

# KEY ASPECTS FOR A SUCCESSFUL BACK-TO-WORK PATH OF WOMEN CONFRONTED WITH DOMESTIC VIOLENCE

– Guidebook –



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#ACTIVproject  
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# The ACTIV project

## 1. Why?

Co-funded by the European Erasmus+ programme, the ACTIV project – “Acting and collaborating to tackle intimate violence” – has as its main objective the **socio-professional (re)integration of women confronted with domestic violence**.

According to a study led by the European Union Agency for Fundamental Rights (FRA) from 2014<sup>1</sup>, **1 in 3 European women is confronted with gender-related violence and more than 1 in 5 European women is confronted with domestic violence**. A situation which has clearly worsened following the Covid-19 crisis. Highlighting **the role of the company** in taking care of employees confronted with such violence, POUR LA SOLIDARITÉ-PLS, FACE and other partners committed themselves in 2017 to the CEASE project aiming at the creation of a European network of companies and organizations engaged against domestic violence.

Today, ACTIV partnership continues the work as it has noted **the lack of collaboration between the different actors involved in the socio-professional (re)integration of women confronted with domestic violence**. Indeed, these women have to overcome obstacles in their return-to-work process. To offer them effective help and assistance, support and orientation structures as well as companies must work hand in hand and not in insulated manners as it is currently mostly the case.



**1 in 5 European  
women is confronted  
with domestic violence**

<sup>1</sup> At present, this is the last large-scale study carried out in Europe.

## 2. By whom?

European collaboration allows for cross-fertilization of experiences, filling gaps and learning from what is being done in the North, South and Eastern Europe. The ACTIV partnership is thus **based on the complementary knowledge and expertise of different actors in the field.**

### **POUR LA SOLIDARITÉ-PLS (BELGIUM)**

Founded in 2002 by the Belgian economist Denis Stokkink, POUR LA SOLIDARITÉ-PLS is an independent European think & do tank committed to promote solidarity and sustainability in Europe.

POUR LA SOLIDARITÉ-PLS takes action to defend and strengthen the European Social Model, which consists of a subtle balance between economic development and social justice. PLS's team is composed of members with multicultural and interdisciplinary backgrounds and works in the public space alongside socioeconomic actors, having as its motto: 'Understand to Act'.

 <https://www.pourlasolidarite.eu/>

### **LA MISSION LOCALE POUR L'EMPLOI DE BRUXELLES VILLE (BELGIUM)**

Mission Locale pour l'Emploi de Bruxelles-Ville (Mloc) is a non-profit organization that helps job-seekers in Brussels to overcome any difficulties they face to find a job. The objective is to ensure their social and professional reintegration through a holistic approach. Mloc provides individual coaching and guidance with opportunities for training and qualification.

 <http://missionlocalebxlville.be/>

### **LA FONDATION FACE (FRANCE)**

The Foundation Act Against Exclusion (FACE), recognized as a public utility, brings together public, private and associative actors in the fight against exclusion, discrimination and poverty.

For 26 years, it has been a unique meeting place for companies and public actors acting in these fields, constituting the largest French network of socially committed companies. FACE is an original ecosystem made of the Foundation, its Network - around fifty local structures run by hundreds of employees and patrons, as well as around forty foundations under its aegis. Its work benefits more than 350,000 beneficiaries.

 [www.fondationface.org](http://www.fondationface.org)

### **ASOCIATIA TOUCHED ROMANIA (ROMANIA)**

Touched Romania is supporting women and their children who are victims of domestic violence, poverty and social exclusion, to remain together and reintegrate into society as independent and productive citizens, through three of its programmes: Hagar Home Maternal Centre, Centre for Counselling and Social Reintegration and Transitional Apartments.

 <https://touchedromania.org/>

### **CEPS PROJECTES SOCIALS (SPAIN)**

CEPS Projectes Socials is a non-profit organization based in Barcelona working on EU wide projects. CEPS is responsible for the management and implementation of socio-educational activities for children, young people and adults, and further training for professionals. Expert staff research and develop innovative projects and practices. CEPS promotes a strategic and social view of the use of new technologies, and through participatory practices, new models for strategic partnerships are developed at local and international levels. Social impact and creative activities are blended together into inspiring solutions for the community.

 <https://asceps.org/>

## **3. What?**

The ACTIV project pursues different objectives to improve the socio-professional (re)integration of women confronted with domestic violence and to raise awareness on this issue. To do so, partners will develop three distinct but complementary productions.

First, the publication of this **guide highlighting the main steps of a successful return to work:**

- Putting definitions, European and national contexts and legal frameworks (Belgium, France, Romania, Spain) into perspective.
- Identification of the limits, but also of positive initiatives which can help the socio-professional (re)integration of women confronted with domestic violence.
- Proposal of a framework of common indicators facilitating mutual understanding between the actors involved in the return-to-work process.

Secondly, the creation of a **learning toolbox for the structures involved in the return-to-work process** for women who are confronted with domestic violence.

Finally, the publication of a **white paper aimed at policy makers, corporate actors and all organizations working on the subject** with concrete recommendations to improve support for women in their return-to-work journey.



*A piece of advice for future women who will look for work is to be persevering, not to give up, to fight for what they want and especially to look deep into their souls for the good roots of their childhood, if there are some, to look for people that will trust you, with whom you can overcome the unknown, the shortcoming and the fear of a single mother. »*

A WOMAN CONFRONTED WITH DV.



# Introduction

Domestic violence is a phenomenon that affects all European countries. **Any one of us may one day be confronted with domestic violence**, regardless of age, social background, economic status, religion, etc.

Domestic violence is the **result of the inequalities between women and men which are rooted in our societies and in each of its institutions**. This violence is the result of unequal relationships of domination that confine and silence women. Indeed, domestic violence is a form of gender-based violence as it disproportionately affects women and the majority of perpetrators are men<sup>2</sup>.

By the way, the fact that domestic violence is the logical consequence of gender-based violence appears clearly in preamble to the Istanbul Convention<sup>3</sup>: *"Recognising that violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women"*<sup>4</sup>.

<sup>2</sup> Pour La Solidarité - PLS. (2020, juin). *Lutter contre la violence entre partenaires : Même au travail ne détournez pas le regard*.

<sup>3</sup> Council of Europe. (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence*.

<sup>4</sup> *Ibid*, p. 1.

## THE CYCLE OF VIOLENCE

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The **cycle of violence** presents four different phases which are repeated and which demonstrate the control of one partner over the other:



The **psychological, physical and social consequences are therefore devastating**. This is why the international community, the European Union and all Member States are now paying particular attention to these issues.

The challenges posed by the issue of domestic violence are specific to the national context and also **depend on the legislation in force**. Nevertheless, certain (non-exhaustive) trends can be observed throughout Europe.

Violence against women happens against the backdrop of discriminatory social attitudes and behaviours, passivity or ignorance of bystanders and low level of autonomy of the victims, that in most of the cases feel they do not dispose of any alternative, due to lack of own financial means and support from family or society. In addition, and due to a lack of social and/or financial support, women who are confronted do not always dare to complain. The figures available are therefore incomplete and mask a large social problem. Domestic violence often remains limited to the private sphere whereas, as we have seen, its consequences go far beyond intimate relationships.

If all can face domestic violence, **some women are more exposed to domestic violence than others**: younger women, persons with disabilities, immigrant women, etc.

And if the Istanbul Convention is a good first step to protect and prosecute, and to promote co-ordinated policies in Europe in relation with violence against women, more practical actions need to follow the Convention.

There are many ways of approaching the phenomenon of domestic violence. The ACTIV project chooses the **employment angle**. Having a job provides stability and financial independence that allows a woman to break out of the cycle of violence and become empowered. On the other hand, many say that in order to have a stable job, a woman must already be out of the cycle of violence. This is a circle that few studies have highlighted. However, it is an important point that deserves to be explored in greater depth in order to help women regain their self-confidence and emancipate themselves.

In this study, the ACTIV project partners analysed the definitions of gender-based violence and domestic violence. They also studied the legislation in force in their country and at international and European level. On this basis, they constructed a questionnaire and collected feedback from around one hundred associations and structures involved in the socio-professional reintegration process, and/or working with concerned women. The data analysed from the questionnaires has made it possible to define indicators of success that can be used to strengthen the pathway to employment for women who have experienced domestic violence, and thus to guide the actors in the field when they are faced with this type of beneficiary.



# A story of definition(s)

## 1. From International & European levels...

The Convention on the Elimination of All Forms of Discrimination against Women<sup>5</sup>, adopted by the United Nations General Assembly in 1979, is the first international treaty focussing explicitly on discriminations against women. Even if it recognizes that women are discriminated against on the basis of their sex (no reference to gender at this time), it does not address the issue of violence as such. Ratified by 189 States, this Convention represents a quasi-universal commitment in favour of equality for women. Based on this, States have the obligation to protect them from all forms of discrimination, according to this Convention's provisions.

30 years later, in 2011, the Council of Europe Convention on preventing and combating violence against women and domestic violence (e.g., the Istanbul Convention)<sup>6</sup> makes a step further (even if at a smaller scale) as it is the first treaty to establish a legal framework at pan-European level to protect women against all forms of *violence*. The Istanbul Convention also sets out **essential definitions**:

- **violence against women:** is a "*violation of human rights and a form of discrimination against women and [...] all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life*";
- **gender-based violence against women:** "*violence that is directed against a woman because she is a woman or that affects women disproportionately*";
- **domestic violence:** "*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*".

In 2012, a European directive<sup>7</sup> establishes minimum standards on the rights, support and protection of victims of crime<sup>8</sup>. The directive enacts a broader definition of gender-based violence that is

<sup>5</sup> United Nations General Assembly. (1979). *Convention on the Elimination of All Forms of Discrimination against Women*.

<sup>6</sup> Council of Europe. (2011). *op. cit.*, p.3.

<sup>7</sup> A directive is a binding European text. It must be transposed into national law, but Member States have a choice as to the means to achieve the objectives set by the directive.

<sup>8</sup> Official Journal of the European Union. (2012). *Directive 2012/29/EU of the European Parliament and the council of 25 october 2012*.

considered into the framework of criminal offences. The text recognizes **domestic violence as a form of gender-based violence**. Domestic violence is a violation of fundamental freedoms in the same way as slavery, for example. Specific protection must be offered because victims of domestic violence are exposed to intimidation or retaliation (recital 17). The directive also refers to **different forms of violence** that can be experienced and **the risks** that a person facing domestic violence has to face (recital 18): *“Violence in close relationships is a serious and often hidden social problem which could cause systematic psychological and physical trauma with severe consequences because the offender is a person whom the victim should be able to trust. Victims of violence in close relationships may therefore be in need of special protection measures. Women are affected disproportionately by this type of violence and the situation can be worse if the woman is dependent on the offender economically, socially or as regards her right to residence”*. For the first time, the status of victim can be recognized independently of the state of play regarding the apprehension of the offender (recital 19): *“A person should be considered to be a victim regardless of whether an offender is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between them”*.

More recently, the International Labour Organization (ILO) adopted the Violence and Harassment Convention, 2019 (“C190”)<sup>9</sup> aiming at ensuring, for a broad range of people, a world of work free from violence and harassment. The definition in this Convention reflects the same multidimensional aspect of violence as in the Istanbul Convention:

- (a) the term *“violence and harassment”* in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment;
- (b) the term *“gender-based violence and harassment”* means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.

An added value of this Convention is its large scope of application, including any person who is working, non-dependant on the status, or has been working (whose contract has been terminated) or is seeking for a job. It also applies to both private and public sectors (art. 2).

<sup>9</sup> International Labour Organization. (2019a). *C190 - violence and harassment convention, 2019 (No. 190)*. Site de l'Organisation Internationale du Travail.

## 2. ...To national applications

Research across countries, with different cultural and language contexts, brings difficulties of translation of words as well as their connotations. In projects concerned with gender and violence there are many such difficulties, which need to be addressed in order to allow the sharing of research and resources. A primary concern is the varying understandings of the main terms used, such as “gender violence”, “gender-based violence”, “violence against women”, “intimate partner violence” and “domestic violence”.

The ACTIV project partners will be using the most widely understood terms in each country, to refer to intimate partner violence suffered by women at the hand of their partner or ex-partner. We will use “domestic violence” (DV) as defined in the Istanbul Convention and in the French, Belgian and Romanian contexts. While in the Spanish translations we shall refer to “gender-based violence” (GBV), which is the term used in the Spanish law, and the most commonly accepted.

In **Belgium**, the National Action Plan to fight against all forms of gender-based violence (the most recent covering the period 2015-2019<sup>10</sup>) is in line with the Istanbul Convention, although no definition is proposed. However, in 2006, Belgian law defines domestic violence as follows: *“Violence in intimate relationships is a set of behaviours, acts, attitudes of one of the partners or ex-partners which aim to control and dominate the other. It includes verbal, physical, psychological, sexual, economic, repeated or repetitive aggression, threats or coercion that undermines the integrity of the other person and even their socio-professional integration. This violence affects not only the victim, but also other family members, including children. It is a form of intra-family violence. It appears that in the vast majority of cases, the perpetrators are men and the victims are women. Violence in intimate relationships is the manifestation, in the private sphere, of the unequal power relations between women and men still existing in our society”*<sup>11</sup>.

In **France**, it is common and admitted to use the term “violence within the couple” to designate domestic violence. This terminology is relevant to a specific state of mind present in the country. Regarding the Ministry of Justice and Freedoms, “violence within the couple” is defined as *“a process inscribed in time during which, in the context of a current or past relationship (marriage, cohabitation, PACS), a partner adopts aggressive, violent, destructive behaviour towards the other”*<sup>12</sup>. Such a term highlights the fact that violence can occur in different typologies of couples considered by French law. Another definition is provided by the Ministry of Justice: *“All domestic violence is prohibited in law, whether it affects a man or a woman, whether physical, psychological, or sexual. This includes violence committed within*

<sup>10</sup> Institut pour l’Egalité des Femmes et des Hommes. (2015). *Plan d’action national de lutte contre toutes les formes de violence basée sur le genre 2015-2019*.

<sup>11</sup> Collectif Contre les Violences Familiales et l’Exclusion (CFVE). (2019). *CVFE - La violence conjugale est une violence de genre*. Site du CFVE.

<sup>12</sup> Direction des Affaires criminelles et des Grâces. (2011). *Guide de l’action publique, les violences au sein du couple*. Ministère de la Justice et des Libertés.

*married, civil union or common-law couples. Victims of domestic violence who report the facts can benefit from numerous protections measures from public institutions and associations. These measures can even extend to children*<sup>13</sup>.

In **Romania**, domestic violence is defined<sup>14</sup> as *“any interaction or action of physical, sexual, psychological, economic, social or spiritual violence that occurs in the family or domestic environment or between spouses or ex-spouses, whether the aggressor lives or has lived with the victim”*. Furthermore, the definition details the different possible manifestations of domestic violence: verbal, psychological, physical, sexual, economic, social or spiritual violence.

Belgian and French definitions consider that domestic violence is based on a power-based relationship of domination. In this sense, domestic violence is more than any conflict because it results from an unequal position between partners. In Belgium, the GREVIO<sup>15</sup> evaluation report notes an inconsistency between the definition and its application. While the definition is ambitious, in practice the term “gender-based violence” is used more often, implying a certain neutrality and erasing the idea of violence against women<sup>16</sup>.

Furthermore, Belgian, French and Romanian definitions recognize that domestic violence is characterized by a different form of violence: physical, psychological, verbal, sexual or even economic and administrative. These definitions also recognize that domestic violence has an impact on families and therefore a protection must be implemented to every member of the family unit suffering from these abuses.

<sup>13</sup> Direction de l'Information Juridique et Administrative. (2020, novembre). *Violence conjugale*. Ministère de la Justice et des Libertés.

<sup>14</sup> Agenția Națională Pentru Egalitatea de Șanse Între Femei și Bărbați. (2003). *LEGE Nr. 217/2003 din 22 mai 2003 - republicată : Pentru prevenirea și combaterea violenței domestice*. Guvernul României.

<sup>15</sup> GREVIO - Group of Experts on Action against Violence against Women and Domestic Violence

<sup>16</sup> Conseil de l'Europe. (2020, 21 septembre). *Le GREVIO publie son premier rapport sur la Belgique*. Convention d'Istanbul.



## **Verbal violence**

Addressing through offensive, brutal language, such as the use of insults, threats, degrading or humiliating words and expressions, etc.

## **Psychological violence**

Imposition of will or personal control, provocation of states of tension and mental suffering in any way and by any means, by verbal threat or in any other way, blackmail, demonstrative violence against objects and animals, display weapons, neglect, control of personal life, acts of jealousy, coercion of any kind, unlawful pursuit, surveillance of the home, workplace or other places frequented by the victim, etc.

## **Physical violence**

Bodily injury or health damage by hitting, pushing, slamming, pulling hair, stabbing, cutting, burning, strangling, biting in any form and of any intensity, including disguised as a result of accidents, by poisoning, intoxication, as well as other actions with similar effect, etc.

## **Sexual violence**

Sexual assault, imposition of degrading acts, harassment, intimidation, manipulation, brutality in order to obtain forced sexual relations, marital rape, pornography, prostitution, etc.

## **Economic violence**

Prohibition of professional activity, deprivation of economic means, including lack of primary means of subsistence, such as food, medicines, products of basic necessity, the act of intentional theft of a person property, prohibition of the right to own, use and dispose of common goods, etc.

## **Administrative violence**

Confiscation of identity documents, restricting access to administrative rights, etc.

## **Social violence**

Imposing isolation of family, community or friends, prohibiting attendance at school or workplace, prohibition/limitation of professional achievement, imposing isolation, including in the common home, etc.

## **Spiritual violence**

Underestimating or diminishing the importance of satisfying moral-spiritual needs by prohibiting, limiting, ridiculing, penalizing the aspirations of family members, access to cultural, ethnic, linguistic or religious values, enforcing adherence to unacceptable spiritual and religious beliefs and practices.

## **Cyberviolence**

Confiscation of the phone, insulting SMS messages, setting up spyware, etc.



In **Spain**, one of the consequences of the called fourth wave of the feminist movement and the #MeToo movement is the fight against abuse and violence. On the other hand, it has raised some confusion about how to use the terms gender-based violence and domestic violence, when they do not have the same meaning. Indeed, it is not the same to talk about domestic violence, since it takes place at home and can be perpetrated and suffered by any member of the family. On the contrary, gender-based violence is the one that takes place against women, just because they are women, both inside and outside the home and in both work and social spheres. This type of violence is based on the supposed belief that one sex is superior to the other<sup>17</sup>.

Spanish and Catalan public institutions and NGOs do not use the term domestic violence, as it is considered that it perpetuates the lack of social recognition that the abuse of women is a specific form of violence. Moreover, another disadvantage is that it is too broad, as it also takes into account the mistreatment that can be exercised and suffered by all the members of the family, and does not focus on the maltreatment suffered by women, simply because of the mere fact that they are women.

In 2004, a Spanish law on Comprehensive Protection Measures against Gender-Based Violence<sup>18</sup> states that gender violence is violence directed against women simply because they are women, and because they are considered by their aggressors as people who lack the minimum rights of freedom, respect and decision-making capacity. So, the Spanish definition refers to European definitions<sup>19</sup> of gender-based violence as violence directed against a person because of that person's gender or violence that affects persons of a particular gender disproportionately. Violence against women is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in physical harm, sexual harm, psychological, economic harm or suffering to women.

*By the way, it has to be pointed out that the ACTIV project focuses on violence against people that define themselves as women, but the partners acknowledge that there is domestic violence against men and other family members. The project limits its activities and resources to women, because of the specific needs for each group, which this project has not the resources to deal with, and hence focuses on one only.*

<sup>17</sup> Yolanda Rodríguez - Carlos Berbell, Y. R.-C. B. (2020, août). *¿Cuál es la diferencia entre violencia doméstica y violencia de género?* Confilegal.

<sup>18</sup> Ministerio de la Presidencia, relaciones con las cortes y memoria democrática. (2004). *Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género*. Agencia Estatal Boletín Oficial del Estado.

<sup>19</sup> European Commission. (2020). *What is gender-based violence?*

# What are we talking about?

## 1. Domestic violence as a general issue

In 2014, the European Union Agency for Fundamental Rights (FRA) published a study on violence against women in the European Union<sup>20</sup>. It is the most exhaustive survey in which 42,000 women were interviewed in 28 Member States<sup>21</sup>. Here are the key elements resulting from this:

- 1 out of 3 women over 15 years old has suffered physical and/or sexual violence, including 1 out of 5 from a (ex-) spouse.
- 1 woman out of 10 over 15 years old has been a victim of sexual violence.
- 1 out of 20 women has been raped.
- 43% of women have been victims of psychological abuse or dominating behaviour in the context of a romantic relationship.
- To address these issues, a large body of legislation exists.

The figures are alarming. The consequences are disastrous. But few women dare to denounce the acts of which they are victims, even more if they are perpetrated by someone close to them, such as their spouse, this can be explained by: fear, shame, guilt, lack of trust in the authorities, perception that others have of violence, etc. The consequences are important in the short and long terms for the victims. Again, fear, anger, anguish, shame are common emotions. In addition, there are the costs of judicial and police interventions, social assistance, and the absence of supportive actions from the employing structures.



*We must first be able to make people aware of their situation, to have an understanding of the events that led to this cycle of violence. The fact of taking height on the situation, of understanding the stakes, it makes it possible to carry out some work on oneself. This is a condition to get out of this cycle of violence. Taking things in hand will help them get out of this toxic framework. »*

SOCIAL WORKER

<sup>20</sup> European Union Agency for fundamental rights. (2014). *Violence against women : an EU-wide survey*.

<sup>21</sup> Parlement Européen. (2019). *La violence envers les femmes dans l'Union européenne : État des lieux*.

This is why the international community, the European Union and all Member States are now paying particular attention to these issues. Among them, the socio-professional (re)integration of women confronted with domestic violence is essential.



*For us, women's autonomy depends on professional integration. »*

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## 2. What is the situation in the partner countries?

It is impossible to put into perspective the figures for domestic violence in the different European countries. From a methodological point of view the survey methods and samples are not comparable. Furthermore, the definitions in force, national challenges and legislative frameworks may influence the highlighting of particular figures. Nevertheless, the data presented below show the scale of the issue, which affects all European countries.

In **Belgium**, more than 1 in 3 women (36%) have been physically and/or sexually abused since the age of 15. 1 in 4 women (24%) have experienced physical and/or sexual violence from their partner or ex-partner. According to the "domestic violence" helpline, 4 out of 5 calls come from women who are victims of violence<sup>22</sup>. According to more recent research (2021), 64% of Belgians aged 16 to 69 have been victims of sexual violence in their lifetime. Under this figure we find 81% of Belgian women, figures similar to those of neighbouring countries. Of these people, 16% of women have been victims of rape<sup>23</sup>.

The "Cadre de vie et sécurité" survey report published in 2019<sup>24</sup> gives us a great overview of the issue in **France**. Between 2011-2018, it is estimated that slightly less than 300,000 persons aged 18 to 75 years old victims were confronted with domestic violence each year. On average each year over the period 2011-2018, 213,000 women aged 18-75 declared themselves victims of physical or sexual violence by a spouse (partner, partner in a partnership, boyfriend) or a former spouse. Of these victims, 29% are aged between 18 and 29 years old. In addition to this overview, it is relevant to use the

<sup>22</sup> IWEPS. (2016). *Les violences faites aux femmes en Wallonie : état des lieux en chiffres*. Service Public Wallonie.

<sup>23</sup> Belspo. (2021). *UN-MENAMAS : Compréhension des Mécanismes, Nature, Magnitude et Impact de la Violence Sexuelle en Belgique*. Université Gent.

<sup>24</sup> Ministère de l'Intérieur. (2019). *Rapport d'enquête « Cadre de vie et sécurité » 2019*.

expertise of the Fédération Nationale Solidarités Femmes (FNSF). This structure is a reference actor regarding domestic violence. Its statistical report<sup>25</sup> published in 2006 is still relevant to the current situation and analyses domestic violence in France by describing its consequences on women confronted with domestic violence. These can lead to situations of economic hardship, precariousness and exclusion regarding economic aspects, housing and social bonds.

Violence against women, namely that happening at the domestic level, has been a non-subject in **Romania** during the communist period. It is only after 2000 and in the context of the membership in the EU, that gender-based violence has become the subject of social and legislative action, but with effective implementation lagging behind due to social attitudes and mentalities that prevented women empowerment. In Romania, 1 in 4 women admit that they have been physically or sexually assaulted by their partner or ex-partner and 1 in 3 that they have experienced a form of violence throughout their lives<sup>26</sup>. Beyond these figures, there are many women who keep the abuse as their dirty secret because they feel guilty about it, and others consider abuse is normal in Romania.

According to a report<sup>27</sup> aimed at evaluating the progress made on the operational plan designed to implement the National Strategy on Promoting equal opportunities between women and men and on Preventing and Combating domestic violence for the period 2018-2021, in 2019, the number of domestic violence cases increased with 6.34% compared to 2018. Also, compared to 2018: murder cases (following domestic violence) increased with 2.6%, beatings and other violence increased with 14.8%, pimping 80%, rape 15.8%, sexual aggression 27.6%, sexual harassment with 100%, infant pornography with 400%, failure to comply the protection orders with 59%. Out of 46,012 victims of domestic violence in 2019, 29,143 were women (hence, 63%).

Despite this, in Romania, according to the official statistics presented by the National Agency for Equal Opportunities between men and women, there are 29 centres for the victims of domestic violence, out of which 18 are state owned and 11 are private. These shelters are not sufficient to ensure social services to all victims of domestic violence and there are cities and counties without any shelter for victims of domestic violence.

In **Spain**, 1,079 women were murdered from 1 January 2003 to the present day<sup>28</sup> and in Catalonia, there were 169 murders from 1 January 2003 to the present day<sup>29</sup>. If the number of women victims of gender-based violence has actually decreased over the last five years, it is not a very noticeable difference. The age group with the most victims is 31-40 years old, followed by 41-50 years old and finally 21-30 years old.

<sup>25</sup> Fédération Nationale Solidarité Femmes. (2017). *Guide juridique : Logement et violences conjugales*.

<sup>26</sup> European Union Agency for fundamental rights. (2014). *op. cit.*

<sup>27</sup> Agenția Națională Pentru Egalitatea de Șanse Între femei și Bărbați. (2019a). *Raport de monitorizare a stadiului implementării planului operațional pentru implementarea strategiei naționale privind promovarea egalității de șanse între femei și bărbați și prevenirea și combaterea violenței domestice pentru perioada 2018-2021*. Guvernul României.

<sup>28</sup> April 2021.

<sup>29</sup> Ministerio de Igualdad. (2021). *Portal Estadístico Violencia de Género*.

The social problem of gender-based violence does not only harm women, but also attacks and harms children. For example, gender-based violence has orphaned 304 children from 1 January 2013 to the present day in Spain<sup>30</sup>.

In the fight against gender-based violence there are a large number of fundamental tools that allow the victims to be protected from their aggressor. **One of them is the complaint**<sup>31</sup>, because thanks to it, the processes of protection and assistance to the victims of gender violence are set in motion.

- In Spain, only 20.75% of the women reported. Several details can be noted here, such as the lack of credibility of the reporting system on the part of women, the fear of being judged by society or even worse, fear to “aggravate” violence, the lack of means or facilities to do so, among other elements.
- In 2014, in Belgium, 39,668 complaints of partner violence were reported to the police. Nevertheless, 78% of the victims did not report the fact of domestic violence suffered. Among the victims who talk about it, only 33% spoke to their doctor or a health centre, 22% to the police, 18% to a hospital, 17% to a legal service or lawyer and 10% to social services<sup>32</sup>.
- In France, only 18% of victims filed a complaint and only a minority of victims approach social or medical services. On average between 2011 and 2018, 15% of the victims of domestic violence per cohabiting spouse were seen by a doctor, 14% consulted at least once a psychiatrist or a psychologist and 12% talked about their situation to social services.

These figures show that domestic violence support is not effective in the countries analysed. Few women reach for help and follow the entire support procedure. This issue forces us to question ourselves about the reason why the support fails to provide a global help to the victims.

Another tool is the **protection order**<sup>33</sup>. Their main purpose is to prohibit the aggressor from approaching the victim. In Spain, 504,619 protection orders were formulated from 1 January 2007 to 30 June 2020, and in Catalonia, there were 65,061 protection orders from 2009 to the present day. In Romania, some women manage to escape from their abusive homes and obtain a restriction order from the police or in court, but this doesn't mean that they are fully protected, given that about 30% of the restriction orders are violated every year<sup>34</sup>. Here too the system deserves to be improved.

<sup>30</sup> Ministerio de Igualdad. (2021). *Mujeres - Delegación del Gobierno contra la Violencia de Género*.

<sup>31</sup> Ministerio de Igualdad. (2021). *Boletines Estadísticos Mensuales - Delegación del Gobierno contra la Violencia de Género*.

<sup>32</sup> Institut pour l'Égalité des Femmes et des Hommes. (2019). *Non aux violences : Plan d'action national de lutte contre toutes les formes de violences basées sur le genre*.

<sup>33</sup> Ministerio de Igualdad. (2021c). *op.cit.*

<sup>34</sup> Agenția Națională Pentru Egalitatea de Șanse Între femei și Bărbați. (2020). *Violența domestică*. Guvernul României

# Legal frameworks

After talking about definitions and before considering the issue of employment, it is important to draw up an overview of the legislation in force in terms of gender equality at work, the fight against discrimination and the combat against domestic violence. Indeed, the legislation helps to understand why certain measures are carried out on the ground and highlights the lack of actions in the Member States.

The body of legislation that outlines the issues related to the elimination of violence against women and the actions to be implemented is divided into different levels. At the highest level are the international instruments. Next, come the European legislation and then the body of rules in force in each Member State.

## 1. International treaties & statements

In 1948, States adopt the **Universal Declaration on Human Rights** (UDHR)<sup>35</sup> which sets out that *"all human beings are born free and equal in dignity and rights"* (article 1), and that *"everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status"* (article 2). The UDHR is the first international and legally binding instrument (it is indeed now considered as customary international law) that establishes the principle of non-discrimination. Article 23 of the UDHR is also important as it refers to the right to work in just and favourable conditions. Article 25 of the UDHR guarantees access to social services and specific assistance in case of need.

In 1966, the **International Covenants on Civil and Political Rights**<sup>36</sup> and on **Economic, social and cultural rights**<sup>37</sup> reiterate and develop the core fundamental rights recognized in the UDHR. They mainly impose obligations on States and not on private entities. It is interesting because, in both, the prohibition of discrimination (mentioning only "sex" and nothing related to gender) is reminded. Article 7 of the second Covenant could be used as a basis to develop policies directed towards private employing entities to make them actors of the protection against violence against women: *"The States*

<sup>35</sup> Office of the High Commissioner. (1984). *Universal Declaration of Human Rights*. United Nations.

<sup>36</sup> Office of the High Commissioner. (1966). *International Covenant on Civil and Political Rights*. United Nations.

<sup>37</sup> Office of the High Commissioner. (1966). *International Covenant on Economic, Social and Cultural Rights*. United Nations.

*Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work".*

Besides, the international community adopted several instruments (both binding and non-binding) of particular relevance for this subject matter. It is worth mentioning the following.

**The Convention on the Elimination of All Forms of Discrimination Against Women**<sup>38</sup> (1979, entry in force in 1981) and the **Declaration on the Elimination of Violence against Women**<sup>39</sup> (1993) have the advantage of paying particular attention to the situation of women.

Also in 1993, the **World Conference on Human Rights**<sup>40</sup> ruled that violence against women is human rights violation. The Vienna Declaration and Programme of Action calls for the appointment of a **Special Rapporteur on violence against women**<sup>41</sup>.

In 1995, at the 4th Conference on Women, violence against women was identified as a critical area of concern and was included in the **Beijing Platform for Action**, which lists measures to be taken by the 189 States Parties to combat such violence. The Beijing Declaration follows 20 years of activist work and recognizes equality between men and women as an essential condition for sustainable development and democracy. A **Commission on the Status of Women**<sup>42</sup> was set up to evaluate the implementation of the Beijing Platform for Action.

In 2006, the **Secretary-General's In-Depth Study on All Forms of Violence against Women**<sup>43</sup> is published. It is a complete report that takes a broad view of the issue, addressing the risk factors, consequences and different forms of violence against women. The report also presents encouraging practices, particularly in terms of legal system and care for victims.

In 2013, the prevention and eradication of violence against women becomes an international priority issue, and in 2016, at the **60th session of the Commission on the Status of Women**, concrete measures are requested to improve existing legislation. In 2017, the evaluation<sup>44</sup> of the existing international legal framework warns that the application of international standards is insufficient... And in 2020, it has been decided to strengthen the efforts to fulfil the objectives of the Beijing Declaration and the Programme at the **64th session of the Commission on the Status of Women**<sup>45</sup>.

<sup>38</sup> United Nations. (1979). *Convention on the Elimination of All Forms of Discrimination against Women*.

<sup>39</sup> General Assembly of the United Nations. (1994). *Declaration on the Elimination of Violence against Women*.

<sup>40</sup> Conférence mondiale sur les droits de l'Homme. (1993). *Déclaration et programme d'action de Vienne*. United Nations.

<sup>41</sup> UN Women. (2020). *Ending violence against women : Global norms and standards*.

<sup>42</sup> UN Women. (2018). *Commission on the status of women*.

<sup>43</sup> General Assembly of the United Nations. (2006). *In-depth study on all forms of violence against women*. eSubscription to United Nations Documents.

<sup>44</sup> General Assembly of the United Nations. (2017). *Adequacy of the international legal framework on violence against women*. United Nations.

<sup>45</sup> UN Womens. (2020). *op. cit.*

In parallel, in 2012, the **Sustainable Development Objectives (SDOs)** were established at the Rio Conference on Sustainable Development. They replace the Millennium Development Goals (MDGs), which aimed, among other things, to eradicate poverty. The SDGs are universal objectives set up to address the world's ecological, political and economic challenges. The 17 SDGs are closely linked to inclusive sustainable development and are the basis for international, European and national actions (from public and private actors). **The 5th objective of sustainable development**<sup>46</sup> ambitions to achieve gender equality and autonomy; this includes the elimination of violence against women.

Finally, the **C190 ILO Violence and Harassment Convention**<sup>47</sup> and the related **Recommendation**<sup>48</sup> provide for interesting protection against violence and harassment in the world of work and remind the duty of States to consider the impact of domestic violence in the world of work. In this sense, article 10, f) stipulates that each Member State should take appropriate measures to "*recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work*". This is developed in the Recommendation, where it is specified that such measures "*could include (a) leave for victims of domestic violence; (b) flexible work arrangements and protection for victims of domestic violence; (c) temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences; (d) the inclusion of domestic violence in workplace risk assessments; (e) a referral system to public mitigation measures for domestic violence, where they exist; and (f) awareness-raising about the effects of domestic violence*" (point 17).

It is also worthy to underline what's recommended to point 17: "*The support, services and remedies for victims of gender-based violence and harassment referred to in Article 10(e) of the Convention should include measures such as: (a) support to help victims re-enter the labour market; (b) counselling and information services, in an accessible manner as appropriate; [...]*".

In the countries that have ratified it<sup>49</sup>, the Convention and the Recommendation mandate various actors, such as enterprises, to take a stand on this matter and to adapt their CSR (Corporate Social Responsibility) policies in order to improve protection of victims of domestic violence.

<sup>46</sup> General Assembly of the United Nations. (2015). *Draft outcome document of the United Nations summit for the adoption of the post-2015 development agenda*. United Nations.

<sup>47</sup> International Labour Organization. (2019a). *op. cit.*

<sup>48</sup> International Labour Organization. (2019b). *R206 - Violence and Harassment Recommendation*.

<sup>49</sup> To date (June 2021), six countries have ratified the convention: Argentina, Ecuador, Fiji, Namibia, Somalia and Uruguay. France plans to ratify it in July 2021.



## 2. The Council of Europe & its Istanbul Convention

The Council of Europe Convention on preventing and combating violence against women and domestic violence<sup>50</sup> otherwise known as the Istanbul Convention prevents, represses and aims to eliminate violence against women and domestic violence. Currently, the Convention has been ratified by 33<sup>51</sup> stakeholders, and 12 Parties have signed but not ratified it<sup>52</sup> including the European Union. It is worth noting here that the European Commission expressed its intention to **propose measures in 2021 to achieve the objectives of the Istanbul Convention if the EU's accession remains blocked.**

The text highlights the idea of gender (beyond sex) and recognizes that women are particularly vulnerable to violence because of historically entrenched power relations. This text is the first legally binding text and provides a legal framework to protect victims and prosecute offenders. The interest of the Istanbul Convention is also to recognize the different types of violence that exist that are mentioned above.

This legislative instrument enshrines the empowerment of women as an objective. Women are therefore involved in *their* combat (Article 1). The interest of the text is also to give concrete but broadly covering definitions (Article 3). Adopting such an instrument also get the issue of violence against women out of the private sphere only, making the fight against it a public matter. Furthermore, the fight against such violence must be without discrimination of any kind, and the list of possible discriminations is broad (Article 4). Article 15 insists on the importance of training professionals in charge of women facing violence, while Article 17 encourages the private sector to take part in the fight. This provision can be used as a basis for States to adopt measures fostering CSR policies within the private sector.

The Istanbul Convention is also known for its 4 areas of action (the 4 Ps):

1. *Prevention*: awareness campaigns, media and **private sector** actions to tackle stereotypes, training and educational programmes, etc.
2. *Protection*: helplines, shelters and crisis centres support, restraining orders for violence perpetrators, etc.
3. *Prosecution*: definitions and criminalization of all forms of violence against women, etc.
4. *Integrated Policies*: joint actions by all stakeholders and financial and human support for actions implementation.

<sup>50</sup> Council of Europe. (2011). *op. cit.*

<sup>51</sup> Turkey withdrew from the Convention in July 2021.

<sup>52</sup> Council of Europe. (2011). *op. cit.*

The Convention also establishes a monitoring mechanism at two levels. First, the Group of Experts on Violence against Women and Domestic Violence (GREVIO) is an independent body responsible, inter alia, for evaluating the implementation of the Convention in the States Parties. Secondly, the Committee of the Parties is a political body bringing together official representatives of the Parties.

### 3. European Union legislation

Non-discrimination and equality between men and women are enshrined in Article 1 of the **Treaty on European Union (TEU)**<sup>53</sup>. The **Charter of Fundamental Rights**<sup>54</sup> condemns discrimination based on sex (and not on gender...) and guarantees the right to physical and moral integrity.

Within the European Union legal framework, there is no instrument especially dedicated to the protection of women against violence. Furthermore, **it should be reminded that the European Union has signed but still not ratified the Istanbul Convention**. But some exist in more specific areas and contain provisions relevant in this matter. In this sense:

- The Directive (2006/54/CE) on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation<sup>55</sup> aims at ensuring equality between men and women within the sphere of employment. Only discrimination on the basis of sex (and not on the basis of gender) is prohibited. There is no consideration for persons facing violence.
- The Directive (2010/41/EU) on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity<sup>56</sup> is complementary to the Directive 2006/54/EC one as it contains provisions prohibiting discriminations based on the sex for self-employed persons. The Directive (2004/113/EC) on equal treatment in the access to and supply of goods and services<sup>57</sup> is also part of the “equal treatment between men and women ‘package’”.
- The Directive (2011/36/EU replacing Council Framework Decision 2002/629/JHA) on combating trafficking in human beings and protecting its victims<sup>58</sup> is part of a European framework devoted to the fight against human trafficking, including violence against women.

<sup>53</sup> European Union. (2012a). *Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union*. EUR-Lex.

<sup>54</sup> European Union. (2012b). *Charter of Fundamental Rights of the European Union*. EUR-Lex.

<sup>55</sup> Official Journal of the European Union. (2006). *DIRECTIVE 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)*. Eur-lex.

<sup>56</sup> Official Journal of the European Union. (2010). *DIRECTIVE 2010/41/EU on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC*. EUR-Lex.

<sup>57</sup> Official Journal of the European Union. (2004). *COUNCIL DIRECTIVE 2004/113/EC on implementing the principle of equal treatment between men and women in the access to and supply of goods and services*. EUR-Lex.

<sup>58</sup> Official Journal of the European Union. (2011a). *DIRECTIVE 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA*. EUR-Lex.

- The Directives 2012/29/UE<sup>59</sup> and 2011/99/UE<sup>60</sup> and the Regulation 606/2013<sup>61</sup> specify the protection of victims regardless of their nationality and regardless of the place in the EU where the crime took place. All this legislation includes a gender-based approach.

Nevertheless, the European institutions have published various communications, strategies, declarations, recommendations, opinions, etc., (soft law) to support the efforts to tackle violence against women. Despite the fact that they are not legally binding, these texts have a strong political value and must guide the actions of the Member States and, to a certain extent, European private actors whose actions can have a strong impact.

The **European Institute for Gender Equality**<sup>62</sup> (the only EU agency dedicated exclusively to gender equality) and the **European Union Agency for Fundamental Rights**<sup>63</sup> (in charge of the protection of human rights in the EU) are agencies whose daily work includes combating violence against women, including domestic violence they may face.

The **European Parliament** first discussed the issue of violence against women in a resolution on 11 June 1986. Since then, it has been particularly active in this area, namely through the action of a dedicated parliamentary committee: **The Committee on Women's Rights and Gender Equality (FEMM)**.

In 2008, the “EU guidelines on violence against women and girls and combating all forms of discrimination against them”<sup>64</sup> are adopted by the EU to treat the subject of women's rights and to focus on the issue of violence against women. For the first time, 4 operational objectives are setting up:

- Promotion of gender equality and the fight against discrimination against women.
- Collection of data on violence against women and development of indicators.
- Devising effective, coordinate strategies.
- Combat the impunity of perpetrators of violence against women and access to justice for victims.

Since 2009<sup>65</sup>, the Parliament has been asking the European Commission to implement a general Directive on the prevention and elimination of all forms of violence against women (which would fill most of the existing gaps). In 2011, the European Parliament passed the “**Resolution on priorities and**

<sup>59</sup> Official Journal of the European Union. (2012). *op. cit.*

<sup>60</sup> Official Journal of the European Union. (2011b). *DIRECTIVE 2011/99/EU on the European protection order*. EUR-Lex.

<sup>61</sup> Official Journal of the European Union. (2013). *REGULATION (EU) No 606/2013 on mutual recognition of protection measures in civil matters*. EUR-Lex.

<sup>62</sup> <https://eige.europa.eu/fr/in-brief>

<sup>63</sup> <https://fra.europa.eu/fr>

<sup>64</sup> Council of the European Union. (2008). *EU guidelines on violence against women and girls and combating all forms of discrimination against them*.

<sup>65</sup> European Parliament. (2009). *European Parliament resolution of 26 November 2009 on the elimination of violence against women*.

outline of a new EU policy framework to fight violence against women”<sup>66</sup> to make its views on violence against women publicly known and to urge Member States to take action and to follow it. Furthermore, in 2014, Parliament asked the European Council to add violence against women as a crime area under Article 83(1) TFEU (Treaty on the Functioning of the European Union).

In 2017, the **Spotlight Initiative**<sup>67</sup> is set up by the European Union and the United Nations as part of the Sustainable Development 2030 Programme. Within this framework, a budget of 500 million euros is allocated to the eradication of violence against women.

In March 2020, the European Commission publishes its first **“Gender Equality Strategy: Striving for a Union of Equality”**<sup>68</sup>. Some of the goals of this strategy are to end gender-based violence and to ensure equal participation and opportunities in the labour market. One of the concrete actions proposed is to criminalize violence against women.

In November 2019 the European Commission releases a statement **“Stop violence against women: Statement by the European Commission and the High Representative”** which warns of the increase in violence following the COVID-19 crisis. The text calls on the European Union to continue its efforts. At the same time, the Commission publishes **“the EU's new Action Plan on Gender Equality and Women's Empowerment in External Action 2021–2025 (GAP III)”** that aims to accelerate progress on empowering women and girls, and safeguard gains made on gender equality during the 25 years since the adoption of the Beijing Declaration and its Platform for Action.

In its Resolution of 21 January 2021<sup>69</sup> on the **EU Strategy for Gender Equality**, the European Parliament *“supports the Commission's commitment to combating gender-based violence, supporting and protecting the victims of these crimes, and ensuring that those responsible are held accountable for their crimes; supports the Commission's plan to continue pushing for the EU-wide ratification of the Istanbul Convention; underlines, in this context, the need for specific measures to address the existing disparities in laws, policies and services between Member States and the increase in domestic and gender-based violence during the COVID-19 pandemic; draws attention, however, to the fact that several attempts to convince reluctant Member States have failed and that Hungary's Government recently decided not to ratify the Convention at all; warmly welcomes, therefore, the Commission's intention to propose measures in 2021 to achieve the objectives of the Istanbul Convention if the EU's accession remains blocked; calls for preparatory actions to be started now in order to launch additional legally binding measures and an EU framework directive to prevent and combat all forms of gender-based violence[...] with a strong intersectional approach; [...] recalls that these new legislative measures should be complementary to the ratification of the Istanbul Convention [...]”* (§17). It also explicitly states that it *“believes that women workers suffering gender-based violence should be entitled to a*

<sup>66</sup> European Parliament. (2011). *European Parliament resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women.*

<sup>67</sup> <https://www.un.org/fr/spotlight-initiative/>

<sup>68</sup> European Commission. (5 March 2020). *Gender Equality Strategy : Striving for a Union of equality.*

<sup>69</sup> European Parliament. (2021). *European Parliament resolution of 21 January 2021 on the EU Strategy for Gender Equality.*

*reduction in or reorganization of their working hours and to a change of workplace; considers that gender-based violence should be included in workplace risk assessments [...]” (§25). With this resolution, the Parliament reaffirms its intention to ensure, at the European level, a better protection for women confronted with domestic and gender-based violence, including within the workplace.*

In addition, the **European Economic and Social Committee (EESC)**, **European civil society** (e.g., the European Women's Lobby) are particularly active and are calling for the European Union to take a stronger position – and assert itself – on the issue of violence against women<sup>70</sup>.

States Parties to the Istanbul Convention must ensure that a national legal framework is implemented to meet the objectives of the Convention. At present, the majority of the Member States had a national action plan to combat violence against women<sup>71</sup>. Especially considering that all Member States have signed the Istanbul Convention, and 21 of them have ratified it (in November 2020)<sup>72</sup>.

## 4. Belgium

Belgian authorities (at federal and federated levels, according to their respective competencies) acted in the fight against domestic violence through different approach angles. To complement the Belgian legal framework – including criminal laws –, authorities have also adopted Action Plans to deal with this transversal issue that is the one of domestic violence.

Regarding criminal matters, Belgium adopted several laws aiming at reinforcing the protection of victims of domestic violence.

It has been done by considering the fact that an offence that was committed by a member of the family is an **aggravating circumstance** (see article 410 of Belgian Criminal Code), implying more severe sanctions. In this context, it has been specified, with a law adopted in 1997 (so called “Loi Lizin”)<sup>73</sup>, that the same will apply if the perpetrator committed the crime or the offence against their spouse or the person with whom they are cohabiting or have cohabited and have or had a lasting emotional and sexual relationship. Important fact in Belgium, this “Loi Lizin” enshrined the idea that domestic violence cannot be limited to the private area and stay unpunished.

<sup>70</sup> Shreeves R. Prpic M. (2019, septembre). « La violence envers les femmes dans l'Union européenne ». *EPRS. Service de recherche du Parlement européen*.

<sup>71</sup> *Ibidem*.

<sup>72</sup> Jurviste U, Shreeves R. (2020, novembre). « La Convention d'Istanbul, un outil pour lutter contre les violences à l'encontre des femmes et des filles ». *EPRS. Service de recherche du Parlement européen*.

<sup>73</sup> Moniteur belge. (6 février 1998). *Loi visant à combattre la violence au sein du couple*.

Moreover, it is worth noting that rape between spouses has been recognized as a criminal offence, under Belgian law, in 1989<sup>74</sup> and that psychological violence and moral harassment are part of the forms of violence that are punished since a modification of the Criminal Code in 1998<sup>75</sup>.

In addition, another similarity with its French neighbour (see *infra*), is the legal recognition of women confronted with domestic violence ("*violence conjugale*") as vulnerable persons. This allows, in certain circumstances, to lift professional secrecy in case of abuse (see article 458*bis* of Criminal Code, as modified in 2013).

In the context of the Zero Tolerance Circular which came into force in 2006<sup>76</sup>, specific procedures have to be applied in case of domestic violence. These include, inter alia:

- The Police has an important role to play in responding to victims and taking accurate statements and testimonies in order to ensure the process is successful. It is at this stage that the first legal and medical steps are taken if it is deemed necessary to take urgent action.
- For so-called "urgent and provisional" measures, courts (including family courts) may determine the separate residences, facilitate continued presence of the wife in the marital home (if she is a victim of violence), set the custody arrangements for the children, award custody to the wife, settle matters relating to furniture and current loans, prohibit the man from entering the residence occupied by the victim, etc.
- Regarding the removal of the perpetrator from the home, a law dating from 2003<sup>77</sup> ensures the right for the victim to request the use of the residence and gives power to the Prosecutor, in certain circumstances, to oblige the perpetrator to leave the home for 10 days with prohibition to approach it. Going further, a law adopted in 2012<sup>78</sup> establishes a temporary prohibition of residence for the perpetrator.

Since 2001, Belgium also adopted several Plans, with the particularity to associate the different levels of policy making (Federal State, Regions and Communities) under the coordination of the Institute for equality between women and men<sup>79</sup>. Indeed, here, domestic violence is approached through the spectrum of gender-based violence and tackled as an obstacle to equality between women and men, to ensure the former's safety and, therefore, gender equality.

In a perspective of continuous improvement of the policies against gender-based violence, five National Action Plans (NAP) have been adopted since 2001.

<sup>74</sup> Moniteur belge. (4 juillet 1989). *Loi modifiant certaines dispositions relatives au crime de viol.*

<sup>75</sup> Moniteur belge. (30 octobre 1998). *Loi qui insère un article 442bis dans le Code pénal en vue d'incriminer le harcèlement.*

<sup>76</sup> Ministère public. *Circulaire COL 4/2006 (révisée le 12.10.2015) – Circulaire commune du Ministère de la Justice et du Collège des procureurs généraux relative à la politique criminelle en matière de violence dans le couple.* Consultée sur le site du l'IEFH.

<sup>77</sup> Moniteur belge. (28 janvier 2003). *Loi visant à l'attribution du logement familial au conjoint ou au cohabitant légal victime d'actes de violence physique de son partenaire, et complétant l'article 410 du Code pénal.*

<sup>78</sup> Moniteur belge. (15 mai 2012). *Loi relative à l'interdiction temporaire de résidence en cas de violence domestique.*

<sup>79</sup> <https://igvm-iefh.belgium.be/en>.

In the 2015-2019 NAP<sup>80</sup>, **employment** is considered as a **part of the recovery process of women confronted with violence**; in this sense, the **“outreaching” method**, in matter of accompaniment in the job seeking process is encouraged.

This NAP also interrogates the role of enterprises in the context of domestic violence. A measure aims at investigating which role they could play in the prevention or sensitization to this issue as well as in the support of workers who are victims of such violence (measure 17). This is followed by a – short – list of four measures seeking to involve the employers and the tourists in the prevention of gender-based violence. Besides, the **workplace is recognized as a potential safe space** as it is stated that employees confronted with domestic violence should be informed, on their workplace, on the existing support structures (measure 114).

In addition, the **“Conférence interministérielle (CIM) Droits des femmes”** was created in 2019 and brings together the French-speaking ministers responsible for women's rights. Within the IMC, the fight against violence against women is a cross-cutting issue.

For the following period, various Plans, covering diverse geographical scopes and competencies, have been adopted. The **“Plan intra-francophone de lutte contre les violences faites aux femmes”**<sup>81</sup>, published in late 2020 includes actions of particular relevance for this ACTIV project: it aims to reinforce coordination between services and the support for victims within the relevant ministries. It also provides measures directed towards the perpetrators, for a better follow up. Here are two concrete examples of measures encouraged with the Plan that are interesting for our specific concern:

- Measure 36, aimed at strengthening the **training on violence against women for professionals working on professional reintegration**;
- Measure 54, aimed at putting in place, within French speaking ministries and within public organisms, a policy devoted to the **support of victims of domestic violences**.

The **Brussels Plan on the fight against violence against women** (“Plan bruxellois de lutte contre les violences faites aux femmes”)<sup>82</sup>, adopted for the same period, based on the Region’s competencies in matter of employment, goes a bit further with actions such as action 24 *“promoting the fight against violence against women in the regional policies for employment”*. Based on this, **companies should be sensitized and should include this issue in their Diversity Plans and the operationalization of CEASE project should be pursued**. Moreover, it recognizes **companies and public services, as employers, as key stakeholders** for the implementation of the actions it contains.

<sup>80</sup> Institut pour l’Egalité des Femmes et des Hommes. (2019). *op. cit.*

<sup>81</sup> Fédération Wallonie-Bruxelles. *Plan Intra-francophone de lutte contre les violences faites aux femmes 2020-2024.*

<sup>82</sup> Service public régional de Bruxelles, equal.brussels. (16 juillet 2020). *Plan bruxellois de lutte contre les violences faites aux femmes.*

## 5. France

Domestic violence is an issue that requires transversal actions that cannot be limited to one sphere or one region. Considered as a really important issue in France, a legal framework has been developed, supporting the implementation of specific Plans, enacting the political commitment against violence.

These laws mainly establish **protective measures towards women confronted with domestic violence**. Since 1992, there has been a more and more restrictive regulation toward domestic violence, condemned as a criminal offence – with, as correlation, a growing care for victims' protection. In this regard, the following legal measures are worth noting.

First, we can mention the introduction, through a reform of the Criminal Code in 1992<sup>83</sup>, of an **aggravating circumstance** due to the status of spouse or cohabitee and the recognition of the **specific crime of domestic violence** (punishable by criminal courts). Then, practical measures stated in a law from 2005<sup>84</sup>, aiming at **removing the perpetrator from the home** marked a step towards the effective protection of persons confronted with domestic violence.

In parallel, the French Legislator **extended the scope** of existing laws, in 2006<sup>85</sup>:

- through the enlargement of the notion of couple to include marriage, PACS and cohabitation;
- through the recognition of administrative violence (e.g., essential documents' theft) as punishable violence;
- with the extension of criminal law to new perpetrators (partner (PACS), ex-partner, ex-common-law-partner) and to new offences (murders, rapes – including between spouses, sexual assaults).

It also provided rules for the **socio-judicial follow up of the perpetrators** based on a specific process to take care of them in order to reduce recidivism, as established by a 2007 law<sup>86</sup> and complemented by training courses to make perpetrators of violence aware of their responsibilities in 2014<sup>87</sup>.

<sup>83</sup> République Française. JORF n°169 du 23 juillet 1992. *LOI no 92-684 du 22 juillet 1992 portant réforme des dispositions du code pénal relatives à la répression des crimes et délits contre les personnes (1)*. Légifrance.

<sup>84</sup> République Française. JORF n°289 du 13 décembre 2005. *LOI n° 2005-1549 du 12 décembre 2005 relative au traitement de la récidive des infractions pénales (1)*. Légifrance.

<sup>85</sup> République Française. Mise à jour 5 avril 2006. *Loi n° 2006-399 du 4 avril 2006 renforçant la prévention et la répression des violences au sein du couple ou commises contre les mineurs (1)*. Légifrance.

<sup>86</sup> République Française. JORF n°0056 du 7 mars 2007. *LOI n° 2007-297 du 5 mars 2007 relative à la prévention de la délinquance (1)*. Légifrance.

<sup>87</sup> République Française. JORF n°0179 du 5 août 2014. *LOI n° 2014-873 du 4 août 2014 pour l'égalité réelle entre les femmes et les hommes (1)*. Légifrance.



It is also worthy to underline the recognition of a **special status for victims of domestic violence** with the first French law<sup>88</sup> regarding violence against women, violence within the couple and its impact on children, that recognized them as a **priority group**. This law also recognized the **psychological nature of the violence** exerted by one of the parents on the other with the creation of the **moral harassment offence** taking place within the couple.

More recently, in the Grenelle forum context, France adopted the law of 28 December 2019<sup>89</sup> tending to act against violence within families. With this, it tried to provide an even greater protection to women confronted with domestic violence by shortening the time limit for judges to issue a protection order, by giving the opportunity to the victim to request to stay in the couple's home and by fostering the use of security mechanisms such as the anti-approach bracelet and the "grave danger" telephone.

During the pandemic, domestic violence took an important place in the political framework of France. Special measures have been taken by the government like additional support to association, funding of hotel overnight stay to protect victims, reception points in supermarkets and shopping centres and even a creation of a communication kit with all the measures available during the quarantine. These measures were additional to those adopted during the Grenelle forum on 3 September 2019. This event was major regarding the French context. In total, 30 measures have been taken with other emergency ones on housing, women protection (anti-approach bracelets, implementation of "emergency chambers", etc.). In 2020, more than 1 billion euros have been devoted to gender equality in which more than 360 million euros have been dedicated to action relative to violence against women.

Finally, in 2020<sup>90</sup> a law created to protect victims of domestic violence intended to better protect them by supporting women through **every aspect of the exit of the violence**. To this end, it allows the suspension of the right of access and accommodation of a minor child to the violent parent. In the event of violence within the couple, registration in the judicial register of perpetrators of sexual or violent offences is automatic (unless the judge decides otherwise) for the most serious offences. The notion of harassment within the couple is considered an aggravating circumstance. The mediation procedure in criminal and civil matters is regulated in cases of domestic violence. The law also includes measures on housing (marital accommodation allocated in principle to the spouse who is not the perpetrator of the violence, even if he or she has benefited from emergency accommodation), on foreigners who are victims of family or marital violence, on the aggravation of penalties in the event of violation of the secrecy of communications or geolocation by the spouse, and on the protection of minors against pornographic messages. However, this law does not mention socio-professional

<sup>88</sup> République Française. JORF n°0158 du 10 juillet 2010. *LOI n° 2010-769 du 9 juillet 2010 relative aux violences faites spécifiquement aux femmes, aux violences au sein des couples et aux incidences de ces dernières sur les enfants (1)*. Légifrance.

<sup>89</sup> République Française. JORF n°0302 du 29 décembre 2019. *LOI n° 2019-1480 du 28 décembre 2019 visant à agir contre les violences au sein de la famille (1)*. Légifrance.

<sup>90</sup> République Française. JORF n°0187 du 31 juillet 2020. *LOI n° 2020-936 du 30 juillet 2020 visant à protéger les victimes de violences conjugales (1)*. Légifrance.

reintegration which means that it is still a work in progress in France and that awareness has to be raised about its importance for the violence exit.

In the meantime, **five interdepartmental Plans** have succeeded one another in order to fight violence against women and complete the existing legal framework. In a nutshell, here are the important area developed by these plans:

- The **2005-2007 Plan** was structured around 10 key measures in order to provide social and economic responses and better ensure legal protection for women. These measures targeted different stakeholders such as public institutions and professionals accompanying women toward autonomy in order to reinforce collaboration between them. In this sense, the plan was expecting to facilitate the collection of information, statistical tools, awareness-raising and prevention for the general public. However, the lack of support and accommodation structures as well as the lack of human resources did not allow the text to achieve the expected results.
- The **2008-2010 Plan** marked the launch of 12 objectives to combat violence against women to consolidate the previous measures implemented in 2004 and complete them by launching new actions aimed at the victims' entourage.
- The **2011-2013 Plan** follows the previous one by maintaining sustained vigilance on the issue of intra-family violence, forced marriages and polygamy. It also addresses the issue of **gender-based and sexual violence at work**. It is also important to point out the creation by decree of 3 January 2013 of an **inter-ministerial mission for the protection of women (MIPROF)**. Its mission is to collect, analyse and use information and data on human trafficking and on violence against women. It also contributes to the evaluation of national and local arrangements and aims to develop a **Plan to sensitization and training of professionals on violence against women**. This inter-ministerial approach was used to create the law regarding real equality<sup>91</sup>.
- The **2014-2016 Plan** guaranteed women victims of violence access to dedicated emergency accommodation and adapted to the needs thanks to 1650 additional solutions and removed obstacles to access social housing for women victims of violence. Regarding our subject, **this Plan is very important because it encourages the return to employment by restoring autonomy**. For this matter, the delegation calls actors meeting victims to process more quickly their administrative files, to reconsider their subventions' rights regarding their situation.

After the Weinstein affair that enlightened victims' speech, the French President, Emmanuel Macron, pronounced the implementation of a plan devoted to fight gender-based violence, the big challenge

<sup>91</sup> Equality between women and men is ensured by the French law. However, in practice, equality is struggling to materialize. We then speak of real equality. The law on real equality between women and men aims to drive societal change through two global themes: in one hand the equality within the professional, economic, political and social sphere and on the other hand, promoting rights, preventing and combating gender-based violence.

of his governance. To respond to this issue, he implemented the **2017-2019 Plan** divided in 3 axes: education, victims' support, and repression of perpetrators. The plan adopted a transversal approach to secure and strengthen proven devices to improve victims' lives and ensure access to their rights. The support towards autonomy is accompanied and the Plan also developed action regarding public action where the needs are greatest. It also recognizes young women as an even more precarious public. Regarding reintegration, "mission locale" structures are recognized as very important for the development of the interdepartmental plan.

Regarding the **professional equality between women and men**, the interdepartmental Plan edited in 2016 **considers the phenomenon of domestic violence within the workplace and encourages companies to provide formations to employees, manager, HR, partners and accompanying victims.**

The French legal framework also considers **domestic violence within the workplace**. Without imposing direct obligations on companies or setting measures as specifically targeted on the fight against domestic violence as in Spain (see *infra*), it contains some laws dealing with the regulation of domestic violence in the professional sphere. By identifying this violence as a discrimination, a law adopted in 2008<sup>92</sup> became a useful tool to regulate discriminations regarding women confronted with domestic violence. By this means, the law reinforces the protection of victims.

The **Ministerial circular of October 2013**<sup>93</sup> relating to the International Day of Violence Against Women, considered the multiplicity of actors involved in the identification of violence such as local authorities, justice, health, police, associative and institutional actors. This led politics to adopt a global approach to support victims of violence for better coordination of local actors and promote the emergence of interprofessional actors. However, companies were missing and not considered as actors involved in the support of women confronted with domestic violence. Companies are newly involved in the field and have to be considered as such in order to offer a global approach and a continuum of support for women confronted with domestic violence.

In conclusion, national regulations – at different levels – demonstrate that the issue of domestic violence is taken seriously by the political and legislative sphere. However, while there are many protective measures, there is still a gap between theory and practice. Those working in the field lack training and are not always aware of the realities suffered by victims of violence, nor of the possibilities and solutions they could offer to support these women. Moreover, the women themselves are not always aware of the extent of their rights, or do not feel legitimate to ask for help and follow the support procedure until the end. There is still a lot of groundwork to be done. Finally, companies and employers

<sup>92</sup> République Française. JORF n°0123 du 28 mai 2008. *LOI n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations (1)*. Légifrance.

<sup>93</sup> Ministère des affaires sociales et de la santé. *Circulaire interministérielle cabinet n° 2013-197 du 12 avril 2013 relative aux relations entre les services intégrés d'accueil et d'orientation et les associations spécialisées dans la prise en charge des femmes victimes de violences, en particulier conjugales*. Solidarité, Droits des femmes.

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## 6. Romania

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## 7. Spain

In Spain, domestic violence is addressed within the fight against gender-based violence. This country is a pioneer in this fight, as attested by the solid legal framework presented below.

From the outset, it is interesting to note that Spanish Parliament adopted a law against gender-based violence before laws on gender equality.

Indeed, the first law that must be mentioned here is the **Organic Law 1/2004, of 28 December, on Comprehensive Protection Measures against Gender based Violence**<sup>105</sup>. This law covers preventive, educational, social, welfare, health and criminal aspects and involves seven ministries: education, justice, interior, labour and social affairs, health, public administration and economy.

Some positive facts are worth underlying, such as the recognition of several rights for the victims (right to information; right to comprehensive social assistance, understood as the right to obtain psychological care, **social support**, the right to obtain social services care, emergency services, support and shelter, educational support for the family unit, monitoring of women's right claims; right to free legal advice; right to **social assistance for victims with few resources and little training or access to employment**; and right of priority in access to protected housing and public residences for the elderly). Besides, already in this law recognized as one of the most advanced at the European level, **companies' participation in the management of this social problem is initiated, providing professional women victim's rights**.

Nevertheless, this law does not consider other forms of violence such as sexual assault, rape, genital mutilation or economic violence among others. It also limits its scope to "violence against women" exclusively considered as violence exerted by partners and ex-partners.

The second relevant body of rules (**Royal Decree 1917/2008, of 21 November, approving the programme of social and labour insertion for women victims of gender violence**<sup>106</sup>) was approved on 21 November 2008, and contains **incentives for companies to hire women who have suffered gender-based violence**. Furthermore, the public administration encourages public-private agreements to raise awareness of this devastating reality and to **promote the integration of the victims into the labour**

<sup>105</sup> Ministerio de la Presidencia, Relaciones con las Cortes y Memoria Democrática. (2004). *op. cit.*

<sup>106</sup> Ministerio de la Presidencia, Relaciones con las Cortes y Memoria Democrática. (2008). *Real Decreto 1917/2008, de 21 de noviembre, por el que se aprueba el programa de inserción sociolaboral para mujeres víctimas de violencia de género*. Agencia Estatal Boletín Oficial del Estado.



**market.** In other words, this regulation considers companies as relevant interlocutors and spaces to contribute to the fight against this drama. In fact, it encourages the state to collaborate with employers and trade unions to disseminate information on the labour rights of women workers in the situations of gender violence, to promote the social and labour integration of women who have suffered violence and to promote their recruitment.

The measures for action set out in this law are as follows; there are of particular relevance for this ACTIV project:

- Itinerary of socio-occupational insertion individualized and carried out by specialized personnel.
- Specific training programme to promote social and labour insertion as an employed person, working on personal aspects, where appropriate, carrying out actions aimed at increasing self-esteem and motivation for employment, and on the professional aspects of the women participating in the programme.
- Incentives to encourage the start of a new self-employed activity.
- Incentives for companies that hire victims of gender-based violence.
- Incentives to facilitate geographical mobility.
- Incentives to compensate for wage differentials.
- Agreements with companies to facilitate the hiring of women victims of gender violence and their geographical mobility.

The third law **on the right of women to eradicate gender-based violence**<sup>107</sup> was approved on 24 April 2008 in Catalonia. Its objectives are the following: firstly, to eradicate male violence (differentiated from “sexist violence”) and remove the social structures and cultural stereotypes that perpetuate it. Secondly, to establish **comprehensive prevention, detection and awareness-raising measures with the aim of eradicating it from society**. Finally, to recognize the rights of women who suffer from it with assistance, protection, recovery and comprehensive personal reparation.

It compensates, to a certain extent, the gaps from the 2004 law as it includes violence that occurs within the couple, family, work, social and community spheres and it contemplates other forms of violence such as physical, psychological or economic violence, sexual harassment, forced marriages, sexual assault and genital mutilation, among others.

It contains, however, more declarations of goodwill than mechanisms for the effective application of the right it contains, especially beyond the public sphere.

One step further for equality has been made with adoption of **Organic Law 3/2007, of 22 March for the effective equality of women and men**<sup>108</sup> seeking to satisfy the need to establish a regulatory action

<sup>107</sup> Parliament of Catalonia. (2008). *Law 5/2008, of 24<sup>th</sup> April, on the right of women to eradicate sexist violence*.

<sup>108</sup> Ministerio de la Presidencia, Relaciones con las Cortes y Memoria Democrática. (2007). *Ley Orgánica 3/2007, de 22 de marzo, para la igualdad efectiva de mujeres y hombres*. Agencia Estatal Boletín Oficial del Estado.

that would put a stop to current manifestations of discrimination against women and guarantee **real equality between men and women**, establishing concrete measures and breaking down social stereotypes through public policies. This instrument is of particular relevance as it imposed the obligation for companies to establish **Equality Plans** and to implement them in a transparent way (see articles 45 to 47). These obligations have been reinforced in 2019 with the adoption of the **Royal Decree Law 6/2019 of 1 March 2019 on gender equality in the workplace**<sup>109</sup>. Companies indeed have to present an equality Plan, to carry out a salary audit and recommends having a plan against sexual harassment. This law is known for being a pioneer in the legislative development of gender equality rights in Spain.

There is not a Spanish Action Plan as such, but a strategy was implemented. The **National Strategy for the eradication of violence against women 2013-2016**<sup>110</sup> primarily addresses intimate partner or ex-partner violence against women. The strategy also includes other forms of violence against women, such as sexual aggression, sexual harassment, female genital mutilation/cutting, so-called 'honour' killing and forced marriage. Moreover, **Spain's Comprehensive Plan to combat trafficking in women and children for sexual exploitation 2015-2018** also talks about violence against women. Concretely, the State Secretariat of Social Services and Equality within the Ministry of Health, Social Services and Equality has to coordinate the implementation of policies and measures on violence against women<sup>111</sup>.

Recently, the **Contingency Plan against gender violence in the face of the COVID-19 crisis** and an affiliate communication campaign was implemented. This Plan states that all comprehensive assistance services for victims of violence against women are essential services, which means that operators of essential services must guarantee the normal operation of information devices 24 hours a day; emergency response and reception of victims at risk, including women who need to leave their homes to guarantee their protection; the normal operation of emergency centres, shelters, sheltered flats, and safe accommodation for victims<sup>112</sup>.

<sup>109</sup> Ministerio de la Presidencia, Relaciones con las Cortes y Memoria Democrática. (2019). *Real Decreto-ley 6/2019, de 1 de marzo, de medidas urgentes para garantía de la igualdad de trato y de oportunidades entre mujeres y hombres en el empleo y la ocupación. Agencia Estatal Boletín Oficial del Estado.*

<sup>110</sup> Ministerio de la Igualdad. (2013). *Estrategia Nacional para la Erradicación de la Violencia contra la Mujer 2013-2016.*

<sup>111</sup> European Institute for Gender Equality. (25 November 2016). *Combating violence against women: Spain.*

<sup>112</sup> Ministerio de la Igualdad. (2020). *Ministry of Equality promotes a Contingency Plan against gender violence in the face of the COVID-19 crisis.*

# Employment & Emancipation

In 2019, the *Fondation Nationale Solidarité Femmes* (FNSF) published a report regarding its hotline<sup>113</sup>. The entering call shows a great overview of women confronted with domestic violence situations. They are less likely to be employed, have fewer resources and more interruptions in their working lives. Indeed, only 51% are employed and 29% unemployed. They are kept in a situation of dependency which often continues after separation.



*I think that a job is important for any responsible person, but I think that for women who come from a violent environment it is even more important because it is the only solution to become financially independent, to develop confidence in your own forces, and to move forward despite the past and problems. »*

A WOMAN CONFRONTED WITH DV

The period of lockdown has led to an increase in detecting cases of domestic violence throughout Europe as well as in the Brussels region, where GREVIO (expert group on action against violence against women and domestic violence) has recorded a 30% increase in emergency calls. In France, the helpline 3919 received 79,228 calls from March to June 2020. In comparison, in 2019, it received 23,140. It represented 140 calls per day, a rise of 42% of police intervention at home and the delivery of 129 more "grave danger" phones<sup>114</sup>.

But the economic crisis generated by the sanitary crisis will make it even more difficult for women facing violence to access and maintain employment. Today, more than ever, it is necessary to promote and facilitate their (re)integration in protective workplaces and their maintenance within.

As a matter of fact, **employment is a central issue of equal opportunities between men and women**<sup>115</sup>. While women already face numerous discriminations in the job market (under-representation in power bodies, discrimination in hiring, wage inequality, etc.), women confronted with domestic violence encounter a range of additional obstacles that make it more difficult for them to access and maintain

<sup>113</sup> Fédération Nationale Solidarité Femmes, *Analyse globale de la ligne d'urgence du « 3919-Violences Femmes Info »*, 2019.

<sup>114</sup> Ministère de l'égalité entre les femmes et les hommes, diversité, "Violence contre les femmes : Le Gouvernement s'engage", dossier de presse, 25 novembre 2020.

<sup>115</sup> In this sense, the first directives (see below) adopted in favour of gender equality concerned the workplace.

employment. Access to and maintenance of employment are however a *sine qua non* conditions for the emancipation of women confronted with domestic violence.

## 1. What are the challenges of socio-professional (re)integration?

A good understanding of the measures put in place by the legislator makes it possible to identify the stage the person is at, to determine the most appropriate follow-up for that person and, in all cases, to guide and advise them on the steps to be taken depending on their situation. Despite very strict legislation on violence, questions arise about the lack of legal protection for people in violent situations in their professional activity, interpersonal relations at work, and even dismissal.



*Women victims of domestic violence, unfortunately, are used to being treated in their family without respect, offended, not listened to, no matter their opinion. These behaviours can be repeated in professional life when women victims of domestic violence do not know their rights and do not have the power to say STOP to the lack of respect, STOP to the violation of their rights, peace of mind, dignity! »*

A WOMAN CONFRONTED WITH DV

Studies led in Belgium by *the Institut pour l'égalité des femmes et des hommes* (Institute for the Equality of Women and Men)<sup>116</sup> conclude that **whether the people are still in the violent environment or whether they have left it, that socio-professional (re)integration is vital for the rehabilitation of people who have been victims of violence.** The aim and impact of this process will be:

- to regain self-confidence,
- to enable them to regain control either in terms of personal or financial autonomy,
- to (re)develop social and socio-professional contacts and relationships,
- to form healthy human relationships,
- to learn the codes of practice for the employment and labour market,
- to develop integral professional skills and abilities,
- to provide appropriate services relating to the workplace,
- to avoid returning to the harmful environment or entering another harmful environment,
- etc.



*A professional qualification / job stability is important to get out of the cycle of violence because it can increase the self-esteem of the abused person, it can increase the perspective on a normal life, and it can at some point communicate the situation confidence at work, to guide her to specialized help or even to help her get out of this situation. »*

A WOMAN CONFRONTED WITH DV

<sup>116</sup> « Les expériences des femmes et des hommes en matière de violence psychologique, physique et sexuelle » (2010), « Etude sur la violence intrafamiliale et la violence conjugale basée sur l'enquête de santé » (2013), « Enquête nationale sur l'impact de la violence entre les partenaires sur le travail, les travailleurs et les lieux de travail en Belgique » (2017).

These studies highlighted three difficulties of returning to work and leaving the violent environment:

1. Once they leave the violent environment, **a loss of self-esteem** makes it difficult to feel self-worth and to develop skills to take action. Furthermore, isolation prevents the development of a key relational network when looking for a job, and a violent relationship can lead the victim to reject any form of authority, even in a work context.
2. Domestic violence has **consequences at work**: loss of productivity, resignation, replacements, sick leave and extended absences, harassment by the partner in the workplace, putting danger and stress from colleagues.
3. The effect of **professional status** has a **direct impact on violence** and staying in a **negative spiral**: the unemployed, students and the disabled experience more partner abuse, while the least exposed are pensioners.

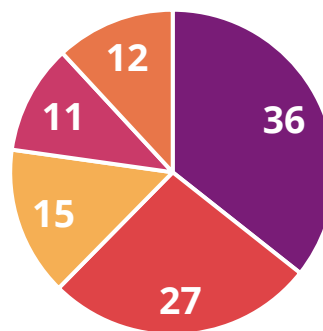
The socio-professional challenge is even greater for young women facing domestic violence. To this end, FNSF study provides us with a global vision of the phenomenon among young. Young women aged between 18 and 25 are not very visible in the schemes set up by the associations, even despite awareness campaigns. Over time, they are also less likely to continue their follow-up within the associations. Plus, young women are more likely to be without any professional activity or studies.

## 2. How to ensure a successful socio-professional (re)integration?

The field study carried out in the framework of the ACTIV project allows us to define some indicators of success to be considered in the return to employment of women who have been confronted with domestic violence.

*Via a questionnaire (available in English, French, Spanish and Romanian), we got the opinion of 101 structures that work with women facing domestic violence, that offer socio-professional integration services and/or that hire women who are living or have lived through domestic violence.*

Our sample



- 36 support structures (reception and support of women who suffer violence)
- 27 orientation structures (including socio-professional accompaniment) and/or training
- 15 associations specializing in women's rights
- 11 companies or employing structures
- 12 others (trade unions, companies' network, public authorities, etc.)

101 questionnaires

■ Belgium ■ France ■ Romania ■ Spain



Although it is difficult to meet women who have been confronted with domestic violence and who are ready to tell their story, *it is important to give voice to the first concerned*. We had the chance to interview **5 women** and **9 social workers** who also provided us relevant insights for our analysis.

Finally, we collected **5 model practices** that allowed us to complete our indicators but also that are inspiring initiatives in the fight against domestic violence. These model practices are presented below.

The pathway back to employment for a woman confronted with violence is neither universal nor linear. We do not pretend to give a truth that can be applied to all situations. But we do propose **points of attention that can facilitate the socio-professional reintegration of these women**.

It is imperative to **respect the person's time process**. Firstly, because the process of breaking out of the cycle of violence can take time, is not linear and is specific to each situation. Secondly, because the stage at which a woman facing domestic violence finds herself influences her pathway back to employment. Indeed, based on the experience of *La Mission locale pour l'emploi de Bruxelles-Ville*, supporting former victims of domestic violence in relation to socio-professional (re)integration requires different approaches depending on the stage of violence they are at.

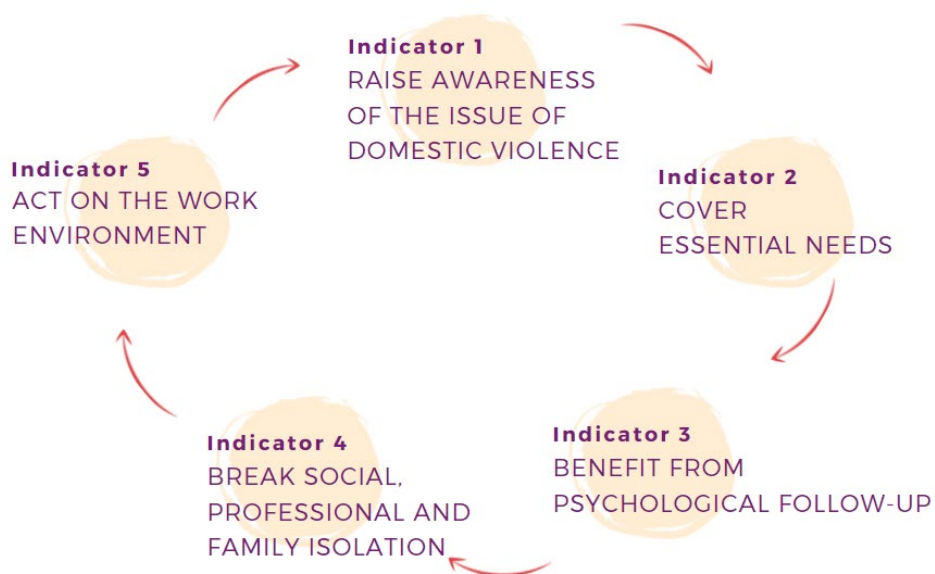
- A person still living in the home where violence has been perpetrated will need, at an early stage, social and psychological assistance to allow them to take the first steps towards medical and legal assessment before beginning a vocational guidance process. Starting such a process too early, without the minimum safeguards in place, will hinder progress and development in the very short term.
- People for whom a framework is being established or has been established, but who are still "trapped" in this environment on a daily basis will be supported individually. The psychological and sometimes even physical consequences mean that a personalized search and/or employment programme is necessary in a reassuring and comforting environment with the assistance of a person of trust.
- Finally, people who have left the "violent" home, and therefore generally at a more advanced stage of getting away from this hold, are more likely to be able to share their experience with people who have had similar experiences. Socio-professional (re)integration in a group is effective in the sense that the sharing of experiences and the self-support that takes place between the participants enables faster development and brings about better results.





*The basic strategy followed: to take stock of the situation and identify the resources. The idea is to empower the person, to take power in their life. For example: to go through administrative hurdles, get information from the right place, gain respect, etc. »*

SOCIAL WORKER



According to our analysis, an indicator of success is a **specificity encountered by the field workers and/or the women themselves which gives positive consequences in the process of socio-professional reintegration of women who have faced domestic violence**. Thus, an indicator of success is a **key element which is found in one or more practices** and which must be considered when dealing with a beneficiary who has experienced domestic violence and who is in the process of socio-professional reintegration. Thus, we have identified 5 key groups of indicators:

Within each indicator, we have identified **actions to be taken both with women directly and with those who work with women facing domestic violence**. These actions are listed and presented below. They can be used to guide the target groups, as they greatly facilitate the effectiveness of the process of reintegration of women into employment. Where possible, we have also illustrated the indicators with an **inspiring model practice identified by each ACTIV partner**. For each model practice, we provide a brief presentation of the lead organization and the initiative, the strengths and weaknesses of the organization, the challenges faced by the beneficiaries, the community around the initiative, the quantitative and qualitative impact and the replicability of the initiative.

## Indicator 1

### Raise awareness of the issue of domestic violence

To women	To people who are in contact with women confronted with DV
<ul style="list-style-type: none"><li>✓ Propose an anti-blame and structural approach to violence</li><li>✓ Explain the cycle and continuum of violence</li></ul>	<ul style="list-style-type: none"><li>✓ Deconstruct stereotypes and taboos</li><li>✓ Centralize initiatives to tackle violence</li><li>✓ Fund initiatives</li></ul>



*Partners don't understand the association's specific support. We don't force anything, and we don't impose appointments. We must adapt ourselves to the different situations as best we can. Women facing violence must receive this personalized support. »*

SOCIAL WORKER



*There are women who come and say: "I'm here but I don't know why", "I was in the waiting room with a woman whose arm is in plaster", "I think I've made a mistake", "I'm not in the right place", "no, but it's not that serious". There are women who are in this kind of deny. So, we tell them that we're going to get to know each other and then we hang on to them. »*

SOCIAL WORKER

## Indicator 2

### Cover essential needs

#### To women

- ✓ Learn to be independent
- ✓ Access to housing
- ✓ Secure the children
- ✓ Solve mobility issues
- ✓ Know and activate social rights/aids
- ✓ Access to legal information
- ✓ To be accompanied in legal or administrative procedures

#### To people who are in contact with women confronted with DV

- ✓ Offer multidisciplinary and holistic support
- ✓ Develop know-how-to-be skills
  - Show tolerance
  - Know how to listen
  - Be empathic and caring
  - Be flexible
  - Respect anonymity if requested and manage professional confidentiality
  - Guarantee the protection of women
- ✓ Develop know-how skills
  - Know the local ecosystem
  - Define a contact person who acts as a link between the different stakeholders
  - Define a trusted person (as a mentor) to communicate with and/or who can discreetly keep important documents
  - Consider women facing DV through their resources, and value women's knowledge and skills
  - Benefit from information to orient women facing DV



*Most of the women want to work again. Then there are many who also put aside their emotions, so they cut themselves off from all emotion, they can pretend. But going back to work is a whole process, its childcare, etc. »*

SOCIAL WORKER



*The first job is to build trust with these women. This requires authentic, true, deep and sincere speaking. »*

SOCIAL WORKER





## Model practice

# COB mobile, Fondation Massé-Trévidy

Created in 2004, the Fondation Massé-Trévidy fights against exclusion through every step of life (education, social, health, elderly people, migrants...). At the beginning, it was an orphanage. Currently, the hostel consists of a hostel with 22 places, an emergency hostel for the general public and a boarding house for people who are unable to live without collective support. The Fondation Massé-Trévidy puts in place actions for every type of public including women confronted with domestic violence.

For example, since April 2019, the Fondation is carrying out a campervan project, the COB mobile, in the central-western region of Brittany. The van offers individual, personalized and less formal/interpersonal support. The COB mobile really allows women to confide in each other: the entry point was not to say that she was a victim but that she was on the street, in a precarious situation as often a combination of precariousness. Finally, the COB mobile provides a safe/cocooning space and permit to meet the beneficiaries. This is not just another office but it reinvents the codes.

The aim is to do social work differently by fighting against exclusion and precariousness. The care offered is comprehensive and adapted to the needs of the beneficiaries: administrative support, access to housing, listening, etc. The aim is to put the human being at the centre of psycho-social assistance. And to offer support from appropriate social workers or health professionals.



France, Bretagne (Finistère)



Fondation Abbé Pierre, AG2R, Fondation du Crédit Agricole du Finistère, Fonds d'Initiatives Locales contre l'Exclusion (FILE), Poher Communauté





## ORGANIZATION'S STRENGTHS & WEAKNESSES

+	-
<ul style="list-style-type: none"><li>• Going directly to the beneficiaries</li><li>• Addressed to vulnerable groups and not directly to women victims of violence. It could be less difficult to seek help for administrative or housing issues than for domestic violence</li></ul>	<ul style="list-style-type: none"><li>• In rural areas, some people are isolated and have a bad image of social workers</li><li>• Lack of communication/visibility to promote their initiative</li></ul>

## MAIN WOMEN'S CHALLENGES

<ul style="list-style-type: none"><li>• Need of a cocooning place for safety</li><li>• Mobility issues</li><li>• Childcare facilities issues (including access to nursery places)</li><li>• Access to rights</li></ul>
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## PARTICIPATION & COMMUNITY

<ul style="list-style-type: none"><li>• The COB mobile project was born out of the participatory citizen approach</li><li>• A lot of collaboration with other specialized actors: CIDF; guidance on the health point; Morlaix Hospital, Pôle Emploi, Mission Locale to work on other obstacles (mobility, childcare)</li></ul>
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## IMPACT

<ul style="list-style-type: none"><li>• Recreate links by starting from the place where the beneficiaries live</li><li>• Allow women to speak out and dare to ask for help without having to go looking for it</li></ul>	<ul style="list-style-type: none"><li>• Reaches isolated women in 36 rural areas and supports 60 households per year</li></ul>
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## REPLICABILITY

<ul style="list-style-type: none"><li>• The project is replicable and already being developed in other sectors</li><li>• An average of €50,000 to be raised to make a second COB mobile</li></ul>
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### Indicator 3

## Benefit from psychological follow-up

To women	To people who are in contact with women confronted with DV
<ul style="list-style-type: none"><li>✓ Accept the situation and show resilience</li><li>✓ Accept the time for healing</li><li>✓ Overcome self-discrimination</li><li>✓ Refocus on oneself</li><li>✓ Overcome fears and anxieties</li><li>✓ Be emotionally stable</li><li>✓ Deal with post-traumatic stress</li><li>✓ Learn self-esteem and self-confidence</li><li>✓ Feel safe and secure</li><li>✓ Manage emotions</li><li>✓ Manage addictions</li><li>✓ Get away from the abuser</li><li>✓ Overcome the fear that violence will happen again</li><li>✓ Learn to trust, including to trust men</li><li>✓ Accept the eyes of others</li><li>✓ Deal with feelings of shame</li></ul>	<ul style="list-style-type: none"><li>✓ Respect the temporality of the woman facing DV</li></ul>



*We work on childhood, relations with men to set up a personalized support service. »*

SOCIAL WORKER





*I'm going to tell you about a situation that I know well, for example, a young woman of 25 years whose husband forced her to leave its job, she was a sales assistant in a bakery, so she ended up staying with us because there was a lot of violence. It took her almost a year and a half to get out of the situation and today she is ready to return. Even though she is very well integrated, that she had all the skills to do so, she still had to take a break of a year and a half to rebuild herself and regain her self-confidence. These are very long paths to reintegration. »*

SOCIAL WORKER







## Model practice Touched Romania

Touched Romania offers holistic social services to women and children at risk, victims of domestic violence, poverty and social exclusion. The innovation consists in the fact that the organization provides complementary services, from many fields (counselling, socio-professional reintegration, food aid, personal development for their children, etc.). Touched Romania also offers residential social services for periods between six months to two years, depending on their situation and monitoring and supporting social services for another six months, after they leave the Hagar Home programme. Thus, Touched Romania is organizing seven social programmes for vulnerable women and children. Among them,

- The Hagar Home Maternal Centre hosts approximately 20 mothers and children every year, offering them: shelter, food, clothing, medical care, psychological counselling and a socio-professional reintegration programme.
- Centre of Counselling and Social Reintegration is supporting about 130 at-risk women and children every year to overcome their difficult situation and re-integrate into society.
- Touched Collection Social Enterprise is supporting the professional integration of at-risk women and Centre for Counselling and Social Reintegration offers social services such are, emotional counselling and a socio-professional integration programme.



Romania



Private funds from the USA and Romania (sponsorship projects, fundraising events and campaigns)





## ORGANIZATION'S STRENGTHS & WEAKNESSES

+	-
<ul style="list-style-type: none"> <li>• Strong impact on children's lives</li> <li>• Multidisciplinary team, same values</li> <li>• Local volunteers</li> <li>• Collaborative work, complementary services with local structures</li> <li>• High visibility</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of funding to support the shelter</li> <li>• Lack of communication to promote the initiative</li> <li>• Increase of cases of domestic violence because of the pandemic</li> <li>• Fewer job opportunities because of the pandemic</li> </ul>

## MAIN WOMEN'S CHALLENGES

<ul style="list-style-type: none"> <li>• Lack of formal education</li> <li>• Lack of a stable job</li> <li>• Housing issues</li> </ul>
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## PARTICIPATION & COMMUNITY

<ul style="list-style-type: none"> <li>• Involve women confronted with domestic violence (e.g., participate in administration of the resources or the space, help each other with children... and recently Hagar Home hired a former resident as a full-time staff member)</li> <li>• Some volunteers are mentors for women, others are helping children and women with tutoring or help to identify a job for mothers</li> <li>• Collaborate with the public sector and companies</li> </ul>
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## IMPACT

<ul style="list-style-type: none"> <li>• Hosting 20 mothers and children every year</li> <li>• Supporting about 130 at-risk women and children every year</li> </ul>	<ul style="list-style-type: none"> <li>• Give new chance for a life with dignity</li> <li>• Broke the circle of violence</li> <li>• Give a better life to the children</li> </ul>
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## REPLICABILITY

<ul style="list-style-type: none"> <li>• Give new chance for a life with dignity</li> <li>• Broke the circle of violence</li> <li>• Give a better life to the children</li> </ul>
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*It would be great if women could have access to social housing, to have a flexible work schedule and a salary that will support their family, easy access to day care and kindergarten for their children. »*

TOUCHED ROMANIA



*For some women success means to learn to read and write, to have a job for the first time, to learn to use internet to look for a job, for others it means to have a safe home, a job that supports their family, to continue their education or to participate to a training course that will allow them to advance in society. »*

TOUCHED ROMANIA



## Indicator 4

# Break social, professional and family isolation

To women	To people who are in contact with women confronted with DV
<ul style="list-style-type: none"><li>✓ Surround oneself, learn to be part of a group</li><li>✓ Re-learn how to live a daily life</li><li>✓ Have a job and secure financial income</li></ul>	<ul style="list-style-type: none"><li>✓ Propose a tailor-made reintegration programme</li><li>✓ Make training more accessible</li><li>✓ Offer appropriate socio-professional support (CV writing, job interview preparation, cover letter writing, etc.)</li><li>✓ Value voluntary work to prepare women to return to the labour market</li><li>✓ Promote entrepreneurship</li></ul>



*I think there is a lack of these kinds of CV or motivation letter writing workshops. We have a lot of women who don't know how to do that kind of thing and women don't know how to sell themselves. »*

SOCIAL WORKER



*Unable to get a job, I could not raise money for rent and be independent. »*

A WOMAN CONFRONTED WITH DV



## Model practice

# Nouveaux départs, La Mission Locale pour l'Emploi de Bruxelles-Ville

La Mission Locale pour l'Emploi de Bruxelles-Ville has been carrying out socio-professional integration actions since 1991. It participates in the economic development of the Brussels Region by enabling several thousand jobseekers in Brussels to access the job market each year, access a higher level of qualification through vocational guidance or access a job through our job coaching. However, the Mission Locale has developed a support module specifically dedicated to this target group. The project is called "New Starts" ("*Nouveaux Départs*" in French).

This project is one of a kind in supporting this target audience in the Brussels-Capital Region. The support programme is spread over a long period (6 months), which adapts to the women's pace. This gives the opportunity to create a bond of trust, a group spirit. This support is split into two parts:

- Part 1 - Remobilization and recovery of self-confidence: This part is led by the social worker of the Maison de l'Emploi de Bruxelles-Ville through various workshops (citizenship, cultural activities, performing arts, managing one's budget, self-defence, DIY activities, etc.). These workshops are adapted according to the wishes and needs of the participants.
- Part 2 - Definition and implementation of a professional project: this part implemented by a referent employment counsellor/coach from la Mission Locale as well as other facilitators who lead specific modules/workshops.



Belgium (Brussels)



La Mission Locale depends on external funds to carry out its mission of supporting job seekers (e.g., Actiris, the European Social Fund, COCOF, Bruxelles-Formation). The project was funded entirely by Actiris.







*Nouveaux Départs allows women to share their experiences, etc. It is not always easy to properly welcome what is shared. There is this fear of doing something wrong, of not having the right attitude or reaction. Being able to attend specific training related to the subject of domestic violence would make the job easier. »*

LA MISSION LOCALE POUR L'EMPLOI DE BRUXELLES VILLE





## ORGANIZATION'S STRENGTHS & WEAKNESSES

+	-
<ul style="list-style-type: none"><li>• Having a referent counsellor reinforces the feeling of confidence</li><li>• Having several facilitators each specialized in their areas of expertise is a guarantee of quality</li><li>• Adaptation of the different modules according to the needs expressed</li><li>• Getting together with women helps building a climate of trust (be careful it could be difficult to trust men in the workplace for some of them))</li></ul>	<ul style="list-style-type: none"><li>• Difficulty to identify the women confronted with violences and their specific need</li><li>• Can only help these women once they have emerged from the cycle of violence</li><li>• Difficulty to know how to redirect or advise women</li><li>• The length of the programme is both a help and a difficulty in keeping all the women until the end</li></ul>

## MAIN WOMEN'S CHALLENGES

<ul style="list-style-type: none"><li>• Housing issues</li></ul>
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## PARTICIPATION & COMMUNITY

<ul style="list-style-type: none"><li>• Programme developed on the basis of observations made with associations in the field and in collaboration with the Mission locale's partners.</li><li>• Methodology and support programme are reviewed after each edition to incorporate feedback from participants</li><li>• The proposed activities are made for women and by women. By sharing their experiences, their needs, they cannot do anything other than get involved!</li></ul>
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## IMPACT

<ul style="list-style-type: none"><li>• The project was carried out for the first time in 2019-2020 and was renewed in 2021</li><li>• In 2020, 9 out of 12 participants found work or started training at the end of the programme</li></ul>	<p>Cela permet aux femmes :</p> <ul style="list-style-type: none"><li>• de se mettre en réseau, de s'entraider, de profiter des autres pour trouver un emploi ou une formation</li><li>• de découvrir le monde extérieur, dont elles se sont isolées pendant des années</li><li>• de se rapprocher des structures de soutien socioprofessionnel et du marché du travail</li></ul>
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## REPLICABILITY

<ul style="list-style-type: none"><li>• Methodology and programme are replicable</li><li>• Originality of this project lies in the implementation of activities to remobilize and build the professional project</li><li>• Important to be able to mobilize sufficient human resources over a sufficiently long period to achieve the socio-professional integration objectives.</li><li>• The important thing is to adapt to the rhythm of the group, to its needs</li></ul>
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## Indicator 5

# Act on the work environment

To women	To people who are in contact with women confronted with DV
<ul style="list-style-type: none"><li>✓ Benefit from flexible working hours</li><li>✓ Learn to value oneself (even if lacking experience, no diploma, long periods of inactivity, etc.) and strengthen one's qualifications</li><li>✓ Overcome digital inequalities (digital insecurity and digital gap)</li><li>✓ Overcome illiteracy and/or language barriers</li></ul>	<ul style="list-style-type: none"><li>✓ Address the issue of domestic violence in the workplace and deconstruct stereotypes among employers</li><li>✓ Establish a regular and inclusive communication allows people to speak out</li><li>✓ Train the relevant services in the enterprise</li><li>✓ Support the professional environment of a woman confronted with domestic violence, which may also be subject to certain forms of stress (additional workload, intrusion of the perpetrator in the workplace, etc.)</li><li>✓ Include the issue of domestic violence in training courses on moral and sexual harassment at work, in gender equality policies or in policies to reconcile work and private life</li><li>✓ Establish partnerships between companies, associations and public bodies to provide psycho-social support to women facing DV</li><li>✓ Formalize procedures in companies to identify the actors able to provide operational support to women facing DV</li><li>✓ Offer support when a worker returns to work after a long absence (if the worker asks to)</li><li>✓ Make employment contracts more adequate</li><li>✓ Highlight the intersectionality of discrimination in the workplace (e.g., Roma women, elderly women)</li></ul>





*In addition, it is important to offer practical and psychological support to staff who are in direct contact with women confronting DV, and may hence be in risk of suffering indirectly or directly from that violence e.g., absenteeism causing added stress for colleagues and line managers, or indeed danger of a perpetrator showing up at the workplace with aggressive behaviour. »*

A WOMAN CONFRONTED WITH DV



*As a single mother, it was difficult to find a job that had a schedule that would allow me to take and bring my child ... I could hardly find an employer who would understand what the problems of a single mother are. Colleagues were suspicious and said that their rights were violated, so I had to work harder to prove that that was not a favour. »*

A WOMAN CONFRONTED WITH DV



## **Model practice**

# Digital Training programme for women survivors Ana Bella Foundation

Ana Bella is a woman survivor, chosen as an Ashoka Social Entrepreneur in 2010 for the creation of the Ana Bella Foundation. Its mission is the construction of an egalitarian society, free of violence against women. It includes a network of volunteer Women Survivors who since 2002 have helped 25,000 other women to Break the Silence, and empower themselves with a dignified job and become happy again.

The foundation is a world reference, with many awards, and an international network of 20,000 volunteers in Spanish-speaking countries, Canada, USA and Romania. They work to redirect negative social energy from violence to a positive energy of Empathy and Productivity. Through empowerment women cease to be victims and become victorious women, agents of social change.

Among all the initiatives promoted (a virtual and international women's network, training for employees to detect signs of violence, the Women's Social Entrepreneurship Programme, job placement, etc.), the Ana Bella Foundation offers a Digital Training programme for women survivors aimed at their empowerment and learning for their (re)insertion into the labour market.

All training programmes begin with a study of each woman's personal situation, to design a personalized itinerary. This helps discover their goals, essential for their personal and professional development, as not everyone has the same ambitions. In addition, there is a twofold objective of inserting digital processes into their training and empowering women in this area. This offers them digital skills, essential today at all levels: bureaucracy, study, job search, any field of work, and work flexibility (e.g., teleworking can facilitate childcare).

Depending on the needs, there are different levels of training implemented with expert organizations or programmes e.g., the inclusive digital school Factoría F5, or Edyta by the Orange Foundation, or Incorpora by "la Caixa". These offer from learning how a computer works, creating a digital CV, social media marketing, logistics, telemarketing, to learning programming.

With the training completed, women can start work as brand ambassadors, which serves as a springboard. The foundation strives for a paradigm shift from hidden, invisible jobs to a public-facing job, where women can feel empowered. Battered women are subjected to social isolation, and a public job changes their image and their interpersonal relationships. For example, Danone and Frigo in collaboration with the Ana Bella Foundation, gave sales, marketing and customer services jobs to women survivors. These brand representatives have become "real" faces of women, of all ages and physical conditions.



Spain



Different sources of funding, such as individual and/or corporate donations, institutional and/or corporate grants, but the most impactful form of funding is its long-term partnerships with companies



*The fact that it is the same women who have been through this situation who help others is one of the keys to their success. »*

ANA BELLA FOUNDATION



*Breaking the silence is not easy, it requires a lot of mental strength and accompaniment. Having people who care about you, seek the best for your future, and also speak from experience, as they have been through similar situations, is priceless. »*

ANA BELLA FOUNDATION





## ONE PROBLEM, ONE SOLUTION

Women survivors without a professional career end up in exclusion because they do not dare to dream big, and because there are no empowering job opportunities that take them into account	Work with each woman on her personalized empowerment itinerary for employment, to help them define their life plan and their goals to achieve. Then talking to companies about the needs of the workers to match job opportunities with the aspirations of each woman
Lack of a social support network for mothers caring for children	Refer women to the Amiga Programme to develop a new network of friends who can help her. The foundation also mediates with existing resources and even pays for childcare or childminders until the woman is able to do it herself
Lack of resources to access employment	Support women with financial or in-kind support (by paying for Wi-Fi, getting them a computer, or lending them one, financial support for suitable clothing or to fill up their car with fuel until they receive their first pay cheque, etc.)
The high level of unemployment in Spain	Support women who want to become entrepreneurs with microcredits. Or if prefer temporary, short-career jobs, then follow up with companies to rehire them or extend their contracts
Women are less represented in more stable sectors	Work with companies to raise awareness and train women to enter these sectors

## IMPACT

- Radical change in the women's life
- Direct implication of women and women empowerment
- Break the silence

### 3. How to involve companies?

The role of the private sector, companies and employers in the fight against domestic violence is increasingly highlighted. Firstly, from a legal point of view, via Article 17 of the Istanbul Convention (see above), but also from a practical point of view. The fight against domestic violence has long been relegated to the private sphere. However, having a job is essential to breaking the cycle of violence, gaining independence and rebuilding oneself. Secondly, people spend a lot of time in the workplace. Thus, the workplace becomes a place of emancipation for women, but also a place where colleagues meet and where it is necessary to be attentive to the signs of violence to detect problematic situations.

However, **involving companies is not an easy task**. After presenting the indicators of success for the return to employment of women facing domestic violence to which those working in the field must pay attention, we found it interesting to give some ideas for action to include companies and employers in this fight.

#### 1. An adapted work environment

The levers for action are multiple. The return to work of women facing domestic violence is a process with different stages and the role of companies must be transversal and flexible.

Although this issue is not often considered in the workplace – as it is seen as a private matter – private and public employers have legal and moral obligations, as well as an economic interest in supporting their employees. Providing information and raising awareness helps to free the speech and deconstruct certain taboos.

It is therefore important to offer employees a safe and reassuring work environment. After the Corporate Alliance against Domestic Violence in the UK and the OneinThreeWomen in France, the **CEASE network** (Belgium, France, Greece) is a pioneer. Its members are committed to providing a concrete response to a need expressed by the women themselves: a job allows them to acquire the independence necessary to reintegrate into a socio-professional life, a guarantee of fulfilment and new-found freedom. It is necessary to nourish and make this ecosystem sustainable. Concretely, CEASE aims to:

- Raise awareness on domestic violence among company employees and inform them of existing support services.
- Train company employees in the proper postures and actions to take when encountering a victim of violence, and improve employees' ability to detect and refer victims of domestic violence.
- Inform victims of domestic violence of their rights and the assistance available through their workplace.

- Raise awareness of the role the private sector can play in combating domestic violence, as outlined in Article 17 of the Istanbul Convention.

Companies are required to develop a caring corporate culture where everyone feels they belong and are listened to. Different types of measures are possible<sup>117</sup>:

- Foster a caring and supportive environment: communicate useful information on the subject internally and externally, raise employee awareness, train staff, prevent risks, for example by formalizing a support procedure, etc.
- Listen and refer to the appropriate services.
- Offer flexible working conditions (adapted working hours, reduced workload or responsibilities, possibility of taking time off, etc.) to attend medical appointments, find accommodation, benefit from psychological follow-up, set up legal or administrative procedures, etc.
- Ensure the employee's safety in the workplace: non-accessible office, silent alarm, detour of the telephone line, prevention of colleagues or reception service, etc.
- Ensure financial stability: salary paid into a personal account, offer childcare, protect against dismissal, etc.
- Keep track of any violent exchanges, and advise the employee to keep all evidence and copies of important documents in case she wishes to file a complaint.

One possible approach could also be to include the fight against domestic violence in **diversity and anti-discrimination policies in companies**.

## 2. Encouraging companies to hire

Companies are the missing link in the fight against domestic violence. In order to involve them in this fight, it is **necessary to address them in a way that makes them understand the interest they have in getting involved**. Information must be targeted, particularly on the cost, frequency and consequences of domestic violence. Furthermore, additional political support is necessary: tax breaks, labels, etc<sup>118</sup>.

Some companies offer back-to-work programmes for women who have experienced domestic violence. It is essential to draw inspiration from these good practices to make these actions sustainable. For example, in Spain, the "Ana Bella School for Empowerment" is a programme for the professional reintegration of women facing violence. The programme collaborates with large companies such as Danone or Mango. These companies are also part of the Spanish government's "Hay Salida" (There's a way out) campaign which has enabled 1,426 women to be hired<sup>119</sup>.

<sup>117</sup> Pour La Solidarité - PLS. (2020, juin). *op. cit.*

<sup>118</sup> Conseil de l'Europe. (2016). *Encourager la participation du secteur privé et des médias à la prévention de la violence à l'égard des femmes et de la violence domestique: Article 17 de la Convention d'Istanbul.*

<sup>119</sup> CARVE project. *Responding to violence against women. Guide for companies.*

In Spain, from 2003 to the present, 10,576 contracts have been drawn up that provide incentives and bonuses to companies that hire women victims of gender-based violence. Of these contracts, 71.48% are temporary contracts for elementary occupations (46.08%) and jobs requiring a minimum academic qualification (39.5%). In addition, the profile of women who are provided with this type of contract is between 31-40 years old (40.28%) and their level of education is secondary education (78.44%).

But in relation with the labour market, one of the challenges is to offer jobs to victims of violence that empower them and give them a stable situation and economical independence. The law in Spain offers, for a time, a reduction in taxes for companies that give jobs to women that have suffered from gender-based violence. But, after the period of tax reduction finishes, some companies fire the women. It would be convenient to give support, training and tools to these women, to be prepared to find other jobs before this period of ends, and to focus on finding better ones.



## Model practice

# Fondation Agir Contre l'Exclusion


FACE is a network composed by a Foundation recognized of public utility and more than 40 local associative clubs working on the field for vulnerable beneficiaries in situations of exclusion all over France. FACE brings together public, private and associative actors to act against exclusion, discrimination and poverty. Its activities have objectives to support toward and within employment, to form and support young people, and vulnerable people. Since 2014, FACE has been working to support women facing domestic violence through European projects and its network of companies committed to end domestic violence: OneInThreeWomen.

But the specific initiative presented here is the FACE Clubs. Clubs are working with companies that have signed a commitment charter to develop special reintegration support for women facing domestic violence: they propose special training to write resumés, discover the company's environment, meet employers, etc. But it also provides time to help women regain confidence, self-esteem through art, sport, or personal coaching. Companies are also trained to welcome these typologies of employees.

FACE's added value is to master the techniques of mobilizing companies and to provide them with its expertise and tools adapted to the problem of identifying, guiding and even accompanying employees who are confronted with domestic violence.

Associations often lack contact with companies or trainers to develop knowledge and professional skills, etc. Moreover, they rarely have enough funds to develop these kinds of support. FACE allows a continuum within the support from association to company.

 France

 Private and public funds







*A professional project is important in order to sustain the exit from violence, but it cannot be the only response. Women facing domestic violence must benefit from a multidimensional support developed by – and involving – different types of actors: associations, specialized organizations such as orientation structures and companies. »*

FONDATION AGIR CONTRE L'EXCLUSION



*We would ask for more companies involved in the social and professional reintegration of women, more funds to develop these kinds of projects and more housing to stabilize the situation of these women. »*

FONDATION AGIR CONTRE L'EXCLUSION



## ORGANIZATION'S STRENGTHS & WEAKNESSES

+	-
<ul style="list-style-type: none"><li>• Bring awareness about the difficulties encountered by the victims</li><li>• The contact with companies</li></ul>	<ul style="list-style-type: none"><li>• Not always equipped to work with women who often reproduce the same patterns</li></ul>

## MAIN WOMEN'S CHALLENGES

<ul style="list-style-type: none"><li>• Mobility issues</li><li>• Childcare issues</li><li>• Social isolation and deny</li><li>• Lack of self-esteem and self-confidence</li><li>• Housing issues</li><li>• Long-term unemployment</li></ul>
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## PARTICIPATION & COMMUNITY

<ul style="list-style-type: none"><li>• Women are the direct beneficiaries of trainings and meeting organised with company</li><li>• Companies are being trained to welcome women's testimonies and offer appropriate responses</li><li>• Employees have been involved in the integration of beneficiaries and trained to act and react toward domestic violence</li><li>• The initiative connects companies and associations</li></ul>
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## IMPACT

<ul style="list-style-type: none"><li>• Boost the confidence of women</li><li>• Positive outcomes and great feedbacks from women</li></ul>	<ul style="list-style-type: none"><li>• 45 women per year who benefit from the action (40% of positive outcomes: employment or education)</li><li>• 45 employees per year trained by FACE to accompany these women</li><li>• 100 companies per year mobilized and committed to act against violence</li><li>• 1 event organised per year</li></ul>
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## REPLICABILITY

<ul style="list-style-type: none"><li>• Led by structures who already work with companies because it's sometimes difficult to gain the trust of companies</li><li>• Involve association that can provide psycho-social support to women facing domestic violence</li><li>• Have an actor like FACE that has right contacts to reintegrate them professionally</li></ul>
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# Conclusion

Domestic violence is a **scourge of which women are the first and main victims**. This violence can take different forms: verbal, psychological, physical, sexual, economic, administrative, social, spiritual, online. The consequences of domestic violence are disastrous, both for the individual and for society, and last over time.

At the same time, **the labour market is discriminatory** in some aspects, and women are the first to be affected. Indeed, gender equality in the workplace is not yet a reality.

**These violences and discriminations are structural and are reproduced again and again in society and its institutions.**

However, it is a fact that **having a job is a vector of emancipation and independence**. Thus, a woman facing domestic violence who has a stable job has a better chance of getting out of the cycle of violence in the long term. However, finding and keeping a job for these beneficiaries is sometimes an obstacle course because it requires adaptations that not all employers are ready to make.

With this study, the ACTIV project partners wanted to highlight the difficulty of finding a consensual definition. Although the Istanbul Convention is a binding text that sets out definitions and proposes concrete actions, the fight against domestic violence depends on national histories and the interpretation of the text (and therefore the legislation in force) can differ. Moreover, although the theory exists, in practice, States are lagging behind.

Faced with alarming figures and after the global pandemic which has seen an increase in cases of domestic violence everywhere, **it is no longer time to think, we must act.**

To act, the ACTIV project partners have chosen the **angle of employment**. All of the actors interviewed for this study are categorical: employment is a vector for emancipation. However, this perspective should be considered with caution. While having a job allows women facing domestic violence to become more independent, for some women to start a socio-professional (re)integration process, they must already have left the cycle of violence. The solution to this vicious circle is to be attentive and to respect the temporality of each woman. Thus, by analysing practices in the field, the ACTIV project partners have been able to identify **5 groups of success indicators from which actions can be taken to optimise the socio-professional reintegration of this vulnerable public**. In this way, we are proposing an analysis grid and points of attention that should enable women to become empowered, to train, and to find and keep a stable job.

The next stage of the project will be to **propose training and awareness-raising tools based on this analysis grid**. The aim is that all those in contact with women who have experienced domestic violence and who are on a socio-professional reintegration programme should be aware of the **specific needs of this target group**.

Because it is urgent to make the workplace a safe and empowering space for all. Because it is essential to continue to fight against domestic violence by involving all actors, including the women themselves, but also associations, socio-professional integration actors, trade unions and employers. The ACTIV project is committed to this fight!



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