

**NON.
NO.
NEIN.**

Say No!
Stop
violence
against
women

Violence against women is rooted in women's unequal status in society and that status reflects the unbalanced distribution of social, political and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women ⁽¹⁾. Violence against women undermines women's dignity and integrity and imposes serious harm on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 ⁽²⁾.

The full extent of violence against women is difficult to estimate. Violence against women continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Spain, over 65 % of the population tend to trust the police ⁽³⁾.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher ⁽⁴⁾. It is estimated that in Spain, 22 % of women have experienced violence ⁽⁵⁾, which is 11 % lower than in the EU overall ⁽⁶⁾.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Spain could amount to EUR 10 billion per year. This figure was calculated according to the methodology used in EIGE's 2014 study ⁽⁷⁾, which Member States can replicate, as done by Estonia in 2016 ⁽⁸⁾.



What are the facts?

- The most recent national survey (2015) shows that 24 % of the total number of women aged 16 years old or older residing in Spain have disclosed physical and/or sexual violence by a partner or non-partner in their lifetime ⁽⁹⁾.
- In 2014, 30 % of people over 18 in Spain said they knew a woman within their circle of family and friends who has been a victim of intimate partner violence ⁽¹⁰⁾.
- In 2015, 129 193 incidents of intimate partner violence against women were reported ⁽¹¹⁾.
- In 2015, 60 women were killed by their partners or former partners ⁽¹²⁾.
- During the period 2010—2012, it is estimated that there were 1 964 victims of human trafficking in Spain, of which 92 % were women and girls ⁽¹³⁾.

Is violence against women a crime in Spain?

Intimate partner violence against women is addressed by the Organic Act 1/2004 on Comprehensive Protection Measures to Combat Gender Violence. This act combines judicial and penal measures with educational, healthcare, social and assistance measures to address the phenomenon. Many other forms of violence against women are also addressed in the Organic Act 3/2007 for Effective Equality between Women and Men. Other forms of violence against women such as sexual assault, forced marriage and female genital mutilation (FGM) are against the law in Spain.

In 2015, the penal code was amended ⁽¹⁴⁾ and introduced new crimes such as forced marriage, stalking, sexting, gender as an aggravating circumstance when the crime is committed for gender reasons, and increased the penalties for committing FGM.

At the regional level, several acts have been adopted to fight gender-based violence and ensure that women and girls have access to victim support and protection measures.

What is being done to eliminate violence against women in Spain?

The national strategy for the eradication of violence against women 2013—2016 (Estrategia nacional para la erradicación de la violencia contra la mujer 2013—2016) primarily addresses intimate partner violence against women, though 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. In addition, Spain's comprehensive plan to combat trafficking in women and children for sexual exploitation 2015—2018 addresses some forms of violence against women.

The government office against gender-based violence (State Secretariat of Social Services and Equality within the Ministry of Health, Social Services and Equality) is responsible for coordinating the implementation of policies and measures on violence against women.

When trust in police is low, victims are less likely to report violence.



Good practices show the way

The programme of social and labour market integration for women victims of gender-based violence consists of specific measures aimed at improving the social and labour market integration of unemployed women survivors of gender-based violence, in order to ensure their economic independence from their perpetrators ⁽¹⁵⁾. The programme includes individualised support for women in the labour integration process, basic and professional skills training, incentives for self-employment initiatives and incentives for companies to hire women victims of gender-based violence.

Financial aid to gender-based violence victims is guaranteed under specific circumstances ⁽¹⁶⁾ and since 2011 the issue of temporary residence and work permits for women victims of gender-based violence and their children also extends to foreign women with illegal immigrant status, who are victims of gender-based violence on the grounds of exceptional circumstances ⁽¹⁷⁾.

How are women and girls protected?

Women victims of domestic violence in Spain have legal access to protection measures. The protection order facilitates a coordinated plan of action that includes: precautionary measures in criminal law to be applied against the assailant and protective measures of a civil law and social nature that keep victims of domestic violence from being left destitute or helpless. The protection order is granted through one sole court decision adopted within 72 hours: there is no need to wait for the relevant marital proceedings to be tried by the civil courts ⁽¹⁸⁾.

Protection of children has been reinforced in the context of the protection order, ensuring that the judge must decide in any case, even ex officio, on the relevance of civil measures ⁽¹⁹⁾.

Spain ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in April 2014. The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.



What help is available in Spain?

There is one national women's helpline in Spain called Servicio telefónico de información y de asesoramiento jurídico en material de violencia de género. The helpline (016), which is run by the Ministry of Health, Social Services and Equality, offers multilingual support 24 hours a day and is free of charge.

In 2015, just under 82 000 calls were received by the gender violence national helpline; around 75 % were from female victims and 25 % were from relatives, friends and public or private organisations ⁽²⁰⁾.

The state police run the National Trafficking Helpline (900 10 50 90), which provides services free of charge and operates 24 hours a day.

There are 81 women's shelters in Spain, of which 45 are emergency shelters that operate 24 hours a day and where women may stay for up to two months. Shelters are either run by NGOs or by the state and most of them receive public funding ⁽²¹⁾.

The telephone service for care and protection of victims of gender-based violence (Atenpro) is a service that was created to support female victims of intimate partner violence 24 hours a day. It provides professional and individual support and counselling through regular phone calls. Approximately 72 000 women have used the Atenpro service since its establishment until July 2016 ⁽²²⁾.

All administrative data is publicly available via the monthly statistical newsletter, which includes judicial data, social services data and the tracking system from the Ministry of the Interior with the degrees of risk determined by the risk assessment system, Viogen ⁽²³⁾.

The 'web resource for support and prevention in cases of gender-based violence' (WRAP) is a website ⁽²⁴⁾ where users can locate and view interactively (using maps or with addresses) support and prevention services available in case of gender-based violence. For each service description, addresses and phone contacts are provided.

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The national women's helpline (016)



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Endnotes

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- (⁴) European Institute for Gender Equality (2013). *Gender Equality Index — Report*. Available at: <http://eige.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>
- (⁵) Ibid.
- (⁶) Ibid. The level of disclosed violence in the EU overall is 33 %.
- (⁷) European Institute for Gender Equality (2014). *Estimating the costs of gender-based violence in the European Union — Report*, Publications Office of the European Union, Luxembourg. Available at: <http://eige.europa.eu/sites/default/files/documents/MH0414745EN2.pdf>
- (⁸) *Cost of Domestic Violence in Estonia*: https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla_hind.pdf
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- (¹²) <http://www.violenciagenero.msssi.gob.es/violenciaEnCifras/victimasMortales/home.htm>
- (¹³) Eurostat (2015). *Trafficking in human beings*, Publications Office of the European Union, Luxembourg. Available at: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf
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- (¹⁵) http://www.empleo.gob.es/es/Guia/texto/guia_1/contenidos/guia_1_2_7.htm
- (¹⁶) Article 27 of the comprehensive protection law, implemented by Royal Decree 1452/2005, guarantees financial aid to victims of gender-based violence whose income is below a specific threshold and whom, due to their age, social circumstances, or lack of general education or special skills, have particular difficulty finding a job.
- (¹⁷) Temporary residence and work permits has been governed by the amendment to Article 31a of Organic Law 4/2000, amended by Organic Law 10/2011 and by Article 133 of Royal Decree 557/2011.
- (¹⁸) Act 27/2003 of 31 July on the protection order for victims of domestic violence (Ley 27/2003, de 31 de julio, reguladora de la Orden de protección de las víctimas de la violencia doméstica). Available at: www.boe.es/buscar/pdf/2003/BOE-A-2003-15411-consolidado.pdf
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European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



European Institute for Gender Equality, EIGE
Gedimino pr. 16 LT-01103
Vilnius, LITHUANIA
Tel. +370 52157444
Email: eige.sec@eige.europa.eu

Contact details

<http://eige.europa.eu> 

<http://www.twitter.com/eurogender> 

<http://www.facebook.com/eige.europa.eu> 

<http://www.youtube.com/eurogender> 

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