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Addressing gender-based violence: an approach to the Spanish case

Jorge Marcos-Marcos

University of Alicante

Abstract

The approach to gender-based violence has been generating important mechanisms for action over the last two decades in Spain. Taking Law 1/2004 on Integral Protection Measures against Gender Violence as a reference, this paper presents, in addition to some figures that show the magnitude of the problem, as well as the instruments developed for its measurement, some recent legislative advances such as Law 10/2022, on the comprehensive guarantee of sexual freedom, as well as some initiatives and projects that are being implemented and that can be considered good practices, such as the VioGén System, the creation of specific Violence against Women Courts, the Common Protocol for a Healthcare Response to Gender Violence or the ATENPRO service, among others. The manuscript also provides some additional insights regarding the evaluation of the transferability of good practices carried out in Romania.

1. Relevant country context

The commitment of the Spanish parliament was shown when the “State Pact against Gender Violence” was passed unanimously in September 2017. Likewise, in Spain, among the legal instruments that frame and guide the institutional response in this area is the Istanbul Convention, which entered into force for Spain following its ratification on 1 August 2014. In addition to this, in the international context, Spain has also ratified the main international human rights treaties and conventions against all forms of violence against women, among them the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the European Convention on Human Rights, the Council of Europe Convention on Action against Trafficking in Human Beings (Warsaw Convention), and the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention).

This document offers an overview of the approach to this issue in Spain, with an emphasis on gender violence (GBV) given the institutional mobilization and social alarm/awareness that has been generated over the last two decades.

1.1 Conceptualisation and magnitude of the problem

1.1.1 Data according to the National Institute of Statistics

In Spain, according to the National Statistics Institute, data are obtained from the statistical exploitation of the Central Register for the Protection of Victims of Domestic and Gender Violence, which is owned by the Ministry of Justice.

A conceptual differentiation is made between domestic violence and GBV violence. In general terms, gender violence is understood as any physical or psychological act of violence (including attacks on sexual freedom, threats, coercion, or arbitrary deprivation of freedom) carried out against a woman by a man who is or has been her spouse, or who is or has been linked to her by a similar sentimental relationship, even if without cohabitation. Secondly, domestic violence is understood as any physical or psychological violence carried out by a man or woman, on any of the persons listed in the Criminal Code (descendants, ancestors, spouses, siblings, etc.) with the exception of specific cases of gender violence.

In Spain, 1,196 fatal victims of GBV have been recorded since 1 January 2003 to date; 12 victims so far in 2023. The latest update corresponds to the confirmation of the case of gender violence of a 34-year-old woman, allegedly murdered by her ex-partner in Huelva (Andalusia) on 4 April. The victim had no children under the age of 18; nor were there any previous reports of gender violence against the alleged aggressor. In terms of child fatalities, the figures amount to 49 murders from 1 January 2013 to date¹.

On the other hand, according to the latest published data by the National Statistics Institute, 30,141 women victims of gender violence were registered. The cases in which interim measures or protective orders had been issued indicated a 3.2% increase compared with the previous year². Almost half of the victims of gendered violence (47.5%) were aged 30 to 44. The average age of the victims was 36.9 years old. The greatest increase in the number of victims in 2021 was among women under 18 years of age (28.6%).

In relation to the persons reported for gender violence, a total of 30,047 men were reported on gender violence in cases with protective orders or interim measures issued and recorded in the Register throughout the year 2021, representing an increase of 3.1% as compared with the previous year; almost half of the persons reported (48.2%) were aged 30 to 44 years old. However, the greatest increases in the number of persons reported for gender violence occurred among those under 18 (70.8%) and in the group aged 18 to 19 (15.7%). Insofar as the type of relationship between the victim and the accused, in 23.3% of cases, the victims were spouses or former spouses; in 45.2% they were or had been in a civil union; 30.6% were a girlfriend or a former girlfriend; and 1.0% were in the process of separation.

An analysis of the criminal offences and precautionary measures for GBV shows that in 2021, 36,362 criminal offences were recorded, and charged to persons reported for cases of gender violence registered during that year, 5.8% more than in 2020. The most frequent criminal offences were those relating to injuries (49.1% of the total),

torture and other crimes against moral integrity (21.2%) and threats (15.5%). The total interim measures ordered⁵ and recorded in the Register for cases of gender violence in 2021 reached 93,028; that is, 2.3% more than in the previous year. Considering the nature of the measures, 73.9% were of a criminal nature and 26.1% of a civil nature. The most frequent criminal interim measures were the prohibition of approaching given persons (37.0% of the total). Among the civil interim measures, the most frequent were the determination of the alimony regime (27.0% of the total), the determination of custody rights (26.3%) and the determination of the visitation regime (19.2%).

1.1.2 Macro-Survey on Violence against Women

In addition to these statistics from Ministry of Justice sources, the Macro-survey on Violence against Women is the most relevant statistical operation carried out in Spain on this type of violence. It has been carried out approximately every 4 years since 1999 and is included in the National Statistical Plan. The Government Delegation against Gender Violence has been in charge of preparing the 2011, 2015 and 2019 editions. The 2019 macro-survey is the sixth to be carried out in Spain. Its main goal is to ascertain the percentage of women aged 16 and over living in Spain who have suffered or are currently suffering some type of violence because they are women.

In 2015, the Macro-survey questionnaire was significantly modified in relation to previous editions (1999, 2002, 2006, 2011). With this change, which mainly took as a reference the Guidelines for the Production of Statistics on Violence against Women prepared by the United Nations Statistics Division, the aim was to measure more rigorously the reality of violence against women in Spain. With the 2019 Macro-survey on Violence against Women, this process of improving the quality of the survey has continued. The 2015 questionnaire has been taken as a starting point, and has been expanded to grasp more dimensions of violence, the new questionnaire thus complies with all statistical requirements of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and responding to several measures of the Government Agreement against Gender Violence.

The main new features compared to the 2015 edition include (1) the introduction of a module of questions to measure sexual harassment and another module to measure stalking, (2) extending the non-partner sexual violence module to ask about all possible forms of sexual violence, to know the complaints, the request for formal and informal help, the satisfaction with the help received, etc. (questions that until now were only asked for intimate partner violence), and to know details about the episodes of sexual violence such as group aggressions or place of aggression, (3) extension of the items to measure sexual, psychological and economic violence in the couple, (4) new questions to know if any disability, in women who are disabled, is a consequence of episodes of violence, and (5) new questions about injuries, hospital admission, sick leave and different physical or psychological consequences of the violence. The results show³:

- a) Total violence: intimate partner violence, physical or sexual violence by non-partners, sexual harassment and stalking
- 1 out of every 2 women (57.3%) living in Spain aged 16 or over have suffered violence during their lives because they are women.
 - 1 out of 5 (19.8%) have suffered it in the last 12 months.
 - Young women experience it to a greater extent: 71.2% of women aged 16 to 24 and 68.3% of women aged 25 to 34 have experienced some form of violence in their lifetime
- b) Physical or sexual violence from a current partner, past partner, or non-partnered persons
- Of the total number of women aged 16 years old and over living in Spain, 13.7% (2,802,914 women) have suffered sexual violence in their lifetime from any person (current partner, past partners or persons with whom they have not had a partner relationship), and 1.8% (359,095 women) in the last 12 months.
 - Of the total number of women aged 16 years and over living in Spain, 21.5% (4,387,480 women) have suffered physical violence in their lifetime by any person (current partner, past partners or persons with whom they have not been in a relationship), and 1.7% (351,770 women) in the last 12 months.
- c) Intimate partner or ex-partner violence
- Of the total number of women aged 16 years old and over living in Spain, 14.2% (2,905,489 women) have suffered physical and/or sexual violence from a partner, current or past, at some point in their lives. 1.8% (374,175 women) has suffered physical and/or sexual violence from a current or former partner in the last 12 months.
 - 96.9% of women who have suffered physical violence and/or sexual violence from a current or former partner also report having suffered some type of psychological violence (emotional, control, economic or fear).

1.2 Key legislative and policy developments in tackling GBV

1.2.1 Legislation: national framework

In the Spanish Context, the main legal instrument for preventing and addressing violence against women is Law 1/2004 on Integral Protection Measures against Gender Violence, which was enacted by the Spanish national parliament in 2004. Before this, there was Law 35/1995 of 'aids and support for sexual abuse victims' and Law 27/2003 on Protection against Domestic Violence. However, in Law 1/2004, the issue of gender violence is recognized as a manifestation of discrimination and the result of inequality of power relations between women and men who are (or have been) intimate partners or who have been linked to them through affective relationships, even without cohabitation. In addition, there is Law 3/2007, for the Effective Equality between Women and Men, which establishes the perspective of the

principle of equality and gender mainstreaming in the activities of public authorities. In the same way, attention to minors has recently been reinforced through Law 8/2021, for the comprehensive protection of children and adolescents against violence, incorporating vicarious violence (filicide) into the comprehensive protection system of Law 1/2004.

For the implementation and improvement of the measures included in Law 1/2004, several action plans and national strategies have been enacted. One of the most recent was the Royal Decree-Law 9/2018, on urgent measures for developing the State Pact against Gender Violence, which includes, among others, measures a) to raise public awareness about this problem, b) to improve the coordination in institutional responses; to improve assistance, support and protection for victims or c) to enhance support and protection for children; to train professionals; to improve the statistical registers; to reinforce the actions at the regional and local level; to make visible different forms of gender-based violence and ensure the financial commitment and evaluation of the measures included in this State Pact (2017). Along this same line, the current State Strategy to combat gender violence 2022-2025.

1.2.2 Institutional context and key actors in shaping policy/strategy

The main actors in this field are the Government Delegation for GBV and the State Observatory on Violence against Women. The Government Delegation for GBV is the body responsible for promoting, coordinating and collaborating with actions and measures against the different forms of violence against women. Secondly, the State Observatory on Violence against Women carries out institutional collaboration, and preparation of reports, studies and proposals for action in questions of GBV. It has published an annual report every year since 2007 which consists of a statistical yearbook, which is a reference at a national level, and a series of studies on topics of interest in the question of violence against women.

In Spain, NGOs and other civil society actors, especially women and feminist groups, also play a key role in this field. Law 1/2004 was, in fact, the result of an agreement between the Spanish Government and women's associations, who had contributed to the setting of this issue in the main political agendas.

2. Policy debate

At the legislative level, the most relevant recent milestone for progress in this area is the approval of Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom, which for the first time addresses sexual violence from a holistic approach and places the consent of women at the heart⁵. This Law has its roots in a controversial case of group rape. Specifically, in the case known as "la manada", because that was the name of the WhatsApp group in which the five men, including a policeman, who raped an 18-year-old girl in a doorway during the San Fermín festivities (Pamplona) in 2016, interacted. This case was extensively covered by different means of mass media not only because of its severity but also because during the judgment, the girl was accused of exaggerating. In the first court judgment,

the judges handed down a conviction for sexual abuse on the grounds that there was no violence or intimidation. In other words, the judges seemed to agree with the rapists because they considered that there had been no rape, as the victim did not explicitly deny sexual relations with the aggressors. The defense took the case to the Supreme Court supported by a wave of social protests throughout Spain. The ruling of the Supreme Court did recognize the violations to which the woman was subjected and ended up increasing the sentences imprisonment for rape, as well as the need to review the training and sensitisation of Spanish judges on cases of sexual abuse. Since this case, Spanish mass media has reported on other cases of gang rapes and has raised awareness about the emergence of this form of sexual violence, even among adolescents. All of this led to demands from the part of Spanish society to reform laws to protect women from sexual assault and to toughen the punishment for perpetrators. The current Spanish coalition government began to design this new law, which implies important changes in the treatment of sexual crimes and attention to victims.

Law 10/2022 is popularly known as the 'solo sí es sí' (if, and only if) Law because it puts the focus on consent prior to any sexual interaction. In other words, it is the existence of consent that constitutes the crime and not the victim's resistance to the aggressor's force. Thus, sexual conduct without consent will be considered assault and will be punished with different penalties depending on the circumstances and aggravating circumstances of the case. This means that a sexual assault does not necessarily imply the use of force or that the victim has tried to resist since, for example, her passivity could be conditioned by environmental intimidation or the ingestion of alcohol or other substances. Similarly, the Law also introduced the aggravating circumstance of chemical submission (using drugs or medicines to reduce or annul the victim's will, which until considered abuse, and now becomes assault). Other noteworthy aspects introduced by this law are the following:

- *Killings due to sexual violence.* The law includes the murder of women linked to sexual violence (or sexual femicide).
- *Street harassment is a crime.* Street harassment is now punishable as a minor crime, and the courts may prosecute it following a complaint from the person affected.
- *Sexual violence through the screen.* The law also includes a criminal response to this digital violence, which includes conduct such as sexual extortion or non-consensual pornography.
- *Insertion income.* Victims of sexual violence will have the same access mechanism as victims of gender violence to the active insertion income, a non-contributory benefit aimed at unemployed people who do not receive other benefits and who demonstrate special difficulties in reintegrating into the labour market, and also for victims of sexual violence who earn less than the minimum wage (currently 14,000 euros per year) will receive financial assistance equivalent to six months of unemployment benefit and will be of a higher amount if the victim has a disability or dependents.

- *Mandatory sex education for offenders.* The criminal law for minors will be modified so that in cases in which the aggressors are under 18 years of age, the penalties always carry the accessory measure of submitting to training programs on sexual education and equality education.
- *Prohibition of pornographic advertising.* A modification of the General Law on Advertising is established that includes advertisements promoting prostitution within certain cases that will be considered illegal (such as, for example, advertisements that present women in a degrading or discriminatory way, either by using their bodies or parts of their bodies directly as a mere object unrelated to the product they are trying to promote, or associated with stereotyped behaviour that is considered offensive).
- *Sex education at all educational stages.* The public education system will reinforce content on sex education and gender equality and affective-sexual education for students, throughout all educational stages and adapted to the age of each cycle. Furthermore, this education will also be compulsory in the curricula of university degrees related to teaching, health, or the judiciary. This point is in line with the recent reform of Law 1/2023, on sexual and reproductive health and the voluntary termination of pregnancy (which, among its amendments, establishes that women can voluntarily terminate their pregnancies from the age of 16, without the need for the consent of their legal representatives).

However, we cannot deny that it is a Law that has generated some controversy. After its entry into force, the interpretation of the rule by judges has led to an unintended consequence of its application: the reduction of sentences by around 10% of those convicted of sexual offences (the number of prisoners for sexual offences in Spain amounts to 4,008 inmates – including those in preventive detention). This controversy has been fuelled by conservative opposition parties, especially the far-right party, which entered Parliament for the first time after the April 2019 general elections, and which is a gender violence denialist party. Be that as it may, beyond the political use of this case, what is certain is that the current text has led to perverse results, which is why the Government, in agreement with other political forces, is currently working on the appropriate modifications, without losing sight of the spirit of the Law.

3. Good practice examples

Throughout this section, some initiatives will be highlighted that are considered good practices and that ultimately respond to the application of the Law 1/2004, on Integral Protection Measures against Gender Violence.

3.1 Measures to contain GBV during the COVID-19 pandemic

Following the declaration of a state of alarm and confinement, new measures were put in place to mitigate the possible impact of GBV. Two days after the start of the quarantine, the Ministry of Equality approved a Contingency Plan against GBV in the

face of the coronavirus crisis. This plan included a number of measures necessary to adapt and ensure the proper functioning of services for the protection of victims of GBV in the current exceptional circumstances⁶. In addition, on 31 March 2020, the Council of Ministers approved a Royal Decree-Law on urgent measures to protect and assist victims of gender-based violence during the COVID-19 crisis. Some of the measures taken included the following:

- Declaration as an essential service of comprehensive assistance to victims of GBV, guaranteeing the normal functioning of 24-hour information systems, emergency response, and shelter for women at risk, and psychological, legal, and social assistance in a non-face-to-face manner (by telephone or other channels).
- Activation of a new emergency resource for women in a situation of gender violence by means of an alert message via instant messaging with geolocation that will be received by the State Security Forces and Corps.
- Institutional campaign to raise awareness against gender-based violence during the period of confinement. Two lines are established: one aimed at victims, with the slogan "We are with you, we stop gender violence together", with the aim of informing about the services available and extended in the context of COVID-19, and another aimed at involving society in denouncing violence and supporting women who need it, with the slogan "We stop gender violence together, we are with you".
- Preparation of an action guide for women who are suffering from gender-based violence in a situation of homestay derived from the state of alarm by COVID-19. This guide contains information on the resources available and specific guidelines for action depending on the woman's personal situation.
- Immediate psychological service via WhatsApp through the telephone numbers provided by the Ministry of Equality.
- Use of tourist accommodation establishments in case there are no places available during the state of alarm in the designated centers and it is necessary to ensure the safety of the victims.
- Inclusion of the "SOS Button" in the AlertCops App, which allows both healthcare personnel and victims of gender-based violence to discreetly request immediate assistance from the State Security Forces.

The appropriate evaluation of the measures taken should provide guidance for future crises.

3.2 The role of the VioGén System in the prevention of GBV

The VioGén System (Integrated Supervision System for cases of Gender Violence) is a web application that gathers together all the actions of different public institutions with responsibility on the issue of gender violence in the same place, including the State Police and Security Forces (FFCCSE in Spanish) and some Autonomous and Local police forces that take part in the protection of victims of gender violence.

Specifically, the goals of the VioGén System are: (1) Integrate all information of interest that it considers necessary on issues of gender violence in specific cases, (2) make an estimate of the risks, (3) monitor the case and, where necessary due to the risk involved, (Police Risk Assessment according to five levels: not detected, low, medium, high and extreme), provide the victim with protection wherever she may be in the country, (4) provide the victim with a “Personal Safety Plan” with measures for self-protection adapted to their personal situation, and (5) carry out preventive steps by issuing warnings to the different institutions involved when an incident or event of interest for the protection of the victim is identified.

The System effectively responds to the current internationally highlighted need for a Unified Registry of Violence, but the reality is that it goes beyond this requirement and articulates an advanced methodology for police risk assessment and management, as also recommended by the European Institute for Gender Equality (EIGE). In this sense, it should be highlighted that this initiative has also generated changes within the police model of combating GBV, moving from the traditional reactive approach to a more proactive one, which allows for the prevention of violence through a risk management strategy based on best practice principles and evidence-based models.

The VioGén System is managed by the Secretary of State for Security of the Ministry of the Interior on the basis of the accumulated information on reported cases of Gender Violence and is integrated into the SARA Network (Systems of Applications and Networks for Administrations), which is considered a police file as it contains data on victims, perpetrators and other persons related to crimes of Gender Violence. It came into operation on 26 July 2007, in compliance with the provisions of Law 1/2004. As of 31 December 2022, there were 75,140 active cases. By risk level, 31,470 active cases had a "no risk level" (263 of these cases belong to persons under 18), 32,429 had a "low-risk level" (371 cases under 18), 10,497 had a "medium risk level" (191 under 18), 726 had a "high-risk level" (15 under 18) and 18 cases had an "extreme risk level" (no cases of persons under 18)⁷.

3.3 Creation of specific Violence against Women Courts

The Courts for Violence against Women are specialised criminal courtrooms associated to the Inquiry Courts, established by the Law 1/2004. These courts also have powers in the civil jurisdiction acting as Courts of First Instance and Inquiry. They are associated to the Judicial District, even though one court can be created to cover the area of two or more districts. At the moment, there are 108 Courts of Violence against Women in Spain. Staff associated with this Court is given special training in relation to gender violence. Additionally, the Courts are usually assisted by psychologists and social assistants.

3.4 Common Protocol for a Healthcare Response to GBV

The enactment of Law 1/2004 also underlined the role of the health sector against this social scourge. This was especially evident with the implementation of the Common Protocol for Health Action against Gender Violence⁸. This Protocol was the first on this issue to be proposed for application throughout the National Health

Service. This protocol was created with the general objective of providing health professionals with guidelines for action in cases of intimate partner violence, both in terms of prevention and diagnosis, as well as care and follow-up. In December 2012, the Inter-territorial Council approved the new edition of the Common Protocol. Broadly speaking, this edition included an update of the chapter on general concepts, an in-depth study of the model of comprehensive care from the health services, and the specific characteristics of health action in conditions of greater vulnerability. Similarly, the section on "Ethical and Legal Aspects" was expanded, incorporating new information on ethical and legal conflicts, and providing more tools for healthcare staff to make decisions.

3.5 GBV: developing intervention programmes for perpetrators

The Law 1/2004 establishes that the Penitentiary Administration shall carry out specific programmes aimed at the re-education and social reintegration of those convicted of crimes related to gender violence. In response to this legal mandate, the General Secretariat of Penitentiary Institutions has promoted the implementation of treatment programmes for those convicted of crimes of violence against women. Currently, the *Prison Treatment Programme for Offenders in the Family Environment* is widely spread among penitentiary centres in Spain, although it is not mandatory for convicted persons⁹. This programme has proven its usefulness among inmates deprived of liberty and convicted of gender violence¹⁰. Parallel to this serving of sentences in prison, there has been an increase in the number of alternative sentences, which has led to a higher level of variability in the profiles of those convicted of crimes of gender violence. This has led the Penitentiary Institution's working group on gender violence to face this new reality and develop a new intervention programme: the re-educational programme for intervention in the open environment and in the field of alternative sentences and measures (PRIA-MA, according to its acronym in Spanish)¹¹.

This Program intervenes in men convicted of gender violence who do not go to prison on the condition that they attend this re-education intervention. Specifically, PRIA-MA is for men who have been sentenced to less than two years in prison for gender violence, and do not have a criminal record. In this case, the judge imposes this re-education program as an alternative measure to imprisonment. From a theoretical approach, the program is developed from a cognitive-behavioural therapeutic approach, based on the principles of the RNR model (risk-need-responsivity model) from a gender perspective that includes the approach to "masculinities" as one of its central axes. It aims to help men understand how socialisation processes shape attitudes and beliefs in relation to role-taking and gender stereotyping, showing the advantages for men and women of a new conceptualisation of masculinity and partnership roles. The duration of the program is approximately ten months, and is carried out by different foundations and ONGs, depending on each Autonomous Community; all of them must be approved by the Penitentiary Institutions, which refer to the aggressors.

3.6 ATENPRO and other victim protection services

The Attention and Protection Telephone Service for Victims of Gender Violence (ATENPRO) is a mobile telephony device that allows users to contact at any time a centre staffed by personnel specifically trained to provide an appropriate response to their personal situation. It offers immediate and remote attention, ensuring a rapid response to any eventualities that may arise, 24 hours a day, 365 days a year, wherever they may be. The Service Centre is in regular contact with the users of the service with the aim of carrying out permanent follow-ups. In emergency situations, the Centre's staff is prepared to provide an adequate response to the crisis, either by using its own resources or by mobilising other human and material resources. The service is accessible for women with hearing impairment (SOTA Module) via an application installed on the terminal and allows contact with the Service Centre through text message correspondence. Victims of GBV who meet the following requirements can apply for the service:

- Not cohabit with the person or persons who have subjected them to mistreatment.
- Participate in the specialised care programmes for victims of gender-based violence existing in their autonomous region.

For the management of the Service, the Ministry of Equality, which is in charge of it, signs an annual Collaboration Agreement with the Spanish Federation of Municipalities and Provinces. As of 28 February 2023, 17,328 women aged 15 and over were active in this service⁷.

In addition to this service, two other services with complementary functions can also be highlighted:

- a) *The legal advice service on gender violence (telephone 016)*. This is a free service that is available 24 hours a day. It offers general, legal information and immediate psychosocial attention to victims of gender violence. Since the service was launched in December 2007 and until 28 February 2023, a total of 1,153,971 appropriate calls have been made. From March 2021, in addition to calls related to gender-based violence, calls related to other forms of violence against women are also handled. The 016 services have been answering queries by email since 2015, by WhatsApp since March 2021, and by chat since 15 September 2022. In the month of February 2023, 139 appropriate queries were received via email, 445 appropriate queries via WhatsApp, and 638 appropriate queries via chat. This service has been adapted to make information on gender-based violence accessible to women displaced by the war in Ukraine.
- b) *Telematic control devices for distancing measures in the field of GBV*. These devices are commonly known in Spain as "bracelets", as they are attached to the aggressor's wrist or ankle. Law 1/2004 contemplated the possibility for judicial bodies to agree on the "use of appropriate technological instruments to control compliance with the restraining measures" imposed as a

precautionary measure in proceedings for gender violence. This system is responsible for detecting the proximity of the aggressors to their victims in the event that the sentence has imposed the measure that they must maintain a certain safety distance. This telematic control measure can only be imposed by a judicial decision that justifies it. Likewise, their control depends on the Security Forces and Corps. As of 28 February 2023, there were 3,386 active devices in Spain.

4. Transferability aspects

4.1 Sheltered houses

In Spain, as in the case of Romania, shelters have been playing an important role in addressing GBV. In the case of Spain, there is a network of more than 90 centres, a free and public resource those women (and their children) victims of gender violence can access. To access this public resource, it is not necessary to file a complaint, since a referral can be made through 016 or local social services without the women having to go to court. The stay usually begins with a 15-day assessment period. The staff, usually made up of social workers, psychologists, and educators, draw up a plan according to each woman's situation. In addition to activities aimed at physical and psychological recovery, the plans are geared towards returning the woman to as normal a life as possible. A key part of this process is reintegration into the labour market. The Government Delegation for Gender Violence usually signs around 1,000 subsidised contracts for women victims of violence (domestic and gender violence) every year through specific agreements with private companies.

4.2 Referral centres for victims of sexual violence

As in the case of Romania, the creation of referral centres for victims of sexual violence has been a deficiency that has come to alleviate precisely the recent Law 10/2022 on the Comprehensive Guarantee of Sexual Freedom. The Ministry of Equality has allocated a budget item to start the implementation of at least one 24-hour crisis centre for victims of sexual violence in each province (50), plus another two in the autonomous cities of Ceuta and Melilla. This measure is intended to respond to the recommendations of the report of the Group of Experts (GREVIO) for compliance with the Istanbul Convention, which pointed out this deficiency. Currently, only two provinces (Asturias and Madrid) have centres of this type.

4.3 Protection of displaced persons from Ukraine

As in the case of Romania, the Spanish government also established a series of measures to alleviate the situation of people displaced by the war. This has included some specific urgent resources for women displaced from Ukraine, such as a Rights Guide for refugee women who may be suffering from GBV developed by the Government Delegation against Gender Violence. At the same time, within this field of action, it should also be noted that a campaign to raise awareness of trafficking in displaced persons from Ukraine has been reinforced. It is based on the consideration

that trafficking in human beings for the purpose of exploitation is a very serious violation of human rights, a very serious crime, which constitutes a modern form of slavery and is considered one of the cruelest forms of GBV. In Spain, as in other countries in its geopolitical environment, confinement and other measures imposed as a consequence of the Covid-19 pandemic have aggravated the situation of exploitation and isolation of some vulnerable people, especially migrant women, and girls. Such trafficking can take place for different purposes: sexual exploitation, labour exploitation in any sector, exploitation by forcing the person to commit crimes, or trafficking for forced marriage, among others. In this sense, we are aware that Spain has traditionally been a place of transit and destination for victims of human trafficking. This situation has caused it to become one of the most profitable criminal activities in our country, especially due to its relationship with sexual exploitation. The figures between 2017 and 2021 show this: of the total number of victims of human trafficking, 61% were for this purpose. For this purpose, in accordance with the international recommendations derived, among others, from the Palermo Protocol, the Warsaw Convention, and the GRETA Group, the Spanish Council of Ministers has recently approved the Draft Bill of the Comprehensive Organic Law against Trafficking and Exploitation of Human Beings, which will have the adequate assistance and protection of victims as its backbone. Furthermore, as a novelty, this Draft Bill contemplates the creation of the National Referral Mechanism (MND, for its acronym in Spanish), as the main instrument for the identification and provision of assistance to victims of the crime of human trafficking.

5. Conclusions and recommendations

The inclusion of gender equality as a goal in the United Nations Sustainable Development Goals has reinforced the preventive implications in relation to gender-based violence. The eradication of this type of violence in our societies requires a comprehensive approach. The Istanbul Convention is proving to be a key instrument in the fight against domestic and GBV. Therefore, it must be ensured that all Member States ratify it and work on its development.

From a preventive point of view, tackling the problem at its root means encouraging work with young populations. Increasing their knowledge and awareness of the problem of domestic and GBV through the education system seems to be one of the best long-term prevention strategies. The relevance of challenging harmful power imbalances as a catalyst for change in relation to GBV highlights gender transformative approaches¹³. These approaches, which focus on critically assessing social norms and gender expectations, as well as promoting gender-equitable behaviours and attitudes, with particular attention to the need to address masculinities, offer promising results, further changing men's behaviours and attitudes related to gender-based violence. It is also evident that the role and involvement of the "community" (school, community council, local organisations, etc.) is of great importance for the promotion of preventive interventions.

Advancing in the fight against this social scourge requires providing specialised training for different groups of professionals. In addition to specialised training for judges, as well as for the multidisciplinary teams with which they work on a daily basis dealing with cases of this type of violence, the involvement of health professionals also plays a central role. This is particularly noteworthy in primary care, not only because women tend to have much more contact with professionals at this level of care, but also because the scientific literature shows that women who experience situations of abuse tend to refer to medical staff as professionals from whom they would like to obtain support. Along the same line, we must improve the ability of police officers to interact with cases of domestic and gender violence through victim-centred training programmes that complement existing initiatives and curricula, providing greater awareness of the problem and encouraging behavioural change.

Victim support services should be diversified. Such services should, in addition to protecting victims, contribute to their empowerment, firstly, by identifying and satisfying their needs (information, advice, practical support, judicial accompaniment, etc.), and facilitating the ability to lead as normal a life as possible; this requires, among other mechanisms, articulating active employment policies for people in this situation who require it.

The implementation of programmes for perpetrators plays an important role, which requires working from different professional fields on aspects related to prevention, safety, and reparation of the damage caused by GBV. This implies not only designing but also strengthening the evaluation of these specific programmes for the re-education and re-socialisation of men who perpetrate intimate partner violence.

The importance of data (both qualitative and quantitative) needs to be emphasised in order to better understand the nature and magnitude of this type of violence. It is therefore essential to strengthen information systems for the collection of reliable, comprehensive, up-to-date, and comparable data. Likewise, research, in addition to advancing in the application of evaluative designs of the policies and programmes that are carried out, should serve to provide new evidence (especially in relation to particularly vulnerable groups, such as the migrant population or the Roma community – also important in Spain). In this sense, carrying out studies from an intersectional approach should contribute, among other aspects, to enriching the indicator systems.

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