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GOOD PRACTICE GUIDANCE ON INTEGRATED POLICIES AGAINST GENDER-BASED AND DOMESTIC VIOLENCE

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Good Practice Guidance on Integrated Policies against Gender-based and Domestic Violence

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1. FOREWORD

Working towards a Europe free from violence against women and girls is a key part in the promotion of rule of law, good governance, and fundamental human rights. These severe criminal acts have many implications for the individuals involved, in addition to creating unstable families and difficult conditions for children to grow up in. And in the worst case, lives are lost. The violence also has larger societal implications. It is a serious public health problem as well as a barrier to gender equality, as the violence might hinder the possibilities for many victims to participate in work life, to have an independent income, and to contribute actively in democratic processes.

The complexity of gender-based violence, with its multiple causes and consequences, and with the wide range of agencies involved for achieving safety and access to justice for victims of gender-based violence, presents a difficult challenge to policy makers. An integrated policy approach to develop and implement appropriate solutions is required. Many governments have reassessed their governance structures, knowledge base and organisational capacities, in their search for more successful solutions and better results of the work.

International cooperation makes it possible to share experiences in developing and coordinating comprehensive and coordinated policies across sectors, for preventing and combating violence against women and domestic violence. This Good Practice Guidance on Integrated Policies is funded by the EEA and Norway Grants. The guidance is part of a bilateral cooperation between Romania and Norway, in collaboration with Portugal, in the context of the Romanian EU presidency in 2019.

The ground-breaking Council of Europe Convention on preventing and combating violence against women and domestic violence – the Istanbul Convention – provides a common framework for identifying good practices. The Convention calls for integrated policies and sets several standards for such an approach.

This Good Practice Guidance will hopefully inspire and contribute to the development of better national integrated policies against gender-based and domestic violence.

2. BACKGROUND OF THE GOOD GUIDANCE REPORT

The Agreement on the European Economic Area (EEA) allows the EEA member States (Norway, Iceland and Liechtenstein) to participate in the internal market of the European Union (EU) without adhering to it.

Since the EEA Agreement entered into force in 1994, the EEA have contributed to social and economic progress in different EU countries. To do this, the financing mechanisms of the EEA (“EEA Grants” and “Norway Grants”) are intended to reduce economic and social inequalities in European countries and strengthen cooperation with the beneficiary countries.

On 13 October 2016, the Government of Romania signed Memorandum of Understanding (MoU) with the EEA States (Norway, Iceland and Liechtenstein) for the implementation of the EEA Financial Mechanism and of the Norway Financial Mechanism 2014-2021. The latter establishes a Bilateral Relations Fund that will finance initiatives to develop bilateral relations with the aim of stimulating and developing long-term cooperation within all areas listed in the MoU and to

strengthen bilateral cooperation at political level and European level in areas of common interest such as for example de EU Presidency held by Romania in 2019.

Activities aimed at enhancing cooperation and exchange of experience and best practices between program operators and similar entities in recipient and donor states as well as international organizations, such as networking, exchange, knowledge transfer, experience and good practices can be funded under the Bilateral Relations Fund.

The bilateral initiatives target the following priority sectors and areas:

- Innovation, research and competitiveness
- Social Inclusion, Youth Engagement and Poverty Reduction
- Environment, energy, climate change and a low-carbon economy
- Culture, civil society, good governance, fundamental rights and freedoms
- Justice and home affairs

Romania has made huge efforts to improve its response to victims of Gender-based Violence (GBV here onwards). On 29 January 2018, Mrs. Vasilica Viorica Dăncilă was invested Prime Minister of Romania. For the first time the Romanian Prime Minister is a woman. The Prime Minister has placed gender equality and gender-based violence as key priorities for the Government. Romania has passed recently relevant legislation to mainstream gender perspective in all policies and levels of the administration. It has also approved a law for the implementation of the Istanbul Convention, and it is in the process of implementing it. It has also developed a wide service network to provide comprehensive response to victims of domestic and gender-based violence according to the Istanbul Convention standards.

Romania held the European Presidency in the first semester of 2019 also for the first time since its entry into the European Union. In consonance with the government priorities, the fight against Domestic and Gender-based Violence (DGBV) and the achievement of Gender Equality have been top priorities within its European Presidency.

The present report is part of a bilateral project proposed in the context of the objectives and outcomes of the Programme “Justice” in Romania, financed under the Norwegian Financial Mechanism 2014-2021 to improve the capacity of the Romanian authorities to implement the Council of Europe Convention on Prevention and Combating Violence against Women and Domestic Violence (the Istanbul Convention or IC hereinafter).

The main aims of the project are to:

- 1.** Contribute to building competence, capacity and commitment among European stakeholders for using the Istanbul Convention as an important tool for eliminating all forms of violence against women and girls. Thus, it will contribute to the processes of ratification and implementation of the convention in European countries, including encouraging EU accession to the convention.
- 2.** Strengthen bilateral relations between Romanian and Norwegian stakeholders as well as multilateral relations between relevant EEA/Norway Grants beneficiary countries and donor countries.
- 3.** Contribute to effective and sustainable implementation of programmes and projects aimed at preventing and combatting domestic and gender-based violence (DGBV) under the EEA/Norway Grants, capturing synergies and making a greater impact of the Grants on the situation of women and girls in Europe.

The above-mentioned project was developed in the frame of the Romanian European Presidency of the European Council 2019 to strengthen and make visible common European values and efforts to prevent and combat DGBV. In that sense, the presidency represented an opportunity to bring together policy and decision makers, experts and civil society to showcase the usefulness of the Istanbul Convention (IC) by exchanging experiences, building competence and discussing solutions on how to implement it.

As such, additionally to the present report, the project included the following activities:

- A High-Level Conference organized under the Romanian Presidency of the EU Council held on the 4th of June 2019
- Workshops on Integrated Policies against GBDV, Legal Framework and Specialized Measures celebrated on the 5th of June 2019
- A Cultural performance on the 4th of June
- A Synergy Meeting for the Network against Domestic and Gender-based Violence under the EEA/Norway Grants
- A Dissemination Package and Press Release, and;
- Preparatory Meetings.

The project in which the present report is included, takes on the experience and results of a previous bilateral project on GBV undertaken previously to initiate the Romanian presidency as the first signal of the great importance of the topic for the Romanian Government. The project consisted of the organization of the International Conference “A Common Voice towards a world without GBV-Intervention mechanisms and good practice models on Gender-Based Violence”. It aimed at the exchange of good practices in the fight against GBV between the donor and beneficiary countries which are developing different programmes addressing domestic and gender-based violence supported by the EEA and Norway Grants for the period 2014-2021. From that conference, a Compendium was prepared, which aimed to provide insights in different models and mechanisms for comprehensive and coordinated response to victims of gender-based and domestic violence shared on the international conference in order to inspire for improvements on the protection and support given to victims of gender-based and domestic violence in European countries.

This previous Conference and its resulting compendium fed into the discussion at the High-Level Conference in Bucharest on the 4th-6th of June 2019: “Towards a Europe free from violence against women and girls - the Istanbul Convention creating a new horizon and a paradigm change for all stakeholders!” in which some of the models and mechanisms for comprehensive and coordinated response were presented and discussed between policy and decision makers, experts, and civil society.

The present report, as it has been already mentioned is an activity under the bilateral project “Towards a Europe free from violence against women and girls-the Istanbul Convention creating a new horizon and a paradigm change for all stakeholders”, financed by the EEA and Norway Grants.

This project has been carried out by the National Agency for Equal Opportunities for Women and Men (NAEO) in Romania and the Norwegian Ministry of Justice and Public Security, in collaboration with the Commission for Citizenship and Gender Equality (CIG) in Portugal, and

with participation of the EEA/Norway Grants SYNERGY Network against Gender-based and Domestic Violence and the Council of Europe in project activities.

3. METHODOLOGY

The current document aims to provide a good practice guidance that can help diagnosing trends, demands and needs to be considered during the decision-making process and design of state-wide integrated policies to prevent and combat domestic and gender-based violence, in accordance with the Istanbul Convention standards, in the different countries involved.

To that end, a multi-strategic analysis methodology has been used, combining: on the one hand, the Human Rights research methodology (provided by the content analysis of current international treaties and standards on violence against women, with a special focus on the Istanbul Convention); together with the comparative analysis of public policies (or comparative method) of the three countries involved in the project. Interviews with relevant experts from the three countries, desk-review and documentary analysis (policy) have been the main techniques/tools used.

The development of the study methodology is organized around 3 work packages (hereinafter P), rather than phases or stage steps (as some of the tasks from different work packages may be carried out simultaneously, or envisaged for different purposes, for example data collection/ desk review) described below.

P1. Establishing the analysis dimensions (criteria) that define integrated policies

The tasks undertaken within this work package are focused on establishing the defining criteria of the notion of integrated policies, which have been used to evaluate the different interventions in the fight against gender-based violence in the three countries under study.

P2. Contextualising the public policies implemented for the eradication of gender-based violence

This work package includes all the tasks necessary to comprehend the policies and measures implemented in the three countries involved to tackle gender-based violence, as a prior step required for its evaluation in light of the established criteria.

P3. Systematization, analysis and validation of the information collected

This third work package include all tasks related to the systematization and analysis of the information collected, producing the draft report to be validated by the counterparts, as well as making the necessary adjustments after their feedback for the final report.

The work packages, tasks and tools encompassed are herein described in further detail.

P1. Establishing the analysis dimensions (criteria) that define “integrated policies”

As it has been already mentioned, the objective of the study is to provide a good practice guidance on the implementation of integrated policies to prevent and combat domestic and gender-based violence, by identifying specific criteria based on the Istanbul Convention standards set in Chapter II, to assess the different countries involved in the project, with the aim of diagnosing the trends and demands from such countries in the implementation of an integrated approach. Thus, we must first define what are integrated policies and which criteria are at the core of such concept.

Consequently, one of the tasks undertaken within this project has been to establish the criteria to determine what are integrated policies. Such criteria, described in section 5, have been

determined based on the standards set by the Istanbul Convention, the Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, the baseline evaluation reports issued by GREVIO to date, as well as existing studies/literature reviews carried out on comprehensive and coordinated response and multi-agency work.

It must be noted that there have been some changes in terms of the technique/method employed for establishing the criteria on integrated policies to be used for assessing the implementation of comprehensive and co-ordinated policies in Norway, Romania and Portugal. Such changes are described below in the subsection on Limitations of the study.

P1 Establishing the analysis dimensions related to integrated policies

Tasks

- Desk review on GBV integrated policies
- Review of the initial proposal of criteria for the evaluation of good practices
- Elaboration of the final list of criteria on integrated policies

Products

1. Criterion to be used defined

P2. Contextualising the public policies implemented for the eradication of gender-based violence

As mentioned above, this work package includes all the tasks necessary to grasp the policies and measures implemented in the three countries involved to tackle gender-based violence, as a prior step required for its evaluation in light of the established criteria. It includes to identify the policies and possible good practices that are being carried out in the fight against gender violence, from the elaboration of the conceptual theoretical framework from which the study analyses the phenomenon, passing through the construction of instruments that allow a collection of information and subsequent systematization. Extensive documentary and bibliography review has been undertaken to collect information on the legal and policy framework of the three countries involved, including national legislation on domestic violence and criminal codes, other relevant national legislation in the field of violence against women, national strategies and national action plans to prevent and combat the different forms of violence against women, country reports to international human rights committees (CEDAW, GREVIO), as well as civil society shadow reports, and other relevant (research) reports on the implementation of GBV public policies in such countries. The list of documents used are listed in the Bibliography.

Interviews with national experts from Romania, Portugal and Norway have also been carried out for collecting information on the public policies and measures implemented in each country to combat gender-based violence. The experts were selected by the competent bodies responsible in each country for monitoring and implementing public policies to combat violence: the National Agency for Equal Opportunities for Women and Men (NAEO) in Romania, the Ministry of Justice and Public Security in Norway and the Commission for Citizenship and Gender Equality (CIG) in Portugal, and partners in the current project, and the interviews were carried out in the three countries during visit trips organized to that end.

P2 Contextualising the public policies implemented for the eradication of gender-based violence.

Tasks

- Establishment of the theoretical-conceptual framework on GBV integrated policies
- Document review and analysis of primary and secondary sources
- Preparation of instruments for the collection of information in the field
- Semi-structured interviews with country experts

Products

1. Questionnaire Model (to allow comparison) for the collection of information on the fight against gender violence

Trips

- A. Trip to Norway
- B. Trip to Romania
- C. Trip to Portugal

P3. Analysis, systematization and validation of the information collected

This third work package include all tasks related to the synthesis and analysis of the information collected, producing the draft report to be validated by the counterparts, as well as making the necessary adjustments after their feedback for the final report.

P3 Systematization, analysis and validation of the information collected

Tasks

- Systematization and analysis of the information obtained
- Report drafting
- Return of the analysed information to the project partners
- Follow-up meetings with MoJ
- Systematization and analysis of the feedback provided
- Review of the final report including the necessary adjustments after validation/feedback of partners

Products

1. Draft report
2. Final report

3.1. Limitations to the project and tentative future developments

The project methodology has undergone some variations with respect to the initial approach. Initially, it was envisaged to carry out a Delphi panel or method. This method represents a structured communication technique which aims to achieve a group consensus based on a panel of experts. Its operation is based on answering (individually and maintaining anonymity with the other participants, but not with the research team) to successive rounds of questionnaires by relevant experts until a consensus is reached. It entails a lengthy and time-consuming process compared to other methods, but the benefits to such method are also noteworthy compared to other methods (see Annex II for more information), which is one of the reasons for choosing it within this study. However, throughout the implementation of the project diverse difficulties emerged, having to readjust the methodology.

As it has been already explained, the current document is part of a broader and ambitious project which entails several activities (including a High-Level Conference and several workshops) in a relative short period of time, and it is the continuation of a previous bilateral project between Romania and Norway. Tight timeframes in terms of deadlines for the application of bilateral funds that enabled the continuation of bilateral projects, resulted in limited time for a paused discussion and design of the good guidance practice report among all the stakeholders involved.

Another difficulty relates to the kind of questions to be answered through this research project, which required complementary qualitative techniques/tools. One of the key aspects of the Delphi panel is that it allows to provide a group response in statistical terms. However, the questions posed at the design of the project (How do the relevant experts interpret the criteria characterizing the integrated policies? How do they implement these criteria? What are the best practices for taking the criteria into consideration when developing, implementing, and evaluating integrated policies?) require a different approach of combined qualitative/quantitative techniques that allow to gain further knowledge on subjective aspects in the experts' interpretation of the defining criteria of comprehensive policies.

Additionally, it must be also noted that even though the three countries involved in the project have endeavoured important efforts along the years to tackle the phenomenon of violence against women adopting different models and measures, the very concept of integrated policies and its definitory characteristics is still developing at the same time that the Convention is being implemented in these countries. The different degree of development of such comprehensive policies and implementation of the Istanbul Convention in which each country is at, required a first approximation on how these countries are designing and implementing comprehensive and co-ordinated policies to initiate the reflection process of what it is understood by integrated policies. The current document constitutes such a first approximation.

The Delphi panel could contribute in future projects to clearly set the defining criteria of integrated policies and its main indicators, helping all stakeholders working in the fight against GBV to reach a common ground on how to implement co-ordinated and comprehensive policies. However, in addition and parallelly to the Delphi panel, it is essential to deep-in further on the meaning of such concept, engaging in a broader discussion with experts from the involved countries on what does it entail integrated policies and by providing external input on how to interpret its defining criteria in light of the recent developments and new insights of such term under the Istanbul Convention standards and GREVIO findings, as well as good practices identified in implementing integrated policies (e.g. through specific workshops/trainings/capacity building with key stakeholders to present good practices of integrated policies/models), which requires implementing complementary activities to the

process. It is clear then that we are dealing with a more complex and ambitious project, that requires more time and resources.

4. THE OBLIGATION TO IMPLEMENT INTEGRATED POLICIES

International legislation establishes the States' obligation for developing active policies and measures to guarantee women's rights to live a life free of violence. Article 4.c of the Declaration on the Elimination of Violence against Women (1993) urges States to "*exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons*".

The principle of due diligence is also enshrined in the Council of Europe Convention to Prevent and Combat Violence against Women and Domestic Violence (Istanbul Convention) in its article 5.2¹.

The Istanbul Convention, like other human rights treaties and specially those elaborated and promoted within the Council of Europe, follows the "4 P structure: "Prevention", "Protection" and "Prosecution", which respond to the due diligence standard, but including "(integrated) Policies", since effective prevention, protection and prosecution require overarching measures that frame the response to GBV.

In this sense, the Istanbul Convention is considered the most comprehensive international instrument on GBV and has been signed and ratified by Romania, Norway, and Portugal. According to the Istanbul Convention States are obliged to:

- a) Prevent violence before it occurs or reoccurs;
- b) Protect and support victims of GBV;
- c) Prosecute the perpetrators;
- d) Implement coordinated and integrated **policies**;

States' policies to tackle GBV have been primarily focused on prosecuting the crime, and, dragged by and to respond to women's NGO's claims, in protecting women and providing specialised women's support services. Prevention efforts have been less consistent and started at a later stage. Once it has been set that violence against women is a public problem for which States are responsible for preventing violence, protecting victims, and prosecuting perpetrators, States' response to GBV must adopt a coordinated and comprehensive approach. This standard is a necessary condition to ensure that prevention, protection, and prosecution measures are effective, coherent, and coordinated. Implementing coordinated and integrated policies enable efficient prevention, protection and prosecution measures.

Chapter II of the Istanbul Convention (Articles 7-11) specifically defines the main features of integrated policies to tackle violence against women. It sets out as "core requirement for a holistic response to violence against women: the need for state-wide effective, comprehensive and co-ordinated policies sustained by the necessary institutional, financial and organisational structures²".

However, it is Article 7 which specifically focuses on comprehensive and co-ordinated policies.

¹ "Parties shall take the necessary legislative and other measures to exercise due diligence to prevent, investigate, punish and provide reparation for acts of violence covered by the scope of this Convention that are perpetrated by non-State actors".

² GREVIO Baseline evaluation report on Denmark, paragraph 14, p. 15.

Article 7 – Comprehensive and co-ordinated policies

- 1 *Parties shall take the necessary legislative and other measures to adopt and implement State-wide effective, comprehensive and co-ordinated policies encompassing all relevant measures to prevent and combat all forms of violence covered by the scope of this Convention and offer a holistic response to violence against women.*
- 2 *Parties shall ensure that policies referred to in paragraph 1 place the rights of the victim at the centre of all measures and are implemented by way of effective co-operation among all relevant agencies, institutions and organisations.*
- 3 *Measures taken pursuant to this article shall involve, where appropriate, all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations.*

According to Article 7, States shall adopt and implement **State-wide effective**, comprehensive and coordinated policies to offer a **holistic response to all forms of violence against women** covered by the Convention, placing the rights of the **victim at the centre** of all measures, which shall be implemented through **effective cooperation** among all **relevant actors** that shall be involved such as, but not limited to, government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organizations (Article 7).

Article 7 clearly sets out the obligation of State Members to implement such comprehensive and co-ordinated policies, but it also contains the basic (core) features of what entails comprehensive and co-ordinated policies. However, its full content and meaning can be drawn from Articles 8-11 of Chapter II, as well as Article 6, Chapter I, which is considered a general obligation to the Parties, since its application extends to all the articles of the Istanbul Convention. It has been already settled above why integrated policies need to be adopted to combat violence against women. Despite the Istanbul Convention articles on integrated policies, how each State understands and implement comprehensive and coordinated response varies, as the different models adopted by the three countries covered by this report indicates. The next section addresses which criteria best define integrated policies and propose specific criteria to assess whether such comprehensive policies are being implemented.

5. WHAT ARE INTEGRATED POLICIES?

The purpose of this section is to establish and describe what are the key and defining criteria for integrated and coordinated policies on GBV which have been used for analysing the current policies implemented by the three countries involved. The proposed criteria, as mentioned have been determined after a desk review based on the standards set by the Istanbul Convention standards and other international tools, as well as existing studies/literature reviews carried out. The proposed criteria are:

- ✓ **Gendered perspective:** legislation and policies are grounded on a strong basis of gender analysis that relies on the idea that all forms of violence against women is a violation of human rights and a form of gender discrimination which is the result of structural gender inequalities rooted in the imbalance of power between men and women, where clear and appropriate definitions of violence against women aligned with the Istanbul

Convention are included and which reflect in higher awareness among relevant stakeholders on the gendered nature of the problem.

- ✓ **Multi-agency and multi-sectoral co-operation:** multiple agencies, across sectors, are involved in preventing and combating violence against women, working co-ordinately to that end. Co-operation and co-ordination among stakeholders and at all levels of government is key to ensure a comprehensive response.
- ✓ **Multi-level and comprehensive approach:** integrated policies entail to design and implement measures for the protection of and assistance to all victims of violence against women and prevent and prosecute violence. Designing and implementing integrated policies, cannot be limited to legislate, and set the policy framework (structural level), but involve taking on other measures at institutional (systemic level) and operational level.

i. Gendered perspective

Article 6 of the Istanbul Convention requires to ensure a “gender perspective is applied not only when designing measures in the implementation of the Convention, but also when evaluating their impact³”, but also to promote and effectively implement policies of equality between women and men and the empowerment of women.

To ensure a gendered perspective is applied, legislation and policies must be grounded on a solid human rights and gender analysis that conceive all forms of violence against women as a violation of human rights and a form of gender discrimination rooted in gender inequality.

It is not possible to tackle violence and its’ causes and consequences without understanding that violence against women is a form of discrimination against women⁴. Consequently, gender sensitive policies require a twofold strategy seeking to eliminate all forms of discrimination against women, in law and in practice, by promoting effective gender equality and women empowerment policies, while also introducing specific measures to combat violence against women.

Legislation and policy must encompass clear and appropriate definitions of violence against women, including domestic violence, aligned with the Istanbul Convention. The purpose of the Convention is to protect women of all forms of violence. It defines violence against women as “*a violation of human rights and discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women [...], whether occurring in public or in private life*” (Article 3.a). The Convention also offers a definition of “gender-based violence against women” which is “violence directed against a woman because she is a woman or that affects women disproportionately”. The Convention also defines domestic violence from a gender-neutral approach, where both men and women can experience it.

Hence, violence against women or gender-based violence against women is violence perpetrated by men against women as a result of unequal power relations and gender inequality. The incorporation in legislation and policies of these definitions of violence against women which acknowledge that such violence is rooted in gender inequality and unequal power relations between men and women, enable the introduction of measures to alter the root

³ Council of Europe (2011). Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, paragraph 61, p. 11.

⁴ Article 1, b of the Istanbul Convention.

causes to such violence. Additionally, naming the problem, that is, that is male violence, not domestic or family violence, locates responsibility on the perpetrator and enable thus to seek solutions by changing the root causes to such violence. On the other hand, understanding the structural nature of violence against women takes off responsibility from women and will help women to understand that she is not alone.

Such definitions and conceptualization of violence should translate into an understanding and awareness among relevant stakeholders and agencies about the gendered nature of the problem and must be reflected in the service organization and provision and professional practice. Training is an essential tool to ensure that.

Moreover, a gendered perspective requires that such efforts to combat violence against women encompass measures to tackle all forms of violence against women, including domestic violence, which affects women disproportionately. Understanding that all forms of violence against women are interconnected, since it is gender inequality its root cause, it is necessary to ensure integrated policies and a comprehensive and coordinated response.

ii. Multi-agency and multi-sectoral co-operation

The comprehensive and co-ordinated approach to combat gender-based violence offered by the Istanbul Convention policies *“is based on the premise that no single agency or institution can deal with violence against women and domestic violence alone. An effective response to such violence requires concerted action by many different actors⁵”*. Gender-based violence is a complex problem that affects all facets of women’s and children lives (psychologically, economically, legally, etc.) and therefore requires *“a multitude of measures to be taken by different actors and agencies and which, taken as a whole, offer a holistic response to violence against women⁶”* which result in a State-wide response model where all relevant stakeholders intervene.

A multi-agency and multi-sectoral intervention model results in better outcomes for victims. It maximizes resources, as cooperating agencies, with professionals from different background and expertise work in the same direction to achieve common goals, each of one adding towards solving problems. It also provides consistent and coherent response from all operators, reducing women’s uncertainty, generating trust in the intervention model and in the professionals and agencies involved.

Agencies and professionals working together and co-ordinately to deliver appropriate responses to women will provide better outcomes than working on its own. Agencies working individually may overlook women’s needs and even compromise their safety. Without the expertise and perspective of other actors, institutions and professionals, risk to have a very limited understanding of the situation, usually shaped by institutional constraints related to agencies' mission, rules and bureaucracy, but also by personal issues just as skills, level of competence, etc. Moreover, professionals and agencies working on its own, when facing GBV cases, by its complexity, may become overwhelmed with the task ahead, which may result in inappropriate, untimely, and ineffective responses revictimizing for women. Hence, holistic response implies

⁵ <https://www.coe.int/en/web/istanbul-convention/the-convention-in-brief>

⁶ Council of Europe (2011). Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, paragraph 64, p. 12.

interdisciplinary, multi-agency, multi-sectoral and inter-institutional coordination at all levels of government.

Multi-agency and multi-sectoral cooperation require a common understanding of GBV and shared vision, aims and a common purpose⁷. It is not uncommon to find professionals and agencies that theoretically work on the same topic, for example, domestic violence, but whose understanding of the problem and goals are completely different. Working regularly together fosters multiagency cooperation, since it allows stakeholders to share and confront their experiences building up a common intervention framework and shared understanding of gender-based violence. It also requires common strategies, protocols and guidelines with clear tasks and responsibilities assigned, fluid communication channels and coordination mechanisms across institutions, sectors and at different levels, since *“good co-operation should not rely on individuals convinced of the benefits of sharing information but requires guidelines and protocols for all agencies to follow, as well as sufficient training of professionals on their use and benefits”*⁸.

On the other hand, multi-agency and multi-sectoral coordination implies fluid communication channels and coordination mechanisms across institutions and sectors. By mechanisms it is meant *“any formal or informal structure such as agreed protocols, round-tables or any other method that enables a number of professionals to co-operate in a standardised manner”*⁹ and recurrently. Multiagency response ranges from models of co-located services to formal cooperation agreements. Whichever system is established, it requires clear functioning guidelines/protocols and organisational structures for multiagency activity become real.

Coordination across the different levels of government is necessary to ensure coherent and consistent policies across sectors. As the Explanatory report¹⁰ highlights, national, regional and local parliaments are expressly included in the article to reflect the different levels of law-making powers (within a Federal system). To ensure such co-ordination across the national, regional and local levels requires to undertake specific measures (at national level) to create co-ordination mechanisms/models to operate intra-level and inter-level. For example, an inter-ministerial group may be helpful to coordinate and monitor the implementation of measures at national level, but similar mechanism should exist to ensure the same level of co-ordination between the national, regional and local level and the existing difficulties/situation that exist at regional and local level (operational level).

iii. Multi-level and comprehensive approach

As mentioned above, Article 5.2 sets out the obligation on the Parties to take all necessary measures to exercise due diligence to prevent, investigate punish and provide reparation for acts of violence. The due diligence principle is a general obligation extended to all articles in the Convention, and as such it is embedded in Article 7, that establishes also the obligation to adopt and implement State-wide effective, comprehensive and co-ordinated policies encompassing all relevant measures to prevent and combat all forms of violence. Additionally, article 1c, sets out as one of purposes of the Convention to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence (covered by the Convention) aimed to protect women and help them to overcome the devastating consequences that violence has on their lives.

⁷ Atkinson et al. “Multi-agency working and its implications for practice: A review of the literature”. CfBT Education Trust, 2007.

⁸ Council of Europe (2011b). Op.cit. p. 12

⁹ Ibid, paragraph 113, p. 21.

¹⁰ Ibid, paragraph 65, p. 12.

PREVENTION

Prevention' goal is to keep violence against women from happening in the first place and to that end it is required to pursue efforts towards changing social and cultural attitudes and values that justify and perpetuate it, as well as altering any other aspect that reinforces sexist' attitudes. It is through prevention, the structural and social causes that sustain social, economic and political gendered inequalities anchored in the fabric of our societies, can be addressed.

The common basis for any preventive action must be the promotion of values incompatible with violence. Such efforts must be carried out with all population groups, regardless of its different evolutionary moment, including children, adolescents and youth as well as adults and elder people. In this sense, equal education for boys and girls is an indispensable first step. Educating on equal rights and opportunities for boys and girls shall avoid the acceptance, assumption and reproduction of gender stereotyped attitudes and values by children. As children grow, and become adolescents, it is important to influence a non-sexist professional orientation, and to promote a comprehensive affective-sexual education that enable them to establish and enjoy respectful, egalitarian and healthy intimate-partner and sexual relationships.

It is also necessary to develop prevention actions aimed at the adult population, since adults can be reeducated. Questioning the sexist education received is one way to begin the process of change is to question the sexist education received. For this, it is interesting to encourage the participation of both, women, but also men, since they can become positive role-models and advocate for change.

However, considering that violence against women it is a widespread problem which elimination is still far from happening, prevention must also aim to stop it from reoccurring and to reduce its impact on victims. Awareness-raising and training of professionals (police, health personnel, pedagogists, social workers, lawyers ...) working or in contact with women victims of gender-based violence is essential. Early detection within all these areas is key to preventing serious situations of violence against women.

Likewise, through awareness-raising, society is provided with the necessary instruments to recognize the different of forms of violence against women when they present, and what role women and men assume as victims and aggressors. Hence, prevention measures must include information and raising-awareness campaigns on all the forms of gender-based violence against women, its dynamics, services available and women victims' rights.

Special attention must be paid to those groups of women especially vulnerable facing various intersecting forms of discrimination. It is required an additional effort in removing the social and cultural obstacles that prevent an effective and real exercise of their rights and affect their quality of life.

A comprehensive prevention strategy encompasses measures aimed at primary, secondary and tertiary prevention.

Primary prevention is aimed at the general population, and refers to educational actions aimed at promoting respect, equality, tolerance and non-violence values and an egalitarian culture/society. The school and society must play a role oriented to create a climate of zero-tolerance of violence and aggressors, to improve the status of women in society and to demand changes in social norms.

Some of the most common measures for primary prevention are information and raising awareness campaigns for the general population, community-based education activities, as well as interventions within the education system such as the elaboration of specific educational

materials or inclusion of curricula contents on gender equality, gender-based violence or non-violent conflict resolution skills.

Secondary prevention will be aimed at those groups of women that are at risk of suffering gender-based violence and refers to the mechanisms for detecting violence against women. Early detection of gender-based violence against women is the responsibility of professionals who at some point may be in contact with women or children at risk of suffering gender-based violence. Secondary prevention should include measures for the early detection of gender-based violence cases which help to identify potential women and children experiencing, or at risk of experiencing, gender-based violence so that victims may receive support as soon as possible and stop violence from escalating. Raising awareness and training and capacity building activities targeting professionals from different sectors and institutions are relevant measures within this area that may facilitate to early detection of GBV situations.

And finally, tertiary prevention will be aimed at victims of gender violence, with the aim of minimizing its impacts. Tertiary prevention measures should include all measures aimed to treat and rehabilitate. In that sense, tertiary prevention measures consist to treat and rehabilitate men perpetrating violence, so that they stop exercising it and prevent further impact on victims.

In summary, prevention should include all those measures aimed at eradicating the elements (gender stereotypes, cultural and legal norms, prejudices) that generate gender inequality and gender discrimination, thus, measures to change attitudes of the society at large. Therefore, prevention programmes entail long-term and comprehensive measures that:

- a) address all forms of violence against women and with all age groups,
- b) take into consideration vulnerable population (elder women, women in rural areas, migrant and refugee women, disabled women, women from minority ethnic groups, women abusing substances), and
- c) engage with both, women and men, by empowering the first ones and actively involving men as positive role models and agents of change.

PROTECTION AND SUPPORT

Victims of gender-based violence require protection from further violence, as well as support and social assistance to overcome the effects and impact of violence in their lives. According to Article 18 of the Istanbul Convention, States' are responsible to undertake measures to protect all victims from further acts of violence as well as to support them, establishing to that purpose multi-agency and comprehensive protective and support services as well as coordination mechanisms that guarantee effective cooperation between relevant stakeholders (law enforcement agencies, judicial operators, local and regional support services, NGO's, etc).

Protection and support measures range from implementing protection orders to ensure women's quick protection, protected accommodation, legal, social and psychological assistance as well as economic support and independence, just to name some examples.

Specialist and general support services may be involved in delivering support services to women. However, protective and support services/measures must be based on a gendered and human rights understanding of violence against women (article 18 and 49 of Istanbul Convention) and on an integrated and victim's centred approach which take into consideration women's overall situation to respond comprehensively to their needs, taking into consideration the specific needs of vulnerable women. Regardless of its nature, specialist or general services, specialization, and training on violence against women of professionals in direct contact with

victims is necessary to ensure services relevant to survivors of violence and effective co-operation.

PROSECUTION

Under the Istanbul Convention, States are obliged to protect victims from further violence. Criminalising the expressions of violence against women serves a twofold function: on one hand, aims to stop violence from happening by punishing a conduct that merely with its prohibition most likely won't disappear; on the other hand, by cataloguing it as a crime, therefore as an undesired and antisocial behaviour, it sends a strong and clear message that violence against women is unacceptable and socially sanctioned. It holds perpetrators of violence accountable. Criminalising violence against women has a strong symbolic value and contributes at the same time to change structures.

But prosecution is not limited to include relevant criminal legal provisions, but it also entails to implement measures to ensure effective investigation and judicial proceedings and in due time, which will contribute to secure vital evidence, enhancing rate conviction. Victim's rights and protection must be guaranteed throughout the whole judicial process undertaking protection measures to prevent secondary victimization. To that end a gendered understanding of violence against women is required as well as specific protection and assistance measures within procedural legislation.

All preventive, protective and punishing measures must be designed to be implemented not only at structural level through legal and policy reform, but also at institutional measures (systems reform) and direct service (operational response). It cannot be limited either to the operational level, by providing direct services and not adopting other type of measures.

Since violence against women is the result of structural discrimination and gender inequality, and thus it is a public problem which requires legislative, administrative and institutional measures, it is clear that measures aimed to intervene only with the individuals are not sufficient to tackle violence against women and must take place at multiple levels. The measures adopted to ensure a comprehensive and coordinated response cannot be limited to the individual (operational) level but must take place also at the structural and institutional level to ensure *"institutionalize structural, systemic and individual protection for women¹¹"*, introducing immediate and long-term solutions.

Drawing up from the multi-level model, there are three levels of intervention:

- **“Structural level**, which comprises measures at the broadest level to ensure rights are recognized and protected through laws and policies. Examples of the measures within this level are legal reform, policy reform within Ministries responsible for preventing and combating violence against women, allocation of resources or education and training on VAW of policy makers.
- **Systems reform**, which includes systems and strategies to monitor and respond when rights are breached. Intervention at this level includes developing and building the capacity of the legal/justice systems, healthcare systems, social-welfare systems and community mechanisms. Measures at this level includes education and training of professionals responsible to deliver services to women, technical assistance to institutions/agencies to develop systemic measures within their sector, establishment

¹¹ Read-Hamilton, S. “Services, Systems, Structures: A Multi-level Approach for Addressing Gender Based Violence in Conflict-affected Settings” (2009:10).

of coordination mechanisms and tools (protocols, guidelines), development of data collection and information systems.

- **Operational response**, which includes response at the individual level through direct services to meet the needs of women and children who have been subjected to violence. Examples include safe and protected accommodation, psychological support, legal advice, national helplines, community-based education programmes¹².

When designing comprehensive policies, “by merging the multi-sectoral and multi-level models it is possible to generate a matrix in which responsibilities are laid out at multiple levels and across different sectors. A matrix of these combined models provides [...] an overarching framework to guide the development and prioritization of interventions in order to avoid the mistake of creating short-term programs that have no basis for sustainability and/or long-term impact¹³”. On the other hand, it provides consistency to policies and ensure its efficiency: a very good law without any additional developing policy is not useful and probably will not have any impact. It requires other types of measures at systemic level to provide the tools and mechanisms necessary (institutional design of services and its establishment, setting up guidelines and protocols, training professionals, etc.) for the persons responsible to implement that provision at operational level (provide direct support to women to protect them). For example, for conducting compulsory risk assessments in cases of domestic, according to legislation in force (structural reform), police officers responsible to undertake the assessments need a proper risk assessment tool (the form) and guidelines with clear indications on how to do the risk assessment, her/his duties, other people involved, etc.; but for this measure to be implemented at operative level, will also require other related processes, such as informing to police officers about the obligation to conduct risk assessments, train them how to implement it which includes not only training on the risk assessment tool, how to do it in a gender sensitive and victim’s centred approach, etc.

Thus, the multi-level approach not only requires addressing the 3 pillars set by in the Istanbul Convention, but it also entails consistent and coherent changes in a tiered model organized at three levels of organization (operational, systemic and structural). The higher the level of consistency in introducing measures at all 3 levels of organization, the more sustainable and effective will be the changes introduced. Similar analysis should be made when designing public policies to tackle gender-based violence.

The table below synthesises how the proposed criteria are used to analyse the VAW policies implemented in the countries involved, and the aspects that are addressed within each criteria and level of intervention.

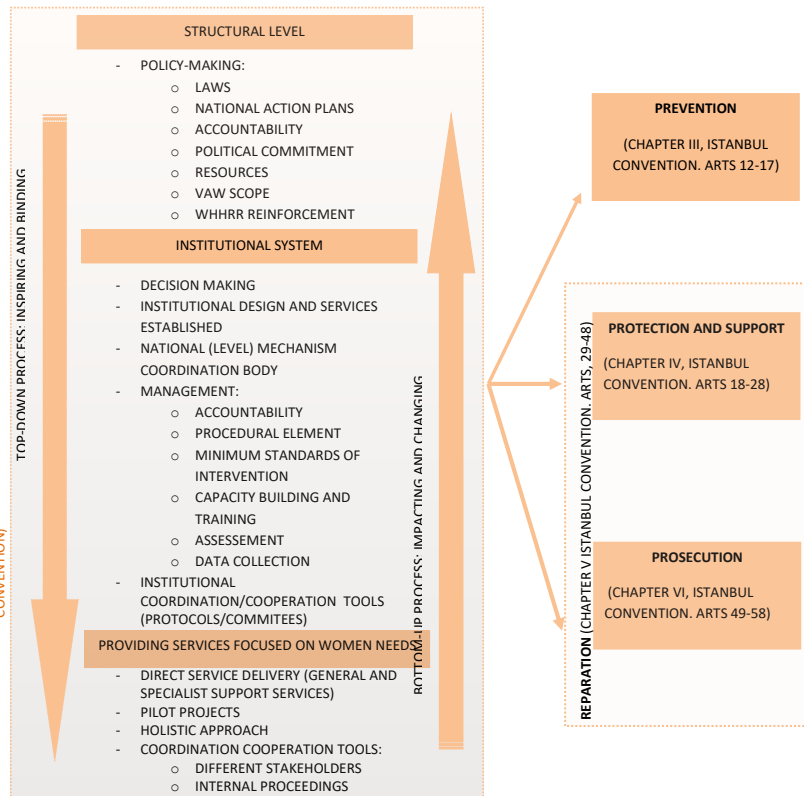
¹² From <https://www.endvawnow.org/en/articles/1504-the-multi-level-model.html> adapted from Read Hamilton.

¹³ UN Women. “Merging the models: comprehensive response”. Virtual Knowledge Centre to End Violence against Women and Girls. <https://www.endvawnow.org/en/articles/1505-merging-the-models-comprehensive-response.html>

GOOD PRACTICES GUIDANCE UNDER THE
ISTANBUL CONVENTION SCOPE
(CHAPTER I TO CHAPTER VI)

ANALYSIS CRITERIA ON VAW
INTEGRATED POLICIES
(CHAPTER II, ISTANBUL
CONVENTION. ARTS 7-11)

1. GENDERED PERSPECTIVE (CHAPTER I, ISTANBUL CONVENTION)
2. MULTI-AGENCY AND MULTI-SECTORAL CO-OPERATION (CHAPTER II, ISTANBUL CONVENTION)
3. MULTI-LEVEL AND COMPREHENSIVE APPROACH (CHAPTER III, ISTANBUL CONVENTION)



6. COMPREHENSIVE AND COORDINATED RESPONSE

As already mentioned above, it is obvious that the response that each country provides in the fight against GBV is very different from one country to another. The legal treatment of GBV determines the kind of policies implemented to combat the phenomenon.

Hereunder the strategy or model that each country has adopted in the fight against GBV will be analysed using the criteria described to see the level of compliance, identify good practices and challenges. Based on this analysis, recommendations to improve coordinated and comprehensive policies will be issued.

6.1. NORWAY

6.1.1. Gendered perspective

Norway's legislation and national policy regarding violence against women is mainly gender neutral. The term most used within legislation and policy is violence in close relationships: "Norway is using the term violence in close relationships as an umbrella concept referring to physical, psychological, sexual and economical violence against women, men and children committed by a person in the family or someone the victim in other ways are closely related to. In addition, the concept covers female genital mutilation, honour-related expressions, unacceptable negative control and oppression¹⁴". However, the term gender-based violence is used in the revised Gender Equality Act (Article 24 a 26). Public authorities are obliged to prevent gender-based violence as a part of their duty to promote gender equality. The term gender-

¹⁴ Norway Baseline Report to GREVIO (GRE/Inf(2020)15), 2020:5

based violence refers to violence against women because she is a woman or affects women disproportionately.

Norway does not have a comprehensive law or strategic plan on violence against women that encompass all forms of violence against women. Its strategy to address violence against women is based on the design, implementation and evaluation of national action plans covering the different forms of gender-based violence. On that regard, it must be noted that the Norwegian government has promoted policies that cover a wide range of forms of VAWG. Action plans to combat domestic violence, rape, human trafficking, sexual and physical violence against children, forced marriage and female genital mutilation (FGM), or more recently including negative social control or internet-related abuse (this last still in elaboration) have been adopted. All these plans show a clear commitment from the Norwegian Government to tackle all forms of violence against women.

As has been already mentioned, the terminology most used by the different national action plans¹⁵ on the different forms of violence operate under the concept of violence in close relationships and the gendered nature of such forms of violence is not recognised. Although there is some recognition that the different forms of violence covered under each instrument affect women disproportionately, and even in some of these documents it is expressly stated that that particular form of violence is considered a gender equality problem, in general policy documents do not include definitions of violence against women, nor gender-based violence.

For example, the last National Action Plan in force on violence in close relationships (2014-2017) recognised that women were disproportionately affected by this form of violence, but the measures contained in did not target specifically women, neither contained a definition of violence against women or gender-based violence. This points to a trend with the previous national action plans, except the first one from 2000 entitled "Plan of action to Combat Violence against Women (2000-2003)".

In April 2017 the Norwegian Parliament (Storting) adopted¹⁶ the "Escalation Plan against Violence and Abuse (2017-2021)". The plan was a request from the Storting to the government to prepare a binding and comprehensive escalation plan to reduce the incidence of violence in close relationships, especially violence experienced by children and people, and strengthen the care of children exposed to violence and abuse. This escalation plan provides an overview over the current situation and set the course of action to overcome the challenges identified in the fight against violence and abuse. Still, the document does not include a definition of violence against women and girls, nor gender-based violence and does not recognise the gendered nature of domestic violence. The reference here points only to sex as a risk factor to domestic violence.

In other policy documents, such as the National Action Plan Action Plan against Negative Social Control, Forced Marriage and Genital Mutilation (2017-2020) or the Action Plan against Rape (2019-2022) such forms of violence are expressly considered a gender equality problem. The latter plan also includes measures to change men's and boys' attitudes and behaviours implying

¹⁵ National Action Plan Action Plan against Negative Social Control, Forced Marriage and Genital Mutilation (2017-2020), the Action Plan against Rape (2019-2022), Escalation Plan against Violence and Abuse (2017-2021), the National Action Plan on Domestic Violence 2014-2017.

¹⁶ Resolution 623, June 8, 2015. «The Storting asks the government as soon as possible to submit a proposal for a binding and comprehensive escalation plan that will reduce the incidence of violence in close relationships and strengthen the care of children exposed to violence and abuse, following the model from the escalation plan for mental health. The plan will ensure an interdisciplinary breadth of the measures, good coordination and a long-term commitment to increased funding and earmarked funds. "

that gender stereotypes may be at the base of the problem. However, once it has been settled that these forms of violence are a gender equality problem, neither document indicates clear measures for addressing structural inequalities and/ or gender inequality.

In contrast, Norway is known by its high levels of gender equality, as the rest of the Nordic countries, which have been achieved mainly through a sound gender equality policy which combines specific gender measures to address inequality (positive discrimination actions) with a gender mainstreaming approach, which “implies analysing issues from a gender perspective and aiming at more equal solutions¹⁷”. While specific gender measures are found in other areas of public policy (e.g. employment policies), in the field of violence against women such measures are less common.

Yet it must be noted that in later documents and plans, the trend can be seen turning again towards a more gender sensitive approach. This has been mainly in response to criticisms from civil society organisations. The National Action Plan Action Plan against Negative Social Control, Forced Marriage and Genital Mutilation (2017-2020) or the Action Plan against Rape (2019-2022) such forms of violence are expressly considered a gender equality problem and do refer to the Gender Equality legislation and policy.

In that sense, these plans shall be seen and implemented in the light of the aims of gender equality policy which consists of gender equality specific measures (positive discrimination measures) combined with a sound gender mainstreaming approach as an overall strategy to achieve gender equality. Despite these efforts, such link to an overall gender equality policy do not seem to necessarily translate into a gendered perspective of violence against women if no specific measures targeting women are included within GBV policy instruments. Gender mainstreaming seem to have operate in the opposite direction by introducing measures directed to men as subjects of protection and it is not clear either if this is at the expense of women’s needs.

Norway is known by its high levels of gender equality, as the rest of the Nordic countries. The perception that gender equality has been fully achieved in Norway is widespread and could be the reason for a gender-neutral approach of policies to tackle violence against women. The gender-neutral approach is underpinned in the notion that since gender equality has been achieved, it would be unfair, giving different treatment to women and men. Thus, men and women must be treated equally with regards to violence. While it seems to operate the perception that in other parts of the world where such gender equality is not a reality, a gendered perspective is deemed as necessary, as reflects the fact that Norway has issued several Foreign Policy documents focused¹⁸ strictly on violence against women and which clearly state that violence against women is perpetrated against women they are women, recognizing it is a structural problem related to social norms, practices and attitudes as form of control of women¹⁹.

As mentioned, most policy documents include measures targeting men and women where both are possible victims and perpetrators. Likewise, no specific measures aimed to empower women victims of gender-based violence or to address their specific gendered needs, have been identified. Measures implemented must rely on the conceptual understanding that violence against women is both the cause and a consequence of inequality between women and men to be able to produce changes in the structural factors that cause such violence. An example that

¹⁷ <https://gender.no/gender-equality/gender-mainstreamin>

¹⁸ For example, Norway’s International Strategy to Eliminate Harmful Practices 2019–2023 and Action Plan for Women’s Rights and Gender Equality in Foreign and Development Policy 2016-2020

¹⁹ Action Plan for Women’s Rights and Gender Equality in Foreign and Development Policy 2016-2020.

illustrates this is that many policy documents include among its prevention goals the need to change attitudes and behaviours, but most fail to target men, despite the fact that it is mainly men's attitudes and behaviours which need to be changed. Yet, the National Action Plan against Rape shows that turn towards a more gender sensitive approach in policy making, by including specific prevention measures aimed to change men's attitudes.

The legal and policy framework that define the support provided by the different support and welfare services, are also gender blind. Gaps have also been identified in interventions lacking a gendered understanding of violence against women. Missing to understand the gendered dynamics of power and control that occur in domestic violence situations may result in inefficient, but even, dangerous interventions. *"In the system for parental co-operation after a break-up, there is an expectation of two adequate parents who want each other and the children well²⁰".* But that may not be the case. It is well documented that many male abusers continue their abusive behavior towards women through their children. When family services fail to identify such violence during divorce proceedings for example, in many instances women are seen as non-stable and non-cooperative parents who want to prevent children to be with a "loving and caring father", ending with granting custody of the children to the abusive father. Professionals should have knowledge on the unequal power and control dynamics of gender-based violence and take into consideration gendered inequality and gendered patterns of vulnerability in order to provide helpful interventions and reduce secondary victimization.

Likewise, institutions should adapt the services offered and design specific measures, criteria or intervention pathways that contribute to eliminate the gender inequality. For example, none of the Labour and Welfare administration (NAV in its Norwegian acronym) schemes are specifically designed or aimed at women victims of GBV and this group is not considered a priority group or vulnerable group within the active employment policies. Adopting positive discrimination measures within NAV for women victims of gender-based violence would facilitate women's labour insertion earlier, promoting women's independence and facilitating her way out of a violent relationship. Training NAV officers on what is violence against women and its power dynamics, and raising their awareness on the topic, may enable for better detection of cases and for providing closer follow-up to such cases, trying to involve women in specific schemes that would contribute towards her independence and working in cooperation with municipal social services and the Crisis Centre in a coordinated individual plan that respects woman's recovery process, timing and the stage of change she is at.

Another weakness with regard to gender perspective policies is its fragmentation resulting from the different policy documents above-mentioned, rather than adopting a comprehensive law or national strategy on violence against women that englobe all forms of violence, providing a more comprehensive vision and linking all forms of violence with structural gender inequality. Measures scattered across different national action plans, and coordinated by different institutions do not contribute to address violence against women in a comprehensive manner, neither to understand the different forms of violence as expressions of gender discrimination. Although the more recent policy instruments issued expressly state their interest on providing coherence with other action plans, by establishing links to measures contained in other plans, there is a risk of lack of coherence and consistency. Integrating all national policy to combat violence against women under one overarching framework would ensure a comprehensive response and a common understanding of violence against women. Developing a national strategy on violence against women, and its operational plans to respond to the specific forms of violence against women, may be a suitable solution for Norway. Likewise, a single

²⁰ Bjørnholt, M. and Helseth, H. Vold i parforhold – kjønn, likestilling og makt NKVTS, 2019. Rapport 2. P. 81

coordinating body responsible to promote such comprehensive and coordinated strategy that encompass all forms of violence could be established.

The Government has announced the sixth national action plan solely focused on domestic violence which will apply for the period 2020 and 2024. The plan will help to meet the obligations of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), ratified by Norway in 2017.

6.1.2. Multi-agency and multi-sectoral co-operation

Norway has made considerable efforts to ensure a multi-agency and multi-sectoral approach. It has set up innovative multi-agency models at service provision level such as the Barnehus (Children's House), the Sexual Assault Reception Centres, and the pilot project (Project November), where several agencies meet under the same service to provide a coordinated and joint response. However, such multi-agency models are not systematic across all forms of violence against women neither across all sectors.

Co-ordination is deemed as necessary among all relevant stakeholders, and as such most national action plans encompass measures to improve coordination among agencies. The obligation for coordinating with other services is set forth in different laws²¹, but it is not recognised as an overall obligation applicable to all sectors to coordinate specifically with regard to violence against women. In that regard, the existence of a comprehensive law or national strategy along with the creation of a national coordinating body would facilitate the promotion of a co-ordinated intervention.

Gaps have been identified in relation to coordination among agencies and sectors, but also across the different levels of government. Domestic violence and sexual violence are the fields where more efforts to provide a multi-agency and coordination response have been made. Important shortcomings have been identified though.

In relation to domestic violence, the Crisis Centre Act provides the framework for a multi-agency coordinated response. Its purpose is to ensure a good and holistic crisis centre offer for victims of violence in close relationships, either in crisis situations and in the re-establishment phase, which includes 24-hours emergency protected accommodation and telephone services and day-care services. The law clearly establishes that municipalities are obliged to and responsible for providing comprehensive follow-up by coordinating the response provided by the crisis centre service with other public services. The Act also states that the services and facilities contained thereof may be provided as part of the coordination of an individual plan under other legislation (i.e., Social Service Act). The municipality shall ensure a high-quality service. To ensure that the crisis centre service deliver its services in accordance with this and other requirements laid down by law, an internal control system shall be established.

However, the Act is not very specific on how services should be provided neither develop protocols, guidelines or minimum standards that unify intervention criteria among all shelters nor specifies how coordination between shelters and other public services such as social services, housing, education and so on shall be established, or the roles and responsibilities of all agencies involved. Moreover, the Act places all responsibility to ensure such coordination on municipalities, but apart from the internal control system mentioned above (focused to monitor crisis centres service delivery), it does not clarify how or if municipalities will be monitored to comply with legislation. It only introduces the role of the County Governor to monitor, but it is unclear what powers the Governor has to enforce municipalities' compliance.

²¹ Health Care Act, Social Services Act, Police Act.

To address this, guidelines for the crisis centres have been issued on how services must be delivered. Another tool used within municipalities are the municipal action plans. Since 2007 municipal action plans on violence in close relationships have been promoted/recommended by the Government. The purpose of the action plans is to systematize and coordinate the municipalities' work in violence in close relationships. Guidelines²² on how to draft such actions plans have been issued and resources²³ have been made available for municipalities for training and technical assistance to help them in drafting such plans. Despite these efforts, there is evidence²⁴ that currently about half of the existing municipalities do not have action plans.

According to the guidelines mentioned above, a municipal action plan should facilitate both better service provision and a better service from the municipality's own bodies, and for improved collaboration and cooperation with non-municipal bodies and voluntary organizations. It defines two elements that the action plan shall have: on the one hand, a process that describes the working method and who the relevant participants are, and on the other hand, the planning work itself; developing goals and strategies with associated placement of responsibilities and follow-up. Moreover, it states that in most cases, a political decision is the basis for creating an action plan. In this sense, establishing the working method (protocols/procedure) among all agencies involved in the combat of violence against women cannot rely on a political decision. A multi-agency and multi-sectoral model require clear protocols and procedures, as well as coordination mechanisms/channels set by such protocols to ensure that coordination is institutionalized. Municipal actions plans that clearly define the working method and procedures for coordination among relevant institutions should be compulsory.

Additionally, the guidelines state that municipalities should draft holistic municipal action plans that involve in its development and implementation relevant agencies such as the health service, the social services / NAV, the child welfare service, the family office, the dental health service, kindergartens, schools, PPT and the police. It also recommends cooperating with specialist health service, among which are included crisis centres, abuse reception centres or incest centres along with other specialist centres for asylum seekers, disabled people, elder people, leaving it at the discretion of municipalities on which agencies to involve. The latter are key organizations to ensure that the needs of vulnerable groups of people are taken into consideration and met through the municipal action plans. However, specialist services for women victims of gender-based violence such as crisis centres, due to their prominent role and expertise, should always hold the same status as police, primary health care services or social services in the elaboration and implementation of municipal action plans against violence.

On the other hand, coordination of the crisis centres with other relevant agencies present in municipalities have steadily increased since the entry in force of the Act and most crisis centres coordinate with other services resulting in higher inter-agency coordination. Crisis centres have been key in establishing coordination with other services, seeking that collaboration proactively. However, such coordination is based on a case-by-case basis and formalized coordination agreements are still rare, even when municipal action plans are in place²⁵.

²² Veileder for utvikling av kommunale handlingsplaner. Justig-Og Politidepartementet, 2008.

²³ The 5 Regional centres on violence, traumatic stress and suicide prevention deliver training and provide technical assistance to municipalities for drafting such action plans.

²⁴ Sandmoe, A., and Nymoene, R.C. Kommunale handlingsplaner mot vold i nære relasjoner. NKVTS, 2019. Information also provided by RVTS staff during interviews.

²⁵ Bliksvær, T. et al. *Kommunenes krisesentertilbud - En kunnskapsoversikt*. Norland Research Institute, 2019.

There is little information on how crisis centres, and other services manage the re-establishment phase, what does it entail and their respective role in that²⁶, which needs to be defined either through amendments to the Crisis Centre Act or through the adoption of (compulsory) municipal action plans. The law's mandate is stronger than that of a municipal action plan, thus this option is perhaps best. At this stage, many women may require support from various agencies. For a comprehensive and coordinated response across sectors and to avoid confusing women along the process, there should be one professional of reference for women, responsible to coordinate the intervention among all intervening agencies which should be considered as different but well ingrained parts of a clockwork that functions precisely to support women. In the absence of specialised units on violence against women and the general lack of a gender perspective/specialisation on violence against women of most agencies, such a role should be assigned to the crisis centres in their capacity of specialist services in domestic violence and other forms of violence against women and its gendered understanding of the phenomenon, as part of their work as day counselling centres. Reinforcing the crisis centres structures could be necessary to assume this task.

In summary, a major shortcoming of the Crisis Centre Act is that it is more focused on the need to guarantee crisis centres service provision, rather than to ensure the proclaimed holistic service offer contained in. This last aspect should be further developed in order to finish the drawing of a holistic and coordinated multi-agency model at local level. To that end, the Act should name all agencies involved in the prevention of violence against women and its responsibilities, in addition to the obligation for setting up municipal action plans where collaboration of all agencies involved is operationalised. Such municipal action plans can comprehend two elements or levels of work: a procedural element where it is clearly defined the working methodology, responsibilities and specific tasks of the different agencies and support pathway, and a political element, with specific measures aimed to overcome or strengthen the system/network of support set by on the first part of the action plan.

In addition to municipal action plans, setting up coordination mechanisms in the form of VAW Municipal commission, roundtable or specialised team is necessary. In that regard, multi-agency teams specialised in violence against women could be set up that meet regularly to work coordinately. These teams should be composed of representatives from all the relevant agencies working in the field at municipal level and should at least include police, health services, specialist services working with victims of violence (crisis centres, sexual abuse reception centres, incest centres, etc.), social services/NAV and child protection services. There are initiatives in Norway of such specialised teams²⁷. This type of mechanisms contributes to reach a common understanding on violence against women and setting routines, procedures and tools for multi-agency co-operation. Such model has proved to be really effective when addressing complex issues in which several stakeholders' involvement is required, as close co-operation of all stakeholders involved in GBV cases, brings in many instances creative thinking to solve difficult problems. Multi-agency teams entail expertise and competence in different disciplines and areas of work. Thus, different perspectives and different solutions are put on the table. Likewise, an in-depth knowledge of all agencies' role, functions and powers may open opportunities for women victims of gender-based violence, as gaps may be identified by professionals working collaboratively. These multi-agency specialised teams may operate at two levels: handling cases in a comprehensive and coordinated manner, but also monitoring protocols and procedures and introducing the improvements required on the working system.

²⁶ Ibid.

²⁷ KORT team in Sør-Odal commune (Prosjekt barn og unge 2011 – 2014. Retrieved from: <http://slideplayer.no/slide/2619406/>) or Bodo.

Finally, municipalities' compliance with legislation should be supervised by a national body with competence and powers to ensure its enforcement. Once more, a national coordinating body with competencies on all forms of violence against women could be the appropriate body. Additionally, such a national coordinating body would ensure coordination between the local level of government and the national level, which is currently lacking.

With regard to sexual violence, as it has been already mentioned, the Sexual Assault reception Centres (SARCs) provide comprehensive treatment to victims of sexual violence. SARCs are multidisciplinary²⁸ emergency services targeted to adult victims of sexual and domestic violence²⁹ which provide emergency medical care, forensic examination to collect evidence, support to access legal advice and/or report to police, and information and counselling in cases of sexual violence. Its aim is to reduce health problems (in the short and long term) associated with sexual abuse and assault. Its multidisciplinary approach tries to provide a comprehensive response to victims and not to restrict SARCs services just to medical and forensic interventions. SARCs cooperate with other institutions, such as law enforcement authorities, prosecution, social services, etc. both during the acute phase (in which the victim may require support to, for example, formulate the complaint or require other emergency services such as emergency accommodation, in cases of domestic violence) and subsequent follow-up work (which may require long-term psychological treatment and social support to resettle outside the shelter, for example).

Coordination is particularly important in regard to the investigation and prosecution process, as SARCs can provide relevant evidence in the judicial process that may result in increased number of convictions. A basic training package for all SARCs staff has been developed, with specific contents on domestic and sexual violence. It also contains practical information on how to deal with sexual and domestic violence in the SARCs, that is to say, that it provides basic guidelines for professionals (for example, it explains how to perform the forensic examinations properly or how to provide psychological support in crisis). This type of training is held annually as part of a long-term training programme. Such training has been designed following the recommendations of the document entitled "Abuse Reception Centres. A guide for the health service³⁰" which provide guidelines on how to handle sexual violence cases. Ad hoc courses on specific topics are also offered, according to the particular needs and demands for training that SARCs professionals express.

At national level, inter-ministerial working groups have been created. Their role is to propose new strategies and measures as well as to coordinate and monitor the implementation of the current action plans on the different forms of violence. Four Inter-ministerial Working groups have been created: on domestic violence, on negative social control, forced marriage and female genital mutilation, on rape, and on human trafficking, chaired by different Ministries. The Inter-

²⁸ The SARCs model was imported from the United States, where the first centre of its kind appeared in the early 70s. The SARCs appeared to improve the health care provided to victims of sexual violence. As Hagemann (2010) explains, until the creation of the SARCs, victims had to pilgrimage from one service to another in different locations to receive proper assistance and health care. Usually, forensic examinations were conducted at the police office, but the victim did not necessarily receive health care and psycho-social support at that stage, having to seek help from other services, as already mentioned.

²⁹ SARCs were initially designed to attend victims of sexual assault. However, at a later stage its scope was broadened to deal with cases of domestic violence. SARCs are free of charge, self-referral services, that is to say, no prior referral from any other service is required, neither to have lodged a complaint.

³⁰ "Overgrepsmottak. Veileder for helsetjenesten", Social-og helsedirektoratet, 2007. Available at https://www.helsedirektoratet.no/retningslinjer/overgrepsmottak/Overgrepsmottak%20%E2%80%9320Veileder%20for%20helsetjenesten.pdf/_/attachment/inline/e7f7bbb5f-5320-4abc-80da-4d9581df984e:77064b651bc3532f607c15683a91020a3e9788d9/Overgrepsmottak%20%E2%80%9320Veileder%20for%20helsetjenesten.pdf

Ministerial groups have representatives from different Ministries and such representatives in many instances are present in all working groups. However, it is not clear if coordination among these groups is systematic to ensure national action plans consistency, its interconnection while at the same time not overlapping measures. All these working groups seem to offer a fragmented vision of the different forms of violence against women, which appear as isolated and differentiated forms of violence and hinders its comprehensive response. Such fragmentation is increased by its decentralised coordination among different Ministries. Centralising the coordination of the different action plans could help to provide the necessary consistency and overarching framework for the national policies in the fight against violence against women. Desirably, it should be one Ministry with competencies on gender equality which introduce gender perspective on policy. The Inter-Ministerial working groups are still necessary, but its function is as cross sectoral mechanism for coordination. Likewise, within each Ministry, similar mechanisms in the form of GBV Commissions or Teams could be created to promote, coordinate and monitor progress and fulfilment of the Ministry's responsibilities and competences assigned with regard to violence against women. These Commissions have a similar role to that of the Inter-disciplinary Teams proposed at municipal level. Its aim is to ensure proper and even implementation across the existing directorates/departments/units/services of the tasks and responsibilities assigned and monitor its adequateness, as well as identify gaps or needs. For example, these commission may identify the need of training for staff and coordinate or promote such training.

On the other hand, there is no representation from the regional or local level of government within the Inter-ministerial working groups. No coordination mechanisms have been identified where the local/regional administration and the national administration can work jointly and monitor progress of the implementation of the national action plans and the measures contained in. Neither exists coordination mechanisms to address the challenges arising from providing services to tackle violence against women or the shortcomings identified. According to the Istanbul Convention, and its explanatory report, national co-ordinating bodies requires monitoring of how effectively policies and measures are implemented at national, regional and local level. A national observatory on violence against women or commission with representatives from Ministries, the municipalities and the civil society, especially, women's organisations working in the field of violence against women and gender equality would be an appropriate tool to be able to identify current shortcomings and deficiencies of the system to prevent and combat violence as well as a fora for discussion between the local and national level. However, responsibility for monitoring municipalities and promote coordination at local level and across sectors ought to be assigned to the national coordination body.

6.1.3. Multi-level and comprehensive approach

The Norwegian current policy framework shows that the 3 pillars: prevention, protection and prosecution are addressed in the current national action plans and the previous NAP on domestic violence including measures on all three levels. All NAPs contain measures on prevention, including most of them separated sections with measures on training for professionals working in the field, but also with several measures on research and sharing knowledge. Likewise, protection measures and prosecution measures are included. However, the development of each pillar under the different action plans is uneven.

In general terms, the protection pillar is the one more developed under all national action plans. Most plans focus within this pillar on improving support services, by increasing the services available, reviewing guidelines used in services or issuing them, or reviewing the work made by specific agencies. Most measures are focused on specific services/agencies, not on how they all

should work together and from a gender perspective. On the other hand, it does not transpire that the apparatus of services available are conceived as a network, a well ingrained clockwork of which each agency is a part to support women effectively and comprehensively. It also lacks an overarching authority that supervise service provision and coordination across sectors at national and local level. Generalist services such as health services, municipal social services/NAV, etc. have not developed a specialized response to women victims of gender-based violence as for example setting specific pathways or criteria to meet their needs, nor specialisation on the different forms of violence against women with the creation of specialised units responsible for intervening on different forms of violence with its specificities.

Regarding prevention, Norway develops preventive measures through the implementation of National Action Plans aimed at primary, secondary and tertiary prevention, which is a positive aspect. Most national action plans target the education sector within their preventive measures, but the fragmentation in national policies and the lack of gender perspective when developing prevention measures makes difficult to know if such measures are really helping to change those attitudes that perpetuate and justify violence against women and sexism. In terms of training, research and sharing knowledge, the Norwegian Government has set up different competence and research centres, whose goal is to produce knowledge for its sharing as well as training and assistance to agencies working on the field of violence. It is also noteworthy the allocation of considerable funds for research projects that produce knowledge. Such knowledge serves as a basis for drafting national action plans and introducing improvements. Despite these efforts, gaps have identified with regards to training of professionals.

A. PREVENTION

As it has been already mentioned, all national action plans include preventive measures. In terms of primary, secondary and tertiary prevention, Norway's prevention action is comprehensive, amounting a long record of activities aimed at the three levels of prevention.

Norway undertakes several campaigns and information activities aimed to provide information about services available, facilitate victims' access to services and raise awareness among specific groups of population on the phenomenon. To this end, several campaigns have been promoted by the public authorities targeting young people or the Sami community, for example, but also on specific forms of violence such as forced marriage, FGM and negative social control. Specific information actions have also been directed towards immigrants and refugees such as including gender equality and violence and sexual assault among the topics covered in the introductory course they have to go through, as well as provide information on the topic in the centres/services that work with migrants and refugees, for example.

Prevention measures are also envisaged within the education system. Including within the school curricula contents on sexuality, gender, healthy relationships and boundaries, use of toxic substances, etc. and elaborating complementary resources to school contents for training students on violence prevention and healthy autonomous life skills or are some of the measures developed by the authorities. Additionally, information and raising awareness programmes on violence within primary and secondary school are developed by NGO's with funds from the Government.

However, from the limited materials reviewed³¹, no specific campaign or material has been identified that expressly address violence against women violence is mostly framed as a gender-neutral problem, related to in many instances with alcohol and where LGBTIQ or disabled populations, people with mental health issues, etc. are more vulnerable to experience violence.

³¹ For example, the contents from www.ung.no and www.jegvet.no

Combatting violence against women require change in sexist attitudes and the above-mentioned primary prevention activities do not seem to address the topic of gender inequality.

Training of professionals, as it has been already mentioned, is a common feature in all national policy documents on violence and abuse, encompassing several measures. The strategy adopted to train professionals is the creation of Competence centres within each sector, such as for example, the Regional Centres for Violence, Traumatic Stress and Suicide Prevention (RVTS) to provide training to different social services (Crisis centres or centres against incest and sexual abuse) on the topics of its expertise. Another pathway is introducing contents and creating teaching programmes related to violence within the basic education and training programmes for the health and welfare services. Despite these efforts, the need for training is acknowledged on these same documents, mainly regarding professionals from general services that must deal with victims of violence. One of the measures contained in the Escalation Plan on violence and abuse is to develop a national cross-sectoral competence strategy and as a basis for such strategy, an initial mapping of guides, training structures and needs of the different sectors and services that work on violence and abuse was developed. The main findings of such mapping³² were the need for training to professionals on how to handle cases of abuse and violence, its main features and how to identify cases as well as how to coordinate and cooperate with other agencies.

It has been identified that training programmes proposed are gender-blind and the focus in training is on providing knowledge about minority groups such as culturally and linguistically diverse population, disabled people, etc. as well as on understanding how certain living conditions explain violence and abuse (i.e. alcohol or poverty). Such policy training does not only fail to explain violence against women as an expression of gender discrimination rooted in gender inequality, but it cancels any reference to its gendered nature to be explained in terms of a phenomenon linked to vulnerable groups, such as migrants and ethnic minorities. This aspect is problematic since it may increase the risk of discrimination against these groups and it hinders the possibility that many women from Norwegian ethnic background or medium and high-level socio-economic status identify gender-based violence experienced or are identified as GBV victims by professionals, as it is seen as a problem associated to migrants and to Norwegians affects. On the other hand, it is not clear whether that attention to minority groups take into consideration the intersecting forms of discrimination migrant women, disabled women, women with mental health issues and so on experience, nor their specific needs.

The existence of multiple competence structures or centres providing training on violence and abuse from different sectors makes difficult to understand the overall competence structure and who is doing what. The multiplicity of competence centres working on violence and abuse may lead to a sort of competition for resources, instead of collaboration across sectors to build up training programmes that really contribute towards a multi-agency and multi-sectoral approach. For professionals to really grasp what coordination and comprehensive response is about, it is key to ensure that such vision is transmitted through training to professionals. Only by knowing the role each service plays, its institutional cultures and routines and its legal and procedural constrains, will it be possible to build up such multi-agency coordination and comprehensive response. However, it must be noted, that in order to guarantee a multi-sectoral comprehensive and coordinated response, training is one of the necessary elements, but not the main one. Only by training individuals and services on how to better coordinate, can one achieve multi-sectoral coordination. It requires coordination protocols or guidelines, clear rules

³² Røsdaal, T. et al. (2019). *Kompetanse om vold og overgrep i nære relasjoner: innledende kartlegging av føringer, opplæringsstrukturer og kompetansebehov*. NIFU. Rapport 2019:26. Available at: <https://nifu.brage.unit.no/nifu-xmlui/bitstream/handle/11250/2649896/NIFURapport2019-26.pdf?sequence=1&isAllowed=y>

setting responsibilities, coordination mechanisms for joint work of the different agencies across sectors and overall coordination from an authority with powers at national level to promote multi-sectoral coordination.

With regards to secondary prevention, Norway has developed interesting initiatives within the health system such as the Early intervention mental health, substance abuse and violence programme where universal screening has been incorporated to ensure early detection of situations of gender-based violence or the Parental Guidance Programme, a health promoting and preventive programme for parents with children under which parents acquire non-violent parenting styles. In contrast, no information is available on how or if universal screening of violence within the general health system is applied for early detection, and not limited to pregnant women. Recent legal amendments to the Health and Care Services Act, Specialist Health Services Act and in the Dental Health Services Act has been made to reinforce and clarify the role of health care services with regard to detection, prevention and averting violence, abuse and sexual assault. However, no national guidelines or screening tool has been issued to ensure all health services have the same tools for prevention and systematize the procedure across Norway. The health sector is key for early detection of cases of gender-based violence. The health system is one of the first, if not the first, entry point of the system for women experiencing violence. There is scientific evidence that in general, women victims of violence use health services more frequently than average population and identifying cases at an early stage could prevent further violence and that situation deteriorates. Thus, universal screening tools and guidelines should be readily available. A 6 to 8 hours online course on violence for all health practitioners is available to train GPs and other staff to detect violence, treat them and document injuries.

Regarding tertiary prevention, it must be noted that Norway has been one of the first European countries to promote perpetrators programmes. There are several treatment programmes available for offenders:

- Alternative to Violence Foundation treatment programme.
- Brøset Competence Centre's Anger management programme.
- Reform Resource Centre for Men, Anger programme.
- Family Counselling Services' treatment programme.

However, it must be noted that most of these programmes are cognitive-behavioural programmes focused on anger management which do not address attitudes and beliefs that support gender-based violence such as gender roles and stereotypes, gender inequality and power and control. Only Alternative to Violence works from a gender perspective.

B. PROTECTION AND SUPPORT

Norwegian legal and policy framework has progressively developed to improve protection and support for victims of domestic violence, as well as other forms of violence against women, displaying a wide range of support services for victims of domestic violence and sexual violence. Other forms of violence such as forced marriage or female genital mutilation also receive support, but the offer of services is less developed. It's main challenge, as already mentioned, is to improve multi-agency co-ordination and co-operation at sectoral level and across the different levels of government. Another challenge to overcome within the protection and support area is the lack of specialised responses adapted to women's needs from the different agencies involved. Staff from social services, child protection services, police, healthcare, etc. must have proper training to identify and handle cases of violence, that shall be referred to the

specialist services. In addition to training, specialised units, focal points or similar mechanisms should be set up within agencies as a way of internalizing the specialization of the institution.

Among the protection measures that international standards recommend ensuring victim's immediate protection from further violence are emergency barring orders and protection orders, which Norway introduced already in 1995. Section 222a) of the Criminal Procedure Act regulates the "Ban of visits and residence" which contains two elements: visit and contact prohibitions and eviction orders. The police (as prosecuting authority) can impose these coercive measures if there is reason to believe that a person would otherwise commit a criminal act against another person, pursue another person, otherwise violate another's peace, or commit disorderly conduct that is particularly burdensome to another person. Such orders can be extended to protect other people in addition to the victim. Both victims and perpetrators must receive in writing the emergency restraining order. The perpetrator may contest the order, in which case, the prosecuting authority shall have to bring the case before court within a maximum period of 5 days. For eviction orders, cases must be brought before the court always, irrespective of whether the alleged perpetrator contest the order or not. In the event that police decide not to impose an emergency restraining order, the victim can also contest that decision in court. These measures can also be imposed by a court as part of a sentence to perpetrators (Restraining or protection order). Breaches of the order is a crime and can lead to imprisonment sentences. Thus, as it is, immediate protection to women victims of gender-based violence is provided through emergency orders.

The Criminal Code also contains provisions (since 2013) on the use of electronic monitoring control devices to monitor compliance of perpetrators with ban on visits, which according to international experience is considered a good practice since the burden of the movement limitation is on the perpetrator instead of in the victim. However, reports indicate that this measure is clearly underused due to several limitations, but as it stands out, one of the main causes is the lack of knowledge of the law by many stakeholders, but mainly the lack of an "overarching national governance and common national guidelines for how the scheme should be introduced", how cooperation between agencies should take place and what tasks to be attended by each agency³³. *"Good thoughts come from the Police Directorate, but little guide. When all police districts are making their own policies, there will be a lot of double and extra work."* (NOVA, 2019: 53).

Likewise, one of the tasks assigned to police is to conduct risk assessments for domestic violence cases, but also for cases of honour-related violence, for which risk assessment tools have been adopted (SARA for DV cases and PATRIARK for honour-related violence). Police officers have been trained to use the risk assessment tools. SARA³⁴ coordinators, whose role is to ensure that performance of risk assessment and risk management in DV cases is coordinated, and SARA officers, whose role is to follow-up domestic violence cases, have been appointed in all police districts. In every police district has been appointed a Family Violence Coordinator, whose role is to provide information, advice and guidance on the investigation of domestic violence cases to other police officers as a way for them to acquire through the Family Violence Coordinator the necessary expertise to deal with this complex issue. In the more populated areas such as Oslo, Domestic Violence teams have been created. Additionally, an effort has been made to increase the number of dedicated personnel in all police districts to investigate violence and sexual cases to reduce the rotation of staff in such sensitive cases.

³³ Dullum, J. «Omvendt voldsalarm» En evaluering av kontaktforbud med elektronisk kontroll (straffeloven § 57) i saker om vold i nære relasjoner. NOVA Rapport 15/20.

³⁴ The scheme of SARA coordinators was officially established in the police districts in 2002.

According to Police reports, due to time and human resources limitations not all cases of domestic violence are assessed, which is a real problem in terms of securing victims' safety from further violence. The November Project, which has now been incorporated into the organisation of the Oslo Police District, does not work from a gendered approach, even though according to their own statistics, most of the victims assisted by the interdisciplinary team are women.

In terms of social support, as it's been already described, the Crisis Centre Act enshrines the obligation to provide support services to DV victims through crisis centre services and other public services, which need to coordinate among them. Despite its gender-blind legislation, crisis centres (shelters) have a gendered understanding of violence against women. Many of them are run by feminist/women's NGOs with extensive experience in assisting women victims of gender-based violence. Cooperation and involvement of women's organization at all stages is considered necessary to deliver relevant services for women. However, as it's been pointed out in the section on Multi-agency response, the model offered by the Crisis Centre Act needs further development to become the model of inter-institutional cooperation and coordination outlined in the law. All agencies involved at municipal level in delivering protection and support services to victims of violence should be seen as a network of agencies interconnected, where information flows from one node to another through the entire network, and in which all work towards the same end. For that to happen, functioning protocols and coordination mechanisms need to be established, as has been pointed out in Section on Multi-agency response. It must be noted that Norway far exceeds the Istanbul Convention on the number of shelter places required (1 place per 10.000 inhabitants), with 1.146 existing numbers of beds compared to the 530 required³⁵.

A comprehensive protection and social support require that all forms of violence against women are addressed. Norway deploys a comprehensive response in terms of social support, covering other forms of violence such as sexual violence, with a wide network of Sexual Assault Reception Centres (emergency) and Sexual Violence Survivors Centres (non-emergency). The Sexual Assault Reception Centres have been described above.

The Sexual Violence Survivors Centres are low threshold support services for adult victims of rape, incest and / or sexual abuse in childhood, as well as for relatives of children at risk of sexual abuse, although some centres also provide direct services to children in addition to information and teaching activities. The centres are open for both men and women. 84% of their clients are women though. The Centres provide free support, advice, guidance, and especially self-help groups on which relies much of its work. These centres are run by NGOs that receive funding from the municipalities and state grants through the Directorate for Children, Youth and Family Affairs (Bufdir). Its work is complementary to the Sexual Assault reception Centres, focused on urgent medical health care and forensic examination with which are coordinated and cooperate on individual cases. Cooperation with mental health care services, Labour and Welfare administration (NAV), Child Welfare Service, Children's Houses and Family Counselling Service is also common.

Additionally, Norway has set up Children's Houses (Barnahus), a multi-agency and comprehensive service to address child sexual abuse and domestic violence in which police, health services, child protection, defence lawyers and magistrates come under the same roof to co-operate. Its purpose is to improve the care and treatment of child victims of sexual abuse or domestic violence and to facilitate the reporting to police, investigation, and prosecution of such crimes, avoiding secondary re-victimizing children with various examinations and interrogations.

³⁵ Data from WAVE Country Report 2019. https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf

Services provided under the Children Houses are joint police and judicial investigative interviews, forensic examinations, psychosocial treatment and follow up, advice, guidance and networking and professional development, training and awareness. The Houses are managed by interdisciplinary teams with experience and training in sexual and domestic violence. Currently there are 11 Children's Houses in Norway.

Norway has also established protected accommodation and specialised support to victims of forced marriage and honour related violence for young people under 18, and for victims over 18 years of age through national housing and support services³⁶. Although housing is limited to a few municipalities, the Directorate for children, Youth and Family Affairs allocates places. NGO's running safe housing and support services work in cooperation with police, who conduct risk assessments and implement protection measures according to the level of risk assessed.

Finally, the Family Counselling services are free, low-threshold centres for families. They provide advice, guidance, counselling and mediation services to families in conflict. Hence, it is not uncommon for these centres to detect cases of domestic violence, especially if it is considered that one of its functions is to facilitate statutory mediation in cases of legal separation. These centres also deal with children exposed to violence and facilitate treatment programmes for perpetrators. There are 49 Family Counselling centres in Norway. Approximately two thirds of the centres are managed by the National Directorate for Children, Youth and Family (Bufdir). The remaining third are run by religious foundations through agreements with the central authorities. As the Government informs: *"In recent years, the Family Counselling Service has reinforced its work and competence on domestic violence. Today, all offices should be able to identify and handle violence issues when meeting with families. The Family Counselling Service has established a centre of expert knowledge on domestic violence, which offers professional guidance and training for employees in the Family Counselling Service"*³⁷. Despite this, it is not clear their role since they register mediations in cases where there had been violence in the family (2.136 in 2019 according to the Norway Baseline Report to GREVIO).

An important channel for information to victims of domestic violence on their rights and support services available is the recently created Violence and Abuse Hotline, which provides information, advice and support to people experiencing violence or abuse in close relationships. A specific helpline for victims of sexual abuse does exist, as well (not 24 hours, though). The Red Cross operates a helpline about forced marriage and Female Genital Mutilation (FGM), in addition to the information service that the Expert Team against Forced marriage and FGM provides. Additionally, the "Alarmtelefonen", a helpline for children and young people who have been exposed to violence, abuse or neglect by their parents / caregivers. Child victims of forced marriage and female genital mutilation can also seek help through this helpline. The service is free and operates on weekdays from 15:00 to 8:00 of the next day. Saturdays and Sundays operate 24 hours. The Ministry of Children, Equality and Social Inclusion is responsible for this service.

Also, a specific website for domestic violence and sexual assault was created in 2015: dinutvei.no. The website provides information on the topic, including support services at local level.

Another deficiency is that services/measures aimed at economic independence of women are not so developed. Norway is exploring in which way NAV, the social security and employment agency can better support women victims of gender- based violence, but to date, no specific measures have been implemented to procure women's economic empowerment and

³⁶ Norway Baseline Report to GREVIO, 2020:49. (GREVIO/Inf(2020)15)

³⁷ Ibid.29.

independent housing. Even though the Norwegian welfare system is really well developed and vulnerable groups receive social and labour insertion support as well as economic benefits, women victims of gender-based violence, are not considered as such, thus, it is not prioritised within the NAV and social services framework. NAV's criteria need to be reviewed in order to adapt and provide specific response to these groups of women. The review to be undertaken with regard to NAV's role is an opportunity to redress this issue and include specific measures towards women's empowerment.

C. PROSECUTION

Comprehensive prosecution is not limited to include relevant criminal legal provisions, but it also entails to implement measures to ensure effective investigation and judicial proceedings and in due time, which will contribute to secure vital evidence, enhancing rate conviction. Victim's rights must be guaranteed throughout the whole judicial process undertaking protection measures to prevent secondary victimization. To that end a gendered understanding of violence against women is required as well as specific protection and assistance measures within procedural legislation.

In 2005 the General Civil Penal Code was amended to include a separate article on domestic violence: section 219. Article 219 introduces two key aspects: to consider violent acts within the family as an offence, specifying the type of family relationship in which the law applies to that crime, and considering gross maltreatment or repeated abuse, i.e., there is a pattern of violence that continues over time, as characteristics of this type of violent crimes. The Penal Code regulates psychological violence including threats and coercion, and physical violence under several articles.

The Penal Code also defines stalking (article 266), Female Genital Mutilation including preparatory acts to female genital mutilation (Article 144-A), forced marriage (article 154-B), rape/sexual assault/aggravated sexual assault (articles 291 to 293) and sexual harassment (article 266 and 298), forced marriage (article 253), female genital mutilation (article 284). The crimes of forced abortion and forced sterilisation are encompassed by the general provisions of the Penal Code on violence crimes, including section 274.

Another measure introduced in the field of justice from February 1, 2013, is the use of monitoring electronic devices for perpetrators. Such devices can be imposed by judicial order and only as a result of a judicial sentence. Its purpose is to ensure that protection orders are not breached.

Victims of domestic and sexual violence are entitled to free legal aid to facilitate victims' participation in criminal proceedings that enables to obtain restitution. Victims' legal counsel is responsible for looking after their interests while the prosecution and the police are responsible for investigating, pressing charges and prosecuting violent crimes. For compensation cases against the perpetrator, free legal aid is granted to victims without means testing.

Another legal reform undertaken to improve the protection of victims is unconditional prosecution (introduced in 1988) in cases of domestic violence. Public prosecution can go on with charges, even in cases where the victim withdraws the complaint.

Victims of violent crimes who have been injured (including domestic violence, sexual assault, forced marriage and female genital mutilation) are entitled to financial compensation from the State. It is not required that the offender is convicted, but the crime must be proven, reported "as soon as possible" and a clear connection between the criminal act and the injury must exist. A notable feature of the compensation scheme is that children can access in their personal capacity to the compensation scheme. Victims are entitled to have a legal representative for

victims appointed pursuant to section 107 as of the Criminal Procedure Act. The legal representative for victims shall safeguard the interests of the victims and may assist, among other things, with filing a claim for compensation.

6.2. ROMANIA

6.2.1. Gendered perspective

In Romania, gender equality is a fundamental principle of human rights regulated by the law, with a wide application in various fields of activity with important economic, social, political, and cultural implications.

The Constitution enshrined these principles in Title I General Principles and in Title II, Fundamental Rights, Freedoms and Duties:

- Art. 4, paragraph 2 Unity of the people and equality between citizens: "Romania is the common and indivisible homeland of all its citizens, regardless of race, nationality, ethnic origin, language, religion, sex, opinion of political belonging, wealth or social origin".
- Art. 16 para. (1) Equality in rights: "Citizens are equal before the law and public authorities, without privileges and without discrimination".
- According to Art. 22 of the Romanian Constitution "the right to life, as well as the right to physical and mental integrity of the person is guaranteed" ; in accordance with Art. 26 of the Constitution "The public authorities shall respect and protect the intimate, family and private life" and "Any natural person has the right to freely dispose of himself unless by this he causes an infringement upon the rights and freedoms of others, on public order or morals".

Besides the Romanian Constitution, the principle of equal opportunities and treatment between women and men is enshrined both at the legislative and public policies levels. This principle is regulated by Law no. 202/2002 on equal opportunities and treatment between women and men, republished, amended and supplemented, which provides for the measures to promote equal opportunities and treatment between women and men in all spheres of public life in Romania and defines terms such as: equal opportunities between women and men, discrimination on the grounds of sex, direct or indirect discrimination, harassment and sexual harassment, equal pay for work of equal value, positive actions, multiple discrimination, sex, gender, gender stereotypes, gender-based violence. This law contains also specific chapters in which the measures regarding the respect of equal opportunities and treatment between women and men in the labour market, participation in decision making, education, elimination of gender roles and stereotypes are presented.

At the same time, the Government Ordinance no. 137/ 2000, republished, regulates the prevention and sanctioning of all forms of discrimination, including the discrimination on gender criteria.

The most effective instrument for achieving equality between women and men is the integration of the gender perspective in all the policies and programs developed at national and local level. In order to implement the gender mainstreaming approach, especially designed tools and specialized human resources are needed. In this respect, Law no. 178/2018 amending and supplementing Law 202/2002 on equal opportunities and treatment between women and men (regulating the concept of gender-based violence) regulates measures for the promotion of equal opportunities and treatment of women and men, in order to eliminate all forms of gender

based discrimination in all spheres of public life in Romania; it also regulates the general legal status of the profession of "Equal Opportunities Expert", as a new and efficient tool that public and private institutions with over 50 employees will be able to use, by hiring a person with specific attributions in the job description, in the field of equal opportunities. One of the main tasks of the gender equality expert consists in analysing the context of the occurrence and evolution of the phenomenon of gender discrimination as well as the non-observance of the principle of equal opportunities for women and men and the recommendation of appropriate solutions for the observance of this principle, and formulating recommendations / observations / proposals to prevent / manage / remedy the context of risk that could lead to violation of the principle of equal opportunities between women and men, while observing the principle of confidentiality.

During 2018, the National Strategy for the Promotion of Equal Opportunities and Treatment for Women and Men and Preventing and Combating Domestic Violence for the Period 2018-2021 and the Operational Plan for its implementation were approved through GD no. 365/2018. The new strategy benefits from an integrated approach, focusing on the two pillars regarding both areas of NAEO activity. The elaboration of the strategy was carried out with the collaboration and in consultation with all the relevant actors in the field: representatives of the civil society, ministries with attributions in the field, representatives of the associative structures of the local public administration. Thus, the strategy provides for measures to ensure the gender mainstreaming in all aspects of public life.

It is worth mentioning that the principle of equal opportunities and treatment for women and men was also promoted within the Governance Program 2017-2019, under the chapter "Respect and Dignity for Women".

Regarding violence against women, its action has focused on domestic violence, with the passing of the Domestic Violence Act (DV Act), while no specific legislation on other forms of violence against women exists. Its public policy (National Strategies and Operational Plans) has focused mainly on domestic violence, although the current strategy has included among its measures the development of a National Strategy on Sexual Violence. While the DV Act is gender-blind, the strategy aims to adopt a gendered approach to the public policies to combat DV. However, further steps need to be taken to ensure a mainstreamed gender perspective across sectors and institutions working in the field.

The Romanian parliament passed in 2003 the 217/2003 Act, for preventing and combating domestic violence (hereinafter Domestic Violence Act), amended in 2012, but also in 2018 and 2020 to include provisions to comply with the Istanbul Convention standards. Although the concept of gender-based violence is included in Romanian legislation since 2018 by amending the Gender Equality Act, most measures and programmes developed are focused on domestic violence, and not only for DV committed against women, but also for men.

The different forms of violence that are referred to in the Convention are classified as criminal offences, under the Criminal Code of Romania. Furthermore, the domestic violence is now defined by the Law no. 217/2003 in full compliance with Article 3 of the Convention: "domestic violence refers to any action or omission to act intended by physical, sexual, psychological, economic, social or spiritual violence, which occurs in the family or domestic environment or between spouses or former spouses, as well as between current or former partners, regardless of whether the aggressor lives with or lived with the victim". All forms of domestic violence are covered by this law: verbal, physical, psychological, sexual, economic, social and spiritual.

At the same time, the Law nr.178/2018 introduced the concept of "gender-based violence" as follows: "gender-based violence is the act of violence directed against a woman or, as the case

may be, a man and motivated by gender. Gender-based violence against women or violence against women represents any form of violence that affects women disproportionately. Gender-based violence includes, but is not limited to, domestic violence, sexual violence, genital mutilation of women, forced marriage, forced abortion and forced sterilization, sexual harassment, trafficking in human beings and forced prostitution.

Regardless of these recent developments, the Domestic Violence Act still does include a definition of gender-based violence, and it includes both men and women as subjects of protection. As it is, the Law in its Article 1.1 states that “The protection and support of the family, the development and strengthening of family solidarity, based on friendship, affection and the moral and material mutual assistance of family members, constitute an objective of national interest” and in its paragraph (2) declares: “Preventing and combating domestic violence is part of the integrated family protection and support policy and is an important public health issue”. It does not acknowledge the gendered nature of domestic violence but subscribes itself rather to a family-protection approach, thus it lacks a gendered perspective.

Despite the standard’s general neutral approach pertaining to gender, in its initial drafting there was an exception to the rule, which established as a constitutive element of the crime of domestic violence the act to “prevent women from exercising their rights and freedoms.” This provision has disappeared from the Domestic Violence Act. However, in its current drafting new provisions to provide a gender approach has been included. Equal opportunities and equal treatment for women and men has been included as one of the principles of the Act (Article 2.f); county commissions for equal opportunities have the obligation to promote an integrated approach to the principle of equal opportunities between women and men, in order to prevent and combat domestic violence; and ANES must ensure coordination with other ministries in relation to the integration of a gender perspective in all policies, programs and research in the field of artificial intelligence, in order to avoid the potential risks of technology that perpetuates sexism, gender stereotypes and cyber violence.

Likewise, in the development of a Law against violence, the Government of Romania has adopted several strategies for preventing and combating the phenomenon of violence: the first policy that took place was the National Strategy covering the years 2005-2007³⁸ and the Action Plan for its implementation, which was followed by the National Strategies for the periods 2008-2013³⁹ and 2013-2018⁴⁰.

In 2018, the National Strategy for the Promotion of Equal Opportunities and Treatment for Women and Men and the National Strategy for Preventing and Combating Domestic Violence merged resulting in a unique document with an integrated approach, since it covers both issues, gender equality and domestic violence according to ANES’ areas of activity, for the Period 2018-2021⁴¹.

Measures included in the National Strategy on domestic violence aim to strengthen the legislative framework in the field of preventing and combating domestic violence, to develop appropriate victim support and protection services, to prevent domestic violence and sexual violence and to monitor and evaluate the activities undertaken. The strategy adopts a comprehensive approach by including prevention, protection and prosecution measures, but fails to address all forms of violence against women in a comprehensive manner, focusing mainly

³⁸ Strategia națională în domeniul prevenirii și combaterii violenței în familie și Planul de măsuri pentru implementarea acestora în perioada 2005- 2007, aprobat prin Hotărârea de Guvern nr.686/2005.

³⁹ Strategia națională pentru prevenirea și combaterea fenomenului violenței în familie pentru perioada 2008-2013.

⁴⁰ Strategia Națională de Prevenire și Combatere a Violenței în Familie pentru perioada 2013 – 2018

⁴¹ The Strategy was approved by Government Decision 365/2018 and included its Operational Plan for its implementation.

in domestic violence, and secondarily on sexual violence by assuming the commitment to develop a national strategy on sexual violence.

By merging the two National Strategies on gender equality and domestic violence into a single document, demonstrates the Romanian government's intention to introduce a gendered approach on the domestic violence public policies. However, upon closer review, some deficiencies have been identified in terms of gendered perspective.

The Strategy does not clearly adopt a definition of violence against women, nor include specific measures targeting women, except for one aimed to promote equal opportunities on the labour market⁴². The Strategy aims to strengthen the legislative framework in the field of preventing and combating domestic violence and all measures contained in are directed to domestic violence victims, which according to the legislation can be both, women and men. Yet, the strategy adopts a human rights approach recognizing the obligation of the State to protect and support victims with due diligence to help them to overcome the consequences of such violence and, implies some links between domestic violence and gender-based violence, where women, as well as children and the elderly, are more vulnerable to experience violence in the family context, but not expressly between domestic violence against women and gender inequality. Even though the situation of gender inequality is clearly exposed within the Gender Equality Pillar of the Strategy, portraying domestic violence against women as a problem of vulnerability rather than a matter of unequal power between women and men, does not render fully and unequivocally an understanding of violence against women based on gender. Thus, the Strategy should link clearly domestic violence against women with the existing structural gender inequality to success in the adoption of a gendered perspective.

As a remedy, the strategy, as it happens with the DV Act as well, includes as one of its guiding principles, the principle of non-discrimination and equal opportunities and treatment between women and men, according to which requires actors who manage cases of domestic violence, to adopt fair, impartial and non-discriminatory behaviour, regardless of race, sex, religion, nationality, political affiliation, wealth or social origin, towards all citizens. It also includes the principle of abuser accountability, which requires measures to raise awareness of the aggressor with a view to their own rehabilitation and social reintegration on the basis of the promotion of positive social relations based on non-violent behaviour and acceptance of diversity. The danger to not providing clear definitions on violence against women and its structural causes, it that within the legal and policy framework is not clearly underpinned the fact that women are those experiencing discrimination, and thus, the principle of equal opportunities should be interpreted in that light. On the contrary, confusion on definitions, may lead to interpretations that men must be protected in the same way than women, as they experience violence to the same extend in terms of frequency and severity, and result in inadequate estimations of the real needs of support for women. In terms of service provision, most services are for both, men and women, with the exception of services run by women NGO's and approach violence against women from a gendered perspective.

Romania should pursue its efforts in introducing a gender perspective in the Domestic Violence Strategy by clearly linking violence against women with gender inequality and include appropriate definitions, as well as positive discrimination measures targeting women's specific

⁴² II. DEVELOPING ADEQUATE VICTIM SUPPORT AND PROTECTION MEASURES, 3) f) Stimulating the promotion of equal opportunities on the labor market through the development of entrepreneurial and managerial skills of women, victims of domestic violence

needs. However, the recent developments are a step in the right direction to achieve a gendered approach in the fight against gender-based violence.

The reinstatement⁴³ of a national co-ordinating body, the National Agency for Equal Opportunities between Women and Men⁴⁴ (ANES in its Romanian acronym), responsible for developing, coordinating and implementing the Government's strategies and policies in the field of domestic violence (Article 8.5) is also a positive step, since ANES is also responsible to ensure the inclusion of gender perspective in all policies, programmes and research services (Article 8.7), as well as to monitor local interinstitutional cooperation to prevent and combat domestic violence and provide methodological guidance and coordination for the effective provision of services to victims of DV (Article 8.3). Its current organization and functions comply with international standards (Article 10 of Istanbul Convention) and will surely contribute to install a gendered approach to all policies and across institutions provided it is strengthened and well resourced.

6.2.2. Multi-agency and multisectoral co-operation

The Romanian legislation and policy establish a good framework for multi-agency and multi-sectoral response in Romania, but in practice it has been identified a weak inter-institutional coordination and collaboration between the different services, where if there is coordination, it is in many instances at individual level and case-by-case basis. It is assumed that since coordination is mandated by law, there is no need to establish multi-sectoral and inter-institutional coordination mechanisms.

It is also noteworthy pointing out that regarding coordination and/or cooperation with courts no mentioned is made throughout the DV Act nor the policy documents analysed. Thus, it is not clear if there is any interaction at all between the protection and support services and courts, that may assist the latter ones improving the court assessment and knowledge of specific DV cases, and thus, protecting women and children more effectively. On the other hand, if a court adopts a Protection Order, police must be informed, to implement the necessary protection measures. However, if police do not coordinate with other institutions, and vice-versa, there may be situations of increased risk that it is unknown to the responsible agencies for protecting women.

Gaps have also been identified with regards to coordination across the different levels of the administration.

The Domestic Violence Act lay down the features of the multi-agency and multi-sectoral response in Romania. The DV Act includes as one of its guiding principles, the principle of integrated approach. Consequently, it recognizes the role of the central and local public administration authorities, setting specific responsibilities at both levels and across sectors, involving different Ministries, but also the role of non-governmental organizations and the civil society in preventing and combating domestic violence (Article 8.2), where cooperation among these institutions is envisioned. Thus, it affirms the societal responsibility in tackling DV.

⁴³ ANES was created in 2020, but during the financial crisis its activity was suspended and downgraded to a directorate between 2010 and 2015. Its present organization, functions, responsibilities, and fields of work are enshrined in Government Decision № 177/2016 regarding the organisation and functioning of the National Agency for Equal opportunities between Women and Men. <http://anes.gov.ro/wp-content/uploads/2017/09/HG-177-din-2016-organizare-si-functionare-ANES.pdf>

⁴⁴ ANES was created in 2020, but during the financial crisis its activity was suspended and downgraded to a directorate between 2010 and 2015. Its present organization, functions, responsibilities, and fields of work are enshrined in Government Decision № 177/2016 regarding the organisation and functioning of the National Agency for Equal opportunities between Women and Men. <http://anes.gov.ro/wp-content/uploads/2017/09/HG-177-din-2016-organizare-si-functionare-ANES.pdf>

It stipulates the responsibilities of the diverse institutions/agencies, among which ANES plays a key role in terms of inter-institutional coordination across sectors and levels of the administration, as well as in the overall coordination of the Domestic Violence public policies, as it has been already explained above. ANES is also responsible to manage the national database on victims and perpetrators who benefit from existing social services (Article 8.6).

In addition to ANES, the coordinating body at national level, in 2016 an Inter-ministerial Committee for Preventing and Combating Domestic Violence was set up which aim was to ensure the implementation of the Istanbul Convention through the cooperation of all relevant actors in the field, including the civil society.

In general terms, central and local public authorities must take all necessary measures to prevent domestic violence to avoid cases of repeated violation of fundamental rights of DV victims, by providing information and education programmes on how to prevent, avoid, recognize and report cases of violence; ensure victim's exercise of the right to information with regard to DV support services available, where to file a complaint, the right to legal assistance and where and how to apply for free legal aid, the procedural rights of the injured party, victim's State financial compensation scheme and how to apply for a protection order and the measures that may contain a provisional protection order and/or a protection order; to collect relevant data disaggregated and regular statistics on cases of domestic violence with the aim to monitor the functioning of social services for victims as well as to study the causes and effects of DV. Such data are centralized by ANES, which is required to conduct annual national study with information disaggregated by counties.

It also set the responsibility of Ministries and other central specialized bodies of the public administration for developing a national strategy for preventing and combating the phenomenon of domestic violence, including an internal mechanism for coordinating and monitoring the activities undertaken, which is approved by Government decision, at the proposal of the Ministry of Labour and Social Protection, the Ministry of Internal Affairs and the Ministry of Public Works, Development and Administration. As a result, an Inter-Ministerial Working Group was created to that end.

By sectors, the Act assigns specific duties to the Ministries responsible for the fields of labour and social protection, education, health and infrastructures and communication.

The Ministry of Labour and Social Protection is assigned the role of elaborating the social assistance policy and promote the rights of victims of domestic violence, as well as to develop and apply special measures for their integration on the labour market.

The Ministry of Health has the obligation to elaborate instructions in order to ensure that the family doctors and the specialists from the public or private health system write down in the patient's file the suspicions of domestic violence.

The Ministry of Education and Research has the obligation to take the necessary steps to introduce in the school curricula learning activities related to gender equality, gender-based violence and gender stereotyped roles, as well as to carry out preventive educational programmes for teachers, parents and children in relation domestic violence, harassment and sexual violence. Such activities may be developed in collaboration with NGO's and with the support of other Ministries.

Finally, the Ministry of Transport, Infrastructure and Communications has the obligation to take the necessary steps to develop public awareness campaigns on cyber violence and to provide practical assistance to central and local authorities in preventing and responding to cyber-

violence, as well as to establish, promote and fund digital literacy programmes for a wide range of users, in cooperation with the Ministries above.

With regards to the county level authorities, the Act expands the attributions of the County Commissions in the field of equal opportunities between women and men, created under the Gender Equality Act⁴⁵, by assigning to these Commissions new tasks within the DV field such as:

- a) promoting an integrated approach to the principle of equal opportunities between women and men in order to prevent and combat domestic violence;
- b) assessment of the state of application and observance of the legislation in the field of prevention and combating domestic violence at local level;
- c) elaboration of recommendations for the local public administration authorities in order to implement the specific policies and programs for preventing and combating domestic violence at local level;
- d) promoting proposals for the local strategy for implementing measures to prevent and combat domestic violence at the local level, with an emphasis on the needs of the community;
- e) coordination and efficiency of inter-institutional mechanisms in the field of preventing and combating domestic violence, including the collection and centralization of data in the field of domestic violence at county level;
- f) the analysis of cases of domestic violence with a high degree of risk and the formulation of recommendations regarding their solution.

These Commissions, functioning in all territorial administrative units of Romania (42 counties and Bucharest), coordinate with ANES, serving a function of nexus between the county/local level administration and the national administration. As such, the Act implies the need of inter-institutional coordination mechanisms at county/local level. However, it is not known how coordination between ANES and COJES occurs, if at all, and if COJES serve at the goal of coordinating inter-institutional mechanisms in the field of VAW.

In addition, the law provides for the creation of Intersectoral Teams (ICT's) in the field of preventing and combating domestic violence, established under counties'⁴⁶ general directorates of social assistance and child protection composed of representatives of the police, gendarmerie, health care providers, domestic violence department of the GDSACP of the county, social services for the prevention and combat of domestic violence, Active NGOs, representatives of probation offices, forensic medicine units and other institutions with relevant responsibilities in the field and which has a consultative role. The Intersectoral Team functions according to the DV Act is to propose measures to improve the activity in the field, ensure the cooperation between the above-mentioned institutions and annually evaluates the activity in the field. How these teams are organised and operate shall be approved by the County Councils. In practice, the ICT's have a consultative role and provide assistance and guidance through the expertise of its members to professionals working directly with victims helping them to find possible solutions, and at the request of the case manager from GDSACP, facilitating cooperation between the institutions participating in case management. As it is, the ICT's are not organising/facilitating the overall inter-institutional coordination and cooperation at county and local level, but facilitating cooperation ad hoc, on a case by case basis. Still, given its consultative

⁴⁵ Law 202/2002 on equal opportunities and treatment between women and men

⁴⁶ Including Bucharest municipality districts.

role, it is clear that the cooperation is not at case management level to provide a comprehensive response.

At local level, the public authorities have the obligation to create mobile integrated interventions teams composed of professionals from the Public Social Assistance Services (SPAS), which are mainly professionals from GDSCPA. These teams are mandated⁴⁷ to conduct a procedure called “Emergency intervention”⁴⁸ in which professionals from the SPAS such as social workers and psychologists, intervene after a Provisional Protection Order (PPO) has been issued by police. The mobile team’s role is to provide social services in emergency cases where there is a high risk for the victim. They must verify the alerts, undertake initial risk assessments and take the necessary measures to overcome the immediate risk situation for the victim, mainly by referring to the domestic Violence Unit within the General Directorate for Social Assistance and Child Protection or the SPAS, for protected accommodation for the victim as well as case management. Case management is always undertaken by the DV Unit within the GDSACP. Likewise, the mobile team will offer accommodation to the evicted perpetrator in case of need.

Despite all these legal provisions and the obligation of services to coordinate, in practice it is not clear if multi-agency and multi-sectoral response is a reality. Many structures have been created, whose role is not very clear, or which may even overlap (i.e. ICT’s and COJES, both must facilitate inter-institutional coordination, while only COJES coordinates with ANES, which makes difficult to know what is happening at county level with regard to DV inter-institutional coordination since the ICT’s are the ones providing support to professionals working in the field). It has been identified a lack of systematic coordination among relevant agencies and as a result a lack of knowledge of how each agency operate. Likewise, many experts referred that no coordination mechanisms were necessary since it was written in the law and they coordinate fluidly. However, as it has been already settled, coordination on a case by case basis rely on individuals and is not systemic. Working meetings are rare, which impedes a shared understanding of violence against women and building shared routines, procedures and guidelines. A possible cause to this weak coordination, may be the different understanding of domestic violence from agency to agency. Many of the public authorities and services hold a strong family approach, while other services run by NGO’s and providing services only to women may have a different approach.

The Intersectoral Teams have been created in many counties, however, as it’s been already mentioned, in its consultative role, these teams are not delivering multi-agency interventions at the level of case management, which impedes a proper multi-agency and multi-sectoral coordinated response. The ICT model requires a second level of inter-institutional coordination, where all relevant agencies working directly with victims of violence can work together in the management of cases. For that to happen, specific inter-institutional mechanisms in the form of DV working groups or Teams should be created at local level, with functioning protocols and a common understanding of violence against women.

Good practices on multi-agency and multi-sectoral response mechanisms have been identified in several counties of Romania, where multi-sectoral coordination mechanisms (Domestic Violence working groups) have been created under which several agencies (police, DV specialist services, health services, general social services, etc.) participate and work collaboratively, providing successful multi-sectoral response to victims of domestic violence within those counties. These model encompass a protocol in which all agencies involved commit to work on the topic and responsibilities and roles are assigned; a domestic violence working group which meets regularly with representatives from all the agencies involved to coordinate on cases, solve

⁴⁷Procedure established in Article 51 of Law 217/2003

⁴⁸ Further developed by ORDER Nr. 2525/2018 of December 7, 2018 on the approval of the Procedure for emergency intervention in cases of domestic violence.

problems, review processes and needs to improve agencies, training for professionals, information and raising awareness activities of the population to inform on DV services, and an action plan which describes how all the institutions involved interact⁴⁹. This is a good practice model that operationalizes multi-agency and multi-sectoral response at local level.

6.2.3. Multi-level and comprehensive approach

Romanian legislation and policy on domestic violence has developed considerably recently to ensure a comprehensive response to victims of domestic violence, in accordance with the Istanbul Convention standards, and as such it is considered it address the 3 pillars required for a multi-level approach: prevention, protection and prosecution. But as it is the case in Norway, the development of each pillar is uneven, and the prosecution pillar is less developed. As it's been already said, Romania has focused its action on violence against women solely on domestic violence, the rest of the forms of violence against women do not receive the same comprehensive approach.

The Domestic Violence Act can be considered a comprehensive law since it establishes a wide range of prevention and protection measures such as prevention, support, recovery, and attention that should be given to the victims. With regards to prosecution the Act refers to a number of behaviours related to domestic violence which are criminalized in the Penal Code. Likewise, the National Strategy on gender equality and prevention and combat of domestic violence also encompass prevention and protection measures, indirect measures on prosecution by improving the capacity and providing training to police investigators and judicial operators on domestic violence.

The DV Act establishes a series of rights for victims of violence such as the right to receive information about their rights, special protection appropriate to their needs, counselling, legal aid, rehabilitation, social reintegration services and free medical care. Likewise, the Act states that the authorities are obliged to make these rights effective and establishes specific responsibilities for the institutions involved in preventing and combating domestic violence. Moreover, it set the specialist social services for victims of domestic violence that must be delivered. The DV Act also introduced the Provisional Protection Orders, in addition to the Protection Orders already existing Protection Orders. To that end, the DV Act introduced the obligation for the police to conduct risk assessments in domestic violence cases. In terms of the policy documents, the National Strategy also includes measures to improve the protection and support of women victims of domestic violence by expanding and consolidating the existing DV services, while at the same focusing on how to provide support for women's economic empowerment and labour insertion. Additionally, Romanian Government has opened up a service for sexual assault victims, inspired in the Norwegian Sexual Assault Reception Centres, and wants to expand it to other places in Romania.

Measures included in the National Strategy on domestic violence aim to strengthen the legislative framework in the field of preventing and combating domestic violence, to develop appropriate victim support and protection services, to prevent domestic violence and sexual violence and to monitor and evaluate the activities undertaken. To that end the strategy includes measures to develop the capacity of local public administration authorities to intervene in preventing and combating domestic violence; training and capacity building of professionals; to implement a national integrated information system for registration, reporting and management of cases of DV; to stimulate the institutions responsible to combat DV to carry out

⁴⁹ UNFPA (2009). Partnering with men to end gender-based violence. Practices that work from Eastern Europe and Central Asia. Available at: https://www.unfpa.org/sites/default/files/pub-pdf/partnering_with_men.pdf

actions for the prevention of DV; to rehabilitate victims and/or aggressors through integrated and complementary activities; and to establish new units for preventing and combating DV.

In terms of prevention, both, the DV Act as well as the National Strategy include provisions and measures aimed to preventing domestic violence. Most measures are aimed to primary and secondary prevention, encompassing information, campaigns and raising awareness activities for the population, as well as training activities for professionals to enhance their skills and competence in detecting domestic violence cases and know how to handle them.

Regarding prosecution, Romania has undertaken several legal amendments to criminalize most forms of violence against women covered by the Istanbul Convention. It has introduced a separated crime of domestic violence, and the DV Act recognizes as manifestations of violence physical, psychological, sexual, economic, social, spiritual or cyber violence that occurs in the family or domestic environment, conducts that are also criminalised and applicable when committed out of the domestic environment. Stalking and sexual harassment are also behaviours criminalised. Less attention has received the procedural aspects of the investigation and prosecution, even though the Directive no. 2012/29/EU on protection of victims of crime has been transposed and some protection and support measures have been introduced.

In terms of consistency of the multi-level measures, Romania has made clear progress in terms of operational response, setting up many support services, but still this aspect must be consolidated. In terms of systems reform and providing proper tools and mechanisms, Romania has also issued a relevant number of guidelines that contributes to unify interventions across services and sectors, but the intersectoral mechanisms created do not seem to work properly and lacks operationalization through more concrete protocols and overall monitoring. Prevention and prosecution are less developed, same than in Norway.

A. PREVENTION

It must be noted that the Domestic Violence Act states that Ministries and other central specialized bodies of public administration are responsible for developing a national strategy to prevent and combat the phenomenon of domestic violence, including an internal mechanism for coordination and monitoring of activities undertaken, which is approved by Government decision. As it's been already mentioned, the National Strategy includes specific measures on prevention and education, both in the Domestic Violence pillar, as well as in the Gender Equality pillar.

Romania's current National Strategy for the Promotion of Equal Opportunities and Treatment for Women and Men and Combating Domestic Violence 2018-2021 in the Operational Plan on Domestic Violence includes as one of its strategic objectives "Prevention of domestic and its recurrence as well as sexual violence" and one of the three areas of action with a set of prevention measures (Block III). Within the National Action Plan prevention measures are framed under 2 specific objectives: "Increasing the effectiveness of measures to prevent domestic violence and its recurrence" and "Development of nonviolent attitudes and behaviours to achieve the goal of "tolerance". The measures envisaged include raising awareness campaigns, developing educational programmes at schools, a specific campaign targeting media to improve media reporting on DV and developing a national strategy for preventing and combating sexual violence. However, the Operational Plan also includes secondary prevention measures under block II (Developing adequate victim support and protection measures) aimed at training professionals to improve their technical skills for detecting and handling domestic violence cases.

Additionally, the Domestic Violence Act sets out the obligation of public administrations (central and local) to take the necessary measures to prevent domestic violence, to prevent situations

of repeated violation of the fundamental rights of victims of domestic violence, including by providing information and education programs on how to prevent, avoid, recognize and report cases of violence (Article 7.1).

Ministries⁵⁰ shall develop and disseminate materials on the preventions, causes and consequences of domestic violence (article 9.1). Moreover, Ministry of Transport, Infrastructures and Communications must develop public awareness campaigns on cyber violence (Article 9.3).

The Ministry of Education and Research is obliged to introduce within the educational curriculum contents on equal opportunities and treatment between women and men, mutual respect, nonviolent conflict resolution in interpersonal relationships, gender-based violence, as well as combating discriminatory stereotypes based on gender roles, adapted to the age and understanding of students. Extracurricular activities can be developed by professionals working in the topic of domestic violence in pre-university education (Article 10.1). Additionally, it has also the obligation to conduct educational programmes for teachers, parents and children, in order to prevent domestic violence, harassment and sexual violence (Article 10.3).

To that end, ANES set up a working group with experts from different institutions that has proposed recommendations to include contents related to gender equality in the curricula and school textbooks and whose recommendations have been sent to the Ministry of Education for its consideration.

The National Strategy to prevent and combat domestic violence includes a specific block of measures aimed to prevent domestic and sexual violence, such as awareness raising campaigns and developing educational programs for parents and children. In that regard, the Romanian Government has been quite active with several campaigns implemented since 2015 as the Orange the World Campaign or the HeForShe Campaign with great repercussion. Some of these initiatives have successfully engaged men in preventing violence (HeForShe Campaign) or have consisted in useful cooperation between stakeholders such as police and civil society (Broken Wings campaigns) and combined information activities such as media campaigns, elaboration and distribution of materials, with raising awareness workshops and training sessions for professionals.

The HeForShe Campaign conducted by UN Women, and where the President of Romania has become involved as one of its leaders, has continued this year. As part of the campaign Romania has assumed specific commitments until 2020, among which it is noteworthy the launch of a unique integrated information system for reporting, managing and prosecuting cases of domestic violence and violence against women and mobilizing over 100.000 young people.

Article 12 of the Domestic Violence Act establishes that authorities involved in tackling domestic violence must ensure continuous training of professionals working in the field. To that end, initial and in-service training activities have been implemented for professionals from different sectors.

In terms of training for professionals, the National Institute of Magistracy (NIM) and the Ministry of Internal Police and the Police Academy, play a key role in the initial training for judicial operators and police. Both institutions have introduced contents within the initial training programmes for future professionals on domestic violence to know how to deal with these

⁵⁰That obligation is specifically pointed out for the Ministry of Labor and Social Protection, the Ministry of Internal Affairs, the Ministry of Education and Research, the Ministry of Health and the Ministry of Transport, Infrastructure and Communications, as set in Article 9.1 of the Domestic Violence Act.

cases. The NIM has also been quite active providing in-service training to different judicial operators through several projects.

Combatting trafficking in persons has been another area of attention regarding training for professionals. In the last 3 years several training activities were carried out, aimed to different professionals that may be in contact with victims (the Police, Border Police, public prosecutors, teachers and other school staff, social workers, etc) to raise awareness on the phenomenon and increase identification of possible victims.

Initial training is provided to police and other law-enforcement officials, prosecutors, judges and immigration/asylum officials, as well as social workers. However, it is unknown the length of the curriculum and whether such trainings have gender perspective. Noteworthy is the absence of initial training to health practitioners (medical doctors, nurses, midwives) since it is well known that women victims of domestic violence recur to health service first than to any other stakeholder. Staff from the education sector (teachers and school administrators) do not receive either any initial training, which is necessary in order to make effective the inclusion of domestic violence and gender equality contents within the education system.

Likewise, in service training is not provided systematically, as its length varies from several days to 1- day seminar, nor to all relevant stakeholders.

With regard to perpetrator treatments, the Domestic Violence Act includes the establishment of assistance centres for perpetrators aimed to ensure their rehabilitation, social integration and education. Minimum standards have also been established for these assistance centres for perpetrators. Although these centres must ensure respect for the principle of equal opportunities between women and men, it is striking that among its guiding principles is not included to promote a gender-sensitive approach in social services for victims of domestic violence, as it is for the victim's support services. It also contemplates among its services family counselling and mediation services, which is concerning considering that mediation and family-couples counselling is not recommended in cases of gender-based violence since it is not possible to establish a mediation where parties are not in an equal position. The probation system does not offer such treatments, although some other programmes offered to inmates address some issues related to domestic violence. Also, some NGO's have developed programmes for perpetrators, most of them focused on anger management. It is unclear whether these programmes are for both, men and women, or not, and if they have a gender perspective.

Some professionals, key for secondary prevention do not receive training on domestic violence, for example, health practitioners, which is a problem in terms of a comprehensive prevention strategy and in terms of support for victims. Another issue in relation to prevention, is that many of the initiatives described above depends on projects with external funding, which may entail risks in terms of sustainability. The current strategy also allows to fund activities through external funds, as well as through the national budget, but it is known that prevention activities usually is the latest priority in a context of limited resources. In that sense, the prevention pillar does relies too much on external projects and funding available, and many of the activities are short-term measures, rather than systemic and long-term, which would be required in order to really success in changing minds. In order to provide a comprehensive and systematic prevention strategy, the Government should combine a set of different measures at short, medium and long term, including measures aimed to the general population, professionals and the education system at least.

B. PROTECTION AND SUPPORT

As it's been already mentioned, the pillar more developed is that of protection and social support, which include protection measures (protection orders) and social support measures (a range of support services for women victims of domestic violence). With the recent introduction of Provisional Protection Orders, Romania has significantly improved the protection of women victims of domestic violence, even though challenges remain. Regarding support services, the progress is also notorious, and despite that still some services are scarce, mainly in rural areas, there are plans to expand services while at the same time ensuring the sustainability of the existing services. Within the plans of the Romanian government is the establishment of a wide network of support for women victims of DV which includes support for labour insertion and independent housing, thus prioritizing women's empowerment and economic independence. In general, the Romanian policy action in terms of protection complies with a comprehensive protection and social support. The main challenges remaining is the articulation of the existing services, to guarantee inter-institutional coordination (as it's been already describes) between the relevant agencies working on the topic and introduce a gendered approach in all agencies. Another challenge is the lack specialised responses within general support services (health, general social services, etc.).

Protection orders are regulated in Law no. 217/2003, for preventing and combating domestic violence (Domestic Violence Act) since 2012⁵¹ which may include restraining (visit and contact) and eviction measures. The specific protection measures include the temporary removal of the aggressor from the household, limit the use of the house in common so the perpetrator does not have contact with the victim, restrain the perpetrator from approaching places the victim and their children or relatives (residence, work, school) are in, prohibition of contact by any means with the victim and custody of the children. The application of the protective measures can be done either at the victim's request or automatically, if there is evidence or probable cause that a family member has committed an act of violence against another family member. PO's last a maximum period of 6 months.

Additionally, since 2018 Provisional Protection Orders (PPO) are available. PPO's are issued by Police forces on the spot to offer immediate protection to victims by removing the perpetrators. Its period of validity is 5 days. After police issues a PPO, it must be confirmed by the prosecutor, based on the evidence collected by police, and presented before the court who will determine if a PO is granted. Breaching any of the protective measures is a crime punishable by prison sentence ranging from one month to one year depending on the consequences of the breach.

Risk assessments are required to be conducted by police in domestic violence cases, according to Law 217/2003, article 22.10. To that end, the Ministry of Internal Affairs and the Ministry of Labour and Social Justice issued a joint Ministry order n° 146/2578/2018 which describes police management of domestic violence cases establishing the procedure of police intervention and cooperation with other institutions, the methodology for the risk assessment form and the procedure of issuing the provisional protection order. A risk assessment form was developed, based in SARA which is compulsory to use. According to the level of risk assessed, the PPO is issued and handed in writing and will reflect the protection measures imposed to the perpetrator such as eviction from the family home, prohibition of contact, minimum distance of security, confiscation of weapons, etc.

In monitoring of compliance with PPO or PO, police have powers to undertake surveillance activities such as follow up phone calls, home visits, collecting information from relevant sources such as DV services, neighbours, school, etc. The PPO's are regarded as a very useful tool for

⁵¹ By Law no. 25/2012 on amending and supplementing Law no. 217/2003 for preventing and combating domestic violence

protecting victims of violence by professionals working in this field, and its use is growing steadily through years. Despite these positive steps, insufficient capacity-building provided to police officer in the procedure of issuing a PPO and problems/barriers on the issuance of the protection orders by police have been reported by NGO's and highlighted as areas of concern by international organisms⁵².

In addition to protection measures, Romania has undertaken measures to support victims to overcome the situation. As it has been described in the section on multi-agency and multi-sectoral response, it is the "Emergency intervention" ignites the multidisciplinary mobile team action to intervene and provide emergency social support to women victims of violence. However, other services have been set up to support these women.

Regarding victim's support, the Domestic violence Act recognizes the victim's right to be informed about her rights, to receive special protection adequate to her situation and needs and to receive counselling, rehabilitation, social reintegration services, free medical assistance and free counselling and legal assistance, while always respecting her personality, dignity and privacy (article 6). According to Article 8.3 of the Domestic Violence Act, the Ministry of Labour and Social Protection is the central public authority that elaborates the social assistance policy and promotes the rights of the victims of domestic violence. However, the obligation to set up and provide social services for the prevention and combating of domestic violence in an adequate geographical distribution is the local public administration (Article 16.6 c)

The Domestic Violence Act list the different centres that exist for victims of domestic violence and differentiates three types of services⁵³ - residential, day-to-day care and continuous programme services- as described below:

- Residential services for victims of domestic violence:

a) emergency reception centres or shelters are residential social assistance units which provides protection, temporary protected housing (from 5 to 60 days), medical care and psychological and legal counselling to victims of domestic violence and their children. Currently there are 44 shelters across Romania.

b) recovery centres are residential assistance units which provides housing (up to 180 days), care, legal and psychological counselling, and support aimed at victims' rehabilitation and reintegration by adapting to an active life and achieving their professional insertion. 17 recovery centres exist currently.

c) sheltered housing or protected houses are residential social assistance units' which ensures accommodation (up to 12 months) in the regime emergency, care, social assistance, legal and psychological counselling and vocational guidance. The address of the protected houses is secret to the public.

- Day-to-day social services for preventing and combating domestic violence:

a) centres for preventing and combating domestic violence are social assistance units which provides social assistance, psychological, legal counselling, as well as information

⁵² See report of the Commissioner for Human Rights of the Council of Europe. CommDH(2019)5, or the CEDAW Committee report [CEDAW/C/ROU/CO/7-8](#)

⁵³ Additionally developed by Order of the Minister of Administration and Interior, of the Minister of Labor, Social Solidarity and Family and of the Minister of Health no. 304/385 / 1.018 / 2004 regarding the approval of the Instructions for organization and operation of units for preventing and combating domestic violence; and which has been repealed by Order no. 28/2019 regarding the approval of the minimum quality standards for the accreditation of social services aimed at preventing and combating domestic violence.

and guidance to victims of violence domestic. There are 29 centres of this type in Romania.

b) centres for information and awareness services for the population: which provides information and education services as well as social assistance. There are 6 centres of this type in the country.

c) assistance centres for aggressors are centres whose goal is to rehabilitate and reintegrate the perpetrator by providing education and counselling services and can also monitor the treatment of addictions. Currently there are 6 services for perpetrators nationwide. In addition to these centres, Domestic Violence Act establishes (article 6.6) the obligation for the local authorities to ensure accommodation for perpetrators if needed, within the existing residential centres for homeless people and night shelters, which operate in accordance with the Social Assistance Law no. 292/2011. Alcoholism treatment and detoxification can be provided in these centres.

-Social services for the prevention and combating of domestic violence with continuous program are:

a) An emergency telephone service or National Helpline for information and counselling which provide information and free-confidential (telephone) counselling on all forms of violence and information on social assistance measures and refer victims to specialized institutions / services according to their needs. The National Helpline is a Free telephone service for victims of Domestic Violence, available 24h, 7 days. Additionally, there is Child Helpline (run by Child Helpline Association) that provide support nationally to children victims of violence.

b) integrated emergency services for victims of sexual violence provide medical examination and forensic, post-traumatic assistance and counselling for victims of sexual violence.

All services for DV victims are free of charge and must be funded through local and/or national budgets regardless of whether such services are public or public-private partnership. It must be noted that Romania does not comply with the Istanbul Convention recommendation on the number of beds available for women in shelters set on 1 place per 10.000. Romania estimates its number of beds in 940, while according to the IC standard, 1.033 beds would be missing.

The Ministry of Labour and Social Protection is the central public authority that elaborates the social assistance policy and promotes the rights of the victims of domestic violence. However, ANES has stipulated a nomenclature and framework regulation⁵⁴ for the organization and functioning of domestic violence social services which describes in detail intervention principles, access conditions, rights and obligations of the beneficiaries, organizational structure, number of positions and categories of staff in each type of social service. Additionally, it has also set up minimum quality standards⁵⁵ for the provision of specialised social services for victims of domestic violence and there are a set of minimum standards for each of the specialist services described above in relation to access to the service, initial assessment and individualized intervention plans, human resources, management, sanitary and hygiene conditions, food, good conditions of the premises, respect for the rights of the beneficiaries and ethical issues. Common to all victim's support services we find as guiding principles that services must offer a comprehensive approach to domestic violence and violence against women, including by

⁵⁴ According to article 15.7 of Law 217/2003 and developed by Government Decision no. 867/2015 for the approval of the Nomenclature of social services, as well as of the framework regulations for the organization and functioning of social services.

⁵⁵ According to article 15.8 of Law 217/2003 and developed by ORDER no. 28 of January, 2019 on the approval of quality standards for the accreditation of social services intended to prevent and combat domestic violence

promoting a gender-sensitive approach in social services for victims of domestic violence and multidisciplinary cooperation and individualized support to ensure a personalized and coherent intervention.

All specialised services must comply with the minimum standards in order to obtain and maintain an operating license⁵⁶. The initial license is obtained by filing an application 60 days before the opening of the service which includes a self-assessment form to be completed by the applicant. Based on that form, the service may issue an initial operating license. Three months before the initial operating license expires, a social inspector from the Ministry of Labour and Social Justice must conduct an assessment visit to certify that the information provided in the form adjust to what happens in the reality and/or that the applicant complies at least with 75% of the minimum standards.

While some positive guiding principles are contemplated in the minimum standards, they are not reflected in the self-assessment form, specifically in relation to a gender-sensitive approach. Moreover, if the social inspector does not have gender perspective, it is difficult to assess that issue.

The minimum standards set up that the specialist services must provide training sessions and knowledge to the staff on the forms of abuse and neglect. However, it does not specify the contents and approach of such a training, necessary to enable the staff to ensure the gender-sensitive approach in their intervention. Professionals interviewed during this research stated that lacks formal training.

With regard to cooperation, as a standard the social, public and private service providers must enter into collaboration protocols with local public authorities and non-governmental organizations to investigate and address cases of domestic violence that may intervene or provide social services for different categories of victims of domestic violence, including child witnesses to domestic violence. However, it is not expressly stated how such collaboration shall take place.

The Domestic Violence Act also establishes that specialist services must sign collaboration protocols with the police and with the Gendarmes Command (either county or Bucharest) for effective collaboration in cases of domestic violence. However, from the interviews conducted with different Romanian experts involved in the fight against domestic violence, no cooperation and coordination protocols were identified. Coordination is taken for granted since it is enshrined in the Domestic Violence Act. Cooperation and coordination require of mechanisms to enable effective cooperation in a standardized manner.

Finally, it must be mentioned that as a result of transposing Directive no. 2012/29/EU on minimum standards on the rights, support and protection of victims of crime, support services for victims of crime were introduced⁵⁷, which included several services. However, victims of domestic violence will be supported on the specialised DV social services.

In order to improve the multisectoral and integrated response to victims of domestic violence, the Government is developing an ambitious project, the VENUS project for combating violence against women and domestic violence, funded by European funds (POCU), which *“aims to develop measures focused on the integrated and unitary approach of social services in order to*

⁵⁶ Any social service to operate must be a certified service. The certification requirements and procedure are set out by Decision No. 118/2014 of February 19, 2014 for the approval of the Methodological Norms for the application of the provisions of Law no. 197/2012 on insurance quality in the field of social services

⁵⁷ Regulated by Law 211/2004 on certain measures to ensure the information, support and protection of victims of crime. Accessible in: <http://legislatie.just.ro/Public/DetaliiDocument/52468>

create and develop an integrated, national network of protected houses, support groups and vocational counselling offices for victims of domestic violence, in every county of Romania and in Bucharest. To that end ANES has drafted the National Programme for the protection of victims of domestic violence (PNPVVD in its Romanian acronym) and its methodology.

The National Programme includes a wide range of measures for evaluation, guidance and provision of integrated measures for protection and support for victims of domestic violence, which will be provided in partnership between the central and local administration authorities responsibilities in the field, in order to ensure the protection of life, health, physical and mental integrity and support measures for the socio-professional integration / reintegration of victims of domestic violence. The National Programme regulates the provision of protection and support measures and aims to establish the necessary institutional and procedural coordination framework for the implementation of integrated protection and support measures for victims of DV in risk and vulnerable situation. To that end an integrated network of sheltered houses, support groups and vocational counselling offices for victims of domestic violence will be established in every county or Romania and in Bucharest. *“In this regard, the creation of a national network of approx. 42 protected houses will provide hosting, information, counselling and support services in order to achieve the transfer to active, independent living and social rehabilitation and also reintegration of women victims of domestic violence⁵⁸”*. One of the key aspects of this project is the emphasis on professional integration, where vocational counselling offices will be established to ensure victims’ professional (re)integration and economic independence. The project as it is envisaged has great potential since it is the first firm attempt to support women on her labour integration.

In relation to sexual violence, Romania is in the process of setting up integrated emergency centres for sexual violence, similar to the SARC’s in Norway, where medical examination and forensic, counselling and post-traumatic support is provided to victims of sexual violence. A Pilot project called the Pilot Crisis Centre for Rape Situation has been established within the Bucharest University Emergency Hospital in cooperation with the Ministry of Health. It is expected to establish 10 centres of this type. Also, a standard kit for collecting biological samples in cases of sexual violence/rape has been created and is made available for emergency health staff and forensics.

If all the services planned open up, the support network resulting will contribute towards women’s protection and recovery, expanding the help to victims of sexual violence and promoting women’s labour insertion as a key issue towards their independence. Other forms of violence against women are left out of the picture. According to the IC, all forms of violence against women should be addressed

C. PROSECUTION

The Domestic Violence Act refers to several forms of violence contained in the Istanbul Convention and offers a definition of domestic violence aligned with the Istanbul Convention. However, domestic violence in the Criminal Code it is not defined as a separate crime in itself, characterised by a continuous pattern, but as an aggravating circumstance as it increases the penalties for some forms of physical violence (as set out by article 188, 189 and art. 193-195) if the victim is a family member. Domestic violence offenses are considered minor offenses that require a complaint on behalf of the victim in order to initiate criminal proceedings. They are

⁵⁸ Romania Baseline Evaluation report to GREVIO.

only prosecuted ex-officio if the victim needs more than 90 days⁵⁹ of medical care in order to heal after the violent act.

The Criminal Code, aside from including general offenses of murder, physical and psychological damage, also includes the offenses of rape, sexual assault, threats, blackmail, harassment, sexual harassment, forced prostitution, forced pregnancy and forced sterilization as well as other forms of sexual violence. It does not expressly forced marriages and female genital mutilation, although this last one may be prosecuted under physical violence (bodily harm).

The electronic monitoring system is legally allowed as judicial sentence. Unfortunately, no monitoring devices have been acquired and the measure is not enforced.

Breaching any of the protective measures is a crime punishable by prison sentence ranging from one month to one year depending on the consequences of the breach. But the DV Act stipulates that if there is reconciliation the criminal liability shall be eliminated. In the case of domestic violence, due to its dynamics and the cycle of violence, this provision is problematic, as there is strong evidence that it takes years for women to leave a violent relationship and usually involves several break ups and reconciliations. Criminal responsibility should be irrespective of whether victim and perpetrator reconcile since perpetrators should be held accountable for their deeds. Otherwise, this sends a message of impunity to perpetrators.

In cases of domestic violence mediation is set forth if requested by the parties and it is always optional. Despite its voluntary nature, mediation plays a key role in the Violence Prevention Act, reinforced by the 2012 amendment, allowing the non-application of sanctions and even the lack of criminal liability for breaching the protection order if there is reconciliation.

Victims of domestic violence have the right to free legal advice and assistance, in accordance with the law (Article 6 of DV Act). According to law 211/2004 on certain measures to ensure the information, support and protection of victims of crime, free legal aid shall be granted for victims of crimes such as attempted murder, qualified murder, bodily injury, rape, sexual assault as well as for children and dependants whose mother has been murdered. Legal aid is also granted to victims of other crimes by economic means testing and as long as the crime has been reported to police within 60 days from the date of committing the crime.

Victims of violent crimes who have been injured are entitled to financial compensation from the State in the amount of maximum 10 minimum gross basic salaries in the country, and under the conditions and the deadlines established by the law (up to 60 days from the day of the crime to apply for financial compensation).

The low use of many of these measures reflects structural problems in terms of prosecuting and investigation. The investigating and prosecuting authorities lack competences and skills to handle cases of violence against women, but more concerning is the lack of sensitiveness and gendered perspective.

⁵⁹ Sasarman, M. (2019) *Preventing policies in domestic violence with men and boys*. "The data in one national study⁶ and one regional study⁷ shows that the majority of the lesions suffered by victims of domestic violence registered by The National Institute of Forensic Medicine (Romania) between 2003 – 2007 require less than 20 days of medical care. However, for the "violence in the family" crime the Penal Code provides the possibility for the prosecutors to initiate the action ex officio even if the number of days for medical care is lower than 90, if they decide there is a high risk of relapse and a serious danger for the victim. Very few such cases are known by the workers and experts of NGOs members of the Network VIF and statistics are not available" (2019:3).

6.3. PORTUGAL

6.3.1. Gendered approach

The Government of Portugal has adopted several laws on equality, such as the 2006 Act setting quotas on the participation of women and men in the elections or the Law of Equality in Employment of 2010, which combats sex-based discrimination at the workspace (EIGEa, 2013: 119). Different equality plans have also been approved on this same subject, where the sixth action plan is currently in force: Action plan for equality between women and men 2018-2021 (PAIMH). This plan is part of the National Strategy for Equality and Non-Discrimination - Portugal + Equal (ENIND by its Portuguese acronym) which is described below.

Regarding Violence Against Women, since the 1990s, Portugal has had legislation against domestic violence, and specific legislation on women victims of violence, which regulates both the protection of female victims and the measures of care and support for victims, including the establishment of shelters.

On August 13th, 1991, the Act *Protection of Female Victims of Domestic Violence*⁶⁰ (hereinafter Law 61/91) was enacted. The main objective of the Act is to ensure adequate protection to women victims of domestic violence establishing a system of prevention and support which included a SOS helpline, creation of specialized DV sections within the criminal police bodies, promoting the operation of women's associations working to combat VAW and a system of guarantees to cease violence and repair damages. It recognizes that the protection system applies when the domestic violence is the result of a discriminatory attitude towards women.

In 1999, the Portuguese Parliament passed a law (Law 107/99) that exclusively and concisely regulated the creation of a network of support centers for women victims of violence and their children.⁶¹ This was a very brief law but it adopted a gender perspective, as it regulates the establishment of a comprehensive system of prevention and support (legal advice, assistance and accommodation) to women victims of violence which was developed by Decree-Law n° 323/2000, of 19 of December.

Law 112/2009⁶² of September 16th establishes the legal framework for the prevention of domestic violence, protection and assistance to victims (hereinafter, Law 112/2009). This law repealed the aforementioned Law 107/99 and expands the scope and measures contained in Law 61/91. Law 112/2009 has experienced diverse amendments to improve the response to victims of domestic violence, mainly increasing the protection of the victims.

While Law 61/91 (and Law 107/99) considers women as main subjects of protection, Law 112/2009 adopts a neutral approach, except with regard to shelters (it provides specific shelters for female victims), gender equality training and endows the responsibility of monitoring the implementation of the law on the Public Authority body responsible in the field of gender equality. Thus, although the concept of victim provided by the 112/2009 Law is compatible with a domestic violence approach,⁶³ it will be considered to have a partial gender perspective.

⁶⁰ Lei n.º 61/91, de 13 de Agosto, Lei de Protecção as Mulheres vítimas de violência. Available at http://www.pgdlisboa.pt/leis/lei_main.php?codarea=443

⁶¹ Lei n.º 107/99 de 3 de Agosto Criação da rede pública de casas de apoio a mulheres vítimas de violência. Available at http://www.pgdlisboa.pt/leis/lei_main.php?codarea=443

⁶² Lei n.º 112/2009 de 16 de Setembro http://www.pgdlisboa.pt/leis/lei_main.php?codarea=443

⁶³The 112/2009 Law stems from what the Penal Code (Article 152) foresees, which states that those people eligible for protection are persons under custody or with a dependent relationship, including those under the care or educational responsibility of the aggressor. This definition considers that situations of helplessness are the following: age, disability, illness or pregnancy; in addition to the spouse or person in similar situation.

Law 112/2009 does recognize key issues of a human rights approach, such as the dignity of the victims, non-discrimination and the principle of equality. A shortcoming of the legislation is that it is mostly focused on various dimensions of domestic violence and does not cover all forms of violence against women. However, Female Genital Mutilation, stalking, forced marriages, sexual assault, including rape, sexual harassment are all covered by Portuguese criminal code.

Portugal has also developed multiple Action Plans. All of them approach the issue from a gender perspective of human rights. It is worth mentioning the plan before the current one was the fifth *V National Plan to Prevent and Combat Domestic and Gender Violence 2014 -2017*.⁶⁴ The Action Plan, as the previous ones, undertakes the following five strategic areas: information and awareness, protection and social integration of victims, non-repetition of violence through intervention programs for perpetrators, training of professionals and research on the phenomenon. However, its approach is new since it is the first time that gender issues and gender-based violence measures are included widening the scope of the National Action Plan to address other forms of violence against women in compliance with the Istanbul Convention.

In 2018, the Council of Ministers approved⁶⁵ the National Strategy for Equality and Non-Discrimination - Portugal + Equal, ENIND, which defines strategic axes and objectives until 2030, aligned with the sustainable development goals 2030, on three areas, which translates into 3 national action plans with concrete measures and targets on:

- Action Plan for Equality between Women and Men.
- Action Plan to Prevent and Combat Violence Against Women and Domestic Violence.
- Action Plan to Combat Discrimination on the grounds of Sexual Orientation, Gender Identity and Expression, and Sexual Characteristics.

The National Strategy includes definitions of violence against women and frames it as a form of discrimination against women based on gender stereotypes, while through the National Action Plan on VAW adopts measures following a twofold strategy to produce structural and sustainable changes by introducing temporary positive discrimination measures as well as mainstreaming a gender perspective, which entails taking into account the differentiated and specific situation of women and men.

The Commission for Citizenship and Gender Equality is the national coordinating body responsible for implementing the public policies in the field of citizenship and the promotion of equality between women and men, in particular by promoting actions aimed at the civic awareness regarding the identification of situations of discrimination and of forms to eliminate them, and on the prevention and fight against gender-based violence, including domestic and FGM, and trafficking in human beings. It is integrated under the Presidency of the Councils of Ministers. Such organizational structure reinforces CIG mandate and role in the coordination and promotion of gender equality policies across the different levels of the administration.

Portugal has also developed public policies against other forms of VAW. For example, in 2007 the Portuguese Government enacted an Action program to eliminate female genital mutilation and did so within the framework of the *Third National Plan for Citizenship and Gender Equality 2007-2010* (CoE, 2010: 10). The III Action Plan for Prevention and the Elimination of FGM was embedded in the V National Action Plan of Domestic and Gender-based Violence which included as one of its measures the implementation of the plan and promotion of all its measures. The

⁶⁴ V Plano Nacional de Prevenção e Combate a Violência Doméstica e de Género 2014 -2017, Diário da República, 1.ª série — N.º 253 — 31 de dezembro de 2013, Government of Portugal.

⁶⁵ Resolution of the Council of Ministers no. 61/2018, May 21

current Action Plan which includes measures on FGM, forced, and child marriages and other harmful traditional practices.

As it happens in Romania, merging the action plan on violence against women with the one on gender equality, reinforces that gendered approach of the Portuguese public policy in combating VAW. Despite the gender-blind legislation on domestic violence, in overall the Portuguese policy has adopted a gender approach. Policy documents use clear definitions of violence against women and are grounded on a solid human rights and gendered analysis. Measures contained in have been designed taking in consideration the issue of gender, and including specific measures targeting women. However, gaps have been identified with regards to interventions from the National Support Network for Domestic Violence Victims. The fast expansion of specialist services to secure access to services for victims has meant new stakeholders involved in this type of work, which may have different background and understanding of violence against women (i.e. religious organizations or NGO's not specialised in GBV entering into collaboration agreements with the administration to provide services). However, to address this issue the Portuguese Government has worked with experts NGO's and from academia to develop a set of minimum criteria which must be met by all services (that includes shelters, support centres and emergency places). Moreover, an audit and certification system based on the minimum criteria is in development. All organizations providing support services to victims of domestic violence, will have to undergo an audit to verify that they meet the minimum criteria set and if so, they'll receive their license as a member of the Support Network. New agencies wanting to enter collaboration agreements with the administration will have to undergo this certification process.

6.3.2. Multi-agency and multi-sectoral co-operation

A comprehensive and coordinated response requires the involvement of many institutions from different sectors, where cooperation among all the relevant stakeholders is effectively established fostering good coordination. Portuguese policies and instruments to combat violence against women reflect a commitment to provide a multi-agency and multi-sectoral coordinated response, both at local and national level. In its design, the Law 112/2009 which reinforces the National Support Network for victims of domestic violence and involves many institutions, the policy instruments such as the National Strategy in which several Ministries and other institutions concentrate a large number of measures to implement, as well as the coordinating mechanisms created, are a clear sign of the multi-agency and multi-sectoral approach of the Portuguese public policies in its inception. However, the model shows problems in making reality an effective multi-sectoral cooperation due to different factors.

The Law 112/2009 reinforces the National Support Network for Domestic Violence comprised of the Public Administration body responsible for the area of citizenship and equality (CIG), the National Institute for Social Security, specialist services for victims of domestic violence such as shelters (casas de Abrigo) and support centres (estruturas de atendimento), emergency places, and the specific responses for victims of domestic violence developed within the national health service, security forces, social security services, immigrant support services and national labour insertion service.

Legislation establishes that all actors in the National Support Network and all entities that cooperate with it, must coordinate between themselves with a view to implementing, at each moment, the measures that prove to be most appropriate for the protection of victims (Law 112/2009, Article 53.A)5). The Network is clearly conceived as a multi-agency and multi-sectoral model in which all the above-mentioned sectors and institutions must network to provide a comprehensive response.

CIG is responsible for the National Support Network and among its tasks is to promote protocols with the bodies, services and organizations that intervene in this area; promote specialized training of the multidisciplinary teams that make up the national network; streamline, coordinate and monitor the preparation of the diagnosis of the victims' situation; concert the action of all public and private entities, structures and intervention programs in the area of victims, in order to reinforce strategies of cooperation and rationalization of resources; to certify, for this purpose, the entities whose activity in the area of domestic violence implies, due to its relevance, integration in the national support network for victims of domestic violence; to ensure technical supervision in the specific responses of assistance and reception of victims, verifying the conformity of the procedures adopted with the national, community and European technical guidelines on the matter and its articulation with public policies, as well as monitoring the work of the teams regarding the intervention models and performance practices, which must meet the guidelines issued by the social security services, and the training, information and updating of the technical-scientific skills of the people who integrate them.

CIG's technical supervisory and coordinating role, with direct communication with all services involved, aims to provide a shared understanding of violence against women as well as a holistic and coordinated response for victims, increasing consistency and coherence. Likewise, services and agencies from different sectors in its interaction with CIG have an opportunity to coordinate between them and build up a common vision.

In spite of the explicit design of the Support Network as a multi-agency and multi-sectoral model, important deficiencies have been identified in the effective coordination of all these services and agencies at local level. Experts report that exist coordination between the services, but that coordination relies on individual persons, rather than in institutions. There is a systemic lack of formal coordination mechanisms and coordination protocols and guidelines at local and regional level establishing clear responsibilities and tasks of each agency. One of the specific goals of the current National Action Plan on VAW is to promote the quality and efficiency of the services offered to victims of gender-based violence strengthening networking between agencies by promoting regular local, regional and national meetings and implementing collaboration protocols and guidelines at local/regional level involving all relevant services from the National Support Network with presence in that territory.

The increase of stakeholders, new to the topic of violence against women⁶⁶, is also identified as an obstacle for multi-agency collaboration. Some services are run by organizations linked to the catholic church. The framework, aim, purpose and vision of domestic violence is very different to that of the NGO's historically (although more recently established) working in the field of violence against women in Portugal, and which set up the first services. It may even clash with the vision held by the general services in which specific and specialised responses have been developed and where important expertise of professionals exists. Thus, the challenge is to harmonize visions and ensure all agencies involved finally gain a shared understanding of violence against women. To achieve this, intensive training and capacity building is required, and as such, the National Action Plan on VAW encompass several measures for that purpose.

Yet, additional measures are required to unify service provision within the multi-agency network. To that end, CIG in collaboration with NGO's, has drafted minimum standards that all agencies providing support services and receiving public funding through collaboration

⁶⁶ Many of these organizations were long-ago established and its collaboration with the administration in providing social services to different groups of vulnerable people is historical. However, its focus has never been specifically the field of violence against women until the network expanded. Nevertheless, feminist NGO's report that its approach does not have a gendered perspective.

agreements with the administration must meet. GREVIO has commended the minimum standards, shaped by the fundamental principles of human rights, equality and non-discrimination. However, women's NGO's report that organizations have changed on the surface, but not on reality and its working practice remain unchanged and underpinned in a gender-blind perspective. As a result, CIG has foreseen a certification system, currently under development, based on the minimum standards, according to which all agencies belonging to the Support Network must undergo an audit against the criteria set in the minimum standards to be a licensed service.

Finally, despite the fact that CIG works directly with more than 50% of the Portuguese municipalities, weak coordination with municipalities (autarquias) is another issue identified, which may result in measures not very applicable in reality in the territory and its context and needs.

At national level, in addition to the national coordinating body (CIG), exists an Advisory Council, a consultative body which supports CIG on the design, implementation and evaluation of public policies on the topics of interest to CIG. The Advisory Council is composed of the President and Vice President of CIG and 3 separated sections: the Inter-ministerial section, the Non-Governmental section and a technical-scientific group to ensure the presentation of government departments and organizations representing civil society, as well as the Attorney General's Office and the Superior Council of Magistracy. According to the Regulation approving the creation of the Advisory Council, the Inter-ministerial section is composed of representatives of government departments from the areas of public administration considered relevant to promote policies contributing towards the goals of CIG; the NGO's section is composed of representatives from 40 NGO's whose statutory object is aimed at promoting the values of citizenship, the defence of human rights and the rights of women and gender equality; and the technical-scientific group is composed of 10 recognized professionals on the areas of citizenship, human rights, women's rights, gender equality, gender and domestic violence and human trafficking.

The Inter-ministerial section is composed of representatives from the the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Economy, the Ministry of Health, the Ministry of Education and the Ministry of Solidarity, Employment and Social Security. Within each Ministry there is gender equality interdepartmental team, whose mission is to implement the gender equality policies at sectoral level comprised in the National Strategy. CIG coordinates with all the focal points of the different Ministry's interdepartmental team on how to implement gender equality and GBV policies in the sector. However, CIG does not have authority over the focal points.

Despite CIG's organizational structure and the measures to facilitate inter-ministerial coordination, due to its limited resources, low budget allocated for implementing projects or measures and its coordinating role with very, if at all, power over the ministries, causes that some ministries do not understand its function, and therefore, do not cooperate as desirable with CIG. This lack of a strong multi-sectoral coordination at national level, translates at the operational level, resulting in individual institutions handling cases, instead of adopting multi-agency models. It must be noted though, that the current National Strategy includes measures to improve multi-agency and multi-sectoral response across sectors and across levels of administration, and CIG is committed to create coordination mechanisms and protocols that enable a comprehensive and coordinated response.

6.3.3. Multi-level and comprehensive approach

As it happens with Norway and Romania, in general terms the Portuguese framework to address domestic violence complies with a multi-level and comprehensive approach, since it addresses the three necessary pillars. However, what is more interesting is that it is the model where a higher level of consistency shows in terms of introducing changes at structural, institutional and operational level.

A comprehensive law on domestic violence that involves many relevant actors, set the frame for structural changes, further developed by national policy. Even though Portugal also shows deficiencies at the systemic level, the one in which structural changes rely upon for its sustainability, it is committed to undertake the necessary measures to that purpose, and as such is reflected in the current National Strategy.

A. PREVENTION

Portuguese legislation assembles as a fundamental measure preventing the phenomenon of violence. The Law contains, in this regard, a chapter that develops Education for citizenship. It also establishes programs to prevent domestic violence in schools, including (in addition to the provision of gender equality in the educational agenda) actions aimed at eliminating sexist and discriminatory references in school curricula and contents. It also provides for awareness campaigns aimed towards to public institutions and media. Legislation adopts a comprehensive approach of the prevention pillar, setting the obligation for the public administrations to develop primary, secondary and tertiary activities. The national strategy also adopts the same approach.

Chapter VI of Law 112/2009 develops measures on education for citizenship. Specifically establishes that it is the responsibility of the State to define the guiding principles of a program for the prevention of the crime of intrafamily violence through the curricular objectives and guidelines of the preschool, basic and secondary education cycles, in accordance with the physical, emotional, and psychological development of the children. Such programme aims to provide basic notions about the phenomenon of violence, its manifestations, origins and consequences, power relations, symbolic and structural violence among other topics (article 77).

Likewise, State is also responsible to promote prevention policies to combat domestic violence such as developing guidelines and informative and educational materials to raise awareness and provide information to students, their families and schools aimed to prevent gender-based violence, eliminate sexist and discrimination, to promote gender equality and non-violent conflict resolution skills; raising awareness activities aimed to modify behaviours and beliefs that perpetuate gender-based violence; national and local campaigns; and raising awareness aimed to health staff to improve the detection of cases (article 78).

It also encompasses legal provisions on the need to provide specific training in the field of domestic violence to professionals from different sector such as teacher (from pre-school education, basic and secondary education), health professionals, judicial operators and criminal police bodies and technicians of legal medicine (article 79).

Finally, it includes legal provisions on coordination and cooperation protocols (article 80) among different stakeholders aimed to disseminate information on domestic violence and raise awareness, as well as protocols aimed to establish procedures , i.e. protocols with professional associations within the health area such as pharmacists and local clinics to disseminate information, protocols with municipalities to promote projects against violence to carry out awareness campaigns and actions in local communities but also to expand the national coverage of the victim support network; cooperation protocols among CIG and public administrations bodies involved in protecting and supporting victims to define procedures and integrated

policies to protect victims; protocols with NGO's to ensure procedures related to the protection and assistance to victims; protocols between education institutions and entities specialised in detecting domestic violence cases. This article acknowledges the need to undertake systemic measures, as the ones described, for a effective comprehensive response at all levels of intervention.

With regards to treatment programmes for perpetrators, Law 112/2009 in its article 38 includes provisions on the State's responsibility to create such programmes within the framework of alternative measures to the sentence of deprivation of liberty. To that end, the Directorate-General for Reintegration and Prison Services (DGRSP) has created a rehabilitation program for domestic violence (male) perpetrators aimed at changing perpetrators violent behaviour and reducing recidivism. The programme is based on the ecological model on GBV. Such treatment programme is mandated by courts and the DGRSP imparts it. Outside the judicial system, there are other intervention programmes for perpetrators.

The Action Plan to Prevent and Combat Violence Against Women and Domestic Violence, embedded within the National Strategy for Equality and Non-Discrimination 2018-2030 (ENIND). Strategic Objective 1 of the Action Plan to Prevent and Combat Violence Against Women and Domestic Violence is to "Prevent-eradicate social tolerance to the various manifestations of gender-based violence and domestic violence, raise awareness of its impacts and promote a culture of nonviolence, human rights, equality and non-discrimination". Under this objective there are measures aimed at mainstreaming the issue of gender-based and domestic violence in schools and at local level training teachers and other professionals on the topic as well as elaborating educational materials. Other measures seek to assess the efficiency of primary and secondary prevention programmes run by NGO's and funded publicly, with a view to draw minimum requirements and guidelines to develop and implement such programmes. Another strategic objective set in by the national action plan is to qualify professionals and services for the intervention (Objective 4). In accordance with this objective the national action plan includes measures aimed to train magistrates and other professionals of the judicial system and law enforcement agencies, as well as other professionals from other sectors (education, health, social services, NGO's, etc.). So far and following the previous national action plan, Portugal has undertaken yearly initial training activities for professionals within the health area, justice system, law enforcement agencies, professional working in domestic violence services (Victim Support Technicians and professionals from the national network of DV support services). However, according to GREVIO recommendations, training to professionals from these sectors need to be expanded to more professionals, even as mandatory in-service training for some professionals in direct contact with victims and must cover more forms of violence against women. Additionally, measures to prevent negative traditional practices (FGM, forced marriages) are included in a separate objective.

Portugal's prevention measures transpire a long-term and systematic prevention strategy sustained over time. For example, Portugal efforts to train professionals in contact with victims of violence has been sustained over time and responds to a yearly logic where initial and in-service training is provided in a recurrent manner. With regard to the education system, its intervention is not limited to a one-off action such as developing educational contents to be distributed to students/teachers/families, but also entails training teachers on topics as gender equality, gender stereotypes, gender-based violence, etc. so that they can work with children on such topics, building knowledge and competence to prevent violence within the education system.

B. PROTECTION AND SUPPORT

Protection orders are available within the Portuguese legislation for victims of violent crimes⁶⁷, including domestic violence. Most measures are contained in Article 200 of the Code of Criminal Procedure which include prohibition against the perpetrator to remain in specific places (such as the victim or her relatives' residence, place of work, municipality, etc.), prohibition to contact the victim and / or her relatives, prohibition to attend certain places, but also, prohibition to leave a certain place (perpetrator's city), bans on travel, to carry or use weapons or to be subjected to specific treatments. Article 31 of the Law 112/2009 provides for urgent coercive measures since it establishes that the court shall consider applying no contact and eviction orders against the perpetrator, within a maximum period of 48 hours after the constitution of a defendant for the commission of the crime of domestic violence.

Protections orders are always applied by court and its duration will vary depending again on which phase of the criminal proceedings are applied to but ranges from 4 months to a maximum of 2 years⁶⁸. The fact that the urgent coercive measures are applied by courts, and not by police, impedes an adequate and prompt response to protect victims⁶⁹. This issue has been raised by the Retrospective Domestic Violence Homicide Analysis Team in its final report⁷⁰ issued on 6 march 2019 in which recommends the creation of an Emergency Intervention Network comprised of police, judicial and victim's support services operators in order to ensure a fast, quality and effective response in situations of gender-based violence.

It is worth mentioning Law No 129/2015, amending Law 112/2009, which reinforces victim's protection including provisions on the need for security forces to prepare and use individualized security plans (Planos Individuais de Segurança, PIS) for victims of domestic violence, as well as to adopt the necessary procedures to ensure monitoring and police protection of the victims (Article 27-A). *"This plan consists, according to DGAI (2013), in "providing personal protection guidelines to be defined with each victim (...) containing guidelines and suggestions, in order to promote their safety, being a complementary technical-police instrument to others that already exist"⁷¹*. With the introduction of mandatory risk assessment by police forces, these plans have been systematically used.

Additionally, Law 129/2015 established that once the Public Prosecutor's Office knows of a domestic violence report, must order to the criminal police body to carry out urgent evidence collection and investigation so that within 72 hours at maximum, measures to protect the victim as well as coercive measures against the perpetrator can be implemented. Also, victims must be always referred to the local support structures to develop a security plan if it hasn't been drafted by criminal police bodies and to receive further support (Article 29-A of Law 112/2009). Finally, it introduces the possibility for the victim to file a DV complaint electronically, "which guarantees the connection to a publicly accessible website with specific information on domestic violence" (article 29).

⁶⁷ Actually according to article 200 they can be enforced if there is strong evidence of a criminal offense punishable by a maximum prison sentence of more than 3 years.

⁶⁸ Articles 215 and 218 of the Code of Criminal Procedure set forth the periods of duration of the Emergency PO's.

⁶⁹ This was one of the findings of GREVIO's evaluation to Portugal. One of GREVIO's recommendations in the baseline evaluation report of Portugal was to review the system of barring orders and or introduce new mechanisms to ensure its compliance with the requirements of Article 52 of the Istanbul Convention.

⁷⁰ Comissão Técnica Multidisciplinar para a melhoria da prevenção e combate à violência doméstica (CTM).

Relatório final Nos termos do n.º 3 da RCM n.º 52/2019, de 6 de março. <https://www.portugal.gov.pt/download-ficheiros/ficheiro.aspx?v=%3d%3dBAAAAB%2bLCAAAAAAABACzMDI2AAAw4bhBAAAA%3d%3d>

⁷¹ Direção-Geral da Administração Interna [DGAI] (2013). Manual de policiamento da violência doméstica: um guia para profissionais da força de segurança. Lisboa: MAI. Pag. 51 cited in DUARTE CARVALHO, Pedro J. "Atendimento a vítimas de violência doméstica: contributos para um serviço policial de qualidade". Dissertação de mestrado integrado em Ciências Policiais XXXI. Curso de Formação de Oficiais de Polícia. Lisboa, 2019: 36

Since November 1, 2014, it is mandatory to conduct risk assessment in all domestic violence cases using the Evaluation Form of Risk in Situation of Domestic Violence (RVD form). It allows to prevent future violence from happening by police implementation of preventive and protection measures and its monitoring. Initial and follow up risk assessment are conducted to monitor the level of risk. Women report to feel protected by having these periodic reviews and court cases have more complete files⁷². Previously, risk assessments were only conducted in severe cases of domestic violence.

Additionally, the Domestic Violence Policing Manual was issued in 2014. It provides guidelines throughout the whole police process since the first contact with the victim. It aims to standardize the care provided to victims of domestic violence and to ensure that there are clear procedures. Reports have been made about the lack of systematic use and implementation of the Manual.

Since 2011, tele-assistance service for Domestic Violence victims is also available as a protection measure used in cases of medium and high risk of revictimization, low social support and no cohabitation with the perpetrator. The judge or the Public Prosecutor's Office during the investigation phase, may determine with the victim's consent, to provide teleassistance, for a period not exceeding six months, unless exceptional circumstances impose its extension. Tele-assistance provides information, emotional support and activation of police protection (if necessary) 24h/7days. The teleassistance equipment consists of a mobile and GPS device connected directly to a call centre. It allows to track geographically to the victim in order to activate emergency services if required ensuring a rapid response in risk situations, as well as to provide permanent emotional support.

Regarding social support, the National Support Network stems from the law 61/91 and law 112/2009.

The national support network is fully funded by the Portuguese State and the specialist services (shelters, emergency places and victim's support services) are mainly managed by NGOs that establish cooperation agreements with the Public Administrations or by municipalities.

The specialist services⁷³ that integrate the national network are:

- Emergency accommodation vacancies: at the time of the study visit, there were 20 emergency accommodations with 126 vacancies. The emergency accommodations provide immediate and short-term accommodation in crisis situations, so that women can have a secure place during the crisis. In case women are still at great risk of revictimisation, and further support is required for their reintegration and recovery, women are referred to a shelter (long-term).
- Shelters or "Casas do Abrigo" are temporary residential units for DV victims and her children. The maximum stay period is 6 months although it can be extended 6 more months, and its goal is to reincorporate victims within the community. In November 2019 there were 39 shelters distributed in 15 of the 18 Districts of Continental Portugal with a total number of 669 for women and 10 for men (since 2016). All shelters must: provide temporary accommodation to women and children, to protect their physical and psychological integrity and work to promote the acquisition of personal,

⁷² Information collected during interview with representatives from the Ministry of Internal Affairs.

⁷³ The Regulatory Decree No. 2/2018 regulates the conditions for the organization and functioning of emergency accommodation response, shelters and domestic violence victim's support services that are part of the national support network for victims of domestic violence, setting up the requirements to create such specialist services, its goals, human resources required and premises conditions, etc.

professional and social skills aiming to their effective social reintegration. According to Law 112/2009, as set for in Article 60.2, the State is responsible for providing priority support to shelters for women victims of domestic violence and ensuring their anonymity.

- Victim's support services or "Estruturas de atendimento" are specialized day care centres/services with multidisciplinary teams which provide legal information, social and psychological support and whose aim is to provide integrated and continued assistance, support and personalized referral of victims, to ensure their protection. All services are free. There are 133 services of this type in Portugal, distributed across the country. These structures are constituted by one or more technical teams of public entities dependent on the central or local administration, entities that have signed cooperation protocols with them and other victim support organizations.
- A free and secure transport service for victims of domestic violence has been established in order to ensure safe and secure transport to women to specialist services, since in many instances women and children must flee to safe areas outside their locations.
- The Domestic Violence Information Helpline (Serviço de Informação às Vítimas de Violência Doméstica) which operates 24h/7days providing free, anonymous and confidential services such as information on the rights of the victims, existing victim support services, legal information and psychological and social support. It operates since 1998.
- Finally, the specific responses from Public Administration bodies such as the national health services, security forces, immigrants support services, etc., which must promote specific assistance to victims of domestic violence and which are described within its area of activity (health, education, police, etc.).

It must be noted that within the specialist services, 3 victim's support services and 1 emergency accommodation unit are for LGBTI victims. There is also 1 shelter for women with disability, 1 shelter for women with mental illness and 1 shelter for men.

Services to support other victims of other forms of violence against women is practically inexistent. Three support centres for victims of sexual violence exist. The first one opened in 2016 as a pilot project. These centres offer psychosocial support and individual psychological support to women and girls' survivors of sexual violence.

In relation to the general services included in the National Support Network, it must be noted that they have developed specialised responses to victims of domestic violence by creating specific units to deal with cases of DV.

For example, the Republican National Guard (Guarda Nacional Republicana, GNR), one of the two existing security forces in Portugal, introduced specialised teams, the Investigation and Support for Specific Victims' Teams or NIAVE⁷⁴. The NIAVE were introduced through the implementation of IAVE Project⁷⁵- Project of Investigation and Support to Specific Victims, whose mission is *"to investigate crimes committed, essentially, against women, children, elderly and other groups of particularly vulnerable victims, and provide the support that, for each case, is appropriate and possible"* and also *"collaborate with the judicial authorities in monitoring the*

⁷⁴ Núcleos de Investigação e Apoio a Vítimas Específicas, formerly Nucleus Women and Minors-NMUNE, are part of IAVE Project, whose implementation started in 2004⁷⁴ only focused on women and children victims of domestic violence and in its development changed to NIAVE expanding its scope.

⁷⁵ Projeto de Investigação e Apoio a Vítimas Específicas

*most critical cases, namely, through a continuous risk assessment*⁷⁶. NIAVE's work includes other groups such as elderly or LGBTI population. GNR acknowledges that the crimes committed against women, children, elderly and other especially vulnerable populations are most delicate incidents that the criminal investigation department must deal with, which are very frequently invisible, hence requires specialization to ensure its investigation and proper support to victims.

*“On the basis of a unique and personalized service, proper police, criminal procedure and psycho-social treatments are guaranteed to victims through the promotion of local networks to support those persons, thus strengthening synergies and trying to alleviate the consequences of victimization”*⁷⁷. NIAVE are distributed across all territorial units. At the end of 2018 (last data available) there were 327 NIAVE points in GNR, with a total of 534 personnel (military, since GNR is a security force of military nature) assigned distributed in NIAVE (98 people) and Inquiry Sections (436 people)⁷⁸.

While the Public Security Police (Polícia de Segurança Pública, PSP), the other security force, created in 2006 the Proximity and Victim Support Teams (Equipas de Proximidade e de Apoio à Vítima-EPAV). EPAVs are responsible for the security and policing of proximity, and one of the main attributions / competences is to proceed with a characterization of the intervention area, signalling places of risk. By the end of December 2018 (last data available) *“there were 458 police elements assigned exclusively to EPAVs, distributed among the various PSP Commands (389 men and 69 women). Additionally, it is mentioned that there are still 87 other police officers (73 men and 14 women) assigned to the EPAV, however they also collaborate in the Escola Segura Program (the so-called “Mixed teams”), so they are not exclusively affected by the EPAV”*⁷⁹. Additionally, there were 96 police officers assigned to DV teams in criminal investigation brigades, which amount to a total of 554 police officers specifically working in DV.

Currently, similar specialised responses are being piloted regarding investigation and prosecution (see below).

In the Health Sector it is noteworthy the model of integrated intervention on interpersonal violence throughout the life cycle created by the Ministry of Health⁸⁰ called Health Action on Gender, Violence and Life Span⁸¹ or ASGVCV by its Portuguese acronym. ASGVCV aims to promote professional interventions articulated between the different services and professionals involved in preventing violence, specially between professionals working in direct contact with the population. It is based on a previous model implemented to tackle violence against children and youth at risk. Its goals are:

“a) Promote equality and, in particular, equity in health, regardless of sex, age, health condition, sexual orientation, ethnicity, religion and socioeconomic status.

⁷⁶ From Guarda Nacional Republicana [GNR] (2014a) Despacho n.º 18/14 - OG, de 11 de março: Estrutura da Investigação Criminal. Lisboa: Guarda Nacional Republicana cited in Raposo Ferreira, D. R. Planos Individuais de Segurança para vítimas de violência doméstica: contributos para a sua elaboração. Relatório Científico Final do Trabalho de Investigação Aplicada Lisboa, setembro de 2017: 14.

⁷⁷ Initial Report of Portugal on the implementation of the Convention on the Rights of Persons with Disabilities. 2012:25.

<https://www.inr.pt/documents/11309/44742/Relat%C3%B3rio+inicial+de+Portugal+sobre+a+implementa%C3%A7%C3%A3o+da+Conven%C3%A7%C3%A3o/6fc3af38-a5cf-49a1-a21b-c9e472d55cab>

⁷⁸ Ministério da Administração Interna Secretaria-Geral do Ministério da Administração Interna. “Violência Doméstica - 2018. Relatório anual de monitorização”. Lisboa.

⁷⁹ Ibidem, p. 38

⁸⁰ Ministério da Saúde Gabinete do Secretário de Estado Adjunto do Ministro da Saúde Despacho n.º 6378/2013. Diário da República, 2.ª série — N.º 94 — 16 de maio de 2013 <https://www.dgs.pt/accao-de-saude-para-criancas-e-jovens-em-risco/legislacao-relacionada/despacho-n-63782008-de-16-de-maio-pdf.aspx>

⁸¹ Ação de Saúde sobre Género, Violência e Ciclo de Vida (ASGVCV)

- b) Preventing interpersonal violence, namely domestic violence, stalking, dating violence, violence against the elderly, addictive violence, and human trafficking.*
- c) Promote the functional articulation of the Health Action for Children and Youth at Risk (ASCJR) with intervention in the field of violence adults, promoting an integrated intervention.* ⁸²

For its operationalization, multidisciplinary teams called Adult Violence Prevention Teams (EPVA) have been created since 2008. The EPVA's consist of a social worker, a doctor and a nurse, although psychiatrist and psychologist can also be part of EPVA.

EPVA's goals are to raise awareness, disseminate information and to train and support (technically) professionals within the health services to help them in handling properly domestic violence cases; EPVA's are also responsible for establishing collaboration mechanisms and articulation at intra-institutional (with other services, between primary healthcare and hospitals, etc.) and inter-institutional level (with community and DV support services, etc.) to ensure a comprehensive approach and intervention. GBV screening and risk assessment tools have been incorporated into the National Health System.

The coordination of the Health Action Plan ASGVCV, at national level, is done through a Monitoring Group, operating under the Directorate-General for Health, whose main functions are to help to the Regional Health Areas to set up EPVA teams, monitor and evaluate their activity, to define guidelines for the training of health staff on domestic violence, ensure collaboration across health plans (programs/projects and with other sectors), collect epidemiological information on the forms of violence and identify good practices.

As part of the work of the Monitoring Group the guide "Interpersonal Violence-Approach, Diagnosis and Intervention in Health Services" was drafted which provides technical guidance to health practitioners to identify indicators and risk factor for the identification of situations of domestic violence and to intervene according to the level of risk/danger referring to other relevant agencies such as law enforcement agencies, DV support services, etc. when necessary. Risk assessments forms are available and integrated within the National Health Information System. Cases of domestic violence identified by health staff are monitored and also registered for statistical purposes.

Victims of domestic violence are also entitled to receive financial support from the State, under the terms of the applicable legislation (article 40), including the right to access the Social Insertion Income (RSI) which will be processed urgently (article 46). The RSI entails a cash benefit to ensure that basic needs are met, and participation in an insertion program which contains a set of actions established according to the characteristics and conditions of the applicant's household, aiming at the progressive social, labour and community insertion of its members.

Additionally, women leaving shelters can access a fund, the empowerment fund, which was created for women to cope with the expenses involved in relocating to a new place and life.

Article 45 of Law Nr. 112/2009, establishes that the domestic violence victim is entitled to support for lease, to the assignment of public housing or to specific equivalent modality, under the terms defined by law or in protocols for this purpose. To that end some mechanisms have been put in place to ensure women victims of domestic violence have preferential access to that lease. In addition, CIG has signed an agreement with the Institute for Housing and Urban rehabilitation (IHRU) in which a housing stock is available for victims of domestic violence accommodated in shelters or for those who are referred by support centres. CIG has signed a

⁸² Order no. 6378/2013

similar collaboration agreement with the Municipalities, according to which it is prioritized the access to public housing for victims living in DV shelters and/or provide low-cost renting.

Law 112/2009 in its article 48 sets up that the victim of domestic violence must be guaranteed priority in access to job offers, integration in vocational training programs or any other active employment measure. The victim is also guaranteed priority in care at employment centres and employment and vocational training centres of the Institute of Employment and Professional Training, I. P. (IEFP, I. P.), which must be carried out in privacy conditions. According to CIG, the IEFP is prioritizing access to vocational training and employment search in compliance with specific measures drafted in the V women victims of domestic violence to access vocational training and seek employment. However, it is not clear what does that entail, i.e. a percentage of vocational training places for these women, etc.

The project “School goes to The Shelter”, a joint project implemented by CIG and Directorate General for Education since 2014, is a specific labour insertion project for women victims of domestic violence which aims to empower sheltered women in different key areas: literacy, digital literacy and basic computer skills, basic mathematic, Portuguese for foreigners and Visual Education.

Under article 42 of Law 112/2009, workers who are victims of domestic violence have the right to be transferred, temporarily or permanently, at their request, to another company establishment, provided that a complaint has been filed and the family home is abandoned at the time the transfer takes place. If such transfer is not possible at that specific moment due to imperative requirement related to the operation of the company, the worker is entitled to suspend the contract immediately until the transfer occurs. Likewise, employers, whenever possible, should consider as a priority the requests from workers victims of domestic violence to transfer from full-time positions to part-time, and vice versa (article 41). Article 43 recognizes that labour absences due to the domestic violence experienced are justified, and article 44 encourages that collective labour regulation instrument should establish for part-time admission and geographical mobility, preferences in favour of workers who benefit from the status of victim.

C. PROSECUTION

The Penal Code defines expressly the crime of domestic violence in Article 152 as “*Whoever, in a repetitive manner or not, imposes physical or mental abuses, including bodily punishments, deprivations of liberty and sexual offences: a. To the spouse or ex-spouse; b. To a person of another or of the same sex with whom the agent maintains or has maintained a relationship equal to a relationship of spouses, even if without cohabitation; c. To progenitor of common descendant in first degree; or d. To a person particularly undefended, due to age, deficiency, disease, pregnancy or economic dependency, who cohabitates with him ;...⁸³*”.

Article 152 provides as well that perpetrators may be accessorially sentenced to be prohibited to contact with the victim which may include to keep distance from the victims residence or place of work and such measure may be supervised using remote technical means. Perpetrator may also be hindered from paternal power, tutorship or curatorship for a period. Likewise, it is envisaged the prohibition to use and carry weapons, and the obligation to attend specific programs for prevention of domestic violence.

It must be noted that filing a criminal complaint is the requirement to achieve the status of victim (although it could also be obtained out of the judicial system, once CIG is entitled to assign the status), which entitles victims to benefit from all the rights and measures contained in Law

⁸³ Article 152 of the Penal Code.

112/2009. The victim is provided with a document proving the said statute, which includes the rights and duties established in the law. The Law also states that the general Secretariat of the Ministry of Internal Affairs (SGMAI) must be informed about the decisions to grant the status of victim, the final orders issued in investigations and the final decisions passed in res judicata in cases of domestic violence, for the purposes of registration and data processing, whom will inform to CIG every 6 months. It is not clear if there is proper coordination and communication between police and courts concerning PO's issued to ensure victims protection. Neither in terms of guaranteeing women's access to support services.

The Penal Code also defines stalking (article 154-A), Female Genital Mutilation including preparatory acts (Article 144-A), forced marriage (article 154-B), rape (article 164) and sexual harassment (article 170). It must be noted though, that GREVIO has made recommendations to the Portuguese authorities to amend the Penal Code in relation to forced marriage (article 154-B) and sexual violence, particularly to ensure that legislation is based in the absence of consent in order to comply with the standards set by the IC on these issues. There has been made also recommendations about aggravating circumstances and unacceptable justifications for crime⁸⁴.

In Portugal, all these forms of violence against women⁸⁵ are considered public crimes and are prosecutable ex officio without needing a complaint lodged.

Protection Orders have been described in the section on Protection and Support, preventive orders are key to protect women. However, it must be highlighted that most of the measures can be issued as part of a sentence, as that the Penal Code also contains provisions with coercive measures to be imposed at different stages of the criminal proceedings.

“These measures are usually imposed in a pre-trial phase (as well as during trial phase) as coercive measures, but they can also be issued as injunctions to suspended pre-trial detention, provisional suspension of proceedings, suspended sentence and conditional release. For the crime of domestic violence, they can also be accessory penalties”⁸⁶ (APAV).

Article 15 of the Victim's Statute, which includes victims of domestic violence, introduces protection measures for the victims and their relatives during judicial proceedings, such as ensure there is no contact between the victim and the perpetrator in court, to provide psychosocial support to the victim during court proceedings.

Legislation also considers the removal of their child's custody since Law No. 24/2017, of May 24 which amended the Civil Code promoting the urgent regulation of parental responsibilities in situations of domestic violence and Law No. 112/2009 (fifth amendment). This law provides that shared custody may be considered contrary to the child if there is domestic violence to enforce PO between parents and the rights and security of victims of domestic and/or family violence are at serious risk.

Law 112/2009 was also amended⁸⁷ in 2013 by two standards introduced that establish improvements mainly regarding the protection of victims. Law 19/2013⁸⁸ introduces the

⁸⁴ GREVIO/Inf(2018)16. GREVIO Baseline Evaluation Report Portugal. Strasbourg, 2019. See paragraph 172, 175, 178 and 181.

⁸⁵ Exception it made for the crime set by article 143 of the Penal Code-Simple bodily injury (physical violence) which a complaint is required to initiate criminal proceedings.

⁸⁶ APAV. Mapping the legislation and assessing the impact of Protection Orders in the European Member States (POEMS). National report Portugal. Available at: <http://poems-project.com/wp-content/uploads/2015/02/Portugal.pdf>

⁸⁷ The law it now in its 10th amendment. D.I n^o 101/2020 del 26/11.

⁸⁸ Diário da República, 1.ª série — N.º 37 — 21 de fevereiro de 2013 Lei n.º 19/2013. 29.ª alteração ao Código Penal, aprovado pelo [Decreto-Lei n.º 400/82](#), de 23 de setembro, e primeira alteração à [Lei n.º 112/2009](#), de 16 de

additional penalties of restraining orders and prohibiting communication in cases of domestic violence and it also establishes the possibility to monitor the perpetrator by electronic means if this proves to be essential for the victim. And the Law 20/2013,⁸⁹ for its part, makes general amendments to the Criminal Procedure Act introducing several procedural measures to ensure better protection of victims during judicial proceedings, among which is noteworthy the possibility to record the victims' statements, the possibility that victims' statements are carried out by videoconference or the fact that the victim can testify in presence of a support professional (psychologist, DV technician, etc.).

Victims of domestic violence are recognized, in the context of criminal proceedings, the right to obtain a decision on compensation from the offender within a reasonable period (Article 16, Victim's Statute). Additionally, Law 104/2009 cited above, regulates compensation to victims of violent crimes, and contains a specific chapter on victims of domestic violence. Although this law determines that the compensation will be issued to applicants who are in a "difficult economic situation" as a result of the crime. Likewise, law 112/2009 establishes the right to compensation to victim on behalf of the perpetrator. In 1991 the Act set for the State to advance the amount to victims beforehand.

The Commission for the Protection of Victims of Crime is an independent administrative body responsible for the granting of advance payments by the State to victims of violent crimes and domestic violence which works with the Ministry of Justice. It is also responsible to promote, in liaison with other public or private entities, the dissemination of the victims' right to advance compensation. The application for compensation must be submitted to this commission up to one year from the date of the commission of the crime or up to one year after the Court's final decision when a criminal court case exists.

Victims of domestic violence can participate in the judicial process, as a victim as well as a witness and are entitled to free-to-free legal advice about their role and status during the judicial process, as well as free legal aid, if necessary, in accordance to Law 112/2009, Article 18 as well as Law No. 34/2004, of 29 July on Access to law and courts (Article 8.C) and the Victim's Statute (article 13 and 14).

In terms of improving investigation and prosecution, article 27 of Law no. 112/2009, provides for the creation, at the premises of investigation and prosecution departments (DIAP), assistance offices for victims of domestic violence that ensure care and follow-up. On March 7th of 2019, the Ministry of Justice and the Public Prosecutor Office signed an agreement for the creation and installation of these offices in 6 locations⁹⁰ with a view to expand them to all districts. The Ministry of Justice funds these services, entering into collaboration agreements with NGO's specialized in domestic violence⁹¹, and the Public Prosecutor Office facilitates the premises. The offices have been created in the Departments of Investigation and Penal Action (DIAP) already equipped with a specialized section for processing inquiries for crimes of domestic violence or crimes of gender-based violence, and "it is a response that ensures, in continuity, assistance, information, support and personalized referral of victims of domestic and gender violence, to ensure their protection"⁹². This initiative aims to strengthen the protection

setembro, que estabelece o regime jurídico aplicável à prevenção da violência doméstica, à proteção e à assistência das suas vítimas

⁸⁹ Diário da República, 1.ª série — N.º 37 — 21 de fevereiro de 2013 Lei n.º 19/2013. 20.ª alteração ao Código de Processo Penal, aprovado pelo [Decreto-Lei n.º 78/87](#), de 17 de fevereiro

⁹⁰ Namely Braga, Aveiro, Coimbra, Lisboa-Oeste, Lisboa-norte and Faro.

⁹¹ To that end both institutions, the Ministry and the Public Prosecutor Office have signed collaboration protocols with UMAR, AMCV and APAV, all specialised NGO's with an extensive experience working with women victims of violence.

⁹² <http://www.ministeriopublico.pt/pagina/gabinetes-de-atendimento-vitimas-de-violencia-de-genero>

mechanisms for victims of domestic violence within 72 hours of the complaint, where these offices will intervene, and to improve cooperation between security bodies, magistrates and NGOs.

7. CONCLUSIONS

After reviewing the three countries covered by this report, it is clear models differ considerably.

GENDERED PERSPECTIVE

It is probably this criterion where more differences can be observed between the three countries, and which shaped deeply the policies adopted in each country.

Norway is probably the one that differs more, since its legal and policy framework relies on a definition of domestic violence which blind to gender under the assumption that gender equality has been achieved, and therefore, no differentiated response to men and women must be provided. However, recent changes have been identified towards and policy seems to have shifted towards a more gendered sensitive approach. On the other hand, it is noteworthy the progress made to cover other forms of violence against women, with several national action plans on forced marriage, female genital mutilation and negative social control or sexual violence. The election of separated action plans covering different forms of violence against women, which are coordinated by different authorities, risk a fragmented policy and vision of the phenomenon. It has also been identified that Norway provides a higher level of support services to offer to victims of those forms of violence, than in Romania and Portugal

Romania and Portugal show more similarities, since both have comprehensive acts on domestic violence, with a gender-neutral perspective, but tend to adopt gendered national policies to counteract. Romania's gendered approach has shown weaker than Portugal, since its National Strategy and operational plan on domestic violence do not expressly include a definition of violence against women. But as it's been described in detail above, the merging of two complementary policies, as it is the gender equality action plan and the domestic violence action plan into a single national strategy signs a positive track into adopting a gendered approach. Additionally, some specific measures to be implemented in the future, as the Project VENUS focused on the economic empowerment and labour insertion of victims of domestic violence, indicates a gendered understanding of violence against women, its impact on women and a knowledge of its causes.

Portugal is the country that more decisively adopts a gendered approach in its national policy to combat gender-based violence. The gender-blind legislation is balanced by a policy deeply rooted in a gendered perspective of violence against women which informs the whole model designed to respond to GBV and assist to its victims. Portugal has drafted, similarly to Romania, a comprehensive National Strategy for Equality and Non-Discrimination which encompasses a national action plan for equality between women and men, a national action plan to prevent and combat violence against women and domestic violence and a national action plan to combat discrimination on the grounds of sexual orientation, gender identity and expression, and sexual characteristics. The National Strategy aims to mainstream the gender perspective in the design of policies, plans or programmes of each department and/or municipality.

MULTI-AGENCY AND MULTI-SECTORAL CO-OPERATION

The three countries have established some elements for multi-agency and multi-sectoral response model, but effective coordination and engagement between agencies fail to a lesser or greater degree, in all of them, and for very similar reasons. Real multi-agency and multi-

sectoral models require a compromise of everyone involved, since it is necessary to adapt working methods, routines, criteria, aims, visions, understandings, etc. to those of the others and reach a consensus on effective ways of cooperating. In the process of adaptation, it is easy to lose sight of the benefits that working in coordination with other professionals, agencies or sectors contributes for providing a comprehensive response.

In general, in the three countries, services/professionals coordinate with other services whenever is perceived as necessary, but it is mostly informal cooperation arrangements, based on interpersonal relationships, rather than on systematic and formal arrangements. There is a systemic lack of effective coordination mechanisms at local/regional level where the different stakeholders meet regularly to work. Building up long-lasting and efficient coordination mechanisms is a demanding effort. Thus, if the benefits are not perceived, there are not many reasons to engage in time consuming initiatives.

On the other hand, ensuring coordination across all levels of the administration and sectors, require building a solid system of coordination mechanisms/tools at multiple levels: interinstitutional mechanisms at local, regional and national level which also engage between the different levels of administration. This entails that all stakeholders shared a holistic approach of the problem of GBV, its complexity and multiple interacting factors to motivate them to seek multi-sectoral and complex solutions. A national coordinating body plays an important role in building up this system and a shared understanding and culture, but it requires a strong and well-resourced body with authority to implement its policies across sectors. In all three countries, the coordinating body responsible to promote the policies on domestic violence or violence against women, as the case, needs to be reinforced to some degree.

MULTI-LEVEL AND COMPREHENSIVE APPROACH

The three countries address the three pillars, but protection remains the pillar which receives more attention in all cases. Likewise, in terms of coherence in adopting measure at structural, systemic and operational level, it is at the systemic level where more deficiencies or needs have been identified. In Portugal and Romania where there is a comprehensive law, seems that measures at structural level are better identified, than in Norway, where there is sectoral legislation and provisions related to violence against women are scattered, making complicated to understand the obligations set by law within all sectors involved in the fight against gender-based violence. On the other hand, there seems to be more level of consistency in Portugal, with a clearer comprehensive and gendered approach.

PREVENTION

All three countries develop diverse preventive actions, although following different strategies.

Romania and Portugal recognize prevention as a State obligation by incorporating legal provisions on their specific Domestic Violence Acts. Such provisions revolve around the education system, training and raising awareness of professionals in contact with victims, educational materials/protocols. Both countries contemplate as a State obligation rehabilitation of perpetrators via treatment programmes.

Romania's National Strategy for the Promotion of Equal Opportunities and Treatment for Women and Men and Combating Domestic Violence 2018-2021 in the Operational Plan on Domestic Violence includes as one of its strategic objectives "Prevention of domestic and its recurrence as well as sexual violence" and one of the three areas of action with a set of prevention measures (Block III). The National Action Plan prevention measures are framed under 2 specific objectives: "Increasing the effectiveness of measures to prevent domestic violence and its recurrence" and "Development of nonviolent attitudes and behaviors to achieve the goal

of “tolerance”. The measures envisaged include raising awareness campaigns, developing educational programmes at schools, a specific campaign targeting media to improve media reporting on DV and developing a national strategy for preventing and combating sexual violence. However, the Operational Plan also includes secondary prevention measures under block II (Developing adequate victim support and protection measures) aimed at training professionals to improve their technical skills for detecting and handling domestic violence cases.

Romania has been very active in terms of information and raising awareness campaigns in the last years, launching several campaigns with great repercussion. Other preventive measures which may create long-lasting changes than general information campaigns, such as interventions in the education system, informal education programmes or training of professionals are less developed at this point.

Portugal on its part, also contemplates prevention measures in its Action Plan to Prevent and Combat Violence Against Women and Domestic Violence, embedded within the National Strategy for Equality and Non-Discrimination 2018-2030 (ENIND). Strategic Objective 1 is to “Prevent-eradicate social tolerance to the various manifestations of gender-based violence and domestic violence, raise awareness of its impacts and promote a culture of nonviolence, human rights, equality and non-discrimination”. Under this objective there are measures aimed at mainstreaming the issue of gender-based and domestic violence in schools and at local level training teachers and other professionals on the topic as well as elaborating educational materials. Other measures seek to assess the efficiency of primary and secondary prevention programmes run by NGO’s and funded publicly, with a view to draw minimum requirements and guidelines to develop and implement such programmes. Another strategic objective is to qualify professionals and services for intervention. Specifically, regarding professionals, the action plan encompasses training activities for magistrates and other judicial operators as well as training on diverse topics (sexual violence, vulnerable victims, ...) for professionals working in specialist services and general support services. Additionally, measures to prevent negative traditional practices (FGM, forced marriages) are included in a separate objective.

Portugal’s prevention measures transpire a long-term and systematic prevention strategy sustained over time. For example, Portugal efforts to train professionals in contact with victims of violence has been sustained over time and responds to a yearly logic where initial and in-service training is provided in a recurrent manner. With regard to the education system, its intervention is not limited to a one-off action such as developing educational contents to be distributed to students/teachers/families, but also entails training teachers on topics as gender equality, gender stereotypes, gender-based violence, etc. so that they can work with children on such topics, building knowledge and competence to prevent violence within the education system.

On its part, Norway develops preventive measures through the implementation of National Action Plans on the different forms of violence.

The last National Action Plan on Domestic Violence (NAPDV) in Norway also included a chapter on prevention (measures 1 to 8) which included primary and secondary prevention measures, namely, information and raising awareness activities based on knowledge on domestic violence and measures targeting vulnerable groups, conducting surveys and improving compilation of statistics or introducing routine questions and involving more institutions in early detection. Preventive measures are also present in national action plans covering other forms of violence against women such as sexual violence or negative social control, forced marriage and FGM.

Some well consolidated prevention measures, such as health related prevention programmes show the importance that Norway place on prevention. While Norway's response is wider in its scope as it covers more forms of violence against women through the implementation of several national action plans, the dispersion of measures across different action plans makes it more difficult to obtain a clear picture of all the preventive measures implemented. Centralising all preventive measures in a comprehensive and multi-year national prevention strategy would facilitate to programme preventive measures in the short and long-term in a consistent and sustainable manner.

PROTECTION AND SOCIAL SUPPORT

Victims of gender-based violence require protection from further violence, as well as support and social assistance to overcome the effects and impact of violence in their lives. Effective cooperation and coordination between relevant stakeholders are required in order to provide comprehensive protection and support.

Emergency barring orders and protection orders are measures which has proven to be effective in protecting women. Norway and Romania have introduced such measures. Emergency barring orders are taken out by police, ensuring effective and prompt response to women at risk. Portugal also envisages protection orders and urgent protection orders (coercive measures and urgent coercive measures) in its legal framework and has introduced amendments in procedural law to process urgent coercive measures quickly. However, such procedure entails judicial intervention which hinders prompt protection to victims of gender-based violence.

In terms of social support, victims require specialist services that provide emergency and long-term support to facilitate women's rehabilitation. The obligation to provide support services to victims is enshrined in the legislation of the three countries. Legislation in all three countries also emphasizes the need for multiagency cooperation and coordination. According to that, all three countries have created a network of specialist support services. Its configuration varies, but in general terms they all provide protected and/or emergency accommodation, crisis intervention, psychological, social and legal support, medical assistance, case management, and referral. Such networks provide the framework for multiagency co-operation.

According to Article 18 of the Istanbul Convention, States' are responsible to undertake measures to protect all victims from further acts of violence as well as to support them, establishing to that purpose multi-agency and comprehensive protective and support services/mechanisms that guarantee effective cooperation between relevant stakeholders (law enforcement agencies, judicial operators, local and regional support services, NGO's, etc).

Protection and support measures range from implementing protection orders to ensure women's quick protection, protected accommodation, legal, social and psychological assistance as well as economic support and independence, just to name some examples.

Specialist and general support services may be involved in delivering support services to women. However, protective and support services/measures must be based on a gendered and human rights understanding of violence against women and on an integrated and victim's centred approach which take into consideration women's overall situation to respond comprehensively to their needs. Regardless of its nature, specialist or general services, specialization and training on violence against women of professionals in direct contact with victims is necessary to ensure services relevant to survivors of violence and effective co-operation.

Countries has made significant efforts to provide support victims. In some cases, services have expanded really fast, as it is the case of Portugal and Romania, and that means new stakeholders

involved which may have different background and understanding of violence against women (i.e. religious organizations or NGO's not specialised in GBV entering into collaboration agreements with the administration to provide services). In other cases, the gender-blind legislation hinders to achieve that gender perspective, since services are either for men and women and are embedded in departments that lack also that gender understanding. That may be the case in Romania, where DV services were created by the Domestic Violence Act that does not acknowledge the gendered nature of domestic violence but subscribes itself rather to a family-protection approach, and many of those services (the public ones) fall under the Directorate General for Social Assistance and Child Protection (DGASPC) and its departments in the territory which also ascribe to a familiarist model.

Both, Portugal and Romania have issued minimum standards for specialist services which service providers must comply with in order to operate.

Romanian minimum standards include among its guiding principles comprehensive approach to domestic violence and violence against women, including by promoting a gender-sensitive approach in social services for victims of domestic violence and multidisciplinary cooperation and individualized support to ensure a personalized and coherent intervention. However, such principles are not further developed within the minimum standards and from the desk research and interviews conducted it is unclear how is monitored gender approach, and if services are truly guided by these principles. Romania has in place a certification system for social services to be allowed to operate, based on the minimum standards approved.

Portugal drafted the minimum standards in collaboration with women's organization and other NGO working in the field of GBV. One of the standards is that human resources working in the specialist service must undergo initial and ongoing training on gender-based violence perspective along with other key standards consistent with a gendered understanding of violence (victim's centred approach, etc.). Portugal is in the process of establishing such certification process based on the minimum standards mentioned above.

Ensuring that human resources working in the specialist services must undergo initial and ongoing training on gender-based violence, its dynamics, unequal power relations, gender stereotypes and discrimination may be an effective measure to introduce gender perspective. Supervisory role should be entrusted to the coordinating body responsible for GBV policies.

In Norway's case, despite its gender-blind legislation, crisis centres (shelters) have a gendered understanding of violence against women. The majority are run by feminist/women's NGO's with extensive experience in assisting women victims of gender-based violence. Cooperation and involvement of women's organization at all stages is considered necessary in order to deliver relevant services for women.

Regarding general support services also dealing with women victims of violence, it has not been possible to ascertain during the present report if a gendered understanding of violence against women is shared. However, considering that there are some doubts with regard to specialist services, it is very likely that general support services lack gender perspective. Training and specialisation are key again to develop that understanding, as well as multiagency coordination, since it contributes to develop a shared understanding.

Another limitation with regard to support services is that services are mainly comprised of services to address domestic violence, and to some extent to sexual violence. Comprehensive protection and social support require to address all forms of violence against women. Norway deploys the more comprehensive response in terms of social support, covering other forms of violence such as sexual violence, with a wide network of Sexual Assault Reception Centres (emergency) and Sexual Violence Survivors Centres (non-emergency) Additionally, it has set up

Children's Houses, a multi-agency and comprehensive service to address child sexual abuse. It has also developed protected accommodation and specialised support to victims of forced marriage and other forms of violence. Portugal and Romania response to other forms of violence is very limited, with pilot projects recently set up to address sexual violence.

Another deficiency is that services/measures aimed at economic independence of women are not so developed. Norway is exploring in which way NAV, the social security and employment agency can better support women victims of gender- based violence. Portugal prioritizes women's access to vocational training and recognize some labour rights, but no further measures have been developed. On the other hand, even if still is not a reality, Romania is embarked in developing an ambitious project which aims to create a national network of protected houses providing housing, information, counselling and support services in order to achieve women's reintegration and independent living. One of the key aspects of this project is the emphasis on professional integration, where vocational counselling offices will be established to ensure victims' professional (re)integration and economic independence.

PROSECUTION

Comprehensive prosecution is not limited to include relevant criminal legal provisions, but it also entails to implement measures to ensure effective investigation and judicial proceedings and in due time, which will contribute to secure vital evidence, enhancing rate conviction. Victim's rights must be guaranteed throughout the whole judicial process undertaking protection measures to prevent secondary victimization. To that end a gendered understanding of violence against women is required as well as specific protection and assistance measures within procedural legislation.

Romania, Portugal and Norway have undertaken several legal reforms to criminalise different forms of violence against women covered by the scope of the Istanbul Convention, and with a few exceptions, in general terms the three address all forms of violence against women. However, further amendments may be required to fully comply with the Istanbul Convention requirements. For example, none of the countries has legislation on sexual violence/rape based on the absence of consent. Romania has not incorporated as such the crimes of forced marriage and female genital mutilation.

Likewise, protection measures to prevent victim's secondary victimization has been also undertaken in all three countries. Risk assessment instruments has been introduced. Police offices have available risk assessments questionnaires. Nonetheless, in the three countries, in general there is no coordination between courts/judicial operators and other agencies, and training and competence on the topic is low, while at the same time, gender stereotypes influence sentences. All these translate in low rates of sentencing and increases perpetrators' impunity. It also seems that public policies do not address sufficiently this topic, thus it remains largely unchallenged.

After analysing the legal and policy framework of the three countries involved and comparing the different models and strategies adopted by each country, there are some general recommendations that may help countries to ensure effective integrated policies:

FINAL RECOMMENDATIONS

- National legal and policy framework must be consistently analysed and reviewed from a gender perspective taking into consideration women's situation and impact of the policies implemented. Such framework must clearly portray an understanding of the

gendered nature of violence against women by including definitions and measures to specifically address women and children's needs and their situation in a comprehensive manner to better help to women survivors of violence to overcome the barriers encountered towards their recovery and independent life.

- Likewise, policy framework should be reviewed to ensure its consistency in terms of multi-level and comprehensive reports. Prevention, protection and prosecution measures must be analysed to ensure that are backed at legal and policy level (structural), institutional (system) and direct service level (operational level).
- Adopting national strategies that covers all forms of violence against women or specific laws on violence against women seems to be a more efficient strategy to ensure a comprehensive approach, since it avoids duplicities, overlaps and provides consistency and coherence in the policies. Once more, either by adopting a national strategy on violence against women or a comprehensive law further implemented by action plans, all policy documents must take into consideration at its design and implementation the link between violence against women and gender inequality and clearly reflect it in the definitions and measures contained in.
- Centralising the coordination, implementation, and monitoring of public policies under one national authority with wide competences that effectively:
 - Coordinates the various actors involved in the fight against gender-based violence at central, regional and local level of government, as well as with other relevant institutions: judiciary, police, specialised services, employment services and other social institutions (associations, private sector, universities).
 - Supervises service provision at local level and compliance with the national legislation and policy.
 - Promotes the creations of guidelines for coordinated and standardized action across sectors and monitors its implementation.
 - Promotes standardized data collection to make visible the phenomenon of gender-based violence in the country.
 - Consequently, to strengthen the role and capacity of the national co-ordination body, by providing it with enough resources to is necessary.
- Building up an institutional coordination architecture, in addition to the national coordinating body, seems necessary to further implement and mainstream a multi-agency and inter-institutional coordinated and comprehensive response. Such architecture entails creating co-ordination mechanisms and bodies with functioning guidelines/protocols that assign responsibilities and roles, introducing monitoring and accountability procedures and providing the required resources (personnel and tools). In that sense, countries should review the existing co-ordination mechanisms at national, regional and local level, to identify possible gaps in relation to items mentioned (protocols/guidelines, responsibilities, etc.) and to introduce the required improvements. Particular attention must be paid on how such co-ordination is across the national, regional and local level, not only in terms of ensuring that it is effective, but also in terms that the different co-ordination mechanisms created are aligned with their jurisdictions and levels of intervention.

- Ensure training for the specialisation of professionals is key tool to ensure a gendered understanding of violence against women and to develop victim's centred interventions. A comprehensive training scheme, based on an actual mapping on the needs for training, which envisage initial and in-service training in a structures and recurrent manner is necessary to ensure the required specialisation. In that sense, setting up specialised competence centres seems a good practice.
- Elaborating a comprehensive national prevention strategy that encompass all forms of violence against women and includes measures and actions aimed at short, medium and long term that enable real and long-lasting changes at societal level. The training scheme should fall under the national prevention strategy.
- Improve risk assessment and risk management procedures reinforcing training for police officers responsible to conduct risk assessment. Such training should be based on a gendered understanding of violence against women. Risk assessment and risk management should be one of the issues to be dealt at the VAW and DV teams created at local level for inter-institutional coordination.
- Developing a twofold strategy in relation to general support services consisting in developing specific/specialised responses for women victims of gender-based violence (e.g. creating specific pathways/criteria for them, or specialised units/teams to deal with them and liaise other stakeholders involved in the co-ordination mechanisms), while at the same mainstreaming gender-based violence by providing basic training among all professionals and raising awareness on the topic to ensure women are detected and referred to the specific responses.

BIBLIOGRAPHY

APAV. Mapping the legislation and assessing the impact of Protection Orders in the European Member States (POEMS). National report Portugal. Available at: <http://poems-project.com/wp-content/uploads/2015/02/Portugal.pdf>

Atkinson et al. "Multi-agency working and its implications for practice: A review of the literature". CfBT Education Trust, 2007.

Bjørnholt, M., & Helseth, H. (2019). *Vold i parforhold – kjønn, likestilling og makt*. Oslo: Nasjonalt kunnskapssenter om vold og traumatisk stress. (Rapport 2/2019). P. 81. Available at: https://www.nkvts.no/content/uploads/2019/06/NKVTS_Rapport_2_19_Vold-i-parforhold.pdf

Bliksvær, T. et al. *Kommunenes krisesentertilbud - En kunnskapsoversikt*. Norland Research Institute, 2019. Available at: https://www.kun.no/uploads/7/2/2/3/72237499/nf-rapport_13_2019.pdf

Council of Europe (2011). Convention on Combating Violence Against Women and Domestic Violence. Available at: <https://rm.coe.int/168046031c>

Council of Europe (2011b). Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence. Available at: <https://rm.coe.int/16800d383a>

Duarte Carvalho, Pedro J. "Atendimento a vítimas de violência doméstica: contributos para um serviço policial de qualidade". Dissertação de mestrado integrado em Ciências Policiais XXXI. Curso de Formação de Oficiais de Polícia. Lisboa, 2019: 36

Dullum, J. «Omvendt voldsalarm» En evaluering av kontaktforbud med elektronisk kontroll (straffeloven § 57) i saker om vold i nære relasjoner. NOVA Rapport 15/20. Available at: <https://fagarkivet.oslomet.no/bitstream/handle/20.500.12199/6414/NOVA-Rapport-15-2020%20.pdf?sequence=1&isAllowed=y>

GREVIO Baseline Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) PORTUGAL GREVIO/Inf(2018)16. Available at: <https://rm.coe.int/grevio-reprt-on-portugal/168091f16f>

Justig-Og Politidepartementet (20089). *Veiledere for utvikling av kommunale handlingsplaner*. Available at: https://www.regjeringen.no/globalassets/upload/jd/vedlegg/veiledninger/veileder_kommunale_handlingsplaner2_web.pdf

Krizsan, A. and Pap, E. (2016). *Implementing a Comprehensive and Co-ordinated approach. An assessment of Poland's response to prevent and combat gender-based violence*. Council of Europe. Available at: <https://rm.coe.int/168064ecd8>

Norway (2009). Crisis Centre Act.

Norway: Ministry of Children and Education. Escalation plan against violence and abuse (2017–2021). Available at: https://www.regjeringen.no/contentassets/e570201f283d48529d6211db392e4297/handlingsplan_rettentil-a--bestemme-over-eget-liv.pdf

Norway: Ministry of Foreign Affairs: Action Plan for Women's Rights and Gender Equality in Foreign and Development Policy 2016-2020. Available at: https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/fn/kvinner_handlingsplan.pdf

Norway: Ministry of Justice and Public Security. National Action Plan Action Plan against Negative Social Control, Forced Marriage and Genital Mutilation (2017-2020). Available at: <https://kriminalitetsforebygging.no/wp-content/uploads/2017/07/Retten-til-%c3%a5-bestemme-over-eget-liv.pdf>

Norway: Ministry of Justice and Public Security. Action Plan against Rape (2019-2022). Accessible at: <https://www.regjeringen.no/contentassets/1469f9bedad1476aadb0369ee899ab65/handlingsplan-mot-voldtekt-20192022.pdf>

Ministry of Justice and Public Security. National Action Plan Action Plan against Negative Social Control, Forced Marriage and Genital Mutilation (2017-2020). Available at: https://www.regjeringen.no/contentassets/e570201f283d48529d6211db392e4297/handlingsplan_rettentil-a--bestemme-over-eget-liv.pdf

Ministry of Justice and Public Security (2013). A life free of violence. Action Plan against Domestic Violence 2014-2017. Norway.

Report submitted by Portugal pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report) Received by GREVIO on 8 September 2017 GREVIO/Inf(2017)10. Available at: <https://rm.coe.int/portugal-state-report/168074173e>

Report submitted by Romania pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report) Received by GREVIO on 6 February 2020 GREVIO/Inf(2020)5. Available at: <https://rm.coe.int/state-report-on-romania/16809b9faf>

Report submitted by Norway pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report) GREVIO (GRE/Inf(2020)15). Available at: <https://rm.coe.int/grevio-inf-2020-15/16809f9e09>

Røsdal, T. et al. (2019). *Kompetanse om vold og overgrep i nære relasjoner: innledende kartlegging av føringer, opplæringsstrukturer og kompetansebehov*. NIFU. Rapport 2019:26. Available at: <https://nifu.brage.unit.no/nifu-xmlui/bitstream/handle/11250/2649896/NIFUrapport2019-26.pdf?sequence=1&isAllowed=y>

Shadow report from the Norwegian civil society to GREVIO 2020. Available at: <https://rm.coe.int/shadow-report-from-the-norwegian-civil-society/16809f9bee>

Sandmoe, A., & Nymoen, R. C. (2019). *Kommunale handlingsplaner mot vold i nære relasjoner: Hvordan brukes de og til hvilken nytte?* Oslo: Nasjonalt kunnskapssenter om vold og traumatisk stress. (Rapport 3/2019). Available at: https://www.nkvts.no/content/uploads/2019/09/NKVTS_Rapport_3_19_kommunale_handlingsplaner_web.pdf

Sosial- og helsedirektoratet Kommunale (2007). *Overgrepsmottak, Veileder for helsetjenesten*. Oslo. Available at: : <https://helsedirektoratet.no/retningslinjer/veileder-for-helsetjenesten-ved-overgrepsmottak>

Romania: Government Decision no. 1,156 of November 27, 2012 on the approval of the National Strategy for preventing and combating the phenomenon of domestic violence for the period 2013-2017 and of the Operational Plan for the implementation of the National Strategy for preventing and combating the phenomenon of domestic violence for the period 2013-2017. Available at: <http://legislatie.just.ro/Public/DetaliiDocumentAfis/143429>

Romania: Decision no. 365 of May 24, 2018 for the approval of the National Strategy for the Promotion of Equal Opportunities and Treatment of Women and Men and the Prevention and Combating of Domestic Violence for 2018-2021 and the Operational Plan for the Implementation of the National Strategy for the Promotion of Equal Opportunities and Treatment combating domestic violence for the period 2018-2021 <http://legislatie.just.ro/Public/DetaliiDocument/201350>

Romania: Government Decision № 177/2016 regarding the organisation and functioning of the National Agency for Equal opportunities between Women and Men. <http://anes.gov.ro/wp-content/uploads/2017/09/HG-177-din-2016-organizare-si-functionare-ANES.pdf>

Romania: Government Decision № 177/2016 regarding the organisation and functioning of the National Agency for Equal opportunities between Women and Men. <http://anes.gov.ro/wp-content/uploads/2017/09/HG-177-din-2016-organizare-si-functionare-ANES.pdf>

Romania: Law 202/2002 on equal opportunities and treatment between women and men. Available at: <http://legislatie.just.ro/Public/DetaliiDocument/35778>

Romania: Law 217/2003 for preventing and combating domestic violence. Available at: <http://legislatie.just.ro/Public/DetaliiDocumentAfis/202441>

Romania: Order Nr. 2525/2018 of December 7, 2018 on the approval of the Procedure for emergency intervention in cases of domestic violence. Available at: <http://legislatie.just.ro/Public/DetaliiDocumentAfis/210560>

UNFPA (2009). *Partnering with men to end gender-based violence. Practices that work from Eastern Europe and Central Asia*. Available at: https://www.unfpa.org/sites/default/files/pub-pdf/partnering_with_men.pdf

Romania: Order no. 146 / 2.578 /2018 on how to manage cases of domestic violence by police officers. Available at: <http://legislatie.just.ro/Public/DetaliiDocumentAfis/209455>

Report from the Commissioner for Human Rights of the Council of Europe. Available at: <https://rm.coe.int/report-on-the-visit-to-romania-from-12-to-16-november-2018-by-dunja-mi/1680925d71> Strasbourg, 2019. CommDH(2019)5

Romania: Order no. 28 of January 3, 2019 on the approval of minimum quality standards for the accreditation of social services intended to prevent and combat domestic violence. Available at: <http://legislatie.just.ro/Public/DetaliiDocumentAfis/210533>

Romania: Decision No. 118/2014 of February 19, 2014 for the approval of the Methodological Norms for the application of the provisions of Law no. 197/2012 on insurance quality in the field of social services. Available at: <http://legislatie.just.ro/Public/DetaliiDocument/156275>

Sasarman, M. (2019) *Preventing policies in domestic violence with men and boys* https://ec.europa.eu/info/sites/info/files/aid_development_cooperation_fundamental_rights/mlp_ro_comments_paper_se_september_2019_en.pdf

Portugal: Comissão Técnica Multidisciplinar para a melhoria da prevenção e combate à violência doméstica (CTM). *Relatório final* Nos termos do n.º 3 da RCM n.º 52/2019, de 6 de março. <https://www.portugal.gov.pt/download-ficheiros/ficheiro.aspx?v=%3d%3dBAAAAB%2bLCAAAAAABACzMDI2AAAw4bhBAAAA%3d%3d>

Portugal: Ficha RVD - 1L Avaliação de risco para situações de violência doméstica. Available at: https://www.ministeriopublico.pt/sites/default/files/documentos/pdf/ficha_rvd_1l.pdf

Portugal: Initial Report of Portugal on the implementation of the Convention on the Rights of Persons with Disabilities. Available at:

<https://www.inr.pt/documents/11309/44742/Relat%C3%B3rio+inicial+de+Portugal+sobre+a+implementa%C3%A7%C3%A3o+da+Conven%C3%A7%C3%A3o/6fc3af38-a5cf-49a1-a21b-c9e472d55cab>

Portugal: Law nº 61/91 of August 13, Law for the Protection of Women Victims of Violence. (Lei n.º 61/91, de 13 de Agosto, Lei de Protecção as Mulheres vítimas de violência). Available at http://www.pgdlisboa.pt/leis/lei_main.php?codarea=443

Portugal: Law nº 107/99, of August 3, Creation of a public network of support houses for women victims of violence (Lei n.º 107/99 de 3 de Agosto Criação da rede pública de casas de apoio a mulheres vítimas de violência.) Available at: http://www.pgdlisboa.pt/leis/lei_main.php?codarea=443

Portugal: Law nº 112/2009, of September 16, Legal regime applicable to the prevention of domestic violence and the protection and assistance of its victims. Available at: http://www.pgdlisboa.pt/leis/lei_main.php?codarea=443

Portugal: Law nº 19/2013. 29^a amendment to the Penal Code, approved by Decree-Law no. 400/82, of 23 September, and first amendment to Law no. 112/2009, of 16 September, which establishes the legal regime applicable to the prevention of domestic violence, the protection and assistance of its victims. Available at: <https://dre.pt/home/-/dre/258498/details/maximized>

Portugal: V National Plan to Prevent and Combat Domestic and Gender Violence 2014 -2017, Available at: https://www.cig.gov.pt/wp-content/uploads/2014/01/V_PL_IGUALD_GENERO.pdf

Portugal: National Strategy for Equality and Non-Discrimination 2018 -2030. Available at: https://www.cig.gov.pt/wp-content/uploads/2018/07/Resol_Cons_Ministros_61_2018.pdf

Portugal: Ministry of Health. Order nº 6378/2013. (Ministério da Saúde Gabinete do Secretário de Estado Adjunto do Ministro da Saúde Despacho n.º 6378/2013. Diário da República, 2.ª série — N.º 94 — 16 de maio de 2013). Available at: <https://www.dgs.pt/accao-de-saude-para-criancas-e-jovens-em-risco/legislacao-relacionada/despacho-n-63782008-de-16-de-maio-pdf.aspx>

Portugal: Regulatory Decree No. 2/2018 Regulates the conditions for the organization and functioning of care facilities, emergency response responses and shelters that are part of the national support network for victims of domestic violence. Available at: http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?artigo_id=2831A0004&nid=2831&tabela=leis&pagina=1&ficha=1&so_miolo=&nversao=

Raposo Ferreira, D. R. Planos Individuais de Segurança para vítimas de violência doméstica: contributos para a sua elaboração. Relatório Científico Final do Trabalho de Investigação Aplicada Lisboa, setembro de 2017: 14.

Read-Hamilton, S. (2009). *Services, systems, structures: A multilevel approach for addressing gender-based violence in conflict affected settings.*

Websites consulted:

<https://gender.no/gender-equality/gender-mainstreamin>

<http://www.ministeriublico.pt/pagina/gabinetes-de-atendimento-vitimas-de-violencia-de-genero>

<https://www.coe.int/en/web/istanbul-convention/the-convention-in-brief>

www.ung.no

www.jegvet.no