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برلمان البحر الأبيض المتوسط

**3rd Standing Committee on Dialogue among Civilizations and Human Rights
“Resolving Domestic Violence in the Mediterranean: Global Opportunity for Local Change”**

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Report

Executive summary

1. The issue of gender-based violence against women and the obligations of States to prevent such violence, to punish perpetrators and to provide support for the survivors have been consistent topics of discussion and action at the international level and within the Parliamentary Assembly of the Mediterranean (PAM). Despite the progress and the many legal, policy and other measures adopted at the international and national levels, gender-based violence against women continues to be widespread in all regions and countries, in familiar and new forms. The COVID-19 pandemic has led to an exponential increase in domestic violence against women around the world. The economic and social stress caused by the pandemic, combined with movement restrictions and social isolation are the cause. Many women are locked in their homes with their abusers, while being cut off from existing support services.
2. This report offers a background study and an opportunity for PAM Members of Parliament to reflect and take action. Domestic violence is defined in legal terms. Its causes are explained. The report aims to highlight the persistent challenges to gender equality and domestic violence in the Euro-Mediterranean region and to contribute to a body of research in the region on adopting relevant legislation and policies to combat domestic violence.
3. Significant progress has been made - including in Euro-Mediterranean region - over the past 10 years, in particular thanks to international convention adoption that oblige States to adopt laws in this regard. However, legislation differs and leads to discrepancies between public services proposed answers and legal systems. In addition, some States are questioning international achievements. It is proposed to parliamentarians to continue fighting against structural inequalities notably through their budgetary decision-making and resource allocation powers, to best intervene with survivors of domestic violence and to collaborate closely with public entities and NGOs that fight to end domestic violence.

Chapter I: Definition and Scope of Domestic Violence

1.1 History of Definitions: International Conventions

1. Domestic violence is recognized in international law as a human rights violation. **The International Bill of Human Rights**, which consists of The Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, and its implementing covenants, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), do not explicitly address domestic violence. However, along with the **Optional Protocol to the ICCPR**, they articulate a state's duty to protect fundamental human rights such as the right to life, the right to physical and mental integrity, the right to equal protection of the laws and the right to be free from discrimination.

The “**Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**”, adopted in 1979 by the General Assembly and entered into force in 1981, does not explicitly include neither language on violence against women nor domestic violence, but guarantees the human rights listed above. The Convention requests the removal to all current legislation that discriminates against women, the creation of national courts or public institutions, and the punishment of discrimination against women in all its forms¹. In 1992, the **Committee on the Elimination of All Forms of Discrimination Against Women**, which is the United Nations committee charged with monitoring the Convention, adopted **General Recommendation Number 19**.² This recommendation addresses the Women's Convention's silence on violence and states that gender-based violence is a “form of discrimination which seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men.” The first time a human rights treaty or convention was officially interpreted to prohibit violence against women, including domestic violence. Under CEDAW obligations, States parties should take legal (criminal and civil remedies) and other measures to prevent further acts of domestic violence and provide services to survivors (such as refuge, counselling and medical assistance). The notion of discrimination under CEDAW is not restricted to States' action, but also includes gender-based violence perpetrated by non-State actors³.

2. The “**Council of Europe Convention on preventing and combating violence against women and domestic violence**” also called **Istanbul Convention**, is the first legally binding instrument that establishes a set of legal rules to combat violence against women. It entered into force on 1st August 2014. The foundations for the Convention were laid by decades of recommendations and reports on violence against women by the Council of Europe. Domestic violence was defined by Istanbul Convention as:

“All acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim”

¹ United Nations General Assembly, “Convention on the Elimination of All Forms of Discrimination against Women”. United Nations, 1979 <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

² Committee on the Elimination of Discrimination against Women. “General Recommendations No. 19 Made by the Committee on the Elimination of Discrimination against Women.” *UN Women*, www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm. Accessed 18 Sept. 2020.

³ The UN Special Rapporteur on Violence against Women recommended “A Framework for Model Legislation on Domestic Violence”, 1996 (UN Model Code), which provides valuable guidance on the provisions that should be included in domestic violence legislation.

The Convention does outline which acts must be criminalized by the participating countries. Such offences include sexual harassment, forced abortion, female genital mutilation, forced marriage, sexual violence, physical violence, stalking, and psychological violence⁴. The Convention considers violence against women both as a human rights violation and also as discrimination against women.⁵ The **Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)** was established to monitor the implementation of the 2011 Istanbul Convention.

On 20 March 2021, the Turkish government decided to withdraw from the Convention. The Council of Europe and many NGOs strongly regretted this decision. This will affect a situation concerning women's rights that has stagnated in recent years. It is important to remember that women's rights should not be opposed to family values. This decision is even more surprising than in recent years. Turkey has made progress in the implementation of major international texts and the Istanbul Convention was indeed signed on its territory and with its full participation in 2011. In addition, Turkey lifted, in 2012, the reservations it has expressed in 1985 towards the UN Convention on the Elimination of All Forms of Discrimination.

It should be recalled that the Islamic religious authorities such as the Egyptian Muslim institution Al-Azhar is opposed to all forms of violence in the household, and established, in an opinion dating from 2019, a link between domestic violence and extremism. Evidently, domestic violence cannot be made a value by any culture or tradition.

3. The **“African Charter on Human Rights on the Rights of Women in Africa”**, or **Maputo Protocol**, is the reference legal instrument of the African system for the promotion and protection of women's rights. It was adopted on 11 July 2003 and entered into force on 25 November 2005. The Maputo Protocol defined violence against women as:

“All acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life”

The definition of violence against women used in the Maputo Protocol extends protection to **both private and public spaces during times of peace and conflict**.⁶ The Protocol's provisions cover all spheres in which women experience violence; addresses the **root causes of gender inequality** and promotes equal access to employment, education and training, and equal responsibility for raising children. Rights to reproductive health, economic prosperity, food security, and shelter are safeguarded for women in the protocol. Furthermore, the intersectional identities of women who are disabled, refugees, and migrants are also protected. Forty-seven (47) AU Member States out of fifty-three (53) have signed the Protocol and thirty-four (34) have successfully ratified it.

4. International conventions, such as the Istanbul Convention, Maputo Protocol, and CEDAW, are salient to PAM Member and Partner States, which have signed and ratified them, committing to uphold rights

⁴Council of Europe, *The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*, November 2014, ISBN 978-92-871-7990-6, available at: <https://www.refworld.org/docid/548165c94.html> [accessed 12 September 2020]

⁵Šimonović, Dubravka. “Global and Regional Standards on Violence Against Women: The Evolution and Synergy of the CEDAW and Istanbul Conventions.” *Human Rights Quarterly*, vol. 36, no. 3, 2014, pp. 590–606., www.jstor.org/stable/24518259. Accessed 11 Sept. 2020.

⁶African Union. “Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa.” *United Nations*, 2005, www.un.org/en/africa/osaa/pdf/au/protocol_rights_women_africa_2003.pdf.

for women. **The Istanbul Convention directly defines domestic violence, Maputo Protocol defines violence against women, and CEDAW defines the framework to achieving structural equality.**

5. As international conventions are incorporated into domestic law, some definitions of domestic violence are limited to physical and sexual abuse, which can narrow the focus of legal interpretation and lower reported cases. Although international conventions have advanced rights for women, violence and discrimination persists. In a 2020 report by the Council of Europe's GREVIO, insufficient resource allocation, lack of a harmonious systematic approach and misconceptions about the convention still block progress.⁷ A comprehensive legal framework to address gender-based violence against women needs to be developed. This should cover prohibition and prevention of gender violence against women (GVAW), protection and support of survivors, prosecution and reform of perpetrators. Moreover, domestic violence and marital rape must be criminalized and the implementation of legislations on gender-based violence must be strengthened.

PAM Member and Partner States and International Conventions

6. Almost all PAM Member and Partner States have ratified the CEDAW Convention,⁸ whereas roughly only 48 percent of PAM Member and Partner States have ratified the Istanbul Convention.⁹ As members of the African Union, Algeria, Libya, Mauritania, and Tunisia have ratified the Maputo protocol. However, neither Egypt nor Morocco have yet signed or ratified the Protocol.

1.2 Domestic Violence: Motivations and Impacts

1.2.1 Structural Causes

7. While the causes of violence against women and girls have been examined from various academic perspectives, all have concluded that no single cause adequately accounts for violence against women – though unequal power between men and women remains the common thread.
8. Domestic violence is considered to be a series of patterned behavior or a singular event of abuse¹⁰ and majority of cases are caused by a current or previous male intimate partner although the perpetrator may be any family member. As noted in the Istanbul Convention, domestic violence may take the form of physical, sexual, psychological, and/or economic violence. Violence may be in the form of sexual harassment, forced abortion, female genital mutilation, forced marriage, stalking, and/or femicide. One

⁷ Council of Europe. "1st General Report on GREVIO's Activities." *Group of Experts on Action against Violence against Women and Domestic Violence*, 2020, pp. 5–65. *Council of Europe*, rm.coe.int/1st-general-report-on-grevio-s-activities/16809cd382.

⁸ From PAM Member and Partner States, the United States of America, the Holy See, and Sovereign Order of Malta have not ratified the convention.

⁹ The UK, Slovakia, Moldova, and Bulgaria are signatories of the Convention but have not ratified it. PAM Member and Partner States who are associated with the Council of Europe but did not sign the convention include the US, Tunisia, Holy See, and Russia. The PAM Member and Partner States who have signed the convention but not ratify it are Slovakia, UK, Moldova, and Bulgaria. Council of Europe: Treaty Office. "Full List: Chart of Signatures and Ratifications of Treaty 210." *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*, 2020, www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures.

¹⁰ Centre for Women of the United Nations Economic and Social Commission for Western Asia (ESCWA), et al. "Status of Arab Women Report 2017 Violence against Women: What Is At Stake?" *United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)*, 2017, arabstates.unwomen.org/en/digital-library/publications/2017/all/copy-of-status-of-arab-women.

in three murders of a female victim are done by a current or former intimate partner.¹¹ Femicide rates are particularly high in Turkey,¹² Italy,¹³ and France.¹⁴

9. In France, the Delegation for Women's Right and Equal Opportunities between men and women issued an informative report written by our colleague Fiona Lazzar calling for the recognition of the term "féminicide" in February 2020.
10. It is estimated that one in three women have experienced domestic violence at some point in their lives.¹⁵
11. UNICEF has also noted a significant increase in domestic violence. All of these scourges affect children in the first place. Violences against children has increased significantly and UNICEF has observed an increase in child labor, child marriages as well as sexual slavery. Children deprived of parental care, especially street children, have been even more subject to extreme violences. In France, this is the case for unaccompanied minors who have seen their situation getting worse during the health crisis. Lastly, the COVID-19 crisis could lead to an increase in child labor after 20 years of progress, and raise the already alarming figure of one out of four girls in the world married as a child.
12. Gender based violence was particularly high during the lockdowns. For instance, the Lebanese NGO Kafa said it received 1400 reports of violence from women and girls between April and December 2020. In this same country, at least 300 000 children have left the school system. Another country, Egypt. A telephone survey conducted in April 2020 among more than 1500 women showed that 19% of households observed an increase of violent behaviour in the family, and 33% saw more problems emerging in the family. While there are no statistics on children, 11% of women surveyed had been victims of physical abuse by their husband in the week directly preceding the survey. In France, during the April-May 2020 lockdown, there was recorded a 4% increase in intentional assault and battery on children under the age of 15. The Government has, especially following the questioning of the National Assembly and the Commission of Inquiry on Pandemic Effects on Youth, accelerated the implementation of repressive and preventive measures through the plan combating violence against children announced on 20 November 2020.

¹¹ World Health Organization and Pan American Health Organization. "Understanding and Addressing Violence against Women." *World Health Organization*, 2012, pp. 1–8, apps.who.int/iris/bitstream/handle/10665/77421/WHO_RHR_12.38_eng.pdf?sequence=1#:~:text=Femicide%20is%20generally%20understood%20to,killings%20of%20women%20or%20girls

¹² In 2019, there were 474 femicides in Turkey. Eski, Beril. "The Murder of a Ballerina." *https://www.nytimes.com/#publisher*, 4 Feb. 2020, www.nytimes.com/2020/02/04/opinion/turkey-women-murders.html?searchResultPosition=16.

¹³ Malgesini, Graciela, et al. "Gender Based Violence and Poverty in Europe: EAPN Gender and Poverty WG- Briefing #2." *European Anti-Poverty Network- Gender and Poverty Group*, 2019, pp. 1–72, www.eapn.eu/wp-content/uploads/2019/07/EAPN-Gender-violence-and-poverty-Final-web-3696.pdf.

¹⁴ Malgesini, Graciela, et al. "Gender Based Violence and Poverty in Europe: EAPN Gender and Poverty WG- Briefing #2." *European Anti-Poverty Network- Gender and Poverty Group*, 2019, pp. 1–72, www.eapn.eu/wp-content/uploads/2019/07/EAPN-Gender-violence-and-poverty-Final-web-3696.pdf.

¹⁵ United Nations Statistics Division. "The World's Women 2015: Violence Against Women." *United Nations Statistics Division*, 2015, unstats.un.org/unsd/gender/downloads/Ch6_VaW_info.pdf.

13. Prolonged risk factors¹⁶ and immediate risk factors¹⁷ contribute to domestic violence. Nonetheless, The UN Secretary General’s “In-Depth Study on All Forms of Violence against Women”¹⁸ emphasizes that “explanations for violence that focus primarily on individual behaviours and personal histories, such as alcohol abuse or a history of exposure to violence, overlook the broader impact of systemic gender inequality and women’s subordination”.
14. Community (or social) norms, such as those granting men control over female behaviour, acceptance of violence as a way to resolve conflict, notions of masculinity tied to dominance, honour or aggression, and rigid gender roles, all contribute to higher risk of violence against women. Women themselves may be conditioned by these social norms to accept violence. At the level of a relationship or family, one of the strongest risk factors for violence is male control over social and economic decision-making. Other factors include justification of male use of violence against women and girls in the family; and placement of individual and family privacy and honour above the safety and wellbeing of girls and women who experience violence.
15. Poverty and unemployment can increase women’s vulnerability to domestic violence. With no guarantee of being able to support herself and her children, it is very difficult for a victim of domestic violence to report her abuser to the judicial system. Financial dependence in these cases is being used to deter the woman from leaving.¹⁹
16. Women who experience violence are prone to mental and physical distress and disorders for the rest of their lifetime.
17. Majority of domestic violence cases are underreported. It is estimated that less than 40 percent of women seek help and report crimes against them, and less than 10 percent report to the police.²⁰ Women may face stigma from the police, especially if they are women in the LGBTQ+ community, elderly, young, migrants, refugees, and/or have a disability.
18. Immigration status can be used as a form of control between perpetrator and victim.²¹ Sexual and gender-based violence (SGBV) is a common occurrence for migrant and refugee women in the

¹⁶ World Health Organization: WHO. “Violence Against Women: Key Facts.” *World Health Organization*, 29 Nov. 2017, www.who.int/news-room/fact-sheets/detail/violence-against-women.

¹⁷ World Health Organization: WHO. “Violence Against Women: Key Facts.” *World Health Organization*, 29 Nov. 2017, www.who.int/news-room/fact-sheets/detail/violence-against-women.

¹⁸ The United Nations General Assembly. “The Secretary-General’s in-Depth Study on All Forms of Violence against Women.” *United Nations Entity for Gender Equality and the Empowerment of Women*, 6 June 2006, www.un.org/womenwatch/daw/vaw/SGstudyvaw.htm#:~:text=About%20the%20study-,The%20Secretary%20General’s%20in%20depth%20study%20on%20all%20forms%20of,Assembly%20on%209%20October%202006.&text=identify%20ways%20and%20means%20to,and%20to%20increase%20State%20accountability.

¹⁹ Malgesini, Graciela, et al. “Gender Based Violence and Poverty in Europe: EAPN Gender and Poverty WG- Briefing #2.” *European Anti-Poverty Network- Gender and Poverty Group*, 2019, pp. 1–72, www.eapn.eu/wp-content/uploads/2019/07/EAPN-Gender-violence-and-poverty-Final-web-3696.pdf.

²⁰ UN Women. “COVID-19 and Ending Violence Against Women and Girls.” *United Nations Entity for Gender Equality and the Empowerment of Women: UN Women*, 2020, pp. 1–10, www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006.

²¹ EU Parliament Press. “COVID-19: Stopping the Rise in Domestic Violence during Lockdown | EU Parliament Press | PubAffairs Bruxelles.” *PubAffairs Bruxelles*, 7 Apr. 2020, www.pubaffairsbruxelles.eu/covid-19-stopping-the-rise-in-domestic-violence-during-lockdown-eu-parliament-press.

Mediterranean.²² In host countries, research has demonstrated a strong association between immigration status and domestic violence.

19. In some national legal systems, men who are accused of rape are then forgiven if they marry their victim. In other instances, women must provide more evidence in support of a divorce than her male partner. Moreover, access to justice is costly, often preventing women from reporting cases in the legal system.
20. Gender-based violence is rooted in and reinforces gender inequalities and it cannot be understood outside the social structures, gender norms and roles that support and justify it. Laws, policies and practices emanating from the State – as well as from traditional or customary practices at the broad social level – can directly contribute to violence against women, fail to respond to it, and/or create an environment where violence against women is tolerated, excused or justified. As gender inequality is structured in various institutions, wage gaps, employment discrimination, and low labor participation rates create wider drifts in gender equality, increasing a woman’s reliance on a male partner or being forced to take lower-paid positions.²³
21. Violence increased further with the COVID-19 health crisis. I had the honor to chair a parliamentary commission of inquiry on the effects of the crisis on youth, which dealt with the physical and psychological violence suffered by children and did specific work on unaccompanied foreign minors, who are particularly exposed in times of crisis. The commission did 80 proposals. Among them, the absolute necessity to increase the resources of child psychiatry but also of school health and to strengthen the support of families.

1.2.2 Cost on the Economy

The estimated cost of violence against women in the global economy is roughly 1.5 trillion USD annually.²⁴

Chapter II: Reform in the Mediterranean

2.1 PAM Member and Partner States: national legislation and COVID-19

1. Constitutional and statutory law of PAM Member and Partner States has provided a national framework to prevent domestic violence and advocating for gender equality. International conventions have provided structure and guidance for reforming the structural roots of gender-based violence. However, with the continuation of domestic violence as a prevalent issue, the COVID-19 pandemic has exposed structural inequities at the cost of human life.

²² Cascia, La Caterina, et al. “Migrant Women-Experiences from the Mediterranean Region.” *Bentham Open*, 30 July 2020, benthamopen.com/ABSTRACT/CPMH-16-101.

²³ UN Women reports that there is a 40 percent wage gap between men and women in Palestine. United Nations Entity for Gender Equality and the Empowerment of Women. “COVID-19: Gendered Impacts of the Pandemic in Palestine and Implications for Policy and Programming.” *United Nations Entity for Gender Equality and the Empowerment of Women*, 2020, www2.unwomen.org/-/media/field%20office%20palestine/attachments/publications/2020/4/covid%2019%20-%20un%20women%20rapid%20gender%20analysis.pdf?la=en&vs=4626.

²⁴ World Health Organization and Pan American Health Organization. “Understanding and Addressing Violence against Women.” *World Health Organization*, 2012, pp. 1–8, apps.who.int/iris/bitstream/handle/10665/77421/WHO_RHR_12.38_eng.pdf?sequence=1#:~:text=Femicide%20is%20generally%20understood%20to,killings%20of%20women%20or%20girls.

2. Gender equality is predominantly protected in constitutional law, by ensuring that either inequity or non-discrimination is criminalized. The majority of PAM Member and Partner States' national frameworks have defined and included parameters of domestic violence in the penal code.
3. Despite a consensual definition of domestic violence in the Istanbul Convention, varying definitions are presented in national legislation. Different definitions of domestic violence between international, national, and regional policy causes discrepancies for public services and the court systems.
4. **Some definitions of domestic violence exclude martial rape as a form of violence, despite being one of the most frequent and patterned form of domestic violence.** When intimate-partner violence, such as marital rape, is not criminalized, the legal system reinforces the perception that abuse should remain within the household. If abuse is left unchecked, violence may increase to femicide. However, psychological, emotional, and physical abuse remains preventative with legal frameworks, which condemn intimate partner violence. In addition, harmonizing legislation from the international to the regional level will prevent ambiguities to public services and court systems in intervening in a case of domestic violence.

Emergency Planning: COVID-19

5. Although public services, policy, and data collection have strengthened reform against domestic violence, cases still occur and accelerate during crises. According to UN Women, approximately one in three women globally has experienced physical and/or sexual abuse by either an intimate or non-intimate partner throughout her lifetime.²⁵ In some PAM Member and Partner States, violence occurs to 50 or 70 percent of women in the population, a number that increases during a crisis or conflict.²⁶
6. The COVID-19 pandemic is an example of how conflict or state of emergency situations augment domestic violence. NGOs and helplines in PAM Member and Partner States have reported a general 30 percent increase in domestic violence cases since the implementation of quarantine measures. Other PAM Member and Partner States have noticed a decrease in cases reported to police authorities, which could be a result of confined opportunities to seek help separate from a perpetrator.
7. In addition to quarantine measures, other structural issues, such as economic stress, have increased risk for domestic violence. Unemployment, isolation, and conflict are three factors which have contributed to domestic violence during COVID-19 and national conflicts.
8. While cases of violence have been increasing, some judiciary systems have been suspended during the pandemic, prolonging trials for perpetrators or delaying the opportunity to present cases in court. Various health services to victims of domestic violence have been underfunded, restricted, or prohibited to comply with reallocation of health-based services to fighting the pandemic.
9. However, some bodies of government have reacted progressively to the externalities of the COVID-19 pandemic. For example, the National Council for Women of Egypt, the National Union of Moroccan Women (UNFM) of Morocco, and the National Commission for Lebanese Women (NCLW) of Lebanon have strengthened social services and stood in solidarity with victims during quarantine. While

²⁵ UN Women. "Facts and Figures: Ending Violence against Women." *United Nations Entity for Gender Equality and the Empowerment of Women*, Nov. 2019, www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures.

²⁶ Malgesini, Graciela, et al. "Gender Based Violence and Poverty in Europe: EAPN Gender and Poverty WG- Briefing #2." *European Anti-Poverty Network- Gender and Poverty Group*, 2019, pp. 1–72, www.eapn.eu/wp-content/uploads/2019/07/EAPN-Gender-violence-and-poverty-Final-web-3696.pdf.

the majority of PAM Member States have reinforced their legislation on the protection of women victims of domestic violence over the years, the Assembly also notes the establishment of national assistance hotlines in Greece and Algeria as well as the Croatian telephone-based ‘Red Button’. Among the innovative national initiatives, many applications have been developed with the objective of alerting, asking for help by sharing the GPS position as well as getting information, such as KADES in Turkey, TECUM in San Marino, App-elles in France, 112MT in Malta, AppVD in Portugal, Bright Sky in Italy or the application Israel Police -100 in Israel.

Chapter III: Policy Recommendations

Theme I: Prevention

1. To address the continuation of domestic violence, **policies addressing structural inequalities has the potential to curb violence against women**. Firstly, addressing structural inequality in the labor market will support women financially. Within the labor market, ensuring equal pay between genders is critical in achieving financial independence. In addition, policies should guarantee equal access to employment opportunities regardless of gender. Women are most likely to work in the informal sector, without protected benefits. Parliamentarians could promote and adopt anti-discrimination legislations in the hiring process and salary protection.
2. Secondly, **promoting women to decision-making positions** increases the likelihood of achieving gender equality. From the 2009 *Resolution on Women in Political Life in the Mediterranean*, PAM Member and Partner States are responsible for implementing and continuing to uphold gender quotas in public elections, promoting participation in government, and providing equal opportunities in the private sector.
3. Thirdly, parliamentarians are responsible for ensuring that the **same definition of domestic violence** is applied and institutionalized as a crime across international, national, regional, and local legal systems of government. The definition should ensure that violence against women applies to **public and private life**.²⁷ Already in 2011, the *Report on Domestic Violence*, produced by the PAM Special Task Force on Gender Issues and Equality and adopted during the 6th Plenary Session in Palermo, had defined domestic violence as follows

“A pattern of abusive behaviour (domination and control) by one or more members within a family against another or other members of that same family”

The report concludes with international cooperation’s objectives in terms of extradition or punishment of perpetrators, protection of victims seeking refuge and exchange of information. In addition, it included parameters allowing PAM Member States and partners to adopt policies in favour of gender equality. The *Resolution on Domestic Violence* adopted during the same Plenary Session is part of a dynamic in favour of gender equality and structural reforms. The resolution was instrumental in the adoption by PAM Member States and partners of national legislative measures defining domestic violence, criminalizing perpetrators and enhancing services for victims.

²⁷ Centre for Women of the United Nations Economic and Social Commission for Western Asia (ESCWA), et al. “Status of Arab Women Report 2017 Violence against Women: What Is At Stake?” *United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)*, 2017, arabstates.unwomen.org/en/digital-library/publications/2017/all/copy-of-status-of-arab-women.

4. It has been suggested for European treaties to recognize domestic violence as a Eurocrime.²⁸ Individual parliamentarians may also take a public or private stand against domestic and gender-based violence in a declaration, and pledge to work against it.²⁹
5. Finally, to address structural inequalities among women, PAM Member and Partner States should implement **anti-discrimination policies for private and public services, which help victims**. Protection should be guaranteed for a victim regardless of other personal identities (political, national or social origin, property, marital status, HIV/AIDs, and migrant or refugee status).³⁰ Specifically for migrant and refugee women, there should be policies to provide legal services for domestic violence cases regardless of immigration status. Parliamentarians may also be keen to allocate more funding from the budget toward mental health services for migrant women in the host country.

Theme II: Intervention

6. Policies to support victims of violence enhance reporting methods, strengthen government programs and services, support legal proceedings, and protect women in national emergencies.
7. The majority of domestic violence cases are unreported, and parliamentarians may address this issue by collaborating with public health officials. Parliamentarians may consider establishing a committee or forum with primary healthcare workers to accurately understand the challenges to reporting a domestic violence case and better address structural change.
8. Parliaments may also encourage reports of domestic violence by coordinating with NGOs, schools, and community-based services. Often, these organizations have closer relationships to victims of abuse and can coordinate responses with the government.
9. PAM Member and Partner States should also enhance public programs and services to victims and perpetrators. In addition to hotlines, shelters, rape crisis centers, and counseling, parliamentarians may allocate more funding to help offset the cost of legal, physical, and mental services. Parliamentarians may also allocate funds toward counseling programs which allow perpetrators to recognize, reconcile, and end their patterns of abuse.
10. Parliamentarians should allocate funds to the legal system to reduce processing fees or waiver costs to domestic violence cases. Parliamentarians may also be keen on issuing a policy, which prevents the disclosure of immigration status during a domestic violence case to prevent discrimination or deportation.³¹ Lastly, parliamentarians should encourage court systems to remain open during a state of emergency, including pandemics.

²⁸ Collins, Veronica. "How to Reduce Gender Violence during the Pandemic and Beyond." *PreventionWeb.Net*, 15 Apr. 2020, www.preventionweb.net/experts/oped/view/71320.

²⁹ Secretariat of the Committee on Equal Opportunities for Women and Men. "Handbook for Parliamentarians: Parliaments United in Combating Domestic Violence against Women." *Secretariat of the Committee on Equal Opportunities for Women and Men*, 2008, www.interventionsstelle-wien.at/download/?id=336.

³⁰ Department of Economic and Social Affairs: Division for the Advancement of Women. "Handbook for Legislation on Violence against Women." *United Nations Publication*, 2010, pp. 1–58, www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf.

³¹ Misdemeanor courts have been found in Montenegro to "respond quickly to domestic violence to issue Order for Protection to keep victims safe and impose penalties on offenders" (SOS Hotline 2017). Offering legal options for immediate relief to the victim could help support safer and more thorough long-term solutions.

11. Finally, in an attempt to intervene in cases of domestic violence, parliamentarians should maintain or increase funding toward public health services, which support victims of violence, especially during a state of emergency, during which violence cases increase. Learning from the COVID-19 pandemic, parliamentarians may see the benefit in ensuring that NGOs, public agencies, and other service-based programs are considered essential services and able to assist remote or displaced communities in a time of crisis. In the context of a state of emergency, it is also essential to have alternative forms of granting services, such as providing it remotely with social distancing measures.

Theme III: Evaluation

12. To monitor and evaluate policies against domestic violence, parliamentarians should establish commissions or coalitions, which interact with NGOs, academic institutions, public health officials, and regional and local governments. Commissions or coalitions in a multi-sectoral approach will promote good governance and share best practices, in addition to fostering a multidimensional understanding of domestic violence.
13. In September 2020, PAM co-organized a webinar with PLATFORMA, a European organization of local and regional governments, to address human rights challenges during the COVID-19 pandemic. Similarly, parliamentarians may be inspired to promote coordination with regional and local authorities on addressing structural issues pertaining to their national context. In addition, parliamentarians should establish conferences and advocacy campaigns about domestic violence while also promoting multi-sectoral collaboration.
14. Commissions or committees similar to GREVIO from the Istanbul Convention could be established to monitor and publish cyclical progress reports in a national context. Parliamentarians could support academic institutions, whose research would be crucial to establishing how conflict and post-conflict situations affect women and girls differently than other demographics of society.³²

Conclusion

1. As demonstrated throughout the report, domestic violence is a pervasive and embedded structure of violence from international policies to private homes. International conventions have protected rights for women in frameworks of gender equality, empowerment, and public services for victims. PAM Member and Partner States have responded to the recent progressions of international law by adopting or ratifying the treaties.
2. The Parliamentary Assembly of the Mediterranean has responded to the demands of gender equality while passing resolutions that place protections against domestic violence. In addition, other resolutions³³ have supported structural advancement for women in political participation, education, and social justice movements. In adopting these resolutions, national parliaments have defined violence, approved legislation against femicide, provided social housing options, passed rights and

SOS Hotline for Women and Children Victims of Violence Nikšić, et al. "Implementation of Montenegro's Domestic Violence Legislation." *The Advocates for Human Rights*, 2017, pp. 5–131, rm.coe.int/ngo-1-report-to-grevio/168073c75d.

³² Papp, Susan, and Marcy Hersh. "A Gender Lens for COVID-19." *Project Syndicate*, 27 Apr. 2020, www.project-syndicate.org/commentary/covid19-response-requires-a-gender-lens-by-susan-papp-and-marcy-hersh-2020-03?barrier=accesspaylog.

³³ *2008 Resolution on Gender and Equality Issues ; Resolution on Women in Political life in the Mediterranean, Istanbul 2009 ; Resolution on Achieving Gender Equality, Rabat 2010 ; Resolution on Education, Malta 2012 ; Resolution on the Role of Women in the Arab Spring, Marseille 2014*

protections for victims, created national commissions, monitored and evaluated national progress toward gender equality.

3. **Despite the advancements in national and international law, state of emergencies, such as the COVID-19 pandemic, have exposed more responsibilities for parliaments to respond to domestic violence.**
4. To address the disparities in human rights protections for women, policy recommendations are rooted in **prevention, intervention, and evaluation.**
5. As parliamentarians gather to support the legal progress toward gender equality, domestic violence must be addressed on both the structural and individual level. Parliamentarians are responsible for ensuring **enough allocation of resources and the policy-protection of domestic and gender-based violence victims.** It is imperative that PAM Member and Partner States, when needed, adopt or adapt legislations, which prevent, intervene, and evaluate cases of domestic violence. Preventive legislations may focus on gender inequality in the labor market, opportunity for leadership positions, consistent legal definitions, and harmonizing current legislation. Legislations, which intervene in domestic violence cases, protect the victim and end patterns of abuse through reporting methods, strengthening government programs, supporting legal proceedings, and protecting services during national emergencies. Commissions or coalitions, which foster multi-sectoral dialogue on the issues of domestic violence can help to address the challenges presented to women on a daily basis. Finally, policies to help end the cycle of violence against women should focus on protecting all women and address multilevel governance in the implementation process, through the promotion of dialogue between sectors.
6. PAM will continue its multilateral efforts to fight domestic violence in Mediterranean. In 2021, the Assembly considers organizing a conference dedicated to domestic violence in Euro-Mediterranean region in the context of the pandemic.