Women Tackling Violence in Situations of Armed Conflict and in Times of Peace
WAVE Information Centre for Cross-Border-Support

One important task of the WAVE Office and its Information Centre is to deal with cross-border requests from women in need.

Each month, WAVE receives cross-border requests for support from women survivors of violence, from family members of survivors, from women's support services, or from different institutions. The requests are often received when women have not been able to find sufficient support in their countries, or when they find themselves in dangerous and high risk situations, are unaware of the support provided in their countries, or the situation is especially complex and involves cross-border assistance.

In such cases, WAVE can refer survivors to appropriate services in their respective countries or may even provide support directly to survivors, whenever possible.

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Women experience violence in all areas of society, in the so-called private sphere as well as in public, in institutions and at the workplace, and at all times, be it during peace or in times of armed conflict and war. There is not yet a place in this world, where women are completely safe and free and furthermore, in times of war women suffer sexual violence at the hands of enemies as well as husbands or boyfriends.

The aim of this edition of Fempower is to focus on the situation of women in armed conflict and war, while recognizing that all forms of violence are interlinked. Today millions of refugees are fleeing the wars and armed conflicts from Syria, Iraq, Afghanistan and other regions, and many of them, including women and children, embark on dangerous and often life-threatening journeys to Europe. Hence, it is particularly important to recognize the interconnectedness of all forms of violence and build alliances to stop violence and war and show our solidarity towards refugees.

The Istanbul Convention postulates the “right for everyone, particularly women, to live free from violence in both the public and the private sphere” and states that all measures of the Convention “shall apply in times of peace and in situations of armed conflict.” It is urgently necessary that states and European institutions strengthen their efforts to prevent violence against women and protect victims in all situations of violence.

The focus on the prevention of violence against women in war and armed conflict is also important because we are celebrating 15 years of resolution 1325 and 20 years since the Fourth World Conference on Women in Beijing. The aforementioned resolution had underscored the pivotal link between gender equality and international peace and security. As of recent, the UN Security Council has adopted Resolution 2242, to improve the implementation of that landmark text on women, peace and security agendas. By ensuring its approval, the Council has shown a commitment to integrate women, peace and security concerns across all country-specific situations.

The international community has adopted a broad normative framework with regard to sexual violence in conflict. The Rome Statute of the International Criminal Court that came into force in 2002 outlines a comprehensive list of crimes against women. With the adoption of the 2030 Agenda for Sustainable Development and its goal on achieving gender equality and eliminating violence against women, we have a new international momentum towards the recognition of women’s rights and women’s empowerment lying at the heart of sustainable progress for all. Nevertheless, many challenges remain.

All articles from the current issue of Fempower convey a message, which emphasizes that the duty falls upon all members of society to guarantee safety and access to justice to women survivors of these types of violence, as this represents a crucial aspect of peace and reconciliation processes in post-conflict situations. The articles have mainly been written by women’s human rights advocates and activists. They highlight how important it is for all of us to show solidarity and care for other women when these are experiencing violence. Furthermore, they emphasize how crucial it is that women’s organisations exist and keep their doors open for all survivors, whether these were subjected to violence during war, in their homes or both.

We wholeheartedly thank all authors for their contributions and their efforts in retelling their experiences on paper, next to their extraordinary commitment for women and children’s human rights! We also thank Iris Golden, who has been the editor of Fempower since 2012 and will be finishing her work at WAVE by the end of January 2016, for all her efforts.

Andrada Filip (WAVE Office) & Rosa Logar (President of WAVE)
Solidarity during wartime – ground to hold on to hope
“I see, I hear, I feel you near”

Feminist work with women survivors of the war from the territory of the former Yugoslavia (1991-1999)

By Lepa Mladjenovic, Belgrade

Women’s solidarity is a value cherished by feminists all around the world. During wartime, the need for solidarity is even more urgent. Some feminist activists working with women coming from warzones in Bosnia and Herzegovina, Croatia and Serbia knew this very well. We made a conscientious decision to collaborate with each other during wartime and afterwards. At the same time, a constant flow of self-organized solidarity was arriving from women in Europe towards the women activists from and near the war zones. This precious experience of women’s solidarity during wartime is the theme of this article. Solidarity is precious at all times, but in wartime, it represents ground on which you can sow the seeds of hope.

Before going deeper into this topic, here are some general data on the war from the territory of the former Yugoslavia, a country of approximately 23 million inhabitants1 that was dissolved in 1991. The war lasted from 1991 to 1999. Altogether, there were circa 120,000 casualties, 2.5 million displaced persons and many thousands of women were sexually abused on the territories of Croatia, Bosnia and Herzegovina, and Kosovo.2

In Serbia, where the war started, feminist activists founded Women in Black against War in 1991 – a feminist, anti-fascist, anti-militarist group having the main goal to oppose the criminal Serbian regime. They held weekly vigils dressed in black and in silence. During the nineties Women in Black became an international network.

At the same time, feminist counselors and psychologists founded the first three women’s centers to work with women survivors of war: Medica Zenica – Women’s Therapy Center, in Bosnia and Herzegovina; Center for Women War Victims – in Zagreb, Croatia; and the Autonomous Women’s Center against Sexual Violence in Belgrade, where I worked. Many individual women as well as women’s organizations supported these centers and some others, emotionally as well as financially, with women coming to share their knowledge with us, to volunteer and create many other inventive activities. Without solidarity, we would not have been able to support thousands of women survivors of war.

I wish to emphasize that this solidarity was an aspect of our work as well as our daily lives, that made us feel that we belonged to the world when we found ourselves isolated, giving us hope that someone out there cared about us, often with carefully chosen little gifts like coffee and chocolates.

I wish to summarize in the following paragraphs some of the knowledge that we – as feminist activists working with women survivors of war – have gained from experiences regarding women’s solidarity during wartime.

SOLIDARITY 1: VALIDATION OF PAIN “I hear you”

We learned that the heart of solidarity lies in listening and validating the pain and joy of the other, so that survivors can feel they are neither alone, nor abandoned. Just by asking hello, how are you? in difficult times is of crucial value. This decision to hear the other the way the other hears herself with her own interpretations and values – this is what lies at the heart of solidarity: to listen with trust and tenderness; to be a witness of pain and life stories from the warzone; to send a letter via unknown activists that takes two months to arrive; to sneak in a pack of cigarettes via humanitarian aid. The great Russian poet Anna Akhmatova once wrote to her beloved friend, another poet – Marina Tsvetaeva, when they were both living in hard times of war: “I see, I hear, I feel you near my friend.”

SOLIDARITY 2: EQUALITY – Relating to women in war zones from the place of comradeship

We learned that solidarity manifests itself when women – who come from non-conflict countries to the warzone – come with goodwill and in sisterhood, to communicate from the place of camaraderie and friendship to create a dialogue. This kind of encounters can heal the broken dignity of women survivors of war. We need solidarity from women in welfare regions as well as other regions to share their life stories and mingle with women from warzones. Not from the places of guilt, nor by patronizing the other, not from the status of victims nor victors. Caring for each other needs awareness of power differences. Caring for the other is a feminist issue. If we care, we also constantly question the power we possess as persons coming from non-conflict zones, in order to distribute it fairly and not misuse it.

When the first peace activists from Italy arrived in Belgrade, in September 1991, none of us knew why they had come and who had invited them. They had heard the first news of the War in Yugoslavia, and felt they must find some women’s groups and come to see us. In that moment, we were not aware that the war is our future. Activists came with Italian coffee and soaps and just sat with us, most of them did not even speak English. We were so moved, that we hardly knew what to talk about, but we looked at each other in awe.

Later on, we also saw activists coming to see us getting off from buses, trucks... devising different kinds of plans to reach the warzone. It is an amazing fact that out of feelings of pure feminist re-
sponsibility some women got up and decided to support women and people in times of war, and do something in life they never thought they would.

**Proactiveness: Fall of 2015 – women, children and men escaping war and fleeing from post-conflict countries in Asia and Africa are walking across Europe: what have we done?**

By October 2015, there are already thousands and thousands of people in need arriving in Belgrade and sleeping on the ground in the park near the bus station. Some of us, as feminists and Women in Black activists, are going there constantly, to talk to women, play with children, and sit down with refugees in front of the closed borders. It is not nearly enough what governments are doing to support them. Almost half a million people have passed in the last year only through Belgrade with the hope of ‘finding some kind of life’ in Europe, as one woman had said: There is no life in Syria, no life, nothing. There is a feminist question here: what is to be done in order to show solidarity? Advocating for their rights, fighting racism, supporting women, supporting children, opening spaces in ourselves for others different from us. Still, most Europeans believe that Europe must be ‘white’ even if this has not been true already for decennia. Europe is changing faster than we think. Women coming from war zones and post-conflict countries such as the Ukraine, Afghanistan, Iraq, Syria, and Somalia need us.

At the same time, we have witnessed many actions of solidarity being undertaken by citizens from almost every country in Europe. Many people have been taking care of refugees over these past few months. However, this is not enough. We, as WAVE activists, need to create a pool of information about women refugees and the sexual violence some of them have been subjected to, in order to make it to Europe. This must be done with tender care and our feminist hearts and minds.

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The Answers of International Criminal Law and Humanitarian Law to Gender-Based Violence against Women in the Context of Armed Conflict and Post-Armed Conflict Situations

By Iris Golden, Austria

1. Introduction

It is a widely known fact that armed conflicts from early history to present times constitute a special threat to women’s right to physical, psychological and sexual integrity. To begin with, sexual violence and rape have always been systematically used as a weapon of war, by abusing women’s bodies to hurt, weaken, humiliate and demoralize the enemy. As the former United Nations Special Rapporteur on Violence against Women, Rashida Manjoo has formulated it, “war is an inherently patriarchal activity, and rape is one of the most extreme expressions of the patriarchal drive toward masculine domination over the woman. This patriarchal ideology is further enforced by the aggressive character of the war itself, that is to dominate and control another nation or people.”

Besides, the prevalence of gender-based violence during war times can also be seen as a continuation of violence that was already occurring during times of peace. Thus, it can be conceived of as a “continuation of the violence experienced during peacetime, but made more extreme by the general increase of violence levels in society.”

Furthermore, it must be stressed that the increase of violence against women does not automatically stop with the cessation of armed conflict. International experts assert that an increase in some forms of gender-based violence, including domestic violence and rape can be noted after the conclusion of an armed conflict.

It is only recently that International Law (international human rights law, international criminal law and humanitarian law) has taken notice of the fact that women’s experiences of war are intrinsically different, and that rape and sexual violence against women is not merely an attack against morals or their honour, but a most serious human rights violation. This demands protection, but also an end to the impunity of perpetrators and the need to ensure full access to justice, so that women survivors are not re-victimized by procedures, and are entitled to claim reparations and rehabilitation. The present article is intended to provide a short overview of some recent responses provided by international law to violence against women in the context of armed conflict.

2. International human rights standards are also applicable in times of armed conflict

Modern international law rejects the traditional assumption that international human rights law (including instruments such as the UN human rights treaties like for example, the CEDAW Convention), only applies in times of peace and international humanitarian law only in times of war. Rather, it is now widely recognized that international human rights law continues to apply in times of armed conflict as a complementary legal source to international humanitarian law. This has for instance been upheld by the CEDAW Committee: in its General Comment Nr. 30 (2013) it affirms that the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and therefore the standards that the Committee has developed in its case law and in its General Comment Nr. 19 regarding the protection against violence against women and domestic violence, are applicable also in times of armed conflict. Also, Security Council Resolution 1325 on women and armed conflict “calls upon all parties to armed conflict to fully respect international law applicable to the rights and protection of women and girls” and thereby refers to both international human rights conventions such as the CEDAW Convention, and international humanitarian law as well as international criminal law.

In the European context, the Council of Europe Convention on the Elimination and Prevention of All Forms of Violence against Women and Domestic Violence (the Istanbul Convention) constitutes a milestone in the protection of women against gender-based violence: Article 2 paragraph 3 of the Istanbul Convention explicitly states that the Convention shall be applicable in times of peace and in situations of armed conflict.

3. International Criminal Law and International Humanitarian Law – from “crimes against honour” to the respect of physical and sexual integrity of women

In the history of humanitarian law, there are some examples of codified prohibitions of rape – for example, the Lieber Code of 1863 even labelled rape as a “capital crime”. Nevertheless, it can be said that throughout the history of armed conflicts, the systematic and widespread victimization of women through sexual violence and rape has either been ignored and not brought to justice or not been recognized in its whole dimension.

International humanitarian law has for a long time considered rape to be primarily a “crime against honour”, rather than a crime against the sexual and physical integrity of women.

A meaningful inclusion of a gender perspective has been achieved through the case law of the two international ad-hoc war crimes tribunals, established by the UN Security Council after the civil war in Rwanda (International Criminal Tribunal for Rwanda) and in the former Yugoslavia (International Criminal Tribunal for the former Yugoslavia).
for Rwanda – ICTR) and in the Former Yugoslavia (International Criminal Tribunal for the Former Yugoslavia – ICTY) in the early 1990s. For example, in its judgement Prosecutor v. Akayesu, the Chamber convicted Akayesu, the former mayor of Tabar, among other crimes, for the crimes of genocide and of several crimes against humanity, including rape. It is noteworthy that in this judgment, the Court specified that under certain circumstances, the crime of genocide according to Article 2(2)(d) of the Statute of the International Tribunal for Rwanda can be committed through rape: “…in patriarchal societies, where membership of a group is determined by the identity of the father, an example of a measure intended to prevent birth within a group is the case where, during rape, a woman of the said group is deliberately impregnated by a man of another group, with the intent to have her give birth to a child who will consequently not belong to her mother’s group…”14. In the context of rape as a “crime against humanity” according to Article 3(g) of the Statute, the Chamber “considers that rape is a form of aggression and that the central elements of that crime of rape cannot be captured in a mechanical description of objects and body parts…”16. The court recognized a similar pattern in rape and in torture: both of these crimes are used “for such purposes as intimidation, degradation, humiliation, discrimination, punishment, control or destruction of a person. Like torture, rape is a violation of personal dignity…”17.

Another important example of a gender-sensitive international criminal law document is the Statute of the International Criminal Court of 1998 (ICC Statute).18

The wide inclusion of a gender perspective in the ICC Statute is to a large extent owed to the involvement of a women’s initiative in the drafting process of the Rome Statute, namely the “Women’s Caucus for Gender Justice”.

At that time, the Women’s Caucus was already a network of more than 200 women’s NGOs from all over the world whose aim was to lobby for a comprehensive inclusion of gender crimes, and generally, for a gender perspective in the material and procedural parts of the Statute, in order to ensure full access to justice for women victims of these crimes, and to prosecute the perpetrators.19

The Women’s Caucus aimed to include the standards reached by the jurisprudence of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) in the ICC Statute, and even to go beyond this. The lobbying of the Women’s Caucus was largely successful. Crimes of gender based violence (rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity) are classified both as crimes against humanity (Article 7 para 1 lit. (g) ICC Statute) and as war crimes (Art. 8 para 2 xxii of the ICC Statute). It is particularly noteworthy that the ICC Statute is the first binding legal instrument to include the crime of forced pregnancy.20

Additionally, the pathway to ensure the prosecution of rape and sexual violence as genocide has been opened in 2002, when the Assembly of State Parties have adopted the “Elements of Crimes”, as foreseen in Article 9 of the Statute. These “Elements of Crimes” are meant to assist the Court in the interpretation and application of the articles relating to the major crime categories foreseen in the Statute (i.e., crimes against humanity, war crimes and genocide). Accordingly, the term “genocide by causing serious bodily or mental harm” (Article 6 lit. b ICC Statute) shall “…include, but is not necessarily restricted to, acts of torture, rape, sexual violence or inhuman or degrading treatment.”21 This comprehensive inclusion of gender crimes in the ICC Statute allows for taking gender crimes into account in all their dimensions in the context of both armed conflict and in times of peace.

4. Procedural aspects

Another achievement of the women’s movement in the negotiations to the Statute were reflected in the articles regarding the nomination of judges: According to Article 36 para 8 lit. a (iii) of the Statute, State Parties shall take into account in the selection of judges the “need of a fair representation of female and male judges”. In addition, State Parties shall take into account the need to “include judges with legal expertise on specific issues, including, but not limited to, violence against women and children” (Article 36 para 8 lit. b ICC Statute).22

After the election of judges in March 2015, a female judge, Silvia Fernandez de Gurmendi, has been appointed president of the Court for the first time. Additionally, the vice-presidents are also women, so that for the first time, the ICC presidency is exclusively made up of women.

However, the court now counts six female judges, outweighed by eleven men.23

Finally, other important procedural achievements concern the provision on the protection of witnesses and victims, and their participation in the proceedings (Article 68 ICC Statute) and the provision regarding reparations to victims (Article 75 ICC Statute).
5. Conclusion

Although the legal standards for the protection of women victims of gender-based violence in the context of armed conflicts have already reached a high standard, and the active role of women in the protection, prosecution of gender crimes is a fact, and the need for the inclusion and participation of women in peace building is recognized by international actors, reality shows that gender-based violence is still highly prevalent in current armed conflicts. Hence, there is still a long way to go in order to achieve these goals. It is therefore to be hoped that the substantial impact of women’s initiatives, which has already proved to be an encouraging factor in the legal landscape, will push for further achievements to be made in the struggle for the eradication of gender-based violence.

3 Ibid., p. 13.
8 Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (ETS Nr. 210) is in force since 1. August 2014. As the Explanatory Report (para. 38) states, the Convention is to be applied as complementary to international humanitarian law and international criminal law.
10 Crimes of rape and other manifestations of sexual violence during the Second World War have not been a major topic in the war tribunals of Nuremberg and Tokyo.
11 See for example Art 27 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949) (“Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indirect assault.”)
13 According to Article 2 (2) (d), Genocide can be committed by “imposing measures intended to prevent births within the group” if the measures are committed “with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such”.
15 Article 3 of the ICTR Statute defines rapes as “Crimes against Humanity”, when these are “committed as part of a widespread or systematic attack against any civilian population on national, political, ethnic, racial or religious grounds.”
17 Ibid.
19 See Iris Golden, Gender Mainstreaming in the international Strafrecht – Pionierarbeit durch NGOs, in: Juridicum nr. 3/2003, p. 150 (article in German). See also http://iccworld.org/wigdraf1/Archives/oldWCGI/index.html (visited on 19. October 2015). In 2003, the Women’s Caucus concluded its work and it was replaced in 2004 by the Women’s Initiatives for Gender Justice, a women’s human rights organization, which advocates for gender justice through the International Criminal Court and

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The Women’s Court – A feminist approach to justice

By Miloš Urošević, Serbia

Introduction

Very often, the institutional legal system does not serve justice, at the international level or, even less so, at the national level. This is especially the case for states of the former Yugoslavia, where political elites invest vast efforts to evade justice or sacrifice it for the purpose of their political interests in order to remain in power.

Moreover, the institutional legal system is usually not on the victims’ side, and even fair trials do not ensure justice for victims. More often than not, the institutional legal system does not acknowledge or sanction violence against women and all those who have scant social influence, primarily in terms of economic and political power.

The most important attempt to overcome the limitations of the institutional legal system is represented by transitional justice. The concept of transitional justice has been developed over the past decades, both with regard to the need of providing answers to complex questions of negative heritage from the past, and to the constant challenges of structural injustice. The content and models pertaining to this concept continue to be enriched. Civil society assumes responsibility for ensuring justice through the creation of different concepts of justice and its alternative mechanisms, whereby people’s tribunals and women’s courts are the best-known examples.

The feminist movement of the second half of the twentieth century allowed women to speak openly about their lived experiences of male violence. The first Women’s Court was organized in 1992 in Lahore, Pakistan. Since then, about 40 other women’s courts have been organized worldwide, most of them in Asia and Africa. After the first women’s tribunal was established in Brussels in 1976, about ten other women’s tribunals were held in Europe, Asia, and the US. The most well known among these was the one held in Tokyo (2000).1

Organizing the Women’s Court

The first Women’s Court from the territory of Europe was held in Sarajevo between the 7th and 10th of May 2015, organized by 10 women’s groups from the former Yugoslavia.2

Towards the end of 2010, 7 members of the Initiative Board (IB), from successor countries of the Former Yugoslavia, launched the initiative of organizing the Women’s Court (WC). The IB, which has a seat in Skopje, had its name changed into the Organization Committee and now includes members from 10 organizations from all successor countries of the former Yugoslavia.

The Court was meant to serve as a space where women’s voices and their testimonies of the injustices they experienced in times of war and peace could be heard; a space for women’s testimonies of violence encountered in both the private and the public spheres; and lastly a space for testimonies regarding organized women’s resistance. Over the last five years, Women in Black has been the organization in charge of implementing programme activities.3 The WC dealt with violence committed during and after the 1990s. The conclusion was drawn that there is a continuum of injustice and violence, starting from the wars in the 1990s up to the post-war period. Women’s testimonies have shown that all forms of violence are interconnected: gender violence, ethnic, socio-economic, military, political violence, etc.

Interconnected Forms of Violence

Statements and testimonies indicated which forms of violence occurred more frequently:

Ethnic violence: War against the civilian population – genocide, crimes against humanity, persecution, mass murder of civilians, deportations, forced migration, disappearances, torture, concentration camps, persecution based on ethnicity, siege, hunger, extortion, bombing, destruction of property.

Military violence concerning women’s resistance: Forced mobilization – taking men to war by force had severe consequences for female relatives of mobilized men, these were health-related, psychological, emotional, economic, social, and political; Women widely reacted with individual or organized resistance against forced mobilization. Women, who supported deserters and conscientious objectors, as well as anti-war activists, often became victims of repression; women human rights defenders were subjected to political repression.

Gender-based violence: War crimes of rape – sexual slavery, forced pregnancy, concealment of war crimes of rape, stigmatization and harassment of women who testified about it, etc.; Women victims of war rape suffering from post-traumatic stress disorder; Resistance of women victims of war rapes, parties to the war perpetrating rape for nationalist purposes, physical, psychological and sexual violence in marriage and intimate relationships, committed by men who returned from the battlefield.

Economic violence: Economic violence during the war – economic oppression because of ethnic belonging and resistance to the regime, organized collapse of factories, violence against refugees, poverty; Economic violence in the post war period – privatization as a crime against women, abuse of women’s labor, denial of rights, sexual harassment, deprivation, living in constant fear of poverty, unemployment, dismissal from work without compensation, unpaid work, deprivation of labor and socio-economic rights; Women’s resistance – strikes, demonstrations, unions.

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Women’s Perceptions of Violence and Reconciliation

Women think that nationalism and denial of crimes committed in our name are an obstacle to a just peace settlement, hence it is important to continue addressing the issue of responsibility and accountability from a feminist perspective.

Women have also concluded that there is a great need to come up with safe spaces for women. Furthermore, there is a fear of women being subjected to re-traumatizing; a fear of public speaking about these issues; there is a fear for personal safety and for the safety of family members; a fear of repression not only from the state but also from society. Extreme uncertainty in the political, ethnic, gender, and socio-economic spheres, predominant in all parts of the region, increases the vulnerability of women.

The Women’s Court in Sarajevo

The first WC established in Europe was held in Sarajevo between the 7th and 10th May 2015. More than 200 civil society organizations were included in the reconciliation process. Women from more than 100 towns across the whole territory of the former Yugoslavia have taken part in the activities related to this. The process of organizing the WC has so far included around 5000 participants. More than 250 activists have been actively involved in elaborating and implementing the activities related to the WC.

Women in Black has been coordinating the programme activities of the WC during the last five years. The following paragraphs offer a brief account of the Court’s programme:

The WC was preceded by a press conference on May 7, which was held at the Bosnian Cultural Center. The members of the Organizing Committee of the WC acted as speakers.

The conference also touched upon topics such as: the entire process of organizing the WC, feminist ethics of care and responsibility when working with witnesses, the feminist approach to justice and the consequences of the WC.

The WC began with a street action Women together for peace, on May 7. The march took place on the city’s main streets, and was joined by hundreds of women.

In the evening, the Bosnian Cultural Center hosted the opening ceremony, where members of the Organizing Committee of the WC gave speeches, as well as our international friends, who were also members of the International Judicial Council.

A total of 36 witnesses have testified in connection with these crimes, they were coming from all countries of the former Yugoslavia. Witnesses spoke about their individual experience that also reflected on the experiences of a large number of women.

Women who went through the process of organizing the WC were actively involved in the creation of programmes and in the final selection of witnesses. During this process a strong network of witnesses for the WC was created, representing a community of solidarity for women, above and beyond national divisions and borders.

12 associates of the WC, i.e. experts, were included in the analysis of testimonies. Half of these were directly involved in working during meetings with potential witnesses during the five-year preparation process of organizing the WC.

On the last day of the Women’s Court, the international panel, composed of 7 persons, was held. The international panel of eminent regional legal experts, historians, peace activists and international experts was giving recommendations and reaching decisions based on women’s testimonies according to a feminist model of justice.

As it was not a State Court in the strict sense, the Women’s Court’s intention was not to impose criminal sanctions, but aimed at drawing attention to new forms of criminality. These included crimes against peace, and stressing the political responsibility of states from the former Yugoslavia. This also referred to intellectual elites who supported the war, the media, which fueled the conflict, war profiteers, and international institutions, whose efforts could not prevent the wars.

Decisions and recommendations have been drafted, which will be made available to all participants of the WC.

During the final session, Let’s go further – always disobedient witnesses and hundreds of participants climbed onto the stage, marking the symbolic creation of history from below, the power of alternative female subjects of a new model of justice, and the demolition of the dominant narratives of the wars from the former Yugoslavia.

The Women’s Court was attended by over 500 participants coming from all countries of the former Yugoslavia, but also from others, such as Algeria, Argentina, Austria, Belgium, Great Britain, Italy, Palestine, Spain, Sweden, and the US.

2. Mothers’ Movement of the enclaves of Srebrenica and Žepa and the Foundation Cure, Sarajevo, Bosnia and Herzegovina, Centre for Women and Peace Studies – Anjirna, Kotor, Montenegro, Centre for Women Victims of War and Centre for Women’s Studies, Zagreb, Croatia, Kosovo Women’s Network, Pristina, Kosovo, Council for Gender Equality, Skopje, Macedonia, Women’s Lobby, Ljubljana, Slovenia, Centre for Women’s Studies and Women in Black, Belgrade, Serbia.
3. In the last five years of field work, Women in Black organized: 16 regional seminars; 10 trainings for public presenciations, 136 public presentations in 96 towns in the region, 78 documentaries on this topic, 42 meetings, 16 regional feminist discussion cycles, to deepen our knowledge about the topic, and released 60 publications (brochures, readers, peace agenda), and numerous leaflets in all languages of the region (Albanian, BCMS, Macedonian, and Slovenian).
4. The speakers were: Kada Hotic, Stasa Zajovic, Jadranka Milicevic, Ljupka Kovacevic and Rada Borić
5. Munira Subasic and Stasa Zajovic
6. Charlotte Burch, Marieme Helie Lucas and Marta Drury
7. Bosnia and Herzegovina, Montenegro, Croatia, Kosovo, Macedonia, Slovenia and Serbia
8. Rada Šekovíc, Vojvo Krasnović, Renata Jambresić Kirin, Mirjolava Moševic, Snežana Mlivojević for war crimes against civilians and ethnic violence; Marijana Senjak and Gabi Miskovski for sexual violence in war; Stasa Zajovic, Snežana Obrenovic and Bojan Aleksov for militaristic violence; Tanja Djuric Kuzmanovic and Senka Rastoder for economic violence.
9. Vesna Rakic Vodinelic, Gorana Milinarovic, Latinka Perovic, Vesna Terzic
10. Charlotte Burch, Diana Otto, Kirsten Campbell

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Refugee women fleeing from persecution by Daesh

By Andrada Filip

Syrian refugees experiencing sexual and gender-based violence

According to UNHCR, sexual and gender-based violence (SGBV) – including rape, forced impregnation, forced abortion, trafficking, sexual slavery, and the intentional spread of sexually transmitted infections, including HIV/AIDS – is one of the defining characteristics of contemporary armed conflict. The primary targets of such predatory practices are women and girls.

At present Europe is experiencing an influx of refugees, which has not been witnessed since the Second World War. The political turmoil and instability, which has erupted in Syria nearly four years ago, has engulfed the entire region, creating a safe haven for a whole range of insurgent terrorist groups. Throughout the past year and a half, Daesh has established itself as an extremist group seeking to impose a flawed interpretation of Sharia Law within the territories it has occupied in Syria and Iraq. With its misogynist, religiously politicized ideology, Daesh has targeted women and girls in a most brutal way. Moreover, it went as far as establishing a self-proclaimed Islamic caliphate in June 2014 in an area straddling Iraq and Syria.

The cases of sexual violence, enslavement of women and selling of young girls in markets have reached an enormous threshold, so much so that it looks as if this fundamentalist group has reverted to war practices which had been previously encountered in medieval times. The Special Representative of the UN Secretary General on Sexual Violence in Conflict, Zainab Hawa Bangura, embarked on a scoping mission in that region last April and her findings were tremendously worrisome: ‘Sexual violence is being committed with a high-degree of sophistication by most parties to the conflict in Syria and Iraq.’

The conflict in Syria, which initially started with a crackdown by government forces on protesters, has escalated into a protracted regional crisis that has long-term, global implications. The primary consequence is represented by the never-ending influx of refugees to neighbouring and European countries, because those people do not have a home country any longer.

Situation in refugee camps from neighbouring countries

According to the International Commission of Inquiry for Syria, sexual violence has been perpetrated against both women and men as a form of torture and intimidation, while the propagation of rumours about this type of violence has triggered population flight.

An inter-agency study published by UN Women in 2013 indicates that two thirds of Syrian refugees in Jordan reside outside of camps, in rural and urban communities scattered throughout the country. Early marriage is highly prevalent among these refugees, however, this is linked to social and cultural rural practices that have their roots back in Syria, and have not originated because of the conflict itself. The biggest challenge for refugee women and children, particularly girls, is to gain access to basic resources and specialized services for survivors of GBV, as their mobility is severely restricted by male family members and general feelings of insecurity. The most common reasons for child marriage, apart from the acceptable social customs and norms that predate the conflict, are economic reasons and the need to ensure security for vulnerable individuals and to preserve the family honour.

It is also worth mentioning that Syrian refugee women married off to Jordanian men do not receive adequate protection under existing laws, which leaves them exposed to a series of risks. In the majority of cases surveyed by UNHCR for conducting this multi-agency study, most women have been subjected to GBV, including sexual violence, by their husbands, and around 80% of these were of Jordanian or other non-Syrian nationality. Another issue of concern encountered among particularly vulnerable refugee women is represented by so-called temporary marriages, a practice common among both Shia and Sunni Muslims. These contractual marriages, which in fact lead to the woman’s prostitution, are considered legal, and may last for several hours, days or even years. They are conducted in secrecy, and often involve women with very few or no male guardians. When she enters such a marriage, the woman is not entitled to any rights what so ever, not to mention financial support for her and the children, which may result from this union.

The findings of the UN Women study previously mentioned indicated that acts of sexual violence are often silenced, whereby women feel increasingly isolated and are afraid to talk about what has happened to them due to increased psychological distress.

European asylum regulations and procedures

European governments in particular are confronted with the challenge of finding an adequate, humane response to this ongoing and extremely challenging refugee situation, based on the principle of shared responsibility. This is because many refugees, who have some financial means to pay for the long and dangerous journey over the Mediterranean Sea, are trying to find a way of getting into Europe, hoping to claim asylum in a Western European country.

Women and everyone else fleeing gender-related persecution are entitled to access a fair and dignified asylum process.
regardless of the state in which they claim asylum.¹⁴ However, an in-depth study from 2012 published by the European Parliament highlights that there exist grave and worrying disparities in the way in which different EU Member States are handling gender-related asylum claims.¹⁵ Hence, the majority of these refugee women are not given a gender-sensitive treatment when they come into contact with national and immigration authorities. This of course can be very traumatic for women but also for vulnerable dependants, such as children.

In order to ensure the protection of these women and girls fleeing gender-based persecution, all of us must understand and recognize the particular challenges they are facing.¹⁶ In situations of armed conflict discrimination and VAW is often exacerbated.¹⁷ Furthermore, this situation persists also in the aftermath of a crisis, when peace and reconciliation efforts are undertaken.

Refugees and asylum seekers escaping from persecution are often caught up in large-scale population movements, and frequently end up being put into the same category as economic migrants. Very often governments, which are trying to control illegal migration, impose visas on individuals who do not have proper documentation. Refugees leaving countries going through civil war are increasingly trapped under this category, thus preventing them to reach a place where they can claim asylum. Increasing numbers of women, children, and unaccompanied minors are facing this procedure.

Relevant legal instruments

The Geneva Refugee Convention from 1951¹⁸ uses a language that is gender-blind, and fails to take into consideration issues of gender inequality. Nevertheless, along the decades more attention has been given to the structural socially constructed inequalities that exist between men and women, so that recent relevant legal instruments are raising awareness of these issues.

For example, the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as the Istanbul Convention, urges parties to the convention to take the necessary measures to ensure that gender-based violence against women can be recognized as a form of persecution within the meaning of the 1951 Convention related to the status of refugees.¹⁹ Articles 60 and 61 are particularly relevant for women refugees fleeing from abuse and sexual violence, emphasizing the need to establish appropriate gender-sensitive reception procedures and facilities.²⁰

Concluding remarks

It is imperative for relevant state actors and policy makers to be aware of the specific challenges faced by refugee women in order to come up with an efficient solution, based on the principles of shared responsibility and respect for human dignity. Women and girls in particular, are left vulnerable to a series of risk factors, stemming from the conflict itself but also from social customs highly prevalent in the Middle East, which have their roots in patriarchal norms and values. If these refugee women are to be given a chance for a better life in Europe, relevant stakeholders must ensure that asylum centres and reception facilities are staffed with personnel that know how to adequately respond to their gender-specific needs. These women have already been victimized by the conflict itself and the arduous journey they had to make in order to reach European borders. It is crucial to ensure that they do not experience secondary victimization in asylum centres and reception facilities located in European countries.

References

3. Daesh is the Arab version of the acronym used for the fundamentalist groups widely known as the Islamic State of Iraq and the Levant, other acronyms used include: IS/ISIS/ISIL
7. Gender-based violence and child protection among Syrian refugees in Jordan, with a focus on early marriage (2013), UN Women, p. 5 Many of the stories and findings published in this study refer to the Za’atari Refugee Camp.
8. Acronym refers to gender-based violence
9. Gender-based violence and child protection among Syrian refugees in Jordan, with a focus on early marriage (2013), UN Women, p. 3
10. Gender-based violence and child protection among Syrian refugees in Jordan, with a focus on early marriage (2013), UN Women, pp. 29-31
11. Ibid., p. 27
12. Ibid., p. 33
13. Ibid., p. 44
15. Ibid., p. 8
20. Council of Europe Convention on preventing and combating violence against women and domestic violence, Articles 60 and 61

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The work of “Medica” Zenica with survivors of war rape and sexual violence in Bosnia and Herzegovina

By Sabiha Husić & Irma Šiljak, Bosnia and Herzegovina

About “Medica” Zenica

Medica Zenica is the oldest specialized women’s non-governmental organization in Bosnia and Herzegovina (BiH), which, since April 1993 has been continuously providing comprehensive help, support and care to women and children survivors of war. Additionally, it also offers support to women and children suffering from post war violence, including survivors of war rape and other forms of war torture, sexual violence in general, survivors of domestic violence, as well as victims of trafficking in human beings. Medica Zenica is a leading organization addressing the issues of trauma and violence in BiH and during almost 23 years of work Medica Zenica has provided services to more than 450.000 survivors throughout the territory of BiH.

Our approach to women and children, survivors of war and post-war trauma and violence, through developed services, which are based on humanistic values, includes provision of services at the safe house/shelter, psychological counseling center, legal counseling center, and the unique telephone line 080 02 23 34. This helpline offers help and support to survivors of war rape and sexual violence and their family members (active 24/7 on the territory of BiH).

Medica Zenica also supports the SOS helpline for survivors of domestic violence, crisis intervention center and drop-in center for children at risk. Additionally, Medica Zenica runs economic empowerment programs in rural areas, and carries out outreach work, such as provision of psycho-social and medical assistance, legal support, as well as provision of assistance to men in psychological counseling centers. Furthermore, it engages in fieldwork, educational and awareness raising activities with the first informal network of women from rural areas, which was established by Medica Zenica.

Additionally, Medica Zenica implements a variety of educational, research, advocacy, and publishing projects focusing on the promotion and protection of human rights, prevention and rehabilitation from war trauma, sexual and domestic violence, establishment of referral mechanisms and institutional networks by using existing resources in the community, as well as combating trafficking in human beings.

Working with survivors of war rape and sexual violence

During times of raging war, Medica Zenica was established by the German gynecologist Dr. Monika Hauser and 20 local women professionals in response to the needs of many survivors of conflict-related sexual violence.

Everyday increasing numbers of women, girls and children who survived war rape and sexual violence needed adequate support and assistance, a safe place and someone to talk to without being judged and blamed for what had happened to them. One survivor, a beneficiary of Medica Zenica said: “The most I ever got was Medica. What you did for me, that psychological support. Material support, when people are hungry, is very welcome. And to me, I was hungry at that time, I was hungry for self-confidence, I was hungry for support so I could move on, so I could live. To give me strength, to tell me that what I thought was my fault actually was not my fault. When I heard that, it was worth to me. It meant everything to me, and it still does.”

Rape and sexual violence were systematically used as a weapon and strategy of war. There is no exact number on how many women and girls survived war rape and sexual violence in BiH, but according to estimates between 20.000 and 50.000 women and girls were raped. In those very difficult times, Medica Zenica opened its door to women, girls and children, embraced them, helped them and supported them according to their needs. The door of Medica Zenica remained open for survivors of sexual violence and war rape. After the war, Medica Zenica also started working with survivors of domestic violence, violence in the community, trafficking in human beings. Despite difficulties in securing funding, its doors have never been closed.

After the war, the problems of domestic violence and trafficking in human beings became burning issues in BiH and the attention of donors shifted away from war trauma to other issues. Medica Zenica experienced a huge economic crisis in 2007. Sabiha Husić, the current director of Medica Zenica, bravely took over the responsibility to lead Medica Zenica in 2007 and since then the work of the organization has carried on and been expanded.

It was a big challenge for Medica Zenica in those times to continue providing comprehensive help and support to survivors of war rape and sexual violence, because there were no donors to support our activities. Nevertheless, Medica Zenica continued to support survivors, being aware of their needs and the long-term consequences associated with war trauma, which were yet to come to the surface. The traumas affected survivors, their family members, their children but also society in general. For all those 23 years, Medica Zenica has been actively advocating for the social recognition of the rights of survivors of war rape and sexual violence, fighting against their stigmatization, lobbying for holding perpetrators to account, ending impunity of war criminals and finding sustainable responses to the needs of survivors.

In 2003, on its tenth anniversary, Medica Zenica organized a round table discussion entitled “Ten years after” and the idea of introducing survivors of war rape and sexual violence into the Law on Social Protection emerged. Soon after Medica Zenica together with other 20 nongovernmental organizations from BiH started the campaign “For dignity of survi
In 2006, NGOs, activists and female parliamentarians were finally successful in their efforts, when an amendment to the Law on Social Protection, Protection of Civilian Victims of War and Protection of Families with Children of the Federation of BiH was formally adopted. Through this amendment, survivors of war rape and sexual violence in the Federation of BiH were recognized as a special category of civil victims of war entitled to monthly financial support and a variety of other socioeconomic rights. This was a historic moment as for the first time ever in the world, survivors received this kind of social recognition – yet problems persist.

Since the establishment of the International Criminal Tribunal for the Former Yugoslavia (ICTY) in 1993, brave women survivors of war and conflict related sexual violence from BiH found their courage and testified in cases of rape as a form of torture and sexual enslavement as a crime against humanity. The ICTY was the first international criminal tribunal based in Europe that passed convictions for rape as a crime against humanity, following a previous case adjudicated by the International Criminal Tribunal for Rwanda. However, in 2005 the Prosecutor’s Office and the Court of BiH began simultaneously with the ICTY to prosecute war criminals and the problems for survivors commenced. Survivors and witnesses were not adequately prepared, nor supported and received no protection before and after testimonies. They felt betrayed because authorities violated their rights to privacy and adequate care was not provided for them.

One of the survivors said: “You are meant to be protected, and yet your name is published in the newspapers. It is affecting. I had an opportunity to go as a witness to The Hague, there is a huge, huge difference. Here, we are unprotected in the court, and everywhere else”. This situation was the reason for Medica Zenica to initiate in 2010 the establishment of the first institutional networks for the support and assistance of survivors and survivor witnesses. The initiative addressed the needs of survivors of war crimes, sexual violence and other criminal offences, including domestic violence and human trafficking, before, during and after testimony. The networks, first of their kind in BiH and in the Balkans, brought together professionals from government institutions and NGOs to provide in a trauma sensitive manner, adequate, timely and effective support to survivors.

Medica Zenica established such institutional networks in Zenica Doboj, Una Sana Canton, Central Bosnia Canton, and Herzegovina Neretva Canton. In cooperation with United Women from Banja Luka an institutional network was established in Banja Luka, while the process has already begun in Livno Canton, Bosnia Podrinje Canton and Istočno Sarajevo. Since 2010 and up until now, the institutional networks proved to be sustainable and efficient mechanisms recognized as models of best practice. Currently they are being established throughout the whole territory of BiH.

During 2013 and 2014 Medica Zenica conducted a research on the long-term consequences of war rape and coping strategies of survivors in BiH entitled “We are still alive. We have been harmed but we are brave and strong”. This gave space for survivors to raise their voices and this study is one of the rare researches in the world on this topic. The following key facts emerged from the data analysis:

1. The mental and overall health of survivors from the sample is of grave concern: 57% of participants are suffering from clinically relevant PTSD symptoms. Their general psychological distress is high and many show psychosomatic problems and anxiety symptoms. 70% of the participants state that the experience of rape completely affects their life today. 65% of the participants regularly take drugs; half of them for 20 years. Almost all of the participants take psychopharmacological medicine. Others also take cardiovascular and hormonal regulation medication, which clearly shows the long-term impact of posttraumatic and post-war stress on women’s health. More than 58% of the participants reported the presence of four or more gynecological problems, and almost 11% reported cancer. The relationships with their families, especially husbands and children, are also highly affected and clear indications of transgenerational transmission of trauma were found.

2. Despite the unique status of civilian victim of war, which 79% of the women in our sample have obtained, the participants overwhelmingly agree that governmental, cantonal and entity institutions are failing to adequately support survivors. Essential support is perceived as only being provided by NGOs. Ongoing stigmatization in communities, the lack of protection for witnesses, insensitivity towards survivors in institutions, and shortcomings in the implementation of the law clearly outweigh any positive role that the political mechanism of granting war rape survivors a special status could play.

3. It was found that on average the most commonly used coping strategies amongst the participants can be classified as “adaptive”. Positive aspects of posttraumatic growth were reported by a considerably high number, roughly 68% of the survivors. These ways of coping might be attributed to Medica’s long-term therapeutic and social support. The complexity of these results shows that many survivors continue to suffer although, and this is no contradiction, most of them are at the same time coping as competently as they can. It is the level of destruction inflicted by war rape, probably exacerbated by other stressors and the ongoing stigmatization in communities and society, which makes it incredibly difficult for many survivors to cope “well”.

4. This complex picture is complemented by the fact that the participants highly value Medica Zenica’s services. Findings show that general measures of support, such as care and availability, understanding and a safe space for sharing experiences are playing a major role in their recovery. They attribute Medica Zenica with a key role in their trajectory of coping.

In March 2014, the Former British Foreign Secretary Mr. William Hague and the UNHCR Special Envoy Mrs. Angelina Jolie Pitt paid a historic visit to Medica Zenica. This visit to Medica Zenica and BiH was of great importance because it raised awareness of the problem of rape and sexual violence at the level of local authorities and donors. This period has been crucial in using the momentum and trying to find adequate solutions for the challenges faced by survivors.

Therefore, Medica Zenica obtained permission in 2014 from the Federal Ministry to issue certificates to survivors of war rape and sexual violence, one of the documents necessary for obtaining the status of civil victim of war. Many survivors pointed out that they had encountered many problems and obstacles in the process of obtaining this status.
Nevertheless, by the end of 2014 approximately 800 survivors had obtained it.

At that point Medica Zenica established the first unique telephone line for help and support to survivors of war rape and sexual violence and their family members. The line is free of charge and provides counseling as well as information to survivors about their socio-economic rights and resources available in their respective communities.

At the end of 2014, Sabiha Husić was presented with the award “Woman of the World” in recognition of her extraordinary leadership and unwavering commitment in helping women and children survivors of war rape and post-war violence in BiH.

Following the increasing needs of our target groups, we recently finished constructing the new office building of Medica Zenica and officially opened the resource and counseling centre “Maya” Medica Zenica. This enabled us to increase the capacities of the safe house and bring all our services together at the same location with the educational center and safe house.

Despite significant progress and many achievements, a lot of work remains to be done in the future. The progress but also problems and ongoing challenges for survivors were also presented to Baroness Anelay, British FCO Minister of State and the Prime Minister’s Special Representative on Preventing Sexual Violence in Conflict, during her visit to Medica Zenica. On that occasion she also met survivors and representatives of NGOs working with survivors. At the end of her visit the Baroness said: “I am glad that the UK supports the work of these organizations which have been successful in their jobs for years. We have to work a lot on this problem in the future and we have to be conscious that behind everything there is a human being who needs help. Bosnia and Herzegovina has a horrible past regarding this problem but, I believe that this country has a great future ahead with the help of organizations like these.”

What has to be done in the future for survivors of war rape and sexual violence:

1. Ensure equal rights for survivors of war trauma and torture throughout the whole territory of BiH
2. Implement a trauma sensitive approach in all support services in the following areas:
   - Health
   - Psychosocial field
   - Education
   - Criminal justice system
3. Provide specialized psychosocial support to survivors and their families
4. Protect survivors when these are testifying in national courts and ensure the ongoing prosecution of perpetrators
5. Stop stigmatization
6. Take positive action towards the social acknowledgement of survivors
7. BREAK THE SILENCE

Sabiha Husić and her team at “Medica” Zenica will continue their devoted and committed work with survivors of war rape and sexual violence. Support our struggle for survivors of sexual violence in Bosnia and Herzegovina and worldwide.

The article was jointly written by Sabiha Husić, director of “Medica” Zenica, PhD candidate in Gender studies at the University of Sarajevo and Irma Šiljak, program assistant of “Medica” Zenica. Email: sabiha@medicazenica.org; irma.siljak@gmail.com
Eighteen years of work for women – A portrait of the NGO Sukhumi in Western Georgia

By Lali Shengelia, Georgia

...Marina's husband was drinking a lot and was beating her when he was drunk. Marina tolerated everything because of their three children. Once, she tried to divorce her husband but he asked her for forgiveness and she changed her mind. Sometimes later sequences of violence continued. After consulting a psychologist and a lawyer, Marina finally decided to divorce her husband.

...Salome is fifteen years old. Her father-in-law shouts at her and beats her every day. The girl did not say anything to her mother, since she went abroad to earn more in order to make a living and therefore would not be able to help her. Salome became aggressive and irritated. She even tried to run away from home. Following her psychologist's advice, Salome told the truth to her mother, who started to influence her husband. Now she transfers money to her relative who is the guardian of Salome. After psychological rehabilitation, Salome has overcome depression.

These are two short and dramatic stories of a woman and a girl. There are many such stories in the narrative reports and magazines of Fund "Sukhumi." Fund "Sukhumi" was established by internally displaced women from Abkhazia. "Sukhumi" is the capital of Abkhazia, and Abkhazia is the most beautiful corner of Georgia, which has been separated from the country since 1993 as a result of the armed conflict. In the first years after the armed conflict internally displaced people (IDPs) from Abkhazia experienced many hardships. They suffered not only from financial but also psychosocial problems.

A "small Sukhumi" was created in 1997, in the city of Kutaisi in Western Georgia to support those people. This NGO was founded by four women: Alla Gamakharia, Meri Gelashvili, Nanuli Ramishvili and Zhanna Chabukiani. The organization is staffed by female IDPs from Abkhazia. In the beginning, we worked only with IDP women. Now local women are also involved in our activities and this has contributed to integration and social adaptation. For the past 18 years we have been thinking and acting to improve the lives of women. Moreover, for the past 18 years we have been working to protect women's rights and to empower women, so that they were able to elevate their social status.

"Strengthening women's rights in Western Georgia" is the title of one of our main multi-year projects, which is supported by the German donor organization, the Bread for the World – Protestant Development Service.

Violence against women represents the major challenge for Fund "Sukhumi." This is a large-scale, deeply rooted problem. Years ago, it was difficult to address this topic. Violence against women was a taboo. Most members of society smiled archly when Fund "Sukhumi" representatives participated in TV programmes and talked about violence, when they launched their 16 Days Against Gender Based Violence campaign. Society believed that no one should meddle with the conflicts of other families and that women must always tolerate injustices.

Very often a woman would not realize that violence was part of her every-day life: when her husband insulted her, when he did not allow her to go to work and did not give her any money, when her brother was always right and she did not have any rights, when there was no harmony in the family. Gradually, problems became more visible. In 2006, the Parliament of Georgia adopted the Law on Elimination of Domestic Violence, Protection of and Support to Its Victims. Afterwards certain action strategies were created but there is still no appropriate support from the State. Hence, the problem of violence is escalating. Approximately 30 women were killed because of domestic violence last year. Among these, there were young and old women, ordinary housewives and mothers of many children, a lecturer from a University, and others. The President of Georgia declared 2015 the Year of Women unifying society as a whole against domestic violence.

The activities of Fund "Sukhumi" have become even more relevant. Over 1000 beneficiaries participate in our activities every year through legal and psychological consultations, which are free of charge. Over 300 women were supported in solving their problems. These activities are carried out in women support centres established by Fund "Sukhumi" about 10 years ago in five cities in Western Georgia (Kutaisi, Tskhaltubo, Khoni, Senaki, Poti) and in the village Khurcha of the Zugdidi municipality, which is located close to Abkhazia.

What is being done? What is being changed? Which are the perspectives?

In our centres, we support women in general, including local and internally displaced women. During information and consultation meetings, workshops and trainings they learn about their rights, they acquire communication, conflict management and advocacy skills. Furthermore, they are empowered in finding ways of coping with stress and solving their problems.

Fruitful cooperation was established with state institutions – memorandums of cooperation have been signed between Fund “Sukhumi” and the local governments of Kutaisi, Tskhaltubo, Khoni, Poti, Senaki and Zugdidi.

One main achievement is that local governments have become involved in the prevention of violence and assistance to victims, as a result of the lobbying of our NGO. Local city councils (Sakrebulo) allocate a certain amount of funding for assistance to victims. For example, the local government...
from Zugdidi has allocated funds to a victim of violence, which enabled her to rent an apartment and separate from the perpetrator. A cycle of discussions on the topic of violence was initiated with the support of the local government from Khoni, for which young people represented the main target audience.

Today all state institutions are motivated to engage in close cooperation with civil society. Fund “Sukhumi” is the only organization from Western Georgia invited to the monthly meetings at the Ministry of Internal Affairs. Sukhumi is further in contact with a special group focusing on issues related to violence, part of the Prime Minister’s Advisory Department. All these connections are enabling us to operate on a larger scale and our work has become more fruitful.

Our communication with young people is also worth mentioning. Young women’s clubs were established at the women support centers. Gradually, boys became interested in the club’s activities and now these youth clubs are a space for interactive discussions and actions. The aim of their activities is to decrease aggression and establish healthy communication. Young people discuss topics such as “the influence of gambling on teenagers” or “early marriage and its negative results”.

Members of the clubs organize information meetings in schools and villages. They carry out various actions, such as planting trees and cleaning littered areas. They are expressing their protest against violence by spreading leaflets and posters. Sometimes they hold flash-mobs in the city centre and call out on everyone to refrain from committing violence. Many young activists have become members of local city councils and are advocating for solutions to various problems, such as environmental issues present in their cities and equal participation of girls and boys in sports contests.

One of the main objectives of Fund “Sukhumi” is to change attitudes and raise awareness, whereby an important role is played by the Forum-Theatre – a brand of Fund “Sukhumi” that has been operating for many years. Young actors write scripts and stage performances on the topic of violence, i.e. relationships between spouses, parents and children, daughters-in-law and mothers-in-law. They perform in cities and villages – in schools and universities, IDP collective centres and parks, in TV live air shows, and in public places. Forum-theatre performances make an impact on society; people consider that even short performances make them think about many things and change their attitudes with regard to the problem of violence.

The role of the media is also instrumental when we talk about influencing public consciousness. For many years, Fund “Sukhumi” has published newspapers and magazines, booklets, information brochures, and posters; it has developed radio and TV programmes and established partnerships with central and regional media outlets.

Every year, since 2001, during the 16 Days against Gender Based Violence international campaign (November 25 - December 10) local and regional television channels broadcast social advertisements prepared by Fund “Sukhumi” using slogans such as: Violence is evil! Let’s Unite Against Gender Based Violence! During this large-scale campaign simultaneous actions and hundreds of activities are undertaken in the cities of Western Georgia. These actions aim to remind everyone that violence is a serious problem and that the State is obliged to protect victims of violence, to provide adequate resources to ensure prevention and assistance to victims, and to improve existing legislation and its implementation.

Since January 2015 Fund “Sukhumi” has been monitoring the implementation of the Law on Elimination of Domestic Violence, Protection of and Support to its Victims in Western Georgia. Findings show that the country has made certain steps to overcome the problem of domestic violence; however, relevant programs for protection and prevention and adequate funding from the government are missing.

Fund “Sukhumi” is a member of national and international networks. The organization aims at being innovative and getting involved in new developments and activities such as campaigns. Members of the organization are committing their time, efforts and resources to overcome obstacles that prevent women from achieving gender equality.

18 years have already passed… Many new perspectives, plans, and approaches are lying ahead…

1 Sukhumi is the name of the city in Abkhazia. The NGO has the same name, which is why it is written here ‘small Sukhumi.’

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Violence against women and all forms of sexual violence, including rape, sexual assault, forced prostitution, and sexual slavery, are increasingly recognized as a facet of many recent conflicts, spanning from the European Balkans to African countries. Social and economic crises and breakdowns in the rule of law contribute to domestic violence also within the families of former combatants. This article gives an overview of the situation regarding gender-based violence (GBV) in the Ukraine caused by the war, which erupted in April 2014.

The following example is indicative of the type of GBV women have been subjected to because of the ongoing crisis in the Ukraine:

Ms. Dovhan is from the Donetsk region, she was kidnapped by the illegal armed group Vostok Battalion because of her pro-Ukrainian position. She was beaten and humiliated for five days and received several rape threats. She slept like other detained civilians on a concrete floor, suffered from water and food deprivation and limited access to the toilet. She was forced to march in a parade composed of detained civilians and imprisoned Ukrainian soldiers. She was released after the intervention of international journalists, who published this picture in the New York Times that captured her public humiliation.

After expansion in the Crimean peninsula, between April and June 2014, illegal armed forces supported by Russia gained control over a number of localities in the Luhansk and Donetsk regions. This period is characterize by repressions against the civilian population, because armed criminals were arbitrarily annexing property, persecuting residents who supported the Ukrainian government, robbing and destroying the property of those who had left these territories. Many people left their houses because of the war; as of August 2015, the Ministry of Social Policy registered 1,459,226 internally displaced persons (IDPs) in areas under government control.

Sex disaggregated data is no longer publicly available following the transition of reporting on IDP registration figures from the State Emergency Services to the Ministry of Social Policy which took place in early 2015. Furthermore, data disaggregated by the specific needs of IDPs is also not available.

Most of these people were already vulnerable in pre-conflict times and they were therefore disproportionately affected by the displacement, loss of income/pensions, eroded purchasing power, and reduced access to job markets, education, the breakdown of essential social, health, human rights protective services, and psychosocial support. The demographics of the displaced population are difficult to be determined because not all people were registered. According to a factsheet published by the European Commission, the majority of those displaced are women, children, older people and those living with a disability.

Violence against women in the temporary occupied territory

When it comes to assessing the situation of violence against women in the temporarily occupied territories, it is difficult to provide detailed and concrete data because neither the government nor civil society have access to that territory.

On the 17th of April 2014, the Government of the Ukraine lodged a declaration under Article 12(3) of the Rome Statute accepting the jurisdiction of the International Criminal Court over alleged crimes committed on its territory from the 21st of November 2013 to the 22nd of February 2014. Later on, the Parliament extended the term until present time. The Office of the ICC Prosecutor has opened a preliminary examination of the situation at hand. Since the beginning of the conflict, human rights protection organizations, including women’s organizations, started to collect data with the aim of informing Ukrainian law enforcement authorities and international organizations on human rights violations as well as providing legal and social support to victims. The Women’s Information Consultative Centre (WICC) interviewed some women victims of GBV. Here are the preliminary results:

- There are cases of women raped by illegal armed groups /forces
- There are cases of prostitution enforced by illegal armed forces
- There are cases of women’s torture through perpetration of rapes, shooting close to ears, pulling hair by illegal armed forces
- There are cases of human trafficking

The Ukrainian Helsinki Foundation for Human Rights and member organizations of the Coalition “Justice for Peace in Donbas” published a report Surviving Hell: Testimonies of Victims on Places of Illegal Detention in Donbas. The topic of this report was human rights monitoring in the occupied territories from the Ukraine. The authors interviewed about 120
people listening to their accounts about awful conditions of illegal places of detention. Moreover, testimonies referred to the use of unjustified force during the arrest of civilians, lack of separation between civilian women and men, lack of access to basic sanitary facilities, deprivation from food and water, torture and threats of human trafficking and so on.

“After some time, they came to my cell and said they would take me for execution. They dragged me somewhere. It turned out that N and I were for sale. N said that, most likely, to Rostov region. They were driving us for a very long time – six hours. We crossed the border. N and I were in a tall car with our hands and feet tied. We were also blindfolded. We were in a car with two Chechens and someone else as convoy. Chechens kept saying that ‘even though she is ours (Muslim)…, we definitely have to kill her’. I thought they were taking us for execution, but they wanted to sell us into slavery. However, the deal was off for some reason” (C-83).9

Violence against women within the peaceful territory of the Ukraine

Maintained by the International Women’s Rights Center “La Strada Ukraine” 10, the national hotline on domestic violence, human trafficking and gender discrimination received 3615 calls from women during January-April 2015. Only 1382 calls were received over the same period in 2014. Most women reported psychological violence (48.5%) and physical abuse (36.9%). 11.7% of subscribers referred to instances of economic violence and 2.9% reported cases of sexual violence. Gender experts reported some cases of domestic violence occurring in the families of former combatants because of psychological trauma.11 Volunteer psychologists developed trainings for ex-combatants with the aim of preventing violence within families.

Women NGOs continue to provide direct humanitarian assistance to IDPs regarding accommodation, jobs, clothes, medicine protection etc. WICC has conducted trainings on women’s empowerment through trainings for IDPs. There are volunteers who work with IDPs on conflict mediation and resolution by adopting a gender sensitive approach. Regarding reporting to the international community and collecting data on gender-based violence, WICC has initiated the drafting of a report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations.12 Women’s civil society organizations (CSOs) initiated and participated in the development of the National Action Plan on UN Resolution 1325.13 It is expected that the plan will be adopted and the Istanbul Convention will be ratified. The Ukrainian women NGOs coalition ‘Gender Strategic Platform’ requested the OSCE Special Monitoring Mission to Ukraine to include a gender component in their monitoring reports.

After the end of the conflict, the Ukraine faced many challenges regarding new forms of GBV. Women CSOs appreciate solidarity and shared experience from other countries on how to effectively prosecute and punish gender-related crimes committed during and after conflicts. They also welcome support and the sharing of best practices on the provision of women’s services according to their needs and how to protect them from all forms of violence.

Maryna Rudenko is a specialist in Political Science from the National University Kyiv, Mohyla Academy. Since 2008, as a member of the CSO Women’s Information Consultative Center, she has contributed to the implementation of different civic and professional initiatives on gender mainstreaming in law drafting processes, economic empowerment of rural women and leadership development, protecting women against violence, including women as active role players in peacebuilding, developing the National Action Plan on United Nations Resolution 1325 and its supported resolutions.

Email: rudenkomaryna@gmail.com

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2 http://www.internal-displacement.org/europe-the-caucasus-and-central-asia/ukraine/figures-analysis (last accessed on 21 Nov. 2015)


4 Ibid.


10 More information available at: http://lastradainternational.org/ls-offices/ukraine (last accessed on 21 Nov. 2015)

11 http://www.la-strada.org.ua/ucp/mod_news_list_show_540.html (page in Ukrainian, last accessed on 21 Nov. 2015)


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