978, 4 shelters in Vienna)

1 shelter for women victims of trafficking

About 35 regional helplines and counselling centres

With Protection Against Domestic Violence Act of 1997:9 Intervention Centres have been established, one in each province, providing pro-active support after police interventions.

All these services are run by independent women's NGOs and almost 100% funded by the federal and regional governments.

There are still not enough places in shelters and not enough services.

Standards for services

Core principles: empowerment, confidentiality, free of charge

Access for all women and children, regardless of age, nationality, ethnic background, immigrant status, ability etc.

1 national women's helpline, 24 hours toll free

Sufficient numbers of women's shelters:

1 family place (women and her children) per 10,000 inhabitants

1 rape crises centre per 200,000 women

1 crisis/support center per 50,000 women for victims of all forms of violence, including outreach and specialised services for instance for immigrant women

All services should include support for children

Legal Measures in Austria

Protection against Domestic Violence Act since 1 May 1997

Three elements:

Police barring order: immediate **expulsion of the violent party from the home of a victim for 10 days**, max. 20 days

restraining order in form of a temporal injunction

Intervention Centres with pro-active approach: 9 in Austria, one in each province ; 100% funded by the Minister for Women and the Ministry for Interior, run by women's NGOs

New legal provisions since 2006:

- New provision in criminal proceedings – right to legal and psychosocial support for all victims of violence
- New Anti-Stalking-Law

