

Protecting Women from Violence - Bridging the Implementation Gap Between Law and Practice

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For years, Marta was abused by her husband. Eventually she reached out to the police – the *Carabineros de Chile* – who are tasked with helping survivors of domestic violence. The police referred Marta to a public prosecutor for immediate protection and Marta and her daughter were placed in a shelter run by a government-funded non-profit organization *Fundación Honra*. With *Fundación Honra's* help Marta eventually rented an apartment and got a job.¹

Marta's story is not unique to Chile. Many women worldwide who experience violence do not readily report it or seek help. This is often due to the lack of quality services and adequate support networks, as well as social and cultural norms.² Survivors of violence³ may also feel the police are unwilling or unable to help.⁴ A study examining Demographic Health Surveys (DHS) data across 24 countries found that 40% of women experiencing gender-based violence disclosed it to someone, but only 7% reported to a formal source.⁵ In many cases, even when women seek help from the authorities, the response can be inadequate.

Laws protecting women from violence help prevent, stop and punish aggressors, and enable women to seek protection.⁶ But violence against women is still widespread – the World Health Organization (WHO) estimates that 35% of women have experienced physical and/or sexual violence in their lifetime.⁷ Even where laws exist, enforcement may lag. In Brazil, for example, despite the landmark Maria da Penha Law on domestic violence, levels of violence remain high.⁸

Recognizing the need to enhance efforts to address violence against women, governments have started implementing recommendations and adopting additional protection measures and services set out in international and regional instruments including the Declaration on the Elimination of Violence Against Women, the Belem do Pará Convention and the Maputo Protocol. According to these legal frameworks, adopting implementation measures aiming at increasing effectiveness of legislation is part of the State's duty to act in protecting women from violence (box 1).

What is the role of implementation measures and dedicated services?

In assessing the costs of violence, studies indicate that investments in detecting and preventing violence at an early stage, as well as good

treatment programs can result in future savings.⁹ The costs of intervention are relatively low when compared to the cost of violence. In Uganda, for example, implementing the provisions of the 2010 Domestic Violence Act for both prevention and response was expected to cost around US \$8 million over three years, whereas the cost of domestic violence was estimated at US \$92.1 million, or more than 11 times higher for the same period.¹⁰ Violence can also undermine women's economic empowerment by preventing employment and access to income. In Tanzania, for example, the earnings of women in formal wage work who are exposed to severe partner violence are 60% lower than women who are not exposed.¹¹

Adequate services can ensure access to immediate and longer-term help for survivors of violence. These include emergency protection and response mechanisms, as well as appropriate protocols and specialized training, units or staff available to provide services to survivors, which are often implemented through national policies and action plans with dedicated funding.

What data have been collected by this pilot exercise?

The *Women, Business and the Law* index includes measures of laws on domestic violence and sexual harassment. In addition, the global data collection exercise covers other aspects of gender-based violence legislation.¹² As part of the research, to understand where mechanisms have been adopted to enhance the effectiveness of laws in place, *Women, Business and the Law* undertook a pilot exercise examining the legally-mandated access and existence of certain key support services in a set of 100 economies¹³ by collecting data covering 13 questions on regulation aimed at closing gaps between laws on the books and implementation (see Annex for economy coverage and data questions, as well how data were collected and limitations on data coverage regarding other areas pertaining to GBV).

Appropriate implementation measures and support services can help bridge the gap between laws on the books and the protection women receive. These can include mandatory training and protocols for professionals dealing with survivors of violence, as well as access to information through 24-hour hotlines, alternative accommodation, specialized police units or staff and legal aid. National policies by

BOX 1. The state's duty regarding violence against women

The due diligence standard, which establishes the State's duty to take action against human rights violations by private actors, underlines its responsibility to effectively protect women from violence. In the 1988 benchmark case, *Velazquez Rodriguez v. Honduras*, the Inter-American Court of Human Rights held the State accountable for failing to take action to prevent human rights violations. The due diligence standard has since been supported by specific implementation measures established in various international and regional conventions and agreements.

The 1994 Belem do Pará Convention, for example, outlined the principle of due diligence and the duty of States to create specialized services and readjustment programs for survivors of violence. The 1995 Beijing Declaration and Platform for Action sets out a series of measures to be adopted by States for protecting women from violence, including the establishment of budgetary allocations and services for women survivors of violence, such as shelters, legal aid, and training for personnel dealing with such cases.

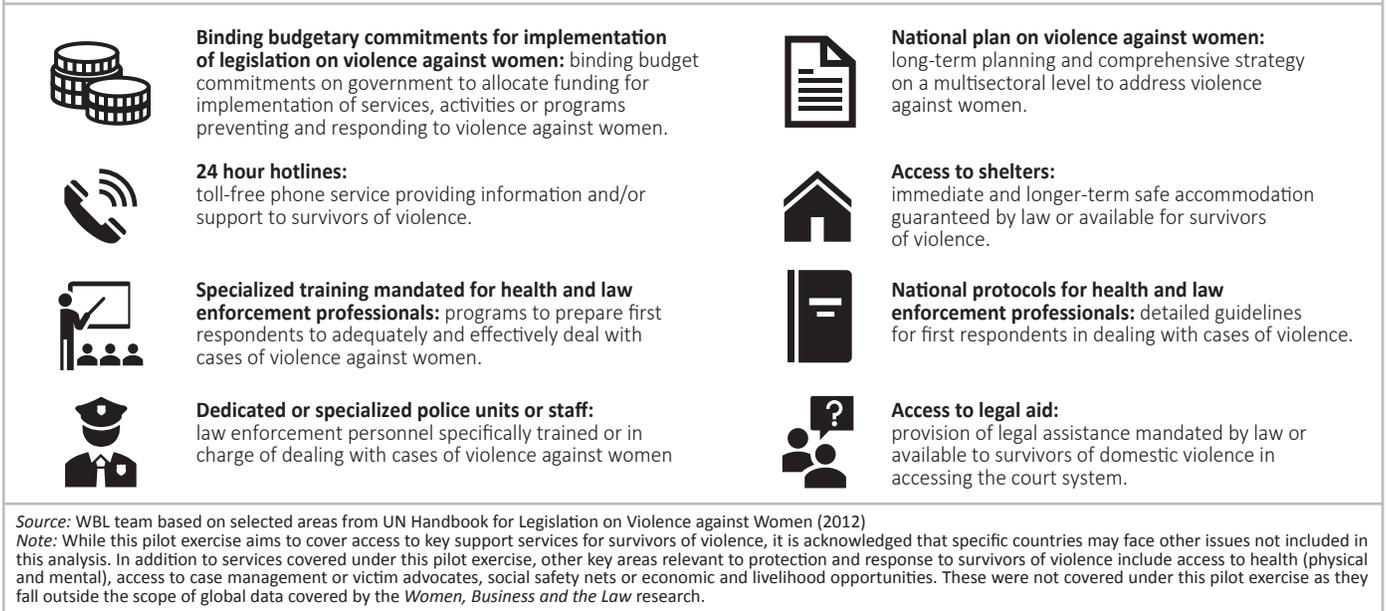
Source: CEDAW decisions

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Figure 1. Implementation measures for laws on violence against women and services for survivors of violence collected by this pilot exercise



governments establishing targets and committing adequate budgetary and human resources for implementation are also essential (figure 1).

Insights from the pilot data on services for survivors of violence covered under *Women, Business and the Law*

The importance of comprehensive and integrated multisectoral support services

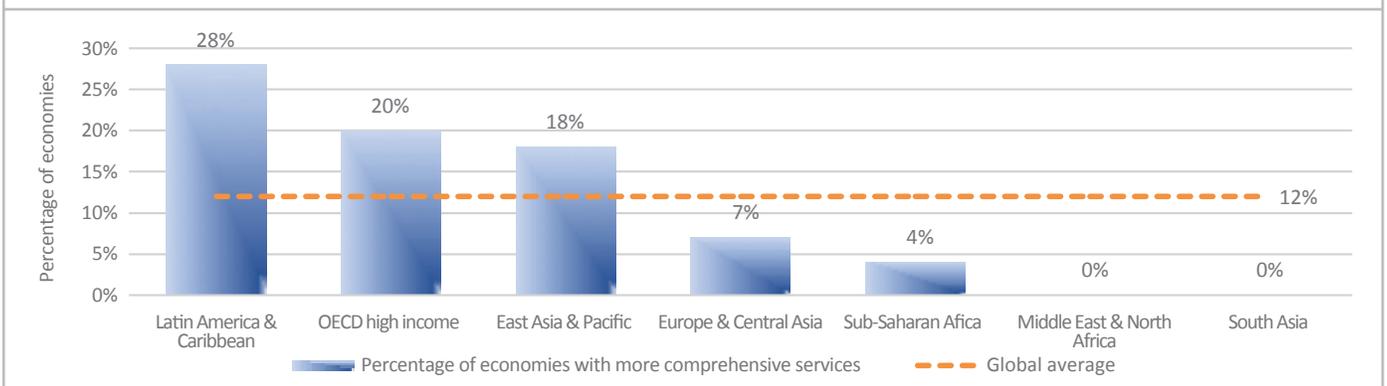
More effective protection and response calls for timely multi-sectoral coordinated action among health and social services, as well as legal and law enforcement actors.¹⁴ Bangladesh’s Multi Sectoral Programme on Violence against Women, headed by the Ministry of Women and Children Affairs, is an example of how different arms of the government and civil society can work together to provide integrated services to survivors of violence. And in Costa Rica a special committee was composed of senior agency representatives to help prevent the murder of women in intimate relationships. Institutions involved from the judicial, health, and public services systems subsequently adopted a common protocol for dealing with cases of violence against women, including performing risk

evaluations that trigger the adoption of special measures or services and a shared database for collecting information.¹⁵

Additionally, increased government efforts and the adoption of specialized services can promote access to justice and enforcement of the law. The 2013 Family Protection Act in Papua New Guinea was accompanied by the establishment of specialized Family and Sexual Violence Units and survivor-centered training for service providers, as well as strengthened support to legal staff and efforts to improve case management. Evidence shows some positive results, including an increase in the number of female magistrates – from ten in 2004 to more than 900 in 2013 – as well as of domestic violence cases heard in court, with two out of three resulting in a conviction or guilty plea.¹⁶

Throughout different regions and economies, survivors have varying levels of access to more comprehensive services for protection and response (figure 2), with Latin America and the Caribbean leading the way (box 2). In 12 economies—Argentina, Brazil, Cambodia, Denmark, France, Guatemala, Nigeria, Panama, Peru, Philippines, Spain, and Turkey—survivors are guaranteed access to dedicated police units,

Figure 2. More comprehensive services exist in Latin America and the Caribbean



Source: *Women, Business and the Law* database

Note: The figure shows where the main business city in the economies covered in different regions have all the following implementation measures and services: national plan to address violence against women, budgetary commitments, dedicated police units, access to shelters, legal aid, a phone hotline, and trained police and medical staff with protocols in place.

shelters, legal aid, a phone hotline, trained police and medical staff with protocols in place. These economies also have a national plan to address violence as well as budgetary commitments for the implementation of legislation. However, in many economies, access to all such services is not guaranteed. And in four economies – Cameroon, the Republic of Congo, Senegal and Uzbekistan – none of these services or implementation measures were found.

Budgetary commitments and national action plans

Committing adequate financial resources is key to ensuring survivors have access to the services they need, while a comprehensive policy framework including a national plan or strategy sets out key actions by government for addressing gender-based violence.

This section examines whether there is a law or provision that specifically creates an obligation on governments to provide budget or allocate funding for the implementation of such programs or activities. This also includes the existence of entities established within the government structure to specifically address issues of violence against women or effectively provide services to survivors. This section also looks at whether economies have national action plans to put in place prevention and response initiatives addressing gender-based violence.

Budgetary commitments may be required by law, earmarked in budgets, made through spending on dedicated structures or services, or provided through subsidies to civil society organizations engaged in gender violence prevention. The data shows that the majority of economies with a specialized service for survivors of violence also commit budgetary resources for implementation.

Budgetary commitments exist in 85 out of the 100 economies covered but are less common in Europe and Central Asia and in Sub-Saharan Africa. In 15 economies, no budgetary commitment of any kind could be located in legislation, government-earmarked budgets, or through actual spending. These include ten economies in Sub-Saharan Africa (Cameroon; Congo, Rep; Kenya; Lesotho; Madagascar; Senegal; Tanzania; Togo; Uganda; and Zimbabwe) and five in Europe and Central Asia (Armenia, Belarus, Russian Federation, Serbia, and Uzbekistan). Among the 85 economies with some form of budgetary commitment, 57 mandate this by law, most commonly in East Asia and the Pacific and Latin America and the Caribbean. In 62, these are earmarked in government budgets or made through actual spending, whether or not also mandated in law.

Civil society and non-governmental organizations can play an important role in filling the services gap for survivors of violence. Where this is the

case, support from government entities through funding allocations and incentives can be critical. In India, for example, the government provides funds to civil society organizations through the ‘Swadhar Greh’ scheme, in addition to government agencies, to build shelters for vulnerable women.¹⁷

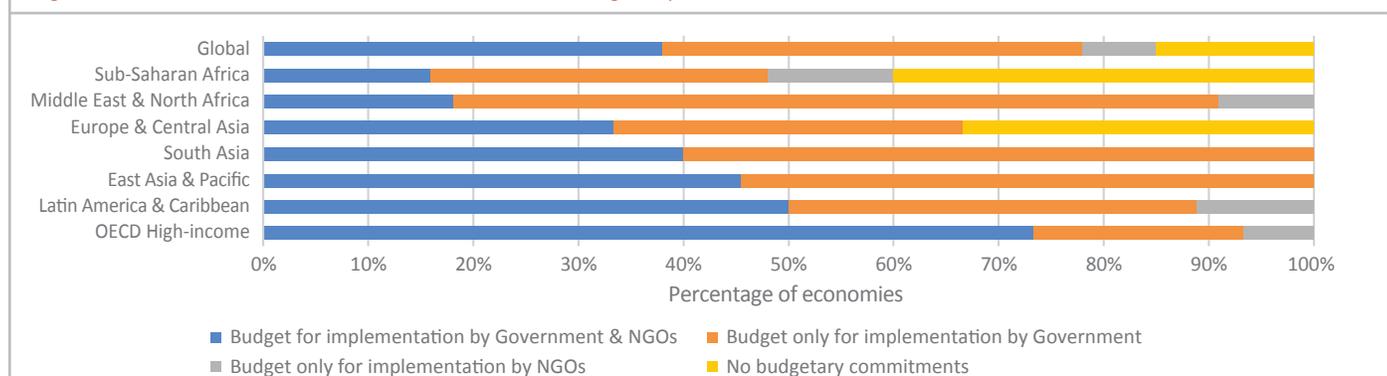
In 40 of the 85 economies with budgetary commitments, these resources are allocated only to implement relevant governmental programs, most commonly in the Middle East and North Africa and in South Asia, while in seven economies – Bahrain, Barbados, Botswana, Democratic Republic of Congo, Hungary, Jamaica, and Mozambique – such commitments are only for non-governmental organizations providing services to address violence against women. And in 38 economies, budgetary commitments are allocated both for governmental and non-governmental provision of services (figure 3).

A comprehensive policy framework such as a national action plan or strategy to address gender-based violence should accompany legislation, in order to enhance implementation measures. Of the 100 economies covered, 80 have reported having national plans focusing on violence against women, mostly among OECD high-income economies, followed by Latin America and the Caribbean and the Middle East and North Africa.

When budgetary allocations complement national strategies, this can enhance the effectiveness of the law. Of the 100 economies covered, 73 have both budgetary commitments and national action plans. Throughout East Asia and the Pacific, Latin America and the Caribbean, the Middle East and North Africa, OECD High-income economies, and South Asia, all economies that have national plans are also supported by a budgetary commitment. In 2015, for example, the Australian Government announced a \$100 million Women’s Safety Package as part of the National Plan to Reduce Violence against Women and their Children (2010-2022).

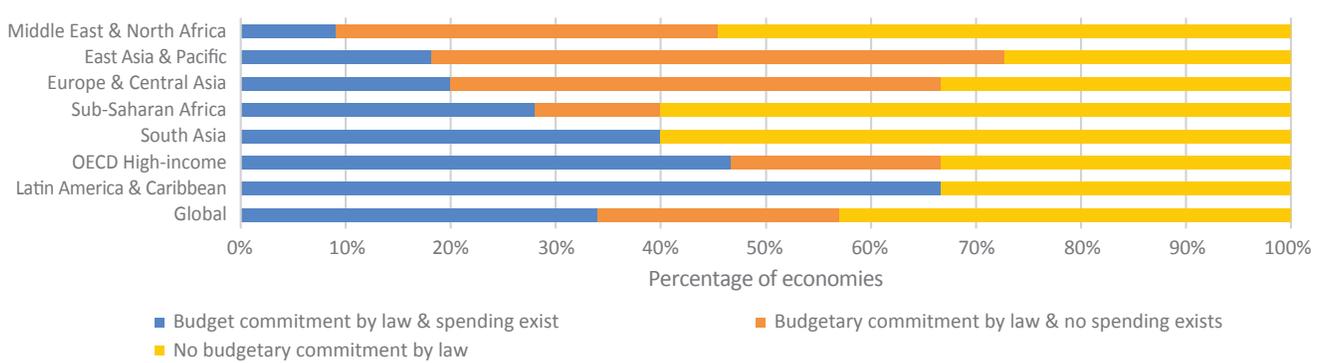
Often, national action plans are established or coordinated through government gender machineries. For example, almost all the economies in Latin America and the Caribbean have a government body in charge of gender equality and women’s rights in line with national plans addressing violence against women. Title II of Argentina’s Law on Comprehensive Protection to Women, for instance, established the National Council for Women as the governing body responsible for designing policies to implement the law. The National Council for Women was also tasked with preparing, implementing and monitoring a National Plan of Action for the Prevention, Assistance and Eradication of Violence against Women.¹⁸ The Plan is supported by specific funding earmarked in the National Budget for the expansion of a domestic violence agency office and a program for Protection of Victims from Violence.

Figure 3. More than one third of economies have budgetary commitments



Source: Women, Business and the Law database

Figure 4. Budgetary commitments do not always result in actual spending



Source: Women, Business and the Law database

In 12 economies there are budgetary commitments but no national action plans to guide implementation: Angola; Barbados; Belize; China; Croatia; India; Iran, Islamic Republic; Malaysia; Pakistan; Thailand; Trinidad and Tobago; and United Arab Emirates. Conversely, in the 15 economies where there are no budgetary commitments, national plans still exist in Belarus, Kenya, Madagascar, Russian Federation, Serbia, Tanzania, and Togo.

In order to be effective, budgetary commitments must also result in actual spending. Among the 57 economies where budgetary commitments are mandated by law, in 23 no actual budgetary spending could be located (figure 4). Additionally, both budgetary commitments and national action plans should account for and cover both prevention and response activities as part of a comprehensive approach to addressing violence against women.

Access to support through phone hotlines and shelters

Phone hotlines and shelters, where available and accessible, can be important services for women facing violence to seek information and support. This section examines whether 24-hour dedicated phone hotlines and shelters or alternative accommodation exist for women survivors of violence.

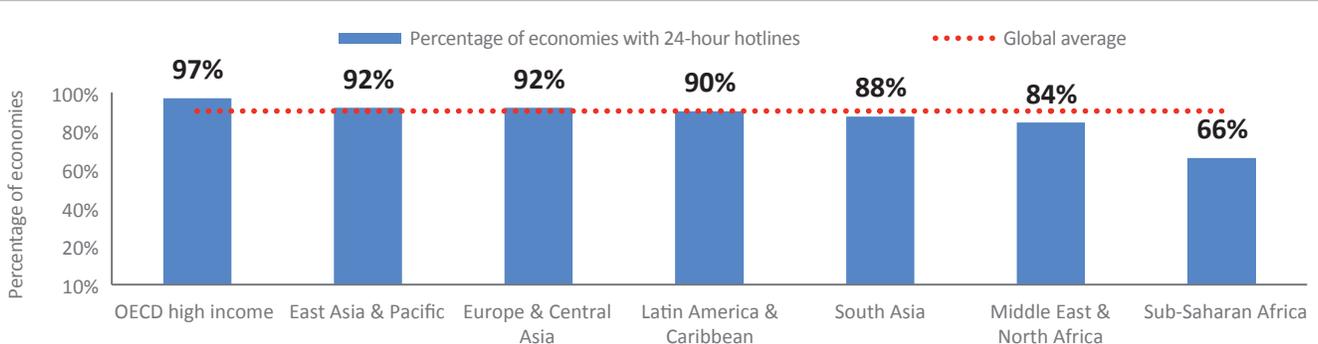
Twenty-four-hour hotlines can be a first point of contact and provide information to survivors about support services. The Fiji Women's Crisis Centre, for example, provides 24-hour counselling services to survivors of violence over the phone. Shelters offer immediate and longer-term safe

refuge for women and children and can be relevant pathways to social, legal and medical assistance. In some cases, the availability of alternative accommodation services may reduce the frequency and intensity of violence, as evidenced by Berk et al. (1986) in a study evaluating the impact of shelters on wife battery, using data from 1982 and 1983 in Santa Barbara County, California.¹⁹ Another study in the United States showed that 79% of women who had used shelters reported this as a likely effective strategy to protect them from abuse.²⁰

Twenty-four-hour hotlines exist in 78 of the 100 economies examined but are least common in Sub-Saharan Africa (figure 5). These may provide information, referrals or services to survivors, which were indistinctly covered under this analysis. Access to shelters for survivors of violence is only mandated in 57 of the economies covered. China's 2015 Domestic Violence Law recently expanded the definition of domestic violence to provide survivor support services including temporary shelters and legal aid.

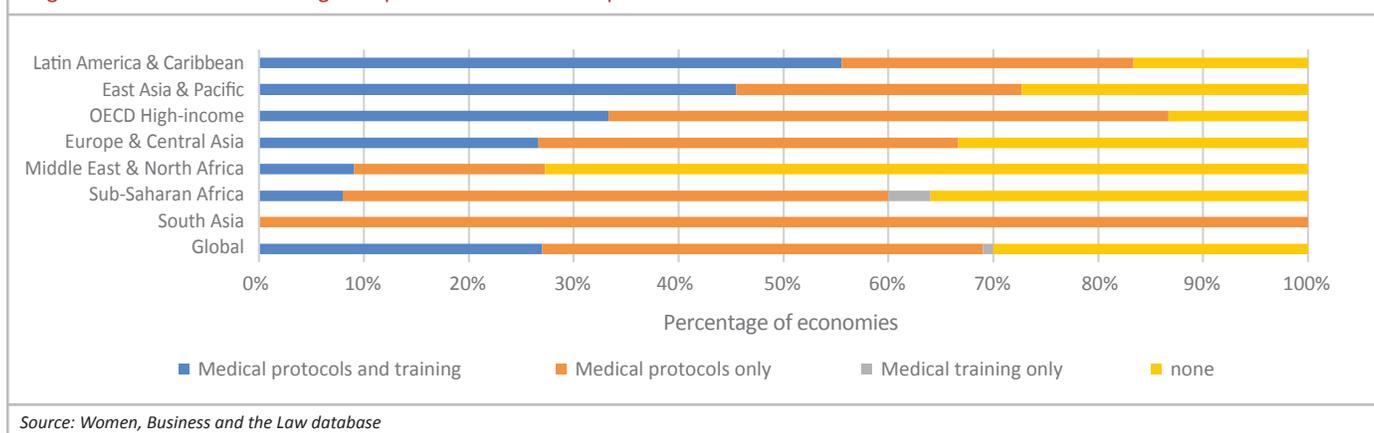
In 33 of the 43 economies where the law does not mandate access to shelters, such services were still found to be available, often provided by non-governmental organizations. However, in ten economies –Cameroon, Côte d'Ivoire, the Democratic Republic of Congo, Myanmar, Republic of Congo, Senegal, Togo, Uganda, Uzbekistan, and West Bank and Gaza, access to shelters is neither guaranteed by law nor could any shelters or alternate accommodation be found for survivors seeking to escape violence at home. Shelters could be located in the main business cities for survivors of violence in only six out of ten economies where access to shelters is legally mandated.

Figure 5. OECD high-income economies have the greatest percentage of 24-hour hotlines



Source: Women, Business and the Law database

Figure 6. Mandated training and protocols for health professionals



Data also show that 50 economies have both hotlines and legally mandated access to shelters, 48 of which are supported by budgetary commitments. In the Netherlands, for example, the government-funded Safe Home Program includes accommodation for survivors of violence, a 24-hour hotline, and a team of specialists providing care to survivors. These services are in line with the government's budgetary commitments under the 2015 Social Support Act to provide services and shelters for vulnerable populations, including domestic violence survivors.

Specialized training and protocols for first respondents in health and law enforcement

Healthcare professionals and law enforcement personnel who respond to violence against women require specialized training and protocols to deal with such cases in a gender-sensitive manner.

Medical Professionals

With intimate partner and sexual violence among the most pervasive forms of violence, health care providers are critical first responders for survivors. Women will often seek health care, even if they do not disclose their abuse.²¹ Training and protocols – if adequately implemented – may help healthcare professionals identify signs of violence, provide critical support services and prevent future harm. Good practice service provision includes ensuring such professionals are trained as part of in service and preservice education, and that training covers collecting forensic evidence, if applicable, as well as providing referral information to other follow-up services. A study in the United States of America examining emergency department utilization by women who were ultimately killed by an intimate partner, for example, showed that 44% of them had sought emergency health services within the two years prior to their death.²²

Healthcare protocols need to be applied consistently. Where training is mandated by law, this can help ensure that medical staff are aware of such protocols. The existence of protocols is more common than legally mandated training for healthcare professionals (figure 6). Of the 100 economies examined, 69 have protocols for medical personnel but only 28 legally mandate training.

There is no training mandated by law in the five South Asian economies covered, however, they all have established protocols for medical personnel dealing with cases of violence against women. Among the 11 economies in East Asia Pacific, eight have established protocols for medical personnel, and five of these also mandate training. The Malaysian Ministry of Health's Guidelines for healthcare providers working in their One Stop Crisis Centre, for example, establish a

multidisciplinary approach for treating survivors, involving services such as emergency and trauma, obstetrics and gynecology, psychiatric care and police services.²³ Additionally, protocols for medical personnel exist in 15 of 18 economies covered in Latin America and the Caribbean, while ten mandate training. In the Middle East and North Africa region, only Morocco and Tunisia have medical protocols, while Jordan has both protocols and mandatory training. In Sub-Saharan Africa, 15 of the 25 economies have protocols but only Cabo Verde and Nigeria also have mandated training; in Benin, only mandated training exists.

Law enforcement

Training and protocols are also critical in ensuring the effective response of law enforcement personnel. Survivors of domestic violence are less likely than survivors of other types of violence to contact the police, often due to privacy concerns, stigma, shame, rampant impunity and fear of reprisal.²⁴ Limited awareness and sensitivity on the part of law enforcement officials can contribute to these issues. Specialized police units for women—often including female police officers—can encourage women to report violence.

In Rwanda, for example, the National Police has established gender-based violence desks to improve rapid response and capacity in investigating, providing counseling, and assisting survivors to get access to appropriate health, legal and psycho-social support services.²⁵ And in Lebanon, the Law for the Protection of Women and Family Members against Domestic Violence mandates the creation of a special unit on domestic violence established in the Directorate General of the Internal Security Forces (ISF), which receives special training and must include women officers.

The existence of protocols and specialized police units for women is more common, while legally mandated training for law enforcement officers is less so. Protocols for law enforcement personnel are common in most regions. Of the 100 economies covered, 78 have established protocols for law enforcement personnel in addressing cases of violence. In South Asia, these exist in all economies covered. Throughout East Asia and the Pacific, Latin America and the Caribbean, and OECD high-income economies, all but Myanmar, Jamaica and Netherlands, respectively have such protocols in place.

As with health professionals, the existence of protocols is critical, but mandatory training can help ensure they are properly followed. Specialized training of police personnel is mandated by law in 44 economies, but varies across regions. It ranges from seven of 25 economies in Sub-Saharan Africa to 11 of 18 in Latin America and the Caribbean.

Figure 7. Specialized law enforcement services are more prevalent among economies in Latin America and the Caribbean



Special police units to deal with violence against women exist in 65 of the economies covered globally. They are more common in South Asia, where all economies covered have dedicated law enforcement services, and less common in Europe and Central Asia, where they exist in seven of the 15 economies examined. About one third of economies have specialized units, mandated training and protocols for law enforcement activities, most commonly in Latin America and the Caribbean (figure 7).

Improving access to justice - legal aid and specialized court procedures

Legal aid is a crucial component in enabling access to justice for survivors of violence, who often have limited understanding of the legal system. Legal representation helps increase the likelihood of a positive outcome for survivors, even where it may not be required by law. With legal aid, they have access to critical assistance in obtaining protection orders or filing charges against the perpetrator. For example, monitoring of Bulgaria's 2005 *Law on Protection against Domestic Violence* has shown

that while a survivor does not need a lawyer to file for a protection order, her application is more likely to be successful with legal representation.²⁶

Beyond access to legal aid, the structure of judicial systems – and whether they are sensitive to the specificities of domestic violence cases – can impact a survivor's access to justice. This may include having specialized courts or procedures for cases of domestic violence, courts with exclusive subject matter jurisdiction or specially trained judges, as well as special procedures regarding protection orders and other mechanisms to protect the privacy and rights of survivors.

Of the 100 economies covered, 44 mandate access to legal aid irrespective of financial status. In Nepal, for example, a 2015 legal amendment established domestic violence survivors as a special category eligible for legal aid irrespective of income. And in 2016, Moldova introduced free legal assistance to survivors and a new 24-hour help line. In 32 of these economies, there are also specialized court procedures for cases of domestic violence.

BOX 2. Economies in Latin America and the Caribbean lead the way in legally mandating access to support services for survivors

Since the early 1990s, Latin America and the Caribbean economies have passed laws to protect and promote women's rights, with earlier laws more narrowly establishing protection measures for women with regard to violence suffered in the private sphere. Following the adoption of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belém do Pará) in 1994, laws increasingly started adopting a more comprehensive approach, including with regards to the responsibility of States in providing for prevention, care, punishment and reparation measures, as well as ensuring gender mainstreaming, access to justice, research and measurement of violence against women, among others.

This progress is reflected today in the legal framework of economies in the region. Of the 12 economies with more comprehensive services for survivors of gender-based violence, nearly half are in Latin America and the Caribbean, namely Argentina, Brazil, Guatemala, Panama, Peru; these have a national plan to address gender-based violence, budgetary commitments for the implementation of legislation, and ensure or mandate the availability of dedicated police units, shelters, legal aid, phone hotline, trained police and medical staff with protocols in place. Moreover, all 18 economies in Latin America and the Caribbean covered in this study have legislation specifically addressing domestic violence, 15 of which also have a national plan in place to address violence against women. The only exceptions are Barbados, Belize and Trinidad and Tobago. For example, Mexico's *Law on Access of Women to a Life Free of Violence* mandates the adoption and implementation of a national policy to prevent, address, sanction and eradicate violence against women, and

Uruguay's Law 17.514 mandates the design of a national plan against domestic violence.

The region also has the highest number of economies – over 2 in 3 – with binding budgetary commitments for implementation of violence against women legislation – whether mandated by law or earmarked in budgets. In Peru, for instance, the Ministry of Women and Vulnerable Populations' budget includes a chapter on "Combating Intrafamily Violence" and in Uruguay, the Ministry of Social Development includes budget allocation for a specific program for women victims of gender-based violence. Moreover, of the 18 economies covered in the region, 15 have 24-hour dedicated hotlines available to help survivors of violence, and in all but Colombia, Costa Rica and Mexico, there are specialized police stations or police personnel trained to deal with cases of violence against women. In Mexico, gender-based violence survivors have access to a 24-hour dedicated hotline providing crisis intervention, psychological support and legal advice of first contact, as well as dedicated hours for in-person legal assistance free-of-charge for women survivors of violence at the Superior Court of Justice of the Federal District in Mexico City.

Finally, laws mandating the availability of legal aid and shelters were located in 12 economies, while in 11 services were able to be located. Brazil's *Maria da Penha Law*, for example, calls for the creation of Courts of Domestic and Family Violence against Women, which should rely on a "multidisciplinary assistance team made up of professionals specializing in the psychosocial, legal and health areas," and in Guatemala, free legal assistance services are provided for survivors and their families by the Public Defense Institute in accordance with the *Law Against Femicide and Other Forms of Violence against Women*.

Source: UNDP and UN Women 2017 and Women, Business and the Law database

The existence of both access to legal aid and specialized court procedures is found in nearly two thirds of economies in Latin America and the Caribbean and South Asia. However, of the 25 economies in Sub-Saharan Africa, only Angola, Benin and Burkina Faso guarantee access to legal aid and have specialized court procedures, while no economy in the Middle East and North Africa does.

Meanwhile, in eight economies which do not legally guarantee access to legal aid for survivors of domestic violence — Australia, Malaysia, Netherlands, Paraguay, Rwanda, South Africa, United Kingdom, and West Bank and Gaza — survivors can still seek assistance free of charge through a public prosecutor or public solicitor's office. However, in 48 of the examined economies, no such legal access or service exists, predominantly in Europe and Central Asia, the Middle East and North Africa and Sub-Saharan Africa.

Conclusion

What are contributing factors for the adoption of implementing measures in legislation?

Measures and services aimed at enhancing protection and response effectiveness have been adopted largely following commitments and recommendations set out in international and regional conventions and agreements. Eight years after the ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), countries were found to be 23.4% more likely to adopt full legal protections against domestic violence.²⁷

In 1995, the Beijing Declaration and Platform for Action called for countries to provide survivors of violence access to mechanisms of justice, formulate and implement plans of actions to eliminate violence against women, train medical, police and the judiciary, provide shelters and allocate budgets for implementation activities. Over the following two decades, national legislation adopted more progressive and protective provisions.²⁸ This included implementing more systematic data collection mechanisms to help assess the issue and inform policy-making. In France, for example, an Observatory of Parity was established through Presidential Decree No. 95-1114, to collect data on the status of women. Similarly, the French National Council for Victim Assistance (CNAV) was established in 1999 in accordance with CEDAW General Recommendation No. 19 to support survivors of sexual abuse.

And just months after ratifying the Council of Europe Convention on Violence against Women, Denmark launched its 2014 National Action Plan to Combat Violence in the Family and Intimate Relationships. It was the country's first plan to include a comprehensive list of measures and services, including budgetary commitments, provision of training for medical and police personnel, and a telephone hotline.

Other economies, including Guatemala and Turkey, explicitly reference benchmarks in international law in their domestic violence legislation. The underlying advocacy work by women's groups and civil society organizations is also a key element in the adoption of such initiatives.

What lies ahead for improving prevention, protection and response?

Effectively addressing violence against women requires coordinated action and comprehensive prevention, protection and response initiatives. Legal protections and guaranteed access to services are critical elements, but implementation also requires government commitments set out in national plans and through dedicated budgets. The data show that where there are dedicated budgets, services are more likely to exist.

Moreover, initiatives focusing on prevention can address root causes and underlying risk factors, as well as save costs of later-stage crisis care and other interventions. Much has improved in the last two decades, but

more is needed to address an issue that still affects over one in three women worldwide.

By mapping out where measures and services exist to bridge the implementation gap on laws protecting women from violence, *Women, Business and the Law* aims to shed light on where good practices have emerged and where gaps still exist in providing more effective protection and response to survivors. This can encourage more policies that ensure that women like Marta can have the support they need to overcome this pervasive form of gender inequality and to fully access economic opportunities.

NOTES

- 1 Story shared with the *Women, Business and the Law* team by *Fundación Honra*, an NGO that provides assistance to survivors of violence in Chile. Names have been changed to protect identities.
- 2 Sardaryan 2017.
- 3 Survivor of violence is defined as a person who has experienced gender-based violence. Throughout the literature and in practice, the terms "victim" and "survivor" are found to be used interchangeably, while "victim" is a term often used in the legal and medical sectors and "survivor" is the term generally preferred in the psychological and social support sectors because it implies resiliency. For more information, see The Gender-Based Violence Information Management System Glossary, List of Acronyms and Works Referenced, which can be accessed here: http://gbvims.com/wp/wp-content/uploads/AnnexA_Feb2011.pdf
- 4 Tjaden and Thoennes 2000.
- 5 Palermo et al. 2014.
- 6 UNSD 2015.
- 7 WHO 2017.
- 8 Garcia et al. 2015.
- 9 Day et al. 2005.
- 10 Kasirye 2013.
- 11 Klugman et al. 2014.
- 12 In addition to the data on domestic violence and sexual harassment legislation included in the *Women, Business and the Law* index, the global data collection exercise covers other aspects of gender-based violence, including the different types of abuse covered by domestic violence laws, legislation regulating the minimum age of marriage and prohibitions on child and early marriage, the existence of specialized courts or procedures for cases of domestic violence, as well as the availability of protection orders for survivors of domestic violence. This additional data can be accessed and downloaded from the *Women Business and the Law* website at wbl.worldbank.org
- 13 *Women, Business and the Law* data is collected and applicable to the main business city of the economy. The data does not cover laws and services that may exist in other cities or provinces. In addition to services covered under this pilot exercise, other key areas relevant to protection and response to survivors of violence include access to health (physical and mental), access to case management or victim advocates, social safety nets or economic and livelihood opportunities. These were not covered under this pilot exercise as they fall outside the scope of global data covered by the *Women, Business and the Law* research.
- 14 Inter-Agency Standing Committee 2015.
- 15 UNODC 2010.
- 16 Mukasa et al. 2014.
- 17 Swadhar Greh Scheme: A Scheme that caters to primary needs of women in difficult circumstances run by the Ministry of Women and Child Development, Government of India.
- 18 Consejo Nacional de las Mujeres de Argentina 2016.
- 19 Berk et al. 1986.
- 20 Goodkind et al. 2004.
- 21 WHO 2013.
- 22 U.S. Department of Health and Human Services 2013.
- 23 Ministry of Health of Malaysia 2015.
- 24 Deane et al. 2006.
- 25 UNIFEM 2005.
- 26 UN Women 2012.
- 27 Richards and Haglund 2015.
- 28 de Silva de Alwis and Klugman 2015.

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Annex: economy coverage and data questions

The *Women, Business and the Law* index includes measures of laws on domestic violence and sexual harassment. In addition to the data on domestic violence and sexual harassment legislation included in the *Women, Business and the Law* index, the global data collection exercise covers other aspects of gender-based violence, including the different types of abuse covered by domestic violence laws, legislation regulating the minimum age of marriage and prohibitions on child and early marriage, the existence of specialized courts or procedures for cases of domestic violence, as well as the availability of protection orders for survivors of domestic violence. This additional data can be accessed and downloaded from the *Women Business and the Law* website at wbl.worldbank.org.

As part of the research, to understand where mechanisms have been adopted to enhance the effectiveness of laws in place, *Women, Business and the Law* undertook a pilot exercise examining the existence of certain key support services in a set of 100 economies by collecting data covering 13 questions on regulation aimed at closing gaps between laws on the books and implementation.

Economy coverage, by region	
Region	Economies covered
East Asia & Pacific (11)	Cambodia; China; Fiji; Indonesia; Lao PDR; Malaysia; Mongolia; Myanmar; Philippines; Thailand; Vietnam
Europe & Central Asia (15)	Albania; Armenia; Azerbaijan; Belarus; Bulgaria; Croatia; Kazakhstan; Lithuania; Romania; Russian Federation; Serbia; Tajikistan; Turkey; Ukraine; Uzbekistan
Latin America & Caribbean (18)	Argentina; Bahamas, The; Barbados; Belize; Brazil; Colombia; Costa Rica; Dominican Republic; Ecuador; El Salvador; Guatemala; Jamaica; Mexico; Panama; Paraguay; Peru; Trinidad and Tobago; Uruguay
Middle East & North Africa (11)	Algeria; Bahrain; Egypt, Arab Rep.; Iran, Islamic Rep.; Iraq; Jordan; Lebanon; Morocco; Tunisia; United Arab Emirates; West Bank and Gaza
OECD high income (15)	Australia; Canada; Chile; Denmark; Finland; France; Germany; Greece; Hungary; Netherlands; Slovenia; Spain; Sweden; United Kingdom; United States
South Asia (5)	Bangladesh; India; Nepal; Pakistan; Sri Lanka
Sub-Saharan Africa (25)	Angola; Benin; Botswana; Burkina Faso; Cabo Verde; Cameroon; Congo, Dem. Rep.; Congo, Rep.; Côte d'Ivoire; Gambia, The; Ghana; Kenya; Lesotho; Madagascar; Malawi; Mozambique; Namibia; Nigeria; Rwanda; Senegal; South Africa; Tanzania; Togo; Uganda; Zimbabwe
<p><i>Source: Women, Business and the Law database</i> <i>Note: The number of economies covered for each region is listed in parenthesis, of a total of 100 economies covered globally.</i></p>	

The data were collected based on responses from practitioners with expertise in violence against women and criminal law, including lawyers, judges, academics and members of civil society organizations working on gender-based violence issues. The data were collected through

interaction with these respondents based on responses to questionnaires, conference calls, written correspondence and visits by the team, and are current as of June 1, 2017.

In addition to filling out written questionnaires, *Women, Business and the Law* respondents provide references to the relevant laws, regulations and provision of services, which is further verified for accuracy by the data collection team. As mentioned earlier, the data included in this pilot exercise is limited to areas covered under the *Women, Business and the Law* index and aspects of GBV included in the broader global data collection exercise.

Questions on implementation measures and support services for survivors of violence	
QUESTION	Implementation measure exists (No. of economies)
1. Is there a national plan on violence against women or does the law mandate the creation of one?	80
2. Are there national protocols for health professionals dealing with cases of violence against women?	69
3. Are there national protocols for law enforcement personnel dealing with cases of violence against women?	78
4. Does the law mandate specialized training for health professionals dealing with cases of violence against women?	28
5. Does the law mandate specialized training for law enforcement personnel dealing with cases of violence against women?	44
6. Are there any binding budgetary commitments on the government for the implementation of legislation addressing violence against women through relevant programs?	78
7. Are there any binding budgetary commitments on the government for the implementation of legislation addressing violence against women to allocate funding and/or incentives to non-governmental organizations for relevant activities?	45
8. Does the legislation guarantee access to legal assistance?	44
9. If not, is there a public prosecutor/public solicitor's office that can handle domestic violence cases?	8
10. Is there a dedicated police station, specialized police staff or unit to deal with violence against women?	65
11. Does the legislation guarantee access to shelters or alternative accommodation?	40
12. If not, is there a shelter or alternative accommodation available to survivors?	33
13. Is there a 24-hour phone hotline for survivors of violence to seek advice and support?	78