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## Committee on Equal Opportunities for Women and Men

### **“Parliaments united in combating domestic violence against women”: follow-up to Resolution 1582 (2007)**

#### **Questionnaire**

**Presented by Mr José MENDES BOTA (Portugal, EPP/CD), Rapporteur, approved by the Committee on 7 December 2007 (national delegations to reply by 15 March 2008)**

#### *Introduction*

In its Resolution 1582 (2007) on “Parliaments united in combating domestic violence against women”: mid-term assessment of the campaign, the Parliamentary Assembly invited national parliaments to “adopt or supervise the application of seven key measures considered to be of priority” (paragraph 6.6) and “submit a progress report on the implementation of these priority measures outlined by the Assembly and activities carried out in the context of the campaign by April 2008” (paragraph 6.7).

National delegations, in co-operation with the contact parliamentarians appointed by national parliaments under Resolution 1512 (2006), are therefore invited to complete and return the attached questionnaire by 15 March 2008. It is in two parts:

- a progress report on the implementation of the priority measures identified by the Parliamentary Assembly (see paragraph 6.6 of Resolution 1582 (2007));
- a report on the awareness-raising and other events organised by national parliaments as part of the Council of Europe Campaign “Stop domestic violence against women”.

The replies to the questionnaire will be incorporated into the final report assessing the implementation of the parliamentary dimension of the Council of Europe campaign to combat violence against women, including domestic violence.

<b>Country:</b> _____
<b>Contact parliamentarian:</b> _____
<b>Name and details of the person completing the questionnaire</b>
Name: _____
Position: _____
Telephone no.: _____
E-mail address: _____

<b>Part I</b> <b>Assessment of the implementation of the key measures identified by the PACE</b>
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In its Resolution 1582 (2007) the Parliamentary Assembly invited national parliaments to adopt or supervise the application of seven key measures regarded as priorities. Please tell us about the situation in your parliament. We should be grateful if you would kindly specify the titles or sections of the relevant laws, include the html links wherever possible and tell us whether there is a version in one of the Council of Europe's working languages.

**1. MAKING DOMESTIC VIOLENCE AGAINST WOMEN, INCLUDING MARITAL RAPE, A CRIMINAL OFFENCE**

**1.1 Are acts of domestic violence against women classified by law as criminal offences?**

Yes                       No

Definition of the offence: \_\_\_\_\_

Title and reference of the law(s) or measure(s): \_\_\_\_\_

Penalty incurred: \_\_\_\_\_

Html link: \_\_\_\_\_

**1.2 Are acts of domestic violence against a (former) partner classified by law as criminal offences?**

Yes                       No

Definition of the offence: \_\_\_\_\_

Title and reference of the law(s) or measure(s): \_\_\_\_\_

Penalty incurred: \_\_\_\_\_

Html link: \_\_\_\_\_

**1.3 Is marital rape a criminal offence under national legislation?**

Yes  No

Title and reference of the law(s) or measure(s): \_\_\_\_\_

Html link: \_\_\_\_\_

**1.4 Has the offence of stalking been introduced into your national legislation?**

Yes  No

Title and reference of the law(s) or measure(s): \_\_\_\_\_

Html link: \_\_\_\_\_

**1.5 Do you use the Council of Europe definition of the term “violence against women” in your legislative work? (the definition is given in Appendix 1)**

Yes  No

If not, please state the definition used: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. IS VIOLENCE PERPETRATED BETWEEN (FORMER) PARTNERS REGARDED AS AN AGGRAVATING CIRCUMSTANCE UNDER CRIMINAL LAW?**

Yes  No

Title and reference of the law(s) or measure(s): \_\_\_\_\_

Penalty incurred: \_\_\_\_\_

Html link: \_\_\_\_\_

**3. SETTING UP SUFFICIENT NUMBERS OF SAFE EMERGENCY SHELTERS**

**3.1 How many safe emergency shelters are there in your country ? \_\_\_\_\_**

**3.2 How many places are there in the safe emergency shelters in your country ? \_\_\_\_\_**

**3.3 Do they cover the entire country ?**

Yes  No

**3.4 Are the shelters open 24/7 (round the clock, every day)?**

Yes  No

**3.5 Are the shelters free?**

Yes  No

**3.6 Is there one place in a safe shelter per 7,500 inhabitants?\*\*\***

Yes  No

\*\*\* in compliance with EG-TF (2006) 8 rev 5

**3.7 Are the shelters equipped to accommodate women with children?**

Yes  No

**3.8 Are there shelters for violent men ?**

Yes  No

**Comments, good practices, remarks, questions:**

**4. MAKING PROVISION TO REMOVE VIOLENT SPOUSES OR PARTNERS AND TAKE OUT PROTECTION ORDERS AGAINST PERPETRATORS**

**4.1 Does the law provide for the removal of violent spouses?**

Yes  No

Title and reference of the law(s) or measure(s): \_\_\_\_\_

Html link: \_\_\_\_\_

**4.2 If so, do the police have authority to issue a barring order as soon as a denunciation is lodged?**

Yes  No

**Description of the various protection orders:**

**4.3 Are denunciations automatically and immediately referred to the judicial authorities?**

Yes                       No

**4.4. If so, for how long can the police or the judicial authorities order a person to be barred from their home?**

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**4.5 Are there programmes in place aimed at helping the perpetrators of violence?**

Yes                       No

**4.6 If so, did you monitor the programmes aimed at helping the perpetrators of violence?**

Yes                       No

**Remarks, good practices, questions :**

**5. GUARANTEEING EFFECTIVE ACCESS TO THE COURTS AND TO PROTECTION MEASURES FOR VICTIMS**

**5.1 Is there a special action plan on violence against women?**

Yes                       No

Title and reference of the law(s) or measure(s): \_\_\_\_\_  
\_\_\_\_\_

Html link: \_\_\_\_\_

**5.2 Has your country set up a hotline for victims?**

Yes  No

**5.3 Has your country set up a hotline for the perpetrators of violence?**

Yes  No

**5.4 Does the law provide for special arrangements for effective access to the courts, including**

special treatment on police premises for victims of domestic violence and their children?

legal aid for victims?

**5.5 Does the law provide for special training programmes for representatives of the authorities involved with victims and perpetrators of domestic violence?**

**Police**

Yes  No

Title and reference of the law(s) or measure(s): \_\_\_\_\_  
\_\_\_\_\_

Html link: \_\_\_\_\_

**Judiciary**

Yes  No

Title and reference of the law(s) or measure(s): \_\_\_\_\_  
\_\_\_\_\_

Html link: \_\_\_\_\_

**Health personnel**

Yes  No

Title and reference of the law(s) or measure(s): \_\_\_\_\_  
\_\_\_\_\_

Html link \_\_\_\_\_

**Others (please specify)**

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Yes                       No

Title and reference of the law(s) or measure(s): \_\_\_\_\_

Html link: \_\_\_\_\_

**5.6 Are there any support arrangements in place to ensure the economic autonomy of victims and their social and professional integration?**

Yes                       No

**If so, please specify ?**

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Title and reference of the law(s) or measure(s): \_\_\_\_\_

Html link: \_\_\_\_\_

**5.7 Are there any special arrangements to ensure that migrant women and women from minority groups have access to protection measures for victims?**

Yes                       No

**If so, please specify ?**

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Title and reference of the law(s) or measure(s): \_\_\_\_\_

Html link: \_\_\_\_\_

**5.8 Have you put any specific measures into place for the use of mediation in the case that both parties are willing to do this ?**

Yes                       No

**5.9 If so, did you monitor the specific measures into place for the use of mediation?**

Yes                       No

**Remarks, good practices, questions :**

**6. ALLOCATING SUFFICIENT BUDGETARY RESOURCES FOR THE IMPLEMENTATION OF THE LAW**

Resolution 1582 (2007) : “Parliaments united in combating domestic violence against women”: mid-term assessment of the Campaign: “the Assembly invites national parliaments which have not yet done so to:(...)”

6.9. present, before the end of 2007, the budgetary objectives and appropriations for 2008 to fight domestic violence against women, taking into account a minimum objective of 1 euro on average per inhabitant in all member States. (...)

**6.1 Can you indicate the share of the budgets of the ministries assigned to combating domestic violence (eg health, social security, interior, prevention, victim support, training, justice, police)?**

2007: \_\_\_\_\_

2008: \_\_\_\_\_

**6.2 Do you have a special budget head for combating domestic violence?**

Yes                       No

2007: \_\_\_\_\_

2008: \_\_\_\_\_

**Comments, good practices, remarks, questions:**

**7. MONITORING THE APPLICATION OF LAWS ON VIOLENCE AGAINST WOMEN PASSED BY THE PARLIAMENT OR APPROVED BY THE GOVERNMENT**

**7.1 Does your parliament have a body in charge of supervising the application of the legislation against domestic violence?**

Yes                       No



**If so, please give its title:**

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**7.2 Have you undertaken an assessment of how the legislation already passed has been implemented?**

Yes       No

**If so, please specify; references and html link:** \_\_\_\_\_

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**7.3 Do you know of an assessment report drawn up by a non-governmental organisation in your country?**

Yes       No

**Name of the non-governmental organisation:** \_\_\_\_\_

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**Part II**  
**Report on parliamentary activities carried out or planned as part of the campaign**

**8.1 Have you translated Committee of Ministers Recommendation Rec(2002)5 on the protection of women against violence, and the Parliamentary Assembly “Handbook for parliamentarians”, into your national language(s)?**

**Rec (2002) 5:**  Yes  No

**Handbook for parliamentarians\*:**  Yes  No

\* The list of language versions is on the campaign website. Please send us any further translations (PDF).

**8.2 What activities has your parliament undertaken since the campaign was launched?** (eg hearings, resolutions, amendments, exhibitions, events, public statements) not already listed on the campaign website \*\*

**Please attach press releases and photos where possible.**

1.
2.
3.
...

\*\* A non-exhaustive list appears on the campaign website ([www.coe.int/stopviolence/assembly](http://www.coe.int/stopviolence/assembly))

**8.3 Will you be holding an event linked to the campaign on International Woman’s Day, 8 March 2008?**

Yes  No

**If so, please specify:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**What parliamentary activities do you plan to organise by the end of the campaign in June 2008?**

**9. Is there a group of male parliamentarians** in your parliament who are committed to combating violence against women?

Yes                       No

**If so, please give the names of the network contact persons:**

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**If so, does this network have a website? Please indicate the website URL:**

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**If so, would you like to help this group join a European network?**

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**Thank you for taking the time to complete this questionnaire.  
Please return it to the Secretariat of the Parliamentary Assembly  
of the Council of Europe**

**by 15 March 2008**

**Fax: + 33 (0)3 90 21 56 52  
e-mail: [guillaume.parent@coe.int](mailto:guillaume.parent@coe.int)**

## Appendix 1

### **Definition of domestic violence given in the Appendix to Committee of Ministers Recommendation Rec (2002) 5 on the protection of women against violence**

(...) the term “violence against women” is to be understood as any act of gender-based violence which results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life. This includes, but is not limited to, the following:

a. violence occurring in the family or domestic unit, including physical and mental aggression, emotional and psychological abuse, rape and sexual abuse, incest, rape between spouses, regular or occasional partners and cohabitants, crimes committed in the name of honour, female genital and sexual mutilation and other traditional practices harmful to women, such as forced marriages;

b. violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in institutions or elsewhere, trafficking in women for the purposes of sexual exploitation and economic exploitation and sex tourism;

c. violence perpetrated or condoned by the state or its officials;

d. violation of the human rights of women in situations of armed conflict, in particular the taking of hostages, forced displacement, systematic rape, sexual slavery, forced pregnancy, and trafficking for the purposes of sexual exploitation and economic exploitation.