

AS/Ega (2008) 15 rev
23 April 2008
Aegadoc15rev_2008

Committee on Equal Opportunities for Women and Men

“Parliaments united in combating Domestic Violence against women”: follow-up to Resolution 1582 (2007)

**Questionnaire on the implementation of the parliamentary dimension
of the Council of Europe campaign to combat violence against women,
including domestic violence**

**Replies from Contact Parliamentarians and National Delegations on the
Assessment of the implementation of the key measures identified by PACE**

Update: 7 May 2008

Presented by Mr José MENDES BOTA (Portugal, EPP/CD), Rapporteur

To date, 40 countries have answered the questionnaire:

Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, “the former Yugoslav Republic of Macedonia”, Turkey, Ukraine, United Kingdom, Canada

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?**

Andorra	YES
Armenia	NO
Austria	YES
Azerbaijan	NO
Belgium	YES
Bosnia and Herzegovina	YES
Bulgaria	YES
Croatia	YES
Cyprus	YES
Czech Republic	YES
Denmark	YES
Estonia	NO
Finland	YES
France	YES
Germany	YES
Greece	YES
Hungary	NO
Iceland	YES
Italy	NO
Liechtenstein	YES
Lithuania	YES
Luxembourg	YES
Malta	YES
Moldova	YES
Monaco	YES
Netherlands	YES
Norway	YES
Poland	YES
Portugal	YES
Romania	YES
Slovakia	YES
Slovenia	YES
Spain	YES
Sweden	YES
Switzerland	YES
“the former Yugoslav Republic of Macedonia”	YES
Turkey	YES
Ukraine	YES
United Kingdom	YES
Canada	YES

NO: Armenia, Azerbaijan, Estonia, Hungary, Italy.

In Estonia, Domestic Violence falls into the category of ordinary violence with a maximum penalty of 1 year (threats), 3 years (physical abuse) and 5 years (torture)

In Hungary: Domestic Violence is mentioned in “Parliament resolution 45/2003”.

Not explicitly mentioned in a law but in the criminal code: Austria, Iceland (mentioned as close/intimate relations), Moldova (mentioned in the Criminal Code), Monaco (mentioned in the Criminal Code), Netherlands (mentioned in the Dutch Criminal Code), Romania (mentioned in the Criminal Code), United Kingdom, and Canada.

In the United Kingdom, the Act of 2004 is explicit.

In Canada, the “Family Violence Initiative” of 1988 is explicit.

YES: Explicitly mentioned in a law: Andorra, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Liechtenstein, Lithuania, Luxembourg, Malta, Norway, Portugal, Poland, Slovakia, Slovenia (Family Violence Act), Spain (Organic Law 10/1995), Sweden, Turkey (the private area is explicitly mentioned), Switzerland (Criminal Code and the Law), “the former Yugoslav Republic of Macedonia” (Law on Family), Ukraine.

1.2 Are acts of Domestic Violence against a (former) partner classified by law as criminal offences?

Andorra	YES
Armenia	NO
Austria	YES
Azerbaijan	NO
Belgium	YES
Bosnia and Herzegovina	YES
Bulgaria	YES
Croatia	YES
Cyprus	YES
Czech Republic	YES
Denmark	YES
Estonia	NO
Finland	YES
France	YES
Germany	YES
Greece	YES
Hungary	NO
Iceland	YES
Italy	NO
Liechtenstein	NO
Lithuania	NO
Luxembourg	YES
Malta	YES
Moldova	YES
Monaco	NO
Netherlands	YES
Norway	YES
Poland	YES
Portugal	YES
Romania	NO
Slovakia	YES
Slovenia	YES
Spain	YES
Sweden	YES
Switzerland	YES
“the former Yugoslav Republic of Macedonia”	YES
Turkey	YES
Ukraine	NO

United Kingdom	YES
Canada	YES

NO: Armenia, Azerbaijan, Estonia (these acts are covered under ordinary violence), Hungary, Italy, Liechtenstein, Lithuania (there is no concept of “(former) partner”), Monaco, Romania, Ukraine.

The other countries answered **YES**.

1.3 Is marital rape a criminal offence under national legislation?

Andorra	YES
Armenia	NO
Austria	YES
Azerbaijan	NO
Belgium	YES
Bosnia and Herzegovina	YES
Bulgaria	YES
Croatia	YES
Cyprus	YES
Czech Republic	YES
Denmark	YES
Estonia	NO
Finland	YES
France	YES
Germany	YES
Greece	YES
Hungary	YES
Iceland	YES
Italy	YES
Liechtenstein	YES
Lithuania	NO
Luxembourg	YES
Malta	YES
Moldova	YES
Monaco	NO
Netherlands	YES
Norway	YES
Poland	YES
Portugal	YES
Romania	YES
Slovakia	YES
Slovenia	YES
Spain	NO
Sweden	YES
Switzerland	YES
“the former Yugoslav Republic of Macedonia”	YES
Turkey	YES
Ukraine	YES
United Kingdom	YES
Canada	YES

NO: Armenia, Azerbaijan, Estonia, Lithuania (no explicit mention), Spain (no specific offence but considered under the general offence of rape).

The other countries answered **YES**.

Monaco: The draft Law of 14 December 2007 mentions this offence;

Portugal: it is included under the crimes of “Sexual Coercion” and “Rape” in the criminal code.

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

NO: Armenia, Azerbaijan, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Greece, Italy, Moldova, Monaco, Portugal, Slovenia and the Ukraine.

YES: Austria (persistent intrusion), Belgium (harassment), Croatia (stalking is a misdemeanour of family violence), Finland (following and observing a protected person is also prohibited), France (sexual harassment and moral harassment in the working environment), Germany, Hungary, Iceland (offences against the inviolability of Private Life), Liechtenstein (persistent pursuit), Lithuania, Malta, Netherlands, Norway, Poland (harassment), Romania (sexual harassment), Spain (Sexual harassment, stalking), Slovakia, “the former Yugoslav Republic of Macedonia”, Turkey, Ukraine, United Kingdom, Canada (criminal harassment).

Equivalent to Yes: Andorra (the criminal code explicitly mentions types of behaviour that are similar to harassment and persecution), Switzerland (there is no specific element of crime named stalking in the Swiss Criminal Code. However, several acts of stalking are classified by the Law as criminal offenses -threats, breach of domestic peace, etc. Furthermore, there is a specific regulation on stalking in the Swiss Civil Code as well as in the law of the Canton of Zurich concerning domestic violence.)

Being introduced: Czech Republic, France (thinking about introducing the concept of psychological violence), Luxembourg, Sweden.

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: Austria, Azerbaijan (the law on Prevention of Domestic Violence is in the process of being adopted), Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Hungary, Liechtenstein, Moldova, Monaco, Portugal and Switzerland.

The United Nations definition is used in Sweden and the United Kingdom

National definition: Czech Republic, Denmark, Estonia (use the term “criminal assault”), France (legal provisions are gender neutral and refer to – current or former - spouses, partners. In addition, gender-based discrimination is forbidden), Finland (the Finnish legislation is gender neutral), Greece, Italy (no gendering in the concept used in the criminal code), Iceland (the criminal code is gender neutral), Norway (the criminal code is gender neutral), Poland, Spain, Slovenia (family violence), Turkey (family violence), Romania, Ukraine, Canada (Canada has its own definition at federal and provincial level).

NO: Andorra: the Parliament is considering introducing a definition while reviewing the legal texts. However, it might not use the Council of Europe definition in order to extend the concept to male victims as well. In Armenia, there is no definition at all.

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

Andorra	NO
Armenia	YES
Austria	NO
Azerbaijan	NO
Belgium	YES
Bosnia and Herzegovina	NO
Bulgaria	YES
Croatia	NO
Cyprus	NO
Czech Republic	NO
Denmark	NO
Estonia	NO
Finland	NO
France	YES
Germany	YES
Greece	YES
Hungary	NO
Iceland	YES
Italy	YES
Liechtenstein	NO
Lithuania	NO
Luxembourg	YES
Malta	YES
Moldova	YES
Monaco	NO
Netherlands	YES
Norway	NO
Poland	NO
Portugal	NO
Romania	NO
Slovakia	NO
Slovenia	NO
Spain	YES
Sweden	YES
Switzerland	NO
“the former Yugoslav Republic of Macedonia”	YES
Turkey	YES
Ukraine	YES
United Kingdom	YES
Canada	YES

NO: Andorra (the criminal code mentions violence perpetrated between partners, and ill-treatment consecutive to domestic violence), Austria, Azerbaijan, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Hungary, Liechtenstein, Lithuania, Monaco (legislation being adopted), Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Ukraine.

The other countries answered **YES**

3. SETTING UP SUFFICIENT NUMBERS OF SAFE EMERGENCY SHELTERS

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

There are no shelters in Armenia and Monaco.

In Monaco, social services provide free and emergency shelters to victims of violence. There are no shelters specifically dedicated to women who are victims of domestic violence.

Andorra	4
Andorra	4
Austria	29
Azerbaijan	1
Belgium	7
Bosnia and Herzegovina	10
Bulgaria	no answer
Croatia	14
Cyprus	1
Czech Republic	60
Denmark	45
Estonia	4
Finland	28
France	115
Germany	363
Greece	no answer
Hungary	12
Iceland	1
Italy	148
Liechtenstein	1
Lithuania	15
Luxembourg	8
Malta	5
Moldova	8
Monaco	0
Netherlands	100
Norway	51
Poland	1773
Portugal	34
Romania	53
Slovakia	27
Slovenia	21
Spain	no answer
Sweden	165
Switzerland	17
“the former Yugoslav Republic of Macedonia”	6
Turkey	44
Ukraine	22
United Kingdom	no answer
Canada	344

Good practices:

Moldova: the Ministry works intensively to open 30 social centres, 6 of them would provide assistance to families in crisis situations

Portugal: the minimum requirements for the operation of shelters were defined in 2006. All shelters must comply with these requirements. Working meetings are held periodically with the technical teams from all the shelters to discuss difficulties and to define standard guiding principles. The setting up of a national database is currently under study to optimize the management.

Spain: until today, shelters have been run by regions, NGOs, churches and even private people. One of the main purposes in the next times is to rationalise this issue.

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

There are no shelters in Armenia and Monaco.

Andorra	no answer
Armenia	0
Austria	842
Azerbaijan	52
Belgium	150
Bosnia and Herzegovina	330
Bulgaria	no answer
Croatia	316
Cyprus	13
Czech Republic	no answer
Denmark	355 women and 396 children
Estonia	33
Finland	100
France	5541
Greece	no answer
Germany	7342
Hungary	110
Iceland	16
Italy	592 to 1184
Liechtenstein	no answer
Lithuania	72
Luxembourg	165
Malta	50
Moldova	25
Monaco	0
Netherlands	2430
Norway	772
Poland	2700
Portugal	500
Romania	450
Slovakia	517
Slovenia	325
Spain	no answer
Sweden	no answer
Switzerland	Ca. 200
“the former Yugoslav Republic of Macedonia”	no answer
Turkey	no answer
Ukraine	390
United Kingdom	no answer
Canada	8358

3.3 Do they cover the entire country?

NO: Austria, Azerbaijan, Croatia, Estonia, Finland, Germany (not enough shelters in general), Lithuania (NGOs lack public funds to run shelters), Moldova, Romania, Slovenia, Switzerland, “the former Yugoslav Republic of Macedonia”, Turkey, Ukraine.

YES: Andorra, Belgium, Bosnia and Herzegovina, Cyprus, Czech Republic, Denmark, France, Hungary, Iceland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Spain, Sweden, United Kingdom, Canada.

The other countries did not answer the question.

Good practices:

- Sweden (one per district, 165 municipalities out of 289).
- France (100 hosting families for women with children, one in each district).

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

NO: Slovenia

No answer: Armenia, Bulgaria, France, Greece, Netherlands.

The other countries answered **YES**.

3.5 Are the shelters free?

NO: Belgium, Czech Republic, Germany (usually free, but if not, victims receive some financial assistance), Netherlands, Slovakia, Slovenia, Sweden (small fee, but the law guarantees shelter even if the person cannot pay).

No answer: Armenia, Bulgaria, France, Greece, Netherlands.

The other countries answered **YES**.

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

YES: Belgium, Denmark, Liechtenstein, Luxembourg, Netherlands, Norway, Slovenia, Canada (Canada is difficult to evaluate because of the Federal system, but the answer is likely to be Yes).

These statistics are not available in Sweden and United Kingdom.

The other countries answered **NO** or did not answer the question.

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

3.7 Are the shelters equipped to accommodate women with children?

NO: Azerbaijan.

No answer: Armenia, Bulgaria, Greece, Moldova, United Kingdom.

YES: all other countries have shelters equipped to accommodate women with children.

3.8 Are there shelters for violent men ?

YES: Bosnia and Herzegovina, Denmark (only a few), Luxembourg (consultation centres), Romania (5), Sweden (50 crisis management centres), Turkey (Konya).

In the other countries, there are **no shelters dedicated to violent men** or no answer was provided.

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?

NO: Armenia, Azerbaijan, Iceland (arrest is possible), Lithuania (possible under certain circumstances), Monaco (the law is in the process to be adopted), Ukraine, United Kingdom (arrest is possible, possibility also offered by common law).

The other countries answered **YES**.

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

NO: Andorra, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, France, Hungary, Iceland, Lithuania, Malta, Portugal, Romania, Slovakia, Spain, Sweden, Turkey, Ukraine, United Kingdom, Canada.

Usually this is the court's responsibility.

Good practices:

- **Finland:** Police officers have the right to remove anyone, with permission, from an area or place if they are causing a disturbance. This person may be kept in custody for no longer than 12 hours. Police officers also have a role of prevention by having the right to enter a building without permission.

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

NO: Armenia, Azerbaijan, Czech Republic, Denmark, Finland (the police or another investigating authority must conduct a criminal investigation), Hungary, Lithuania, Malta, Poland, Portugal, Romania, Slovenia, Sweden, Ukraine, United Kingdom.

YES: Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Estonia, France, Germany, Greece, Italy, Liechtenstein, Luxembourg, Moldova, Monaco, Netherlands, Norway, Slovakia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Turkey, Canada.

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

In all the countries that replied "YES", with the exception of Andorra, a person can be banned from his/her home on average from a week to 6 months.

Andorra	From 6 to 12 years
Austria	Police: from 10 to 20 days Court: from 3 months and more
Bosnia and Herzegovina	Court: from 30 days to 6 months
Croatia	Yes
Cyprus	Court: up to 8 days plus 8 extra days
Czech Republic	Police: 10 days / Court 1 months
Denmark	14 days which can be prolonged
Estonia	Up to 3 years
France	Court: no details

Germany	Police: 10 days Court: max 12 months
Greece	<i>For a period needed</i>
Hungary	30 days
Italy	Civil Court: up to 6 months max
Liechtenstein	Police: 72 hours to 20 days
Lithuania	48 hours
Luxembourg	10 days to 3 months
Moldova	3 months
Netherlands	From 10 days to 4 weeks
Norway	Up to 3 months
Switzerland	Depends on cantonal legislation
“the former Yugoslav Republic of Macedonia”	Up to 6 months
Turkey	Yes
Canada	Court: up to 12 months

Good practices:

Andorra: the perpetrator can be banned for up to 6 years for minor crimes and up to 12 years for major crimes.

Spain: the duration of the of the order is determined by the judge according to the principles of proportion, need, explanation, contradiction, audience and defence (art 68 of the Organic Law 1/2004)

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

NO: Andorra, Azerbaijan, Italy, Lithuania, Moldova, Monaco, Slovakia, Ukraine.

No answer: Armenia, United Kingdom.

The other countries answered **YES**

Good Practices:

Greece: the perpetrator of violence may obtain a certificate after completing a training seminar, which may be part of the judicial dossier

Portugal: it is the work of the Social Rehabilitation Institute to lead perpetrators to rehabilitation programmes. Security forces working in National Guard's victim support rooms provide support and monitoring for perpetrators that voluntarily wish to alter their behaviour.

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

YES: Belgium, Croatia, Denmark (monitoring is about to start), Finland, France, Germany, Hungary, Iceland, Liechtenstein, Norway, Poland, Sweden, “the former Yugoslav Republic of Macedonia”, Canada.

Soon: Luxembourg.

No answer: Andorra, Armenia, Azerbaijan, Bulgaria, Czech Republic, Greece, Lithuania, Moldova, Slovakia, Spain, Ukraine, United Kingdom.

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?

NO: Andorra, Armenia, Austria, Azerbaijan, Cyprus, Estonia, Hungary, Poland, Romania, Switzerland, Ukraine.

Soon: Czech Republic.

The other countries answered **YES**.

Good practices

Finland had a programme “Preventing spousal and family violence” between 2004-2007. The programme for 2008-2011, is an Internal Security Programme (inter alia: every day security which will incorporate: reducing intimate partner violence; improving the security of ethnic minorities (including influence of “honour violence”))

Portugal: Portugal adopted on 22 June 2007 its third Action Plan

Spain: the article 3 of the Organic Law 1/2004 implies the adoption of an action-plan

5.2 Has your country set up a hotline for victims?

NO: Finland (there is no national helpline but several organisations have “SOS” telephone services), Iceland (special number for female victims of violent crime, emergency number of the police 112 and hotline run by the Red Cross for people in need of assistance), Liechtenstein, Monaco, Norway, Switzerland (there are hotlines on cantonal level).

No answer: Bulgaria, United Kingdom.

The other countries answered **YES**.

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

YES: Denmark, Germany, Hungary, Malta, Poland, Slovenia, United Kingdom, Canada.

No answer: Bulgaria, United Kingdom.

The other countries answered **NO**.

Good practice:

Switzerland: NGOs offer support to perpetrators of violence.

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

5.4a. special treatment on police premises for victims of Domestic Violence and their children?

YES: Austria, Belgium, Croatia, Cyprus, Estonia, Germany, Greece, Hungary, Malta, Moldova, Monaco, Portugal, Norway, Spain, Sweden, Switzerland, “the former Yugoslav Republic of Macedonia”, Turkey, Canada.

Good practices:

France: the Minister of the Interior signed an agreement in 2005 permitting NGOs to set up a contact point in Police stations to welcome victims (150 police and gendarmerie stations). Access to stations for social workers and psychologists was made easier.

Luxembourg: the assistance service to victims of Domestic Violence provides proactive assistance to victims.

Portugal: creation of the GAV (office for the shelter of victims) in the stations of the Republican Guards

Sweden: since 1984, the police are expected to warn social workers. Since 2006, the police are expected to take special safety measures to protect witnesses and other threatened persons.

Canada: all jurisdiction offer victim services (not necessarily at police stations).

5.4b. legal aid for victims?

Some countries guarantee legal aid to victims but replies to the questionnaire do not help to draw conclusions. In most of the countries victims of domestic violence have to apply like any other person who requires free legal aid.

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

Providing training to authorities is not always based on a legislation.

Police

NO: Armenia, Azerbaijan, Cyprus, Czech Republic, Denmark, Estonia, Finland, Italy, Lithuania, Malta, Monaco, "the former Yugoslav Republic of Macedonia", Ukraine.

Other countries answered **YES**.

Good practice:

- **Denmark:** it is not written in the Law but it is in the police education curriculum.

Judiciary

NO: Andorra, Armenia, Azerbaijan, Cyprus, Czech Republic, Denmark, Estonia, Finland, Italy, Iceland, Hungary, Liechtenstein, Malta, Monaco, Portugal, "the former Yugoslav Republic of Macedonia", Ukraine.

Other countries answered **YES**.

Health personnel

NO: Andorra, Armenia, Azerbaijan, Cyprus, Czech Republic, Denmark, Estonia, Finland, Hungary, Malta, Monaco, "the former Yugoslav Republic of Macedonia", Ukraine.

Other countries answered **YES**

Others (please specify)

- **Croatia:** Education: seminars on Violence against children and between children in school and family training in secondary schools
- **Cyprus:** the Family Counsellor
- **Finland:** "Victim Support Finland", which is run by several Organisations and the church, arranges training for professional personnel.
- **Luxembourg:** since 2007, fostering a culture of non-violence (primary school, students, education for student social workers...)
- **Portugal:** Law on Social Action for Groups at Risk
- **France:** training programmes will be extended to social workers, family and marriage guidance counsellors.
- **Poland:** teachers, physicians, social workers

- **Portugal:** Law on social work with groups at risk
- **Slovakia:** NGOs <http://www.fenestra.sk/>
- **Slovenia:** The Family Violence Prevention Act defines the education of practitioners working with the authorities and organizations as well as non governmental organizations in the Article 10 of this Act. [...] (police, health organisations, social security, educational institutes)
- **Spain:** teachers
- **Switzerland:** the Law against violence of the Canton of Zurich contains a specific clause concerning the professional trainings and education of persons and authorities dealing with domestic violence
- **Turkey:** The Women's groups (Istanbul Women Association Union) advocate men groups in fabrics, in Café's. The General Directorate On The Status Of Women introduced trainings concerning violence against women, gender equality, crimes under the name of honour and custom and related legal arrangements; implements projects; organizes meetings/conferences; introduces awareness raising campaigns. Not only the General Directorate but also municipalities, NGOs, public institutions, universities organize conferences, implement projects, arrange trainings, etc.
- **Canada:** Examples of other training programmes for representatives of the authorities involved with victims and perpetrators of domestic violence include: Crown attorneys, probation officers, and Partner Assault Response program staff. Many of these professionals operate in partnership with specialized Domestic Violence Courts.

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

NO: Armenia, Austria, Azerbaijan, Czech Republic, Estonia, Finland, France, Iceland, Italy, Liechtenstein, Lithuania, Malta, Netherlands, Norway, Slovenia, Switzerland, Ukraine.

YES : Andorra, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, Germany, Hungary, Moldova, Monaco, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Turkey, "the former Yugoslav Republic of Macedonia", Canada.

No answer: Bulgaria, Greece, United Kingdom.

It is to be noted that general support arrangements are available to victims but no specific assistance to victims of domestic violence is proposed.

Good practices:

Andorra: In the recovery programme for victims and their children, there is free psychological and legal assistance, plus financial assistance (for food, housing, child care, out of school activities)

Portugal: women can attend to vocational training courses

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

NO: Armenia, Andorra, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Greece, Hungary, Italy, Lithuania, Malta, Monaco, Netherlands, Portugal, Romania, Slovakia, Slovenia, Switzerland, Turkey, Ukraine.

Migrant women are usually in contact with special structures set up for migrants.

Good practice:

Greece: the protection is granted to any victim, including migrant women.

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: Austria, Belgium, Bosnia and Herzegovina, Croatia, Denmark, Finland, Greece, Hungary, Iceland, Liechtenstein, Malta, Moldova, Monaco, Poland, Slovakia, "the former Yugoslav Republic of Macedonia", Canada.

Good Practices:

- **Iceland:** mediation as a means to obtain restorative justice has been run as a pilot project in Iceland since October 2006. Certain conditions apply however for resorting to mediation instead of court proceedings. For instance in a case of major bodily assault, mediation is not an option. The project will be evaluated in October 2008.
- **Finland:** Act on Conciliation in Criminal and Certain Civil Cases (1015/2005).

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

YES: Denmark, Finland, Hungary, Iceland, Liechtenstein, Moldova, Monaco, “the former Yugoslav Republic of Macedonia”, Canada.

Good Practices:

Monaco: since January 2005, 18 situations were qualified as “family violence”. The victims received support. 8 cases had recourse to family mediation.

6. ALLOCATING SUFFICIENT BUDGETARY RESOURCES FOR THE IMPLEMENTATION OF THE LAW**6.1 Can you indicate the share of the budgets of the ministries assigned to combating Domestic Violence (e.g. health, social security, interior, prevention, victim support, training, justice, police)?**

	Population in million inhabitants	Budget
Andorra	0.07	2007: 261 000€ 2008: 224 000€
Armenia	3	no answer
Austria	8.2	2007: 3,5 million€ 2008: 4,5 million €
Azerbaijan	8.2	no answer
Belgium	10.5	no answer
Bosnia and Herzegovina	3.8	2008: Republika Srpska 130000€ Federation of BiH: 102000€
Bulgaria	7.7	no answer
Croatia	4.4	2007: 300000€
Cyprus	1	NO
Czech Republic	10.2	NO
Denmark	5.4	Action plan 2005-2008: 8.6 million € Project on support and treatment (2007-2010): 7 million € Annual budget for shelters: 10 million €
Estonia	1.3	NO
Finland	5.2	2003/2007: 250000€/year 2008: no answer
France	60.7	no answer
Germany	82.6	NO
Greece	11.1	no answer
Hungary	10.1	2007: 508000€ 2008 550000€

Iceland	0.3	2007: 1.21 M € 2008 1.21 M €
Italy	58.7	2008: 20 M €
Liechtenstein	0.04	NO
Lithuania	3.4	NO
Luxembourg	0.5	no answer
Malta	0.4	2007: 304000€ 2008: 380000€
Moldova	4.2	no answer
Monaco	0.03	NO
Netherlands	16.3	2007/2008: 4 million€ per year
Norway	4.6	2007: no data 2008 6,3M €
Poland	38.2	2007: 3,5M€ 2008: 3,5M€
Portugal	10.6	NO
Romania	21.6	2007:154000€ 2008: 500000€
Slovakia	5.4	2008: 30 000 €
Slovenia	2	2008: 342 000 €
Spain	43.5	in process
Sweden	9	NO
Switzerland	7.4	NO (Federal Budget: 160.000€/year)
"the former Yugoslav Republic of Macedonia"	2	NO
Turkey	71.3	NO
Ukraine	47.1	no answer
United Kingdom	60.1	no answer
Canada		2007/2008: 4,5M€ Assistance to autochthones

Many countries cannot give explicit details concerning their budget. Only few countries comply with the criteria of 1 euro per inhabitant.

Good practice :

- **"the former Yugoslav Republic of Macedonia"** : at the initiative of the Women's parliamentary Club, the Assembly unanimously adopted in March 2007 an amendment to the law on games of chance, providing that 10% of the funds generated by games of chance and lotteries be reserved for a special fund for combating domestic violence.

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

Comments, good practices, remarks, questions:

YES: Andorra, Croatia, Cyprus, Moldova, Netherlands, Canada.

Other countries answered **NO** or **did not answer** the question.

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?

Andorra	NO
Armenia	NO
Austria	NO
Azerbaijan	NO
Belgium	Advisory Committee for Gender Equality (Senate) and Advisory Committee for Social Emancipation (Chamber of Representatives)
Bosnia and Herzegovina	Committee on Gender Equality (Chamber of Representatives)
Bulgaria	no answer
Croatia	Committee for Gender Equality and Committee for Legislation
Cyprus	The House Standing Committee on Legal Affairs
Czech Republic	NO
Denmark	NO
Estonia	NO
Finland	NO
France	Delegations on Women's Rights and Equal Opportunities in the National Assembly and the Senate
Germany	A working group against domestic violence comprising representatives of the Federation and the Länder is in charge of supervising the implementation of the action plan to combat violence against women.
Greece	no answer
Hungary	NO
Iceland	NO
Italy	NO
Liechtenstein	NO
Lithuania	NO
Luxembourg	In principle, the Committee for Family, Equal Opportunities and Youth
Malta	NO
Moldova	Parliamentary Standing Committee on Social Protection, Health and Family
Netherlands	NO
Norway	NO
Poland	NO
Portugal	Sub-Committee on Equal Opportunities and Family
Romania	Committee on Equal Opportunities (Senate) and Committee on Equal Opportunities for Women and Men (Chamber of Deputies)
Slovakia	NO
Slovenia	NO
Spain	Joint Committee on Women's Issues and Equality

	Observatorio Estatal de Violencia sobre la mujer
Switzerland	NO
Sweden	NO
"the former Yugoslav Republic of Macedonia"	Committee on Equal Opportunities for Women and Men
Turkey	A follow-up Committee on violence against women, initiated by the Directorate General on the Status of Women
Ukraine	NO
United Kingdom	no answer
Canada	No at federal level

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

Yes: Andorra, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, France, Germany, Lithuania, Luxembourg, Netherlands, Romania, Slovakia, Spain, Sweden, Turkey

NB: **Canada** has not made any assessment at federal level.

Moldova passed the Law on Preventing and Combating of the Violence in the Family on 29 February 2008

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

Austria	Institut für Konfliktforschung (e.g. reports concerning the implementation of the Federal Act on the Protection against Domestic Violence): http://www.igf.or.at/
Belgium	Amnesty International for example.
Bosnia and Herzegovina	"Medika" Zenica, "Žene ženama" Sarajevo, "Žene sa Une Bihać, "Fondacija lokalne demokratije" Sarajevo, "Forma F" Mostar, "Vesta" Tuzla, and others. "Udružene žene" Banja Luka in co-operation with "Helsinki parlament građana" Banja Luka and "Budućnost" Modriča.
Croatia	Croatian Women's Network draws up annual reports on the situation on women's human rights in the Republic of Croatia, in which they also give a review of the implementation of the legislation in the Republic of Croatia.
Denmark	National violence observatory
Finland	Amnesty International Finland
France	Amnesty International France published a report on this topic in 2006.
Iceland	The Icelandic Human Rights Center in Iceland has among other things the mandate to monitor the compliance of the Icelandic State to human rights convention, it is a party to including the Convention on the Elimination of All Forms of Discrimination against Women and International Covenant on Economic, Social and Cultural Rights. In its shadow reports, the Center has in the past identified gaps such as with regard to how domestic violence cases are dealt with in the law and in practice, the short-comings of restraining orders in practice and the vulnerable status of foreign women subjected to violence by their spouse and whose residence permit depends upon their marriage with the spouse in question. The current situation is that foreign victims of domestic violence who want to separate from their spouse and have been residents in Iceland less than 3 years are not being granted a separate residence permit except on an ad hoc basis as a result of humanitarian considerations. Please note however that the Act on Foreigners No. 96/2002 and the Act on Foreign Nationals' Right to Work No. 97/2002 are in the process of being amended and the Icelandic Human Rights Center has pointed out in its comments to the bill of law being prepared the aforementioned situation of foreign women.

Moldova	UNICEF
Norway	Shadow report by Norwegian women's organizations to Norway's 7th periodic report on the implementation of CEDAW.
Portugal	APAV - Portuguese Association for Victim Support www.apav.pt and APMJ – Portuguese Association of Women Lawyers www.apmj.pt
Romania	National NGOs Coalition involved in Violence against Women Programs (VIF Coalition); Romanian Group for Human Rights Protection (GRADO); American Bar Association – Judicial Initiative for Central Europe and Eurasia (ABA-CEELI) Romania http://www.grado.org.ro/grado/documente/vif/Rezultatele_raportului_monitorizare.pdf ; http://www.abanet.org/rol/publications/romania-dv-in-romania-law-court-system-rom.pdf www.apfr.ro
Slovakia	Fenestra, Institute for Public Affairs, Piata žena, Aliancia žien Slovenska
Sweden	Amnesty International Sweden published a report on “Men’s Domestic Violence against Women”
"the former Yugoslav Republic of Macedonia"	Yes
Turkey	Yes
Canada	Assessment reports by NGOs address provincial/territorial actions in this area. The Feminist Alliance for International Action has monitored the federal government's actions in this area. Their assessment was part of the alternative report they submitted in 2002 to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee on the occasion of the 5th review of Canada's report. The report is entitled, Canada's Failure to Act: Women's Inequality Deepens: (http://www.fafia-afai.org/en/canadas_failure_to_act_womens_inequality_deepens) The UN CEDAW Committee made several recommendations to Canada in 2003 that included improvements to be made to Canada's approach to combating violence against women. In 2007, Canada submitted its 6th and 7th reports to the United Nations CEDAW Committee. Alternative reports will be submitted by Canadian NGOs.

Other countries indicated **NO** or did not answer.