



International Conference

„The network approach in combating violence against women: from regional training to a European perspective“

Bologna, June 13th 2019

The Austrian experience of the Intervention Center

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Introduction

- First I want to thank all organizers and my colleagues from D.i.r.e for inviting me to this conference
- I will talk about our experience in Austria, with a focus on multi-agency work
- And start with some data and information on the European context, especially the Istanbul Convention.

Domestic violence against women in Europe

European Union survey on violence against women (2014):

- 27 EU countries (approx. 511 million of population)
- approx. 40,000 women were interviewed.

Some main results:

- 1 in 3 women** has experienced some form of physical and/or sexual assault **since the age of 15**, translating into **62 million women**.
- About **13 million women** have experienced physical violence in the **12 months prior to the survey**, or about 7% of women aged 18-74.
- About **3.7 million women in the EU** (2%) have experienced rape and other forms of sexual violence in the **12 months prior to the survey**.
- 1 in 5 of all women** who are or have been in a marriage/relationship has experienced **physical and/or sexual violence from the partner**.
- Of the women who were abused by their partner, **42% reported that they experienced violence while pregnant**.

European Union Agency for Fundamental Rights – survey on violence against women 2014
<http://fra.europa.eu/en/survey/2012/survey-gender-based-violence-against-women>



WAVE – Women against violence Europe

www.wave-network.org

- The Domestic Violence Intervention Center is a member of the **European network WAVE**.
- WAVE is a network of women's organisations working to prevent and eliminate violence against women, including domestic violence in Europe.
- It was **founded in 1994**, in the regional preparatory conference for the 4th United Nations women's conference in Beijing.
- **The first workshop of WAVE took place in China** at the NGO Forum of the Beijing conference in September 1995
- The network has **members in 46 countries** in Europe.
- It has **over 100 member organisations**, many of them are **national networks of women's helplines, women's shelters and women's centers** and other organisations working to prevent domestic violence.
- Since 2014 WAVE is an European legal entity with **seat in Vienna**.
- **The Italian network D.i.r.e has been an important and active member of WAVE for many years.**

Council of Europe Istanbul Convention

<http://www.coe.int/en/web/istanbul-convention>

Important new legal framework:

- Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)
- In force since August 2014
- **Comprehensive legal document** with 12 chapters and more than 80 articles (contains the **5Ps: Policy, Prevention, Provision, Protection and Prosecution**)
- **Open for signature and ratification to all countries** and confederations
- **Ratified by 34 countries, signed by 12**

- **Monitoring:** compliance with the Convention is monitored by two bodies
 - **Committee of the Parties** (states which ratified)
 - **Group of independent experts (GREVIO)** –15 experts.
- **Questionnaire** for monitoring (see website).
- **Italy is currently in the process of being monitored.**

Link: <http://www.coe.int/en/web/istanbul-convention/grevio>

Core principles of the Istanbul Convention

- The Convention covers **all forms of violence against women and girls, including domestic violence.**
- It recognises that **domestic violence affects women disproportionately.**
- Convention states that violence against women is a **manifestation of the historically unequal power relations between women and men**
- **Definition** of violence against women as gender- based violence: **violence that is directed against a women because she is a women or that affects women disproportionately**
- Recognition that the **realisation of *de jure* and *de facto* equality between women and men is a key element in the prevention.**

Core principles of the Istanbul Convention 2

Gender-sensitive policies (Article 6)

- Include gender perspective in the implementation and evaluation of the Convention

Special measures for women (Article 4.4)

- Special measures necessary to prevent and protect women from violence shall not be considered discrimination.

Human Rights based approach Istanbul Convention

Core provisions establishing the human rights based approach :

- Protect and promote **the right for everyone, particularly women, to live free from violence in both the public and the private sphere** (Article 4.1)
- **Non-discrimination** (Article 4.3)
Prohibition of any ground of discrimination in the implementation of the Convention, including nationality, religion, gender identity, sexual orientation, migrant or refugee status, and other grounds.
- All measures must **place the rights of the victim at the centre** (Article 7.2)
- Measures of protection and support of victims/survivors shall be **based on a gendered understanding** of violence against women and domestic violence and shall **focus on the human rights and safety of the victim** (Chapter protection and support, Art. 18. 3).

Important role of Non-governmental organisations and Financial resources

Article 8 – Financial resources

Parties shall allocate appropriate financial and human resources for the adequate implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the scope of this Convention, including those carried out by non-governmental organisations and civil society.

Article 9 – Non-governmental organisations and civil society

Parties shall recognise, encourage and support, at all levels, the work of relevant non-governmental organisations and of civil society active in combating violence against women and establish effective co-operation with these organisations.

Comprehensive and coordinated measures

Requirements:

- **adopt and implement state-wide effective, comprehensive and co-ordinated policies** encompassing all relevant measures to prevent and combat violence against women and all forms of violence covered by the scope of this Convention and **offer a holistic response to violence against women.**
- Measures shall **involve all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations** (Article 7).

Austria - Overview

- Approximately 8,6 million inhabitants
- Vienna: approx. 1,8 million of population
- Austria is a **Republic and a federal state** consisting of **nine provinces**.
- The provinces are also vested with legislative and executive powers.
- The **municipalities** are the smallest units in the state organisation.
- Austria is a member of the United Nations, the Council of Europe and the European Union.
- Current government: Expert government

Women's support services to assist victims of domestic violence in Austria

Services funded by governmental bodies (8,6 million of population):

- **1 national helpline for women**, 24-hour service, toll free
phone no: 0800 222 555 (funded by the Minister for Health and Women,
run by the women's shelter network)
- **6 regional helplines** for women victims of sexual violence,
- **31 women's shelters** (since 1978); 4 shelters in Vienna
- **1 intervention centre & shelter for victims of trafficking** in human
beings
- **1 shelter** for girls and young women **victims of forced marriage**.
- **5 counselling centres for women victims of violence**;
- **30 general counselling centres for women**;
- **9 domestic intervention centres for victims of DV and stalking** – part of
the coordinated intervention system and legislation (see Kerstins
presentation).

Legal and support measures

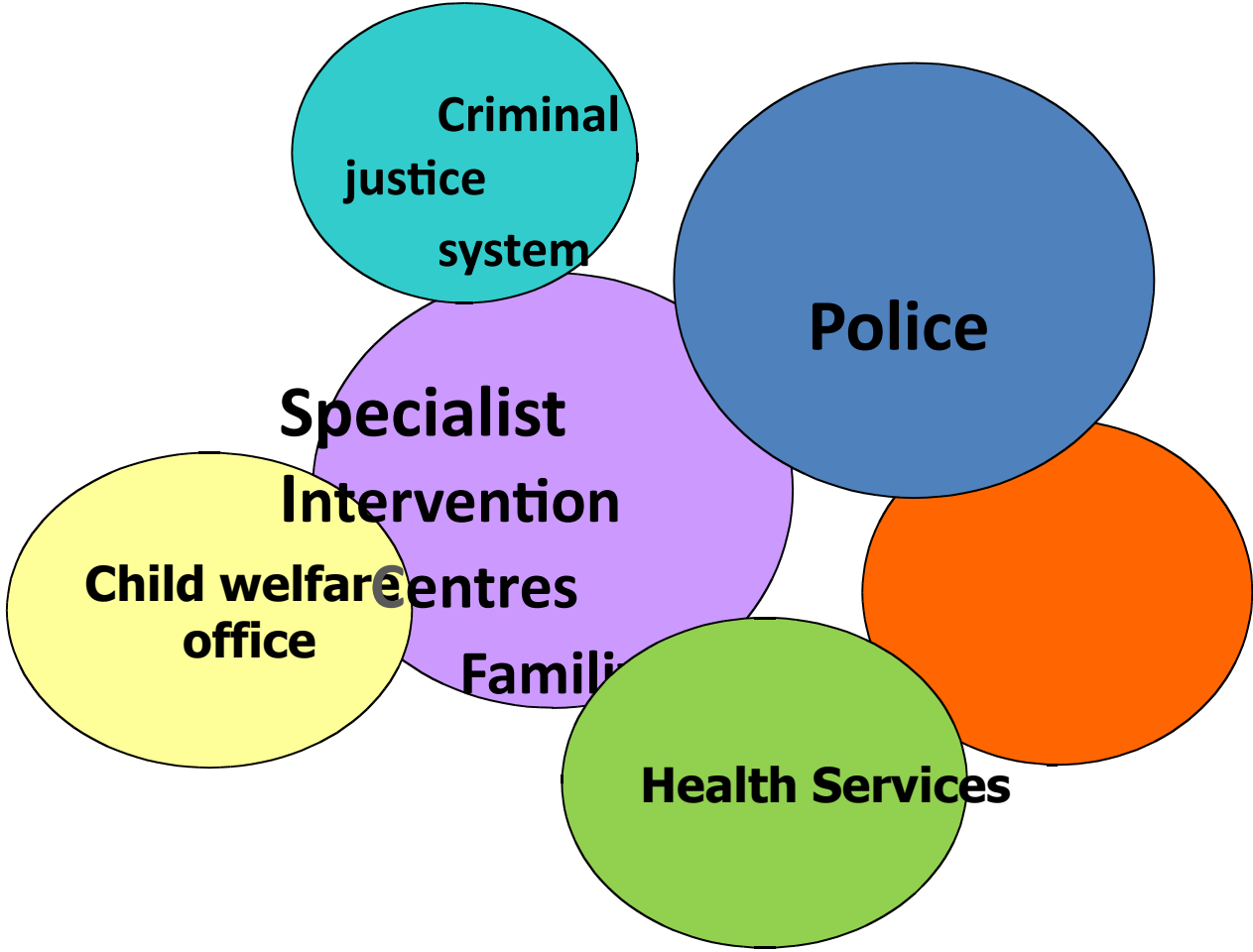
Laws for the protection from violence (01 May 1997 first law, several amendments and additional laws since then)

Three main elements in the legal and support provisions:

- 1. Eviction and barring order by the police:** immediate eviction of the violent person from the home of a victim for 2 weeks; barring the perpetrator from returning to the home of the victim or from going to the kindergarden or school of the children (Section 38a of the Austrian Security Police Act); the police barring order is extended to 4 weeks if the victim applies for a court protection order within 2 weeks.
- 2. Civil law restraining and protection orders** can be issued in the form of an interim injunction for 6 months or 1 year, or longer; protective orders can also be issued in cases of stalking.
- 3. Pro-active support for victims:** 9 intervention centres were established; the police have to notify the regional Center from all emergency barring orders; victims are contacted pro-actively and offered holistic support.

Further legal and support measures

- The **right to free psycho-social and legal support** (including legal representation in court) **for all victims of violence** (all violent crime according to the criminal code) - since 2006;
- **Anti-stalking legislation**, effective since 2006 (Section 107a of Austria's Criminal Code);
- New article in the Criminal Code adopted in June 2009, under which the **repeated exercise of violence** is punished (Section 107b criminal code).



Institutionalised cooperation

The police are obliged to send a report to:

- **The local Intervention Centre:** in all cases of DV and stalking; within 24 hours, by fax or e-mail;
 - initial reports on emergency barring orders and reports on violations of orders;
 - reports on other DV interventions and stalking.
- **The youth welfare office:** in all cases in which minors are involved (as witnesses, victims or perpetrators);
- **The family court:** if the victim applies for an civil court order (in the form of a interim injunction) or if the perpetrator has violated the family court protection orders.
- The police has to send seized **keys to the family court.**

Institutionalised cooperation 2

The family court:

- informs the police if a victim has applied for a civil protection order;
- asks for additional information from the police
- orders the police to implement court decisions whenever the victim requires this.

Domestic Violence Intervention Centers

- 1 (DV) Intervention Center in each of the 9 Austrian provinces
- Intervention Centers are non-governmental and non-profit associations.
- Funding:
approx.
40% Ministry of the Interior
40 % Minister of Women, Family and Youth
20 % Ministry of Justice for psychosocial/legal support.
- Contracts with these three ministries determine the obligations, tasks and standards for the work of the Intervention Centers.

Domestic Violence Intervention Centers 2

- The Intervention Centers are embodied in the Protection against Violence Bill.
- They provide **pro-active and comprehensive support** to victims.
- Give **priority to the safety and empowerment victims** (danger assessment, safety planning).
- **Accompany the victim** to court in legal proceedings.
- Help the victim get financial assistance, find a job, housing, childcare, etc. (**social and economic rights of victims**).

The Intervention Center Vienna:

- Coordinates a **multi-agency partnership project (MARAC)** to **protect and support victims in high risk situations** to prevent femicide, severe and repeat violence.
- Carries out **systematic risk assessment and safety planning with survivors** (20 factors – PROTECT Project; Danger Assessment)
- Runs a **victim-safety oriented anti-violence programme for violent men**, in cooperation with the Men's Counselling Service and the probation service.

Problems and challenges

- Concerning deficits regarding the protection of victims in high risk situations (see the two Austrian CEDAW cases Goekce and Yilderim vs Austria 2005).
- Impunity of violence – only approx. 10% of the reported cases lead to a prosecution and conviction.
- Barriers & problems for migrant women, especially for undocumented migrant women.
- Support for children witnessing domestic violence – they are still the “forgotten victims” too often.

Conclusion:

- We have built a good legal and support framework for victims/survivors, but the protection of women victims of violence and their children is still not sufficient.
- We have to step-up our efforts and to invest considerably more financial resources.
- **GREVIO recommendations need to be fully implemented.**

Thank you for your attention!

CV

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Program Vienna and co-founder of the European Network WAVE

(Women Against Violence Europe, 1994); selection of further

international activities: member of the UN Expert Group Meeting

Good practices in legislation on violence against women (2008); from

2008-2010 member of the Council of Europe *Ad Hoc Committee on*

Preventing and Combating Violence against Women and Domestic

Violence which drafted the Council of Europe Convention on

Preventing and Combating Violence against Women and Domestic

Violence (Istanbul Convention, 2011); June 2015 – May 2019 member

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