



Violence against Women

Priorities and recommendations of the National Council of Women of Belgium (Dutch-speaking)

Het hoofdthema van CSW57 was de eliminatie en preventie van alle vormen van geweld tegen vrouwen en meisjes. In een korte nota in het Engels "Violence against women" geeft de Vrouwenraad zijn voornaamste prioriteiten en aanbevelingen mee voor de strijd tegen geweld op vrouwen.

Violence against women is widespread in Belgium. However, it is badly documented: there is little research into violence against women and recent statistical data are lacking. Violence against women also remains largely unpunished. There are big gaps the prevention and in dealing with the different types of violence against women. Structure, coherence and effectiveness are called for.

Violence against women in Belgium¹	
Verbal or psychological violence	73,4%
Physical violence	19,5%
Sexual violence	5,6%
Violence within the family, reported to the police	3,5%
Violence in the public area, reported to the police	17,8%

All kinds of women (rich, poor, old, young, migrant, non-migrant, poorly educated, highly educated, employed, unemployed, heterosexual women, lesbian women, transgendered women, intersexual women...) can be affected by violence.

Violence takes different forms: physical, sexual, psychological, structural, occasional, customary bound, based on religion or beliefs and assumptions about the role and position of women in society, about gender identities considered as improper or unnatural.... It is omnipresent: in the private sphere (family, partner relations) as in the public domain (streets, work floor, media...)

Violence is rooted in stereotyped images of women and men and of femininity and masculinity. Certain stereotypes produce unwanted and harmful practices and contribute to the image of violence against women as being acceptable. It is therefore necessary to eradicate prejudices, customs, traditions and other practices based on the idea of inferiority of women and/or on stereotyped gender roles, gender identities and gender expressions

However, violence against women² is above all a matter of unequal power relations. In order to combat violence we must address these unequal power relationships by means of programs and other relevant measures promoting equality between the sexes and (equal) respect for all gender expressions and identities.

¹ 2010, Pieters Jérôme, et.al, Ervaringen van vrouwen en mannen met psychologisch, fysiek en seksueel geweld, Instituut voor de gelijkheid van vrouwen en mannen.

² By using the general word 'women' we include the diversity or different categories of women such as old, young, migrant, undocumented, poor, rich, disabled, lesbian, bisexual, intersexed women and transgender women.

Progress requires a change in attitudinal, normative and social patterns, and a growing awareness of the malicious patterns of violence against women as well as a growing awareness of women's rights and gender equality issues. Progress will only result from the combined efforts of all stakeholders, women and men, to achieve equality and to put an end to violence against women.

We want governments and members of parliament to put all forms of violence against women highly on the political agenda and to develop laws and policies that are evidence-based and address root causes of violence against women: unequal power relations between the sexes, gender inequality and the unequal status of and respect for women and men/femininity and masculinity in society.

We want governments to show strong political will to fight all kinds of violence against all women, no matter who they are or how they live. We want governments to invest above all in prevention of violence against women and girls, starting from the principles of empowerment and equality of the sexes, gender identities and gender expressions, and to deal with impunity.

A National Action Plan to combat violence involving different actors of the different governmental levels, as developed in Belgium, is a good starting point. However, this is only a necessary but not sufficient factor to combat violence against women.

Therefore, we recommend:

With regard to the development of a legal framework

- To build a comprehensive legal framework based on participatory and evidence based assessment of how to deal with all kinds of violence against women within the national legal framework involving all stakeholders, including civil society and women's organizations.
- To systematically monitor and evaluate the policies to combat violence in order to identify the gaps and define the legislative goals for the adoption or the revision of legislation on violence against women.
- To ensure harmonization among the different laws and policies at national, regional and local level, including harmonization of definitions of violence and including all kinds of violence; and to make sure that international standards and benchmarks to which countries have committed themselves, are met at all levels.
- To provide implementation mechanisms such as budgetary support, national action plans, institutional monitoring mechanisms, intergovernmental consultation....and to ensure the participation and input of civil society, especially of women's and grass roots organizations, during all phases of the process.
- To mainstream a 'violence policy perspective' within all relevant policy sectors.

With regard to data collection

- To guarantee that national statistical capacities and research mechanisms ensure systematic collection and dissemination of coherent, comparable and comprehensive, sex-disaggregated data and research results with regard to the prevention and combating of violence. To ensure that research is developed and conducted in a participatory manner, including women's organizations.
- To use a coherent set of definitions of the different types of violence, including with regard to psychological violence and to ensure that these definitions are also compatible internationally agreed standards and with definitions used by other countries and/or on an international level.
- To develop and use indicators and targets in a participatory way to assess the gaps and impact of laws and policies with regard to violence against women, taking into account the needs and policies of especially vulnerable groups of women (such as female asylum seekers, undocumented women, transgender women and intersexed women).
- To establish a national database of sexual delinquents and of perpetrators of repeated crimes/acts of violence against women in order to provide quick access to the police and Justice department; and to connect this database with a DNA database that contains the names, addresses, sex, nationality, birth date, type of sexual crime, circumstances of the crime, convictions or judgments of all sexual delinquents whether convicted or not, minor or not and whether the crime/act is subject to statute of limitations.

With regard to programs and partnerships

- To encourage and support civil society actors to play an active role in putting an end to violence against women.
- To ensure adequate support for programs specifically aiming at men and boys and targeting hegemonic masculinities that demand the suppression of 'femininity' within oneself and incite or support unequal power relationships and/or violent behavioral patterns towards women.

With regard to the prevention of and the combat against violence

- To provide sufficient support to establish a sound institutional framework for gender equality, equality of women and men, including support for women's organizations. To invest in a strong institutional framework and national bodies that have the power and the capacity to take action to change the gender relations and power balances.
- To allocate adequate resources and budgets at all governmental levels and within the different governmental departments to combat violence against women.

- To invest in information and education to prevent and combat violence. From a very early age on girls and boys should be educated about equal human rights of women and men and about gender equality, including equal rights of lesbian, bisexual, intersexed, transgender women. We must teach children that violence and exercising power over another is an unacceptable form of relating to one another.
- To make violence against women, including 'every day sexism' in the media, visible and raise awareness. To set up general information campaigns to raise awareness that violence is an intolerable way of behaving and of relating to one another, including campaigns, training and education programs to inform/sensitize boys and men that violence against women, including sexist behavior, is always wrong. There is no excuse.
- To set up training and education programs for the judicial sector (including judges and police officers) and the caregiving sector (including directors and staff of hospitals, elderly homes, refugee shelters, ...) with regard to preventing and handling of violence against women.
- To conclude binding contracts with major media players and professional journalist organizations with regard to the eradication of violence against women, including arrangements to counter 'every day sexism' in society, based on stereotyped gender roles, gender identities and/or gender expressions.
- To provide women's organizations with sufficient means to counter daily sexism and to address violence in the context of prevailing inequality and discrimination of women, including in the media. To ensure that they have sufficient means to develop tools and strategies to address all kinds of violence against women in society.

With regard to victim assistance programs

- To provide sufficient assistance programs and housing capacity to accommodate victims of violence such as safety houses, but also to ensure that there is sufficient affordable housing available for relocation of the victims and that there are enough re-education programs for perpetrators. A legal measure such as out of home placement of the perpetrator(s) is a model of good practice.
- To assure that services and assistance for victims are equally accessible to all women, and thus flexible enough or adapted to the sometimes specific needs of certain 'categories' of women such as illiterate women, undocumented women, migrant women, transgendered and intersexed women.
- To ensure good, firm cooperation between the Justice department, the police force, victim assistance services and to regularly consult with relevant civil society organizations and women 's organizations.
- To provide proper indemnities for the victims and to take appropriate measures to guarantee that they get paid in a correct way.

With regard to perpetrators and offenders

- To provide sufficient programs for treatment and re-education of perpetrators of violence, including services within prisons or detention centers and including programs to address violent masculinity norms and behavior.
- To provide special detention centers and special treatment for sexual offenders, including a special regime with regard to detainment and release of sexual delinquents in society.

With regard to special vulnerable groups

- Women have an equal right to protection against violence. To this end we must ensure that laws, assistance programs and other measures are adapted to the sometimes specific needs and vulnerabilities of certain groups of women such as transgender women, intersexed women, migrant women, female asylum seekers, trafficked women, undocumented women and unaccompanied minors....
- **Female asylum seekers who live in open or closed centers**
 - To develop a proactive and participatory policy to prevent violence and to assure personal safety of women within the center: to adopt a protocol and an action plan and regularly monitor and evaluate the plan together with the residents.
 - To take infrastructural measures and develop standards to ensure security and personal safety of women and prevent violence such as separate dormitories, separate sanitary facilities w/m, sufficient lightning...
 - To organize on a regular basis training and information sessions to promote gender equality and human rights, to address violent behavior, violent masculinities and discrimination of women, and to clearly state that these types of behavior can and will not be tolerated.
 - To provide training for staff with regard to preventing and handling of violence and to develop a conduct code.
 - To adapt services and programs to meet the specific needs and vulnerabilities of certain groups of women such as transgender women, intersexed women, disabled women, unaccompanied minors, single parent women....

- **Domestic workers**

- To take legal and other measures to guarantee domestic workers, even if undocumented according to the rule of law of the State, the right to deposit a plaint against abuse and violence by their employer/host family. Exercising this right should never put them at risk of being expelled. When recognized as a victim of violence they should have access to a legal residence permit.
- To provide special protection measures for house staff of diplomats.

- **Transgender women and intersexed women**

Violence against transgender women ³	
Verbal or psychological violence	82%
Physical violence	31,7%
Sexual violence	37,9%
Material violence	21,1%

Transgender women are especially vulnerable to violence: 4 out of 5 transgendered women experience violence during their lifetime. Transgender women also experience more violence than transgender men. It is a reasonable estimate that this has a) to do with the fact that transgender women are (usually) more visible and perceived in society as deviant, and b) that mainstream society looks down on femininity in whomever they conceive to be 'men'. We therefore recommend:

- To truly listen to children if they demand to be of the 'other' sex, to make sure that this is not a temporary phase⁴ and to take appropriate measures, including legal measures, that guarantee the use of certain hormones to postpone puberty on demand of the child so that the body does not go through irreversible changes

³ Joz Motmans, Geweld tegen transgenders, University of Antwerp, preliminary research results, not yet published.

⁴ Gender identity arises in all children at a very early age (3-4). Transgender children do not differ in this way. Most transgender children will either spend a lot of energy to ignore or to hide the fact that they do not understand why they are asked to act a 'wrong' gender role, or try to clarify to their surroundings that they do not know if they truly are the boys or girls other people judge them to be. This demand corresponds to the fundamental interests of the child; See articles 2, 3.1, 8.1, 8.2, 12, 24.1 en 24,3 of the Convention of the Rights of Children.

considered to be wrong. That is, when the cross-gendered feelings of the child persist consistently. In a similar way, to respect the right of intersexed children to make decisions about their own bodies and guarantee that they are protected from corrective operations until the moment the child can make a 'real' decision concerning her/his true gender.

- To adapt laws and protection programmes so as to include violence against transgender and intersexed women, including training for police and caregivers. And to set up specific programs for the prevention of violence, including public information campaigns and information and training programs in schools and at the work place.
- To legally recognize discrimination of transgender women and intersexed women as discrimination within the framework of inequality between the sexes, and as a specific form of sexism. And to recognize persecution of transgender or intersexed women as a valid ground for granting asylum.