

# Regional Index

## Combating Violence Against Women and Girls (VAWG)

Regional Civil  
Society Observatory RCSO



Funded by the European Union  
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## Combating Violence Against Women and Girls (VAWG)

### Regional Civil Society Observatory RCSO

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# TABLE OF CONTENTS



Acronyms .....	1
Readers' Guide .....	2
Introduction .....	3
Objectives of the Index .....	4
Selection of Indicators .....	4
Rationality of Indicators' Categories .....	5
Sources of Information .....	6
Index Structure .....	7
<b>The Index</b>	
I. Legal Framework and Public Policies .....	8
II. Standard Procedures and Guidelines .....	38
III. Provision of Services Funded by the State .....	57
IV. Data System and Statistics .....	63
V. Preventive Programs and Measures .....	66
VI. Professional Capacity of First Respondents .....	69
VII. National Coordination and Regional Cooperation .....	74
Bibliography .....	83

# Acronyms

<b>AFTURD:</b>	<b>Association of Tunisian Women for Research and Development</b>
<b>CEDAW:</b>	<b>Convention on the Elimination of all Forms of Discrimination Against Women</b>
<b>CSOs:</b>	<b>Civil Society Organizations</b>
<b>EFI:</b>	<b>EuroMed Feminist Initiative</b>
<b>FGM:</b>	<b>Female Genital Mutilation</b>
<b>ICRAM:</b>	<b>Government Plan for Equality</b>
<b>JNCW:</b>	<b>Jordanian National Commission for Women</b>
<b>NCCM:</b>	<b>National Council for Childhood and Motherhood</b>
<b>NCCPIM &amp; TIP:</b>	<b>National Coordination Committee on Preventing and Combating Illegal Migration</b>
<b>NCHR:</b>	<b>National Centre for Human Rights</b>
<b>NCLW:</b>	<b>National Commission for Lebanese Women</b>
<b>NCW:</b>	<b>National Council for Women</b>
<b>NGO:</b>	<b>Non-Governmental Organizations</b>
<b>RCSO:</b>	<b>Regional Civil Society Observatory</b>
<b>UfM:</b>	<b>Union for the Mediterranean</b>
<b>PVE:</b>	<b>Preventing Violent Extremism</b>
<b>UNFPA:</b>	<b>United Nations Population Fund, before United Nations Fund for Population Activities</b>
<b>VAWG:</b>	<b>Violence Against Women and Girls</b>
<b>WPSA:</b>	<b>Women, Peace and Security Agenda</b>

# Readers' Guide

This index provides information on the legal framework, public policies, and governments' services in regard to combating VAWG in the South Mediterranean region in a simple and accessible way.

The index is divided into 7 sections.

**Section 1** explains the background of the establishment of the index.

**Section 2** explains the objectives of the index.

**Section 3** describes the criteria for the selection of indicators. Four criteria guided this selection: relevance, meaningfulness, feasibility, and data quality.

**Section 4** explains the rationale behind selecting the categories that are examined in the index. 7 categories were selected to cover all spheres and aspects related to preventing and combating VAWG. Rationality is explained for each category and the sub-categories.

**Section 5** outlines the sources for obtaining information of the indicators and the validation of information.

**Section 6** describes the structure of the index, how the information is presented under the 7 categories which constitute the thematic framework.

**Section 7** presents the information of the indicators. Before you start reading this section, please read how the index is structured as explained in section 6.

The bibliography for the sources is at the end. The sources are divided into primary and secondary, presented alphabetically and according to the languages: Arabic, English, and French.

# Introduction

Violence against Women and Girls (VAWG) is now recognized, in line with international human rights standards, as a violation of women's human rights. National efforts have been made in recent years to adopt national legislation, strategies, and policies to effectively address and prevent such violence.

In 2019, the Regional Civil Society Observatory (RCSO) was established as an independent mechanism to follow up on the implementation of the Ministerial Declaration of the 4th Union for Mediterranean (UfM) Ministerial Conference on Strengthening the Role of Women in Society<sup>1</sup> (November 27th 2017, Cairo), in the area of combatting all forms of VAWG, implementation of Women, Peace, Security Agenda (WPSA), and Preventing Violent Extremism (PVE). RCSO is hosted by EuroMed Feminist Initiative (EFI) in Amman and is funded by the European Union (EU) in the frame of the three years regional project "Combating Violence against Women and Girls in the Southern Mediterranean".

The RCSO strives to contribute to ending VAWG, to the inclusion of women's rights in policy debates, and to the social acknowledgement of women as actors of sustaining peace and security, underlining the importance of their role in the prevention of violent extremism. In this regard, the RCSO provides a regional perspective on the status of VAWG legislation, policies, and actions in the Southern Mediterranean States.

To this goal, the RCSO developed a regional index to help implementing a continuous follow up, data collection of laws and policies, and analyses of the barometer results. The countries studied in the index are limited to those involved in the regional project: Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine, and Tunisia. All countries in the South Mediterranean region will be included during the second phase.

The index consists of two parts. The first part covers indicators for VAWG. The second part covers indicators for WPSA. The present index report is related to the first part.

The index is available on the RCSO website as a clickable map in which the indicators' information is easily accessible and can be downloaded.

The report will be published and distributed to relevant policy makers in all countries.

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<sup>1</sup> The 4th UfM Ministerial Conference on Strengthening the Role of Women in Society took place on 27 November 2017 in Cairo, Egypt and gathered ministers of the 43 Member States of the Union for the Mediterranean responsible for women affairs and gender equality, under the Co-Presidency of the European Union and the Hashemite Kingdom of Jordan. The Ministers agreed to promote 4 actions, which are: raising women's participation in public life and decision-making, raising women's economic participation, combating all forms of violence against women and girls, challenging cultural and social norms and eliminate gender stereotypes, particularly in and through education and media.

# Objectives of the Index

The overall objective of the regional index is to provide a global documentation on laws, public policies and services related to VAWG and WPSA, that allows a diagnosis of the state of legislation and tools put in place to address VAWG in the South Mediterranean.

This index provides policy makers with meaningful summary of complex data to support informed decisions and actions for the implementation of the 4th UfM Ministerial Declaration on Strengthening the Role of Women in Society, in the area of combatting all forms of VAWG, WPSA and PVE.

It constitutes a data bank that will allow researchers to have a quick overview of the status of women in the countries concerned and carry out comparative studies. The index also enables women's rights activists to follow up where gaps and weaknesses lie and thus make targeted and updated advocacy. Furthermore, the index provides a global picture for the international community on the progress and achievements made in each country in terms of VAWG, WPSA, and PVE.

## Selection of Indicators

### Four criteria guided the selection of indicators:

#### **Relevance:**

The indicators are relevant to all countries covered by the index and are in line with the international and regional agreements and resolutions, especially the 4th UfM Ministerial Declaration on Strengthening the Role of Women in Society (DOC. DE SÉANCE N°:12/17), the 1995 Beijing Declaration and the Platform for Action, indicators to measure violence against women developed by UN expert group meeting 2007, goals 5 and 7 of the Sustainable Development Goals (SDGs) which are related respectively to achieving gender equality and empower all women and girls, strengthening the means of implementation and revitalise the global partnership for sustainable development, as well as the proposed indicators by the UfM Secretariat.

**Meaningfulness:** The indicators represent significant information for policy makers and civil society.

**Feasibility:** The data required to feed into the indicators is accessible for collection and updating; the indicators are actionable by policy makers to modify policies and by civil society to advocate for change.

**Data quality:** The data is obtained from official resources and statistics as well as studies issued by national and international NGOs and research centres.

# Rationality of Indicators' Categories

The rationale behind the selection of these categories are as follows:

## Legal framework and public policies:

National laws provide a framework for identifying women's rights and for defining violations<sup>2</sup> of these rights based on international human rights and women's rights conventions. Government has the primary responsibility for enacting and implementing laws, conducting legal public awareness, and ensuring their harmonization with international conventions to prevent and combat VAWG. VAWG is now fully recognized as a human rights violation and therefore all its forms must be criminalized by national laws. Due to its complex, prevalent, and multifaceted nature, there should be a specific and comprehensive law to combat VAWG, even if certain forms are already criminalized under penal code.

Public policies are especially important tools for change and must be undertaken to prevent and combat VAWG. Adequate resources such as allocation of budgets, human resources and capacity building are essential for the implementation of the desired change.

## Standard procedures and guidelines:

**Police:** VAWG crimes are reported to the police who is the authority concerned with investigating crimes of violence against women and tracking the perpetrators. Therefore, it is especially important to have victim-sensitive procedures and guidelines and provide police officers, especially those who directly deal with VAWG cases, with capacity building.

**Justice:** The judiciary is the guarantor of women's and girls' rights and of impunity. Civil and criminal courts work to implement laws on violence against women and girls, to ensure their protection, to compensate them for the damages they suffered and to hold the perpetrators accountable, which lays the foundation for the prevention of VAWG.

**Health:** The health sector represents an important early point for identifying VAWG through medico-legal services and referring cases to the concerned authorities and police for investigation. The health sector can also provide a continuum of services ranging from medical to psychosocial care and rehabilitation.

**Youth and Sports:** Youth centres, sport clubs are places where VAWG can be perpetrated, especially against adolescent girls. In this respect, the youth and sport ministries need to be considered as targets for intervention.

**Education:** Schools, institutes, and universities are places where VAWG can be committed, but they are also places to change mindsets, where attitudes and understanding pertaining to VAWG are shaped by raising awareness of students and pupils through curricula and teaching content.

**Services for women from vulnerable groups:** Hotlines, specialized crisis centres, counselling, shelters are basic services to address VAWG.

## Provision of services funded by the State:

Addressing cases of VAWG needs specialized units within the police forces with sufficient resources, as well as existence of dedicated shelters, hotlines, and free psychosocial counselling.

## Data system and statistics:

Providing accurate and comprehensive data and statistics is one of the governments' responsibilities. Collecting, analysing, and disseminating data and statistics is very crucial in enhancing State accountability acting against VAWG and raising public awareness.

## Preventive programs and measures:

Preventive programs are necessary for addressing the rising rates of VAWG. Both government and civil society must adopt campaigns to address social tolerance to VAWG and gender stereotypes.

## Professional capacity of first respondents:

Staff and workers who deal with victims<sup>3</sup> of VAWG must be qualified and aware about the skills and procedures that must be taken to address VAWG.

## National coordination and regional cooperation:

Cross-sectorial and ministerial planning and coordination mechanisms among governmental institutions are essential to address VAWG. CSOs, notably women's rights organisations, are critical partners especially in prevention and providing the means to reach communities. Governments must therefore cooperate and coordinate with civil society for addressing VAWG. Furthermore, as VAWG is a universal problem, preventing and combating it requires cooperation on regional and international level.

2 VAWG is recognized as a violation of women's human rights by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and all other women's rights treaties. As a matter of fact, the recognition of VAWG as a human rights issue is rooted in the Universal Declaration of Human Rights (1948), which sets out that "all human beings are born free and equal in dignity and rights" (article 1), without distinction of any kind including sex (article 2) as well as in all other International Human Rights Law Instruments. However, it took decades for women's rights organizations to convince the International Community to consider that VAWG is not just a private matter but an actual human rights violation which the State has an obligation to address, as clearly set out by CEDAW.

3 The terminology "victim" is used in this index as defined by the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power Adopted by General Assembly resolution 40/34 of 29 November 1985 as follows: 1. "Victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power. 2. A person may be considered a victim, under this Declaration, regardless of whether the perpetrator is identified, apprehended, prosecuted, or convicted and regardless of the familial relationship between the perpetrator and the victim. The term "victim" also includes, where appropriate, the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization." As suggested by the UN declaration, the degree of involvement of victims in the traumatic event leads to a distinction between direct victims and indirect victims. The direct victim may have been a subject (victimized) or a witness (having seen) the act of violence. The indirect victim, "did not witness the event but is concerned by it and/or by its consequences due to its emotional closeness with the direct victims. Indirect victims are all persons close to a primary victim who are disrupted by the experience of the latter." The UN declaration also highlights the rights of the victims in terms of access to justice and fair treatment, restitution, compensation and assistance.

# Sources of Information

Information and data on indicators have been obtained from official resources and statistics as well as from studies issued by national and international NGOs. Women's rights organizations represented valuable sources for data and a guide to direct the data sources in each country.

The information provided in this index has been validated through the use of different recognized resources including governmental websites, official statements, credible news outlets, respected publications of research centres and international NGOs. Also, the national organizations contributed to cross validating the data, especially in case of governmental services when there is no trusted updated information on the services provided for victims of VAWG.

Against this background, the sources of data that the index draws on are as follows:

## **Official electronic websites:**

Reviewing yearly reports of government institutions including ministries, legislation bureau, governments' agencies, as well as research centres, global indices, national Civil Society Organizations (CSOs) and international Non-Governmental Organizations (NGOs) with their national offices.

## **Online public and private databases:**

They are accessed through searching online, subscriptions and using directories.

## **Field visits:**

Conducting field visits by the member organizations to the concerned institutions and departments such as police, justice, health, social services, support centres, shelters, help hotlines, CSOs. The field visits serve for several purposes:

- To obtain data, especially when data is only recorded in paper forms and not stored electronically in databases and official websites.
- Validate information if required.
- Gather information on the implementation of public policies, programs, trainings, and provision of services.

## **Formal correspondences:**

Some data for indicators is not ready and available in the governments' institutions or statistics bureau. For this reason, missing information from the governments' institutions has been requested through formal correspondences and letters.

# Index Structure

The index contains 49 indicators divided under 7 categories as described under section 4. The categories constitute the thematic framework of the indicators which represent key criteria for the overview of the situation of VAWG. For each indicator, the index provides comparative summary at the regional level as well as information for each country arranged in alphabetic order.

- The first category examines the legal framework and public policies on women's rights, and its conformity with international standards, in particular CEDAW. It addresses laws specifically designed to combat VAWG, where such laws exist. It also concerns public policies, including budget policies, and national strategies to combat VAWG. 16 indicators are included under this category.
- The second category deals with standard procedures and guidelines. The police and judicial procedures put in place, whether in terms of the opportunities for victims to report offences or the obligation to inform the authorities of such offences by persons who are aware of them; legal aid or the existence of a guide for professionals, in order to unify and simplify procedures. This category consists of 12 indicators.
- The third refers to services provided by government to victims of VAWG. This category includes 6 indicators that address both the victims themselves, their physical and psychological care, and the caregivers, who must be specially trained to treat victims of all types of VAWG.
- The fourth category, which consists of 3 indicators, is linked to the collection and dissemination of statistics on VAWG and their classification by type of violence and frequency, but also in relation to whether or not they have been the subject of complaints and whether or not these complaints have led to convictions and lawsuits.
- The fifth category looks at preventive programs and measures, including whether specific training programmes for teachers have been set up and whether curricula and handbooks for primary, secondary and university education have integrated issues related to VAWG. This category also looks at national awareness raising, and advocacy campaigns initiated by the governments to address VAWG. 3 indicators are included under this category.
- The sixth category addresses the professional capacity of first respondents. It covers institutional trainings for policemen and policewomen and court staff who deal directly with victims of VAWG as well as the institutionalization of these trainings. This category consists of 3 indicators.
- The seventh category focuses on national and regional coordination mechanisms. It includes 4 indicators for cooperation mechanisms between police, shelters, hospitals, courts/judicatures, ministries and civil society on national level, and 2 indicators for regional or international cooperation mechanisms.



# Legal Framework and Public Policies

## Indicator 1

### All articles of CEDAW are ratified

CEDAW permits ratification with reservations, if these reservations are not incompatible with the object and purpose of the Convention. All the States in this Index have entered reservations to the Convention, except Palestine. The reservations are on key elements of the convention, including the steps to be taken to eliminate discrimination, particularly article 2, and the primacy of the existing family laws, personal status laws, and personal status code<sup>4</sup>, particularly the articles 9, 15 and 16. By entering these reservations, the States indicate that they would not commit to equality between women and men and would not change discriminative laws and policies on substantive issues for women, to which they were reserving, such as nationality (article 9), domicile (article 15(4)), and equality in marriage and dissolution (article 16).

Article 2 provides the basic requirement to examine and change State constitutions, laws, policies, and institutions to eliminate discrimination against women and to abolish discriminatory “traditions and practices”. Two countries in the Index, Algeria and Egypt have entered reservations to article 2, although their national constitutions or laws prohibit discrimination. There is therefore a conflict between the reservation to the Convention and the provisions of the States’ constitutions.

Also, Morocco and Tunisia maintain a declaration to article 2. Morocco stated that the government is ready to apply the provisions of this article as long as these do not conflict the constitutional provisions regulating the laws of succession to the Moroccan throne and the Islamic Sharia. Tunisia declared that it shall not take any organizational or legislative decision in conformity with the requirements of this Convention where such a decision would conflict with the provisions of Chapter I of the Tunisian Constitution.

Jordan and Lebanon still have reservation to article 9 (2), relating to the right to pass nationality to one’s children. Reservation to this article poses difficulties to the children, their mothers, and families, as it may result in exclusion of the child from opportunities in education, from health care or hinder the child to be with other family members. It also poses problems to women to travel out of the country with their children without a proof of the father’s permission, even if they have their own passports.

Algeria has reservation to article 15(4), which refers to freedom of movement and equality in choice of domicile. Reservation to this article limits in practice women’s opportunities for education and employment. As the choice of domicile is still the one of the husband or male head of household, this makes women subject to male authority, and leaves them without power and legal capacity, nor any options outside the family, to negotiate this fundamental aspect of family life.

Algeria, Egypt, Jordan, and Lebanon have reservations to article 16 paragraph 1, which refers to equality in marriage and dissolution of marriage. The reservation to this article signals the States’ unwillingness to recognize women as competent and equal adults within the family. This is critical to women’s ability to care for themselves and for their children. If women do not have equal decision-making power, equal access to the resources of the household and equal inheritance rights, they can be left without means of subsistence upon divorce or death of the husband. While Algeria, Egypt, Jordan, Palestine allow polygamy in their family laws and personal status laws, the CEDAW Committee affirmed in 1994 that polygamy is a violation of women’s human rights under article 16<sup>5</sup>. In Lebanon, polygamy is allowed for Muslims, and in Morocco, polygamy is allowed with more restrictions, stipulated by approval from a judge.

Palestine ratified CEDAW without reservations. However, both personal status laws applied in the West Bank and Gaza Strip still discriminate against women on the issues relating to the articles 2, 15 and 16, such as freedom of domicile and equality in marriage and dissolution.

All countries included the index, except for Jordan and Palestine, have entered reservations to article 29 relating to administration of the Convention and arbitration, which grants the International Court of Justice jurisdiction over disputes related to implementation of treaty provisions.<sup>6</sup>

These reservations, as clearly declared by the CEDAW Committee, are contrary to the object and purpose of the Convention, and therefore invalid. Consequently, they would not allow the State parties to avoid implementation. As CEDAW requires State parties to pursue both formal and de facto equality, the CEDAW Committee has indicated that formal equality, as stated in constitutions, laws, and administrative regulations, is fundamental to the achievement of de facto equality.

Withdrawal of reservations therefore affirms the States’ commitment to equality between women and men, indicates their progress towards improving the status of women de facto, and recognizes the efforts of women’s rights advocates.

<sup>4</sup> The denomination Family Law is used in Algeria, Personal Status Law in Egypt, Jordan and Palestine, Family Code in Morocco and Personal Status Code in Tunisia

<sup>5</sup> Equality in marriage and family relations (Thirteenth session, 1992), U.N. Doc. A/49/38 at 1 (1994)

<sup>6</sup> The Oxford Handbook of United Nations treaties, 2019, P259.



## Algeria

The Convention has been ratified. However, Algeria has reservations to the following articles:

1. Article 2 relating to policy measures regarding the elimination of discrimination against women.
  2. Article 15 (4) relating to equal rights of women regarding the law relating to the movement of persons and the freedom to choose their residence and domicile.
  3. Article 16 relating to equality between women and men in all matters relating to marriage and family relations
  4. Article 29 relating to administration of the Convention and arbitration in the event of dispute over the application of treaty provisions.
- 



## Egypt

The Convention has been ratified. However, Egypt has reservations to the following articles:

1. Article 2 relating to policy measures regarding the elimination of discrimination against women.
  2. Article 16 relating to equality between women and men in all matters relating to marriage and family relations.
  3. Article 29 relating to administration of the Convention and arbitration in the event of dispute over the application of treaty provisions.
- 



## Jordan

The Convention has been ratified. However, Jordan has reservations to the following articles:

1. Article 9 (2) relating to granting women equal rights with men with respect to the nationality of their children.
  2. Article 16, (1) (c) (d) and (g): (c) relating to the same rights and responsibilities during marriage and at its dissolution; (d) relating to the same rights in matters relating to their children, and (g) relating to the same right to choose a family name, a profession and an occupation.
- 



## Lebanon

The Convention has been ratified. However, Lebanon has reservations to the following articles:

1. Article 9 (2) relating to granting women equal rights with men with respect to the nationality of their children.
2. Article 16 (1) (c) (d) (f) and (g): (c) relating to the same rights and responsibilities during marriage and at its dissolution (d) relating to the same rights in matters relating to their children; (f) relating to the same rights and responsibilities with regard to guardianship and trusteeship; (g) relating to the same right to choose a family name, a profession and an occupation.
3. Article 29 relating to the administration of the Convention and arbitration in the event of a dispute over the application of treaty provisions.

## Morocco

The Convention has been ratified. However, Morocco has a reservation to article 29, relating to the administration of the Convention and arbitration in the event of a dispute over the application of treaty provisions.

Morocco also maintains a declaration to article 2 relating to policy measures regarding the elimination of discrimination against women, stating that the government is ready to apply the provisions of this article as long as these do not conflict the constitutional provisions regulating the laws of succession to the Moroccan throne and the Islamic Sharia.

The government also maintains a declaration to article 15 (4) stating that it can only be bound by the provisions of this paragraph, in particular those relating to the right of women to choose their residence and domicile, as long as these do not contradict articles 34 and 36 of the Moroccan personal status code.

## Palestine

All articles of CEDAW have been ratified. However, family and marriage relations are not a subject to a single type of legal regulation. There are two sets of legislation because of the partition of the Palestinian State due to the Israeli occupation.

The West Bank is subject to the Jordanian personal status law, while Gaza Strip is subject to Egyptian personal status law. Both discriminate against women on the issues relating to articles 2, 15 and 16.

## Tunisia

All articles of CEDAW have been ratified. However, the Tunisian government declared that it shall not take any organizational or legislative decision in conformity with the requirements of

this Convention where such a decision would conflict with the provisions of Chapter I of the Tunisian Constitution.

# Legal Framework and Public Policies

## Indicator 2

The Constitution is in line with all international legal obligations pertaining to women's rights as for:

- A. International law is a guide to judicial interpretations of the Constitution
- B. Clearly prohibits discrimination based on sex or gender
- C. Includes specific provisions on women's rights and gender equality
- D. Adopted affirmative measures to realize equality of participation

The status assigned to international treaties by the various constitutions reflects a certain mistrust of the States of the region regarding international law, independently of the negative consequences of the reservations on women, and society, as monitored by the women's movements in these countries. Out of the seven States, only four acknowledge in their Constitution their commitment to international treaties (Algeria, Egypt, Morocco, and Tunisia) and only two of these latter (Algeria and Tunisia) recognize that ratified treaties prevail on acts of parliament.

The constitutions of Algeria, Egypt, Morocco, Palestine, and Tunisia prohibit discrimination based on sex and gender; Jordan and Lebanon do not yet. Jordan, Lebanon, and Palestine do not have specific provisions on women's right and gender equality, nor affirmative measures to achieve equal participation of women and men.

Even for the constitutions that prohibit sex discrimination and include specific provisions on women's rights and affirmative measures to achieve equality between women and men (Algeria, Egypt, Morocco, Tunisia) a question of effectiveness of these principles can arise because of the declaration of supremacy of Islam as the State Religion, or the supremacy of the Sharia. This means, for these States, that if any treaty provision contradicts Islam it shall be considered in contradiction with the Constitution and shall not prevail on the latter.

## Algeria

- A. The Algerian Constitution acknowledges the commitment to international treaties and conventions. Article 154 stipulates that "the treaties ratified by the President of the Republic, in the conditions specified by the Constitution, shall prevail over Acts of the Parliament."
- B. The Constitution prohibits discrimination based on sex. Article 37 provides for the right to equality before the law and the prohibition of discrimination based on sex.
- C. The Constitution includes specific provisions on women's rights and gender equality. Article 68 provides that the State is obliged to guarantee equality between women and men in the labor market, and to encourage appointing women in leadership positions in public departments, administrations and institutions.
- D. Article 59 affirms the State's commitment to "promote the political rights of women by increasing their opportunities to access representation in elected bodies". No quota mentioned in the Constitution but there is a legislative quota for the Parliament. (Article 2 of the 2012 Law for the representation of Women requires variable quotas between 20% and 50% of the candidates for Parliament to be women, depending on the number of seats in each electoral district. (Electoral Law No. 12-03- 2012).



## Egypt

- A. The Egyptian Constitution acknowledges the commitment to international treaties. Article 93 affirms the State's commitment to the agreements, covenants, and that international conventions of human rights, that have been ratified by Egypt, shall have the force of law after publication in accordance with the specified circumstances. At the same time, article 2 of the Constitution states that the principles of Islamic Sharia are the principal source of legislation which makes CEDAW provisions non applicable if they contradict the Sharia's principles.
- B. The Constitution prohibits discrimination based on sex or gender. Article 53 prohibits forms of discrimination, including based on sex or gender.
- C. The Constitution includes specific provisions on women's rights and gender equality. Article 11 addresses rights of women. It includes the State commitment to "achieving equality between women and men in all civil, political, economic, social, and cultural rights".
- D. The Constitution adopts affirmative measures to realize the participation of women. However, not in parity as only 25% of the seats is reserved for women and only on municipal level, not at the level of the legislative authority, People's Assembly.



## Jordan

- A. The Jordanian Constitution does not acknowledge the commitment to international treaties as superior to the Constitution. The constitutional court issued decision no. 1 in 2020 which was published in the official gazette, becoming part of the constitution's provisions, stipulating that "no issued law or legislation can repeal or amend a treaty already ratified by the Kingdom, and the Cabinet of Jordan cannot issue a law within the legislative framework contradicting the commitments of States Parties to a convention ratified by the Kingdom by law."
- B. The Constitution does not prohibit discrimination based on sex or gender. Article 6 prohibits discrimination against citizens based on color, language, and religion, but it does not mention sex.
- C. The Constitution does not include specific provisions on women's rights and gender equality.
- D. The Constitution does not adopt affirmative measures to realize equality of participation between men and women.



## Lebanon

- A. The Lebanese Constitution does not acknowledge the commitment to international treaties as superior to the Constitution and national laws.
- B. The Constitution does not prohibit discrimination based on sex or gender. Article 7 states that all Lebanese are equal before the law and equally enjoy civil and political rights, but it does not mention sex.
- C. The Constitution does not include specific provisions on women's rights and gender equality and there are no sections that recognize and protect women's rights. Furthermore, the articles 9 and 10 give each religious group the right to regulate the affairs of its members, which causes in practice discrimination not only against women and girls but also between women and girls as they are not subject to the same legal rules.
- D. The Constitution does not adopt affirmative measures to realize equality of participation between men and women.



## Morocco

- A. The Moroccan Constitution acknowledges in the preamble the commitment to human rights principles as stated in international covenants and agreements.
- B. The Constitution prohibits in the preamble discrimination based on sex and gender.
- C. The Constitution includes specific provisions on women's rights and gender equality. Article 19 stipulates that the State aims to implement the principle of equality between men and women. "Thus, to this purpose, the authority for equality and the fight against all forms of discrimination was established."
- D. The Constitution adopts affirmative measures to realize the participation of women but not parity. Article 30 provides for the promotion of equality of opportunity between women and men in elective positions.



## Palestine

- A. The Palestinian Constitution does not acknowledge the commitment to international treaties as superior to the Constitution and national laws.
  - B. The Constitution prohibits discrimination based on sex or gender. Article 9 provides that Palestinians shall be equal before the law, without distinction based upon color, sex, religion, political views, or disability.
  - C. The Constitution does not include specific provisions on women's rights and gender equality.
  - D. The Constitution does not adopt affirmative measures to realize equality of participation between men and women.
- 



## Tunisia

- A. The Tunisian Constitution acknowledges the commitment to international treaties. Article 20 establishes that the international treaties ratified by the parliament have supremacy over the laws. However, the same article adds that these treaties have an inferior status to the one of the Constitution.
- B. The Constitution prohibits discrimination based on sex or gender. Article 21 states that all citizens, male and female, have equal rights and duties, and are equal before the law without any discrimination, without mentioning the causes of discrimination.
- C. The Constitution includes specific provisions on women's rights and gender equality. It guarantees women's representation in elected bodies (Article 34), equal opportunities between women and men to have access to all levels of responsibility in all domains, parity between them in the elected assemblies (Article 46) and gender equality between male and female citizens (Article 21).
- D. The Constitution adopts affirmative measures to achieve equal participation of women and men in public life. However, it does not make the State's commitment an obligation to achieve a result, but rather to conduct due diligence. The State works to ensure women's representation in elected bodies (Article 34) and seeks to achieve parity between women and men in elected assemblies (Article 46). However, the electoral law includes provision on parity for the parliament and local elections.

# Legal Framework and Public Policies

## Indicator 3

### All laws are in line with all international legal obligations pertaining to women's rights

Discrimination against women is prohibited under women rights treaties and under human rights covenants, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Against this background, any national law that includes discrimination against women and does not ensure gender equality is considered as not in line with international obligations.

The laws reviewed under this indicator include the penal code, the personal status law, the family code, the nationality law, the labor law, where discrimination still pertains. The most important common features of legislation that need to be brought up to these standards are predominantly relating to family laws and penal code. Those related to penal code are linked to marital rape that is still not penalized, except in Tunisia, yet not explicitly. The penal codes in all index countries have provisions that consider extramarital sex between consenting adults (adultery) an offence. The criminalisation of sexual relations between consenting adults is a violation of their right to privacy, infringing the International Covenant on Civil and Political Rights. Research shows that maintaining adultery as a criminal offence is directed mostly against women and girls and the penalty almost always discriminates against women both in law and practice, even when penal code definitions appear gender neutral and prohibit adultery by both men and women. The CEDAW Committee and the HRC Committee have pointed out that adultery provisions must be repealed so that women are not deterred from reporting rapes by fears that their claims will be associated with a crime of adultery. In 2012 the UN Working Group on Discrimination against women in law and in practice issued a call to governments to repeal laws.<sup>7</sup>

Personal status laws do not provide equal rights to women and men in marriage and divorce, except in Tunisia. They are discriminating particularly on the question of polygamy, which remains allowed by law, except in Tunisia, even if the consent of the first wife is sometimes requested, as in Algeria and Morocco. Discrimination against women is also maintained in the field of inheritance, as women, in all these countries, inherit less than the men's share.

Abortion is still prohibited in all countries except in Tunisia. Moreover, in Lebanon, Jordan, and Palestine, abortion is prohibited even for women who have been raped.

The penal codes in the index countries do not consider prostitution as sexual exploitation and a form of violence against women, and a major obstacle to achieving gender equality. The penal codes criminalise both women in prostitution, pimps, and clients and therefore women in prostitution are deprived from protection of violence and sexual exploitation. CEDAW is unequivocal that trafficking and prostitution are linked to exploitation of women. Article 6 states that "States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."

Jordan and Lebanon keep discrimination under nationality laws, not allowing women to pass on their citizenship to their children or husband in the same way as men.

Labor laws in all countries include legal restrictions on women's employment predominantly linked to night work or occupations considered "arduous" or "hazardous".

## Algeria

The main laws that are not in line with international obligations pertaining to women rights are as follows:

1. The penal code and the family law do not criminalize marital rape.
2. Article 237 of the penal code provides that a man who surprises his wife committing sexual act out of marriage, and who kills her and the person involved in the sexual act with her, benefits from a reduced penalty.
3. Articles 304–313 of the penal code prohibit abortion, including for women who have been raped.
4. Article 339 of the penal code considers sexual act out of marriage an offence.
5. Articles 343– 347 of the penal code prohibit prostitution but it does not ensure protection of prostituted women while penalizing the client.
6. The family law does not ensure equal rights between women and men during marriage and divorce relating to:
  - Polygamy: Polygamy is allowed in case of wife's approval.
  - Guardianship: Fathers are the sole guardians of their children.
  - Inheritance: Women's share of an inheritance is less than men's.
  - Divorce: Men have a right to divorce by repudiation without resorting to the court while women have access to limited types of divorce that can only be obtained from a court.
7. Article 29 of the labour law prohibits employing women for night work, unless a special exception has been granted.

<sup>7</sup> See "Joint Statement by the United Nations Working Group on discrimination against women in law and in practice" of 18 October 2012, see <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12672&LangID=E>

## Egypt

The main laws that are not in line with international obligations pertaining to women rights are as follows:

1. The penal code does not criminalize marital rape.
2. Article 237 of the penal code provides that a man who surprises his wife committing sexual act out of marriage, and who kills her and the person involved in the sexual act with her, benefits from a reduced penalty.
3. Articles 17 and 60 of the penal code also enable a judge to provide leniency for honour crimes.
4. Articles 260–264 of the penal code prohibit abortion, including for women who have been raped.
5. Articles 237, 273, 274–277 of the penal code consider sexual acts out of marriage an offence.
6. The penal code prohibits prostitution, but it does not ensure protection of prostituted women while penalizing the client.
7. The personal status law for Muslims does not ensure equal rights between women and men during marriage and divorce relating to:
  - Polygamy: Polygamy is allowed.
  - Guardianship: Fathers are the sole guardians of their children.
  - Inheritance: The inheritance, which is based on Sharia rules, provides that women's share of an inheritance is less than men's.
  - Divorce: Men have a right to divorce by repudiation without resorting to the court while women have access to limited types of divorce that can only be obtained from a court.
8. The labour law does not ensure the same rights for women and men in work and puts more restrictions on women employment.

## Jordan

The main laws that are not in line with international obligations pertaining to women rights are as follows:

1. The penal code does not criminalize marital rape.
2. Under the nationality law No. 6 of 1954, Jordanian women married to non-Jordanian men cannot pass on their citizenship to their children or husband in the same way as men. However, the government issued a decision in 2014 which granted certain rights to the children of Jordanian women married to non-Jordanians within several sectors, as health care, education, ownership, employment, along with the issuance of special identification cards for persons falling under the category.
3. Articles 321–325 of the penal code prohibit abortion, including for women who have been raped. However, article 12 of the public health law allows abortion if it endangers the life of the pregnant woman or could lead to her death.
4. Articles 282-284 of the penal code consider sexual acts out of marriage an offence.
5. Articles 306–317 of the penal code prohibit prostitution, but it does not ensure protection of prostituted women while penalizing the client , noting that the majority of these articles address the punishment for pimping.
6. The personal status law does not ensure equal rights between women and men during marriage and divorce relating to:
  - Polygamy: Polygamy is allowed.
  - Guardianship: Fathers are the sole guardians of their children.
  - Inheritance: The inheritance, which is based on Sharia rules, provides that women's share of an inheritance is less than men's.
  - Divorce: Men have a right to divorce by repudiation without resorting to the court while women have access to limited types of divorce that can only be obtained from a court.
7. The labour law and its regulations impose legal restrictions on women's employment in some occupations considered arduous or where they may be subject to health and/or safety risks.
8. The labour law prohibits women from night work except in roles specified by the Ministry of Labour.

## Lebanon

The main laws that are not in line with all international legal obligations pertaining to women rights are as follows:

1. The penal code does not criminalize marital rape.
2. Under the nationality law, Lebanese women cannot pass their citizenship to their children or to a foreign spouse in the same way as Lebanese men.
3. Articles 539–546 of the penal code prohibit abortion, including for women who have been raped.
4. Articles 487–489 of the penal code consider sexual acts out of marriage an offence.
5. Article 523 of the penal code prohibits prostitution, but it does not ensure protection of prostituted women while penalizing the client.
6. The penal code does not prohibit early marriage. The minimum age of marriage varies among religious denominations and disadvantages girls. Although most religious groups set the minimum age as 18 for boys, all religious groups allow girls under the age of 18 to marry.
7. The personal status law for Muslims does not ensure equal rights between women and men during marriage and divorce relating to:

- Polygamy: Polygamy is allowed.
- Guardianship: Fathers are the sole guardians of their children.
- Inheritance: The inheritance, which is based on Sharia rules, provides that women's share of an inheritance is less than men's.

- Divorce: Men have a right to divorce by repudiation without resorting to the court while women have access to limited types of divorce that can only be obtained from a court.

8. The labour law prohibits women from working in certain occupations considered "arduous" or "hazardous".

## Morocco

The main laws that are not in line with international obligations pertaining to women rights are as follows:

1. The law on combating violence against women and the penal code do not criminalize marital rape. Article 486 of the penal code stipulates that "rape is a man forcing sexual intercourse on a woman without her consent, and it is punishable by five to ten years in prison". However, marital rape is not explicitly criminalized and the law on violence against women did not amend the penal code provision on rape, which does not list marriage among aggravating circumstances for sentencing rape offenders.
2. Article 449 of the penal code prohibits abortion. Article 453 states that abortion is legal only where it is necessary to save a woman's life: "abortion is not punishable if it is necessary to preserve the mother's wellbeing and when performed overtly by a doctor or a surgeon with the husband's permission."
3. Article 418 of the penal code provides that a husband or wife benefits from a mitigated sentence if they murder, injure, or beat their spouse who is caught in a sexual act out of marriage.
4. Article 491 of the penal code considers sexual acts out of marriage an offence.
5. Article 498 of the penal code criminalizes prostituted woman. The law does not provide them with protection against violence and exploitation they are subjected to.
6. The family code does not ensure equal rights between women and men during marriage and divorce relating to:
  - Polygamy: Polygamy is allowed.
  - Guardianship: Fathers are the sole guardians of their children.
  - Inheritance: The inheritance, which is based on Sharia rules, provides that women's share of an inheritance is less than men's.
  - Divorce: Men have a right to divorce by repudiation without resorting to the court while women have access to limited types of divorce that can only be obtained from a court.
7. The labour law prohibits the employment of women in occupations listed in regulations, including work that poses "excessive risk", because it is considered beyond their capabilities, or is likely to undermine morality.

## Palestine

The main laws that are not in line with international obligations pertaining to women rights are as follows:

1. The penal code does not criminalize marital rape.
2. Under the Jordanian penal code (Articles 321–325), abortion is prohibited in the West Bank and in Gaza by the criminal code of 1936 (Articles 175–177).
3. Article 282 of the penal code considers sexual acts out of marriage an offence in Gaza and the West Bank.
4. Articles 309–318 of the penal code in the West Bank and articles 161–166 of the criminal code of 1936 in Gaza prohibit prostitution, but it does not ensure protection of prostituted women while penalizing the client.
5. The personal status law does not ensure equal rights between women and men during marriage and divorce relating to:
  - Polygamy: Polygamy is allowed.
  - Guardianship: Fathers are the sole guardians of their children.
  - Inheritance: The inheritance, which is based on Sharia rules, provides that women's share of an inheritance is less than men's.
  - Divorce: Men have a right to divorce by repudiation without resorting to the court while women have access to limited types of divorce that can only be obtained from a court.
6. The labour law and regulations include some legal restrictions on women's employment in certain "dangerous" industries and jobs that have not been specified by the Minister of Labour.

## Tunisia

The main laws that are not in line with international obligations pertaining to women rights are as follows:

1. The penal code does not criminalize marital rape. The law on eliminating violence against women criminalizes sexual violence regardless of the perpetrator and his relationship to the victim, but it does not explicitly criminalize marital rape.
2. Article 236 of the penal code considers sexual acts out of marriage an offence.
3. Article 231 of the penal code criminalizes prostituted women. The law does not provide them with protection against violence and exploitation they are subjected to.
4. The personal status code provides that women's share of an inheritance is less than men's.
5. The labour law includes legal restrictions on women's employment in undertaking night work, mining, and scrap metal work.

# Legal Framework and Public Policies

## Indicator 4

**Existence of comprehensive law criminalizing all forms of VAWG including harmful practices such as FGM, early and forced marriage, honour crimes**

VAWG is a phenomenon that persists in both the private and the public sphere. It affects women of all categories, in their personal and social statuses. Due to the complexity of this issue and how widespread it is, international and regional documents on combating violence against women recommend the adoption of comprehensive laws to combat it, including a definition on VAWG, and the criminalisation of all its forms, regardless of the context in which it occurs and of the nature of the relationship between the aggressor and the victim.

Special protection must be granted to women under circumstances that could increase their vulnerability as victims: their age (young or old), a disability or illness, an asylum or immigration situation, whether legal or illegal, a detention or imprisonment, or a state of war<sup>8</sup>.

Only Tunisia and Morocco have such comprehensive laws on eliminating VAWG. Still there are many forms of VAWG that are not comprehensively criminalized in most of the countries included in this index such as: marital rape, early marriage<sup>9</sup>, polygamy, inequality between men and women in inheritance, “honour” crimes, sexual harassment in the work place. While sexual harassment<sup>10</sup> is criminalized under penal code in all countries, sexual harassment specifically in the workplace is prohibited under the labour law only in Morocco and Jordan. In December 2020, Lebanon adopted a special law prohibiting sexual harassment in workplace.

## Algeria

There is no comprehensive law that criminalizes all forms of VAWG. The amendments to the penal code (2015) introduced violence against women as a particular form of violence aimed specifically against women and girls, and committed in both private and public space. The penal code criminalizes some forms of VAWG, as rape, sexual harassment in the public space and in the workplace, as well as economic violence identified as deprivation of woman's own goods, salary and lodging. FGM is not legally prohibited but is believed not to be practiced in Algeria.

Other forms of VAWG that are not comprehensively criminalized include: marital rape, early marriage, polygamy, inequality between men and women in inheritance, “honour” crimes. Sexual harassment in the workplace is not addressed in the labour law.

## Egypt

There is no comprehensive law that criminalizes all forms of VAWG. Some forms are criminalized under different laws. Sexual harassment in the public space and in the workplace, rape and FGM are criminalized under the penal code.

Other forms of VAWG that are not comprehensively criminalized include: marital rape, early marriage, polygamy, inequality between men and women in inheritance, “honour” crimes. Sexual harassment in the workplace is not addressed in the labour law.

## Jordan

There is no comprehensive law that criminalizes all forms of VAWG. Some forms are criminalized under the penal code such as sexual harassment and rape. Sexual harassment in the workplace is prohibited under the labour law. FGM is not

legally prohibited but it is believed not be practiced in Jordan. Other forms of VAWG that are not comprehensively criminalized include: marital rape, early marriage, polygamy, inequality between men and women in inheritance, “honour” crimes.

<sup>8</sup> Silvia Suteu, Salsabil Klibi and Ibrahim Draji, ABC for a Gender Sensitive Legislation, EuroMed Feminist Initiative, Paris 2020.

<sup>9</sup> Please refer to indicator No. 13 for more information on early marriage.

<sup>10</sup> Please refer to indicator No. 12 for more information on sexual harassment in public and private space

 Lebanon

There is no comprehensive law that criminalizes all forms of VAWG. Some forms are criminalized under the penal code such as sexual harassment in the public space and rape. A special law prohibiting sexual harassment in workplace was adopted in December 2020. FGM is not legally prohibited but it is believed not to be practiced in Lebanon.

Other forms of VAWG that are not comprehensively criminalized include: marital rape, early marriage, polygamy, inequality between men and women in inheritance.

 Morocco

There is a law on combating VAWG (Law on Combating Violence against Women of 2018). The law covers physical violence, psychological violence, sexual violence, economic violence, but does not explicitly criminalize marital rape.

Other forms of VAWG that are not comprehensively criminalized include: marital rape, polygamy, inequality between men and women in inheritance, “honour” crimes.

Some forms of VAWG are criminalized under different laws. Sexual harassment and rape are criminalized under the penal code. Sexual harassment in the workplace is prohibited under the labour law. FGM is not legally prohibited but it is believed not to be practiced in Morocco.

 Palestine

There is no comprehensive law that criminalizes all forms of VAWG. Some forms are criminalized under the penal code such as sexual harassment in the public space and rape. FGM is not legally prohibited but is believed not to be practiced in Palestine.

Other forms of VAWG that are not comprehensively criminalized include: marital rape, early marriage, polygamy, inequality between men and women in inheritance. Sexual harassment in the workplace is not addressed in the labour law.

 Tunisia

There is a comprehensive law on combating VAWG (Law on Eliminating Violence against Women of 2017). Article 3 criminalizes sexual violence, whatever the perpetrator’s relation to the victim is, meaning that marital rape would be included, but it does not explicitly criminalize marital rape.

Polygamy is criminalized under the personal status code. Other forms of VAWG that are not comprehensively criminalized include: marital rape, early marriage, inequality between men and women in inheritance, sexual harassment in the workplace.

Some forms of VAWG are criminalized under different laws. Rape and FGM are criminalized under the penal code. Penal code also criminalizes sexual harassment in general, whether it is committed in public, private, or workplace.

# Legal Framework and Public Policies

## Indicator 5

### Existence of specific law/s addressing VAWG

Adopting a specific law to address VAWG has multiple aims. Most importantly, it serves to clearly target all forms of this violence and not to fragment it in dispersed legal texts. As VAWG is multidimensional, combating it is not limited to applying solely a criminal approach. Rather, it requires a comprehensive treatment of the problem, in which the preventive dimension has a core function, as we shall see below. Only two States in the region have adopted a comprehensive approach: Morocco and Tunisia.

Other countries have legal rules criminalizing various acts of VAWG dispersed in several laws. Examples of these laws include the penal code, the nationality laws, family laws and some other specific laws, as the anti-trafficking law in Egypt, and the Jordanian law on electronic crimes.

## Algeria

There is no specific law addressing VAWG comprehensively. Main laws relevant to combating the different forms of VAWG include: the penal code of 1966, as amended in 2015 which

tightened the punishments on perpetrators of violence against women, the family law as amended in 2005, the nationality law of 2005.

## Egypt

There is no specific law addressing VAWG comprehensively. Main laws relevant to combating the different forms of VAWG include: the penal code No. 58 of 1937 and its amendments, most recently the amendment by the law No. 5 of 2018, the law

No. 154 of 2004 amending the nationality law No. 26 of 1975, the law No. 10 of 2004 on the establishment of family courts, the combating human trafficking law, No. 64 of 2010.

## Jordan

There is no specific law addressing VAWG. Main laws relevant to combating the different forms of VAWG include: the crime prevention law, No. 7 of 1954, the penal code, No. 16 of 1960 with amendments, the law on protection from domestic

violence, No.15 of 2017, the anti- trafficking law, No. 9 of 2009, the personal status law, No. 36, the amendments to law on electronic crimes, No. 27 of 2015, law of the National Council for Family Affairs of 2001.

## Lebanon

There is no specific law addressing VAWG comprehensively. Main laws relevant to combating the different forms of VAWG include: the law on the protection of women and family members against domestic violence No. 293 of 2014, the penal

code of 1943, the law on punishment for the crime of trafficking in persons No. 164 of 2011.

## Morocco

There is a specific law addressing VAWG (Law on Combating Violence against Women of 2018). The law includes the four dimensions pertaining to the elimination of violence against women: prevention, protection, prosecution, and support. It increases penalties for some forms of violence in the penal code when committed within the family and establishes new crimes including forced marriage, squandering money or property to circumvent payment of maintenance or other dues arising from a divorce, expelling or preventing a spouse from

returning home, and sexual harassment in public spaces as well as cyber harassment. The law does not cover all forms of VAWG such as marital rape (see indicator 4).

Other laws relevant to combating the different forms of VAWG include: the nationality law of 1958, as modified in 2011, the penal code of 1962 last amended in 2019, the family code of 2004, the labour law No. 65.99 of 2011, the anti-trafficking law No. 27.14 of 2016.

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## Palestine

There is no specific law addressing VAWG. Main laws relevant to combating the different forms of VAWG include: the crime prevention law No. 7 of 1954 in the Gaza Strip, the law of

family rights of 1954 in the Gaza Strip, the penal code No.16 of 1960 in the West Bank, the personal status law of 1976 in the West Bank.

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## Tunisia

There is a specific law addressing VAWG (Law on Eliminating Violence against Women of 2017). The law includes the four dimensions pertaining to the elimination of violence against women: prevention, protection, prosecution, and support. The law does not explicitly criminalize marital rape. (See indicator 4).

Other laws relevant to combating different forms of VAWG include: the penal code 1913, the personal status code 1956, the nationality law 1956, the anti-trafficking law of 2016 and the law on elimination of all forms of racial discrimination of 2018.

# Legal Framework and Public Policies

## Indicator 6

### The definition of VAWG in the legislation is in line of the UN resolutions on women rights

It is important to have a legal definition of VAWG that covers all types of violence, whether it is physical, psychological, economic, or takes another form, and whether it takes place in the public or private sphere.

In general, this type of definition is available where specific legislation to address VAWG exists, such as in Morocco and in Tunisia. Even there, the definition should be reviewed to explicitly include for example definitions of marital rape and other forms of violence (see indicator 5).

#### Algeria

There is no specific definition of VAWG in the Algerian legislation. Some forms of VAWG are defined under the penal code and the family law.

#### Egypt

There is no specific definition of VAWG in the Egyptian legislation. Some forms of VAWG are defined under the penal code.

#### Jordan

There is no specific definition of VAWG in the Jordanian legislation. Also, there is no comprehensive definition of VAWG, whereas article 2 of the law on protection from domestic violence

of 2017 defines domestic violence as “crimes committed by members of the family against any of its other members”. Some forms of VAWG are defined under the penal code and the protection from domestic violence law.

#### Lebanon

There is no specific definition of VAWG in the Lebanese legislation. Some forms of VAWG are defined under the penal code and the domestic violence law.

#### Morocco

The law on combating violence against women of 2018 defines violence against women as “any act based on gender discrimination that entails physical, psychological, sexual,

or economic harm to a woman.” The law does not provide a definition of domestic violence and marital rape is not included in the definition of sexual violence.

#### Palestine

There is no specific definition of VAWG in the Palestinian legislation. However, some forms of VAWG are defined under the Jordanian penal code.

#### Tunisia

The specific law on eliminating violence against women of 2017 defines the violence against women as “every physical, moral, sexual, or economic harm inflicted on women based on gender discrimination that causes physical, psychological, sexual, or economic harm, pain, or damage to women, and also includes the threat to bring about such harm, pressure, or denial of

rights and freedoms, whether in public or private life.” It also includes the threat of attack, pressure or deprivation of rights and freedoms, whether in public or private life. Marital rape is not included in the definition of sexual violence.

# Legal Framework and Public Policies

## Indicator 7

**Existence of parliamentary oversight role (body) on public legal awareness activities pertaining to laws on VAWG**

In political systems that strive for inclusive governance, the parliament usually plays a major role in enacting laws, making policies, and holding the government accountable for its policies. Part of this essential role is to have a legislative policy on combating VAWG. It is thus very important when the parliament adopts laws and policies to address VAWG that they do all they can to raise public awareness and sensitize citizens to this issue in order to ensure the efficiency of these laws but also in order to assess them.

No parliament in the States covered by the index follows up such laws nor set up programs of public awareness on the issue of VAWG.



### Algeria

The parliament does not perform oversight role on public legal awareness on laws of VAWG.



### Egypt

The parliament does not perform oversight role on public legal awareness on laws of VAWG.



### Jordan

The parliament does not perform oversight role on public legal awareness on laws of VAWG. However, in a 2013 a Forum of Women Parliamentarians was established and in 2014 the parliament created a parliamentarian committee on Women and Family Affairs. There is also a Women's Committee in

the Senate. These committees hold meetings, hearings and conferences and spread awareness on women's issues, including laws combating VAWG. They also oversee the government's work on issues relating to VAWG.



### Lebanon

The parliament does not perform oversight role on public legal awareness on laws of VAWG.



### Morocco

The parliament does not perform regular oversight role on public legal awareness on laws of VAWG. However, two years after the law on combating violence against women came into force, the parliament organized several thematic days to follow up on the implementation of law, during which

the relevant governmental sectors presented the outcomes of their commitments to this law. CSOs also participated in these parliamentary activities alongside the Human Rights Constitutional Institutions.



### Palestine

The parliament does not perform oversight role on public legal awareness on laws of VAWG.



### Tunisia

The parliament does not perform oversight role on public legal awareness on laws of VAWG.

# Legal Framework and Public Policies

## Indicator 8

**The laws support indistinctly all survivors of VAWG by providing for free legal aid and support services including all required support during court proceedings**

Many victims do not report VAWG, not only because of the fear of reprisal or shame, but also often because of the complexity of the processes of access to justice and the cost of trials. For this reason, the role of the State in supporting victims and especially in providing legal assistance is essential.

In order to improve women's access to legal aid, the General Assembly of the United Nations unanimously adopted in 2012 the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (67/187). The guidelines, which represent the first international instrument on the right to legal assistance, recommend providing legal aid, advice and court support services in all legal proceedings to female victims of violence in order to ensure access to justice and avoid secondary victimization and other such services, which may include the translation of legal documents where requested or required.

Except for Morocco and Tunisia which have comprehensive laws addressing VAWG, the other States offer legal assistance for those who are without means but not specifically for women victims of VAWG.

### Algeria

The Constitution in article 57 guarantees legal assistance to "vulnerable persons". Also, the laws include the right to legal assistance for those without means but not specifically for

women victims of VAWG. The legal aid includes covering the costs of providing lawyer and the court procedures.

### Egypt

The Constitution and the law include the right to legal assistance for those without means but not specifically for women victims of VAWG.

### Jordan

The law includes the right to legal assistance for certain categories but not specifically for women victims of VAWG. There is a legal assistance system no. 119 of 2018 issued under article 208 of the criminal procedures law and its amendments no. 9 of 1961. The law prioritizes the categories

that can receive legal assistance, as follows: juveniles, seniors, women, persons with disabilities, then any other category specified by the minister

### Lebanon

The law does not guarantee access to legal aid.



## Morocco

Articles 13 and 14 of the law on combating violence against women of 2018 provides for the establishment of institutional cells supporting women victims of VAWG within different government's institutions including courts.

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## Palestine

The law does not guarantee access to legal aid. However, there is the National Strategy for Legal Aid endorsed in 2019 that includes providing legal aid for those who are without means but not specifically for women victims of VAWG.

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## Tunisia

Article 13 of the law on eliminating violence against women of 2017 guarantees the right of women victims of VAWG to legal advice and obligatory judicial aid.

# Legal Framework and Public Policies

## Indicator 9

The laws ensure the right of women to sexual and reproductive health and freedom on their own bodies

Even if sexual and reproductive rights are human rights, the right to control one's own body, as well as the rest of individual freedoms, is still very poorly recognized and therefore very weakly guaranteed in all the countries.

The right to abortion is still a problem. Abortion is most often considered illegal by the penal code of the index countries except in Tunisia. In Algeria, it is permitted in only three cases related to women's health or life, and the viability of the foetus. In Lebanon, it is important to note that abortion is illegal even in case of rape.

### Algeria

The 2018 Health Act promulgated three permissive cases for abortions:

1. When the physiological, psychological, and/or mental balance of the woman is at serious risk. The text is not explicit as to the nature of the loss of balance but is believed to refer to a woman who gets pregnant after being raped.

2. When the foetal anomaly implies non-viability.
3. When a woman's life or health is at risk if the pregnancy continues.

### Egypt

The right to sexual and reproductive health is guaranteed by laws. However, abortion is illegal.

### Jordan

The right to sexual and reproductive health is guaranteed by laws. However, abortion is illegal. Article 12 of the public health law allows abortion only if it endangers the life of the pregnant woman or could lead to her death.

### Lebanon

The right to sexual and reproductive health is guaranteed by laws. However, abortion is illegal.

### Morocco

The right to sexual and reproductive health is guaranteed by laws. However, abortion is illegal. Penal code (article 453) states that "abortion is not punishable if it is necessary to

preserve the mother's wellbeing and when performed overtly by a doctor or a surgeon with the husband's permission".

### Palestine

The right to sexual and reproductive health is guaranteed by laws. However, abortion is illegal.

### Tunisia

The right to sexual and reproductive health is guaranteed by laws and abortion is legal. Abortion is authorized during the first trimester of pregnancy by a physician legally practicing in a hospital or healthcare establishment or authorized clinic.

It is also permitted after three months if there is any concern that the continuation of the pregnancy might cause harm to the woman's physical or mental health, or if the fetus is expected to develop an illness or a serious disease.

# Legal Framework and Public Policies

## Indicator 10

The existing laws, including family laws, whether civil or customary, protect women and girls from abusive partners during marriage and divorce

In almost all countries in the region, family relations, including marital relations, are still regulated, directly or indirectly, by customary and/or religious law. These two systems reveal a kind of tolerance of discrimination against women and even violence against them.

Marital rape is not criminalized. Except in Tunisia, polygamy is allowed (sometimes restricted to wife approval, like in Algeria or in Morocco).

In Egypt, domestic violence is punishable if battery exceeds the limits of “discipline”, while in Palestine it is not considered an offense. In all reviewed countries, women’s share in inheritance is less than men’s share.

These are still legal barriers to provision of equal protection of women and men in marriage and divorce.

### Algeria

The protection of women and girls from abusive partners during marriage and divorce remains incomplete in the existing laws.

1. The family law and penal code do not criminalize marital rape.
2. Article 279 of the penal code provides that a person who kills or injures his or her spouse benefit from mitigating circumstances if his or her spouse was caught in a sexual act out of marriage.
3. Articles 260–264 of the penal code prohibit abortion, including for women who have been raped.
4. The family law allows polygamy in case of the wife’s approval and the certification by a court of a “justified motivation” for the marriage and that the husband has adequate financial means to provide support.
5. Under the family law, fathers are the sole guardians of their children.
6. The inheritance, which is based on Sharia rules, does not guarantee the same rights for women and men.

### Egypt

The protection of women and girls from abusive partners during marriage and divorce remains incomplete in the existing laws.

1. The penal code does not criminalize marital rape and does not ensure punishment for all offences of domestic violence.
2. Article 237 of penal code provides that a man who surprises his wife committing sexual acts out of marriage and who kills her benefits from a reduced penalty.
3. Articles 260–264 of the penal code prohibit abortion, including for women who have been raped.
4. The personal status law for Muslims provides that men have a right to divorce by repudiation without resorting to the court while women have access to limited types of divorce that can only be obtained from a court.
5. The personal status law for Muslims permits polygamy.
6. Under the personal status law, fathers are the sole guardians of their children.
7. The inheritance, which is based on Sharia rules, does not guarantee the same rights for women and men.

### Jordan

The protection of women and girls from abusive partners during marriage and divorce remains incomplete in the existing laws.

1. The penal code and the protection from family violence law do not criminalize marital rape.
2. Articles 321–325 of the penal code prohibit abortion, including for women who have been raped.
3. The personal status law does not ensure equal rights in marriage and divorce between man and women.
4. The personal status law permits polygamy.
5. Under the personal status law, fathers are the sole guardians of children.
6. The inheritance, which is based on Sharia rules, does not guarantee the same rights for women and men.



## Lebanon

The protection of women and girls from abusive partners during marriage and divorce remains incomplete in the existing laws.

1. The penal code does not criminalize marital rape. The definition of rape in articles 503 and 504 of the penal code of 1943 excludes forced sex in marriage.
  2. The penal code does not prohibit early marriage. The minimum age of marriage varies among religious denominations and disadvantages girls. Although most religious groups set the minimum age as 18 for boys, all religious groups allow girls under the age of 18 to marry.
  3. Articles 539–546 of the penal code prohibit abortion, including for women who have been raped.
  4. Under the personal status law, women do not enjoy equal rights with men in marriage and divorce. Additionally, grounds for divorce or annulment under the various sectarian personal status laws discriminate against women.
  5. The personal status law allows polygamy for Muslims.
  6. Under the personal status law, fathers are the sole guardians of their children, except for Armenian Orthodox couples.
  7. The inheritance for Muslims, which is based on Sharia rules, does not guarantee the same rights for women and men.
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## Morocco

The protection of women and girls from abusive partners during marriage and divorce remains incomplete in the existing laws.

1. The law on combating violence against women and the penal code do not explicitly criminalize marital rape.
  2. Article 449 of the penal code criminalizes abortion.
  3. Article 418 of the penal code provides that a husband or a wife benefits from a mitigated sentence if they murder, injure, or beat their spouse who is caught in a sexual act out of marriage.
  4. The family code allows polygamy, even if restricted. Article 40 of the family code states: “polygamy is prohibited if the wives are not treated equally and fairly, and if the wife has stated as one of her conditions that her husband does not marry a second wife.”
  5. Under the personal status law, the father is the legal guardian of his minor children; the mother is guardian if the father is absent or is deprived of capacity.
  6. The inheritance, which is based on Sharia rules, does not guarantee the same rights for women and men.
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## Palestine

The protection of women and girls from abusive partners during marriage and divorce remains incomplete in the existing laws.

1. The penal code does not criminalize marital rape.
  2. Under the Jordanian penal code (articles 321–325) abortion is prohibited in the West Bank and in Gaza by the criminal code of 1936 (articles 175–177).
  3. The personal status law permits polygamy.
  4. Under the personal status code, fathers are the sole guardians of children.
  5. The legal age of marriage for women in the West Bank is 18 years under the Jordanian personal status law while in the Gaza Strip, it is 17 years old. The ages can be lower if a judge allows it with a guardian’s approval in the case of the girl.
  6. The inheritance, which is based on Sharia rules, does not guarantee the same rights for women and men.
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## Tunisia

The protection of women and girls from abusive partners during marriage and divorce remains incomplete in the existing laws.

1. The law on eliminating violence against women and the penal code do not explicitly criminalize marital rape.
2. The inheritance, which is based on Sharia rules, does not guarantee the same rights for women and men.

# Legal Framework and Public Policies

## Indicator 11

### Existence of legal framework offers women legal protection from marital rape

Sexual acts between spouses in the index countries are mostly regulated by customary and religious rules which consider sexual relationship as a marital duty of the spouse and consenting to it is therefore an automatic consequence of consenting to marriage. This explains why marital rape is not recognized or not explicitly recognized, and why women are not legally protected from it.

#### Algeria

There is no legal framework offering women legal protection from marital rape.

#### Egypt

There is no legal framework offering women legal protection from marital rape.

#### Jordan

There is no legal framework offering women legal protection from marital rape.

#### Lebanon

There is no legal framework offering women legal protection from marital rape.

#### Morocco

The penal code under article 486 refers to rape as when “a man forcing sexual intercourse on a woman without her consent, and it is punishable by five to ten years in prison”. This reference has been used by the judiciary in respect with the decision of the court of appeals in Tangier, file number 2612/2019/203, where it was stated that “the Moroccan legislator defined rape

as a man forcing sex on a woman without her consent, not excluding the married woman, hence, the law can also apply to married women. However, the law on combating violence against women and the penal code do not mention explicitly marital rape and do not explicitly provide legal protection from marital rape.

#### Palestine

There is no legal framework offering women legal protection from marital rape.

#### Tunisia

The law on eliminating violence against women of 2017 offers women legal protection from marital rape but does not mention it explicitly (see under indicator 4). The law defines the sexual

violence as any act or attempt to obtain a sexual act by coercion regardless of the relationship to the victim.

# Legal Framework and Public Policies

## Indicator 12

### Existence of legal framework that offers women legal protection from harassment in the public space

Sexual harassment is a widespread form of VAWG, and it occurs across all societies regardless of their cultural or socioeconomic contexts. Sexual harassment is generally criminalized in the penal codes of the index countries, but often as an “immoral” and “indecent” behaviour and not as a form of VAWG.

The definition of harassment as an act against a woman’s will is rarely present. It is mentioned in the Jordanian and the Palestinian penal code, where it is referred to as “non-consensual sexual intercourse”, while it is linked to “public indecency” in Algeria and Egypt. On the other hand, Lebanon adopted in December 2020 a new law on sexual harassment, criminalizing all forms of sexual harassment.

Only in Morocco labour laws clearly criminalize sexual harassment in the workplace. In Jordan, where sexual harassment is prohibited, an employee can resign without notifying the employer if they are victims of a sexual assault from the employer, but they are not protected if the assault is perpetrated by another employee.

## Algeria

The penal code prohibits sexual harassment in the public space and in workplace under article 341, which is related to committing a “public indecency” and is punished by

imprisonment and a fine. The labour law does not prohibit sexual harassment in the work place.

## Egypt

Law No. 50 of 2014 amended the penal code articles 306 (a) and 306 (b) to introduce penalties for sexual harassment in the public space, including imprisonment which provides that individuals who carry out sexual or “obscene gestures” in any

manner, including by modern means of communication, will be punished with a term of imprisonment or a fine. The labour law does not prohibit sexual harassment in the work place.

## Jordan

The concept of sexual harassment is not mentioned clearly in the penal code and is mainly restricted to the offenses of “inappropriate and indecent acts of sexual nature”, whereas article 305 states that “ an indecent act of sexual nature is punishable by one month to two years if inflicted on a person under 18 years of age, male or female, b. a woman or a girl over 18 but without her consent.

Article 306 bis increased penalties for “inappropriate and indecent acts of sexual nature if committed by one of the victim’s legal guardians, or any person with legal power or authority over the victim, or if the victim is a physically or mentally incapacitated male or female, unable to resist, or was deceived”. The labour law also prohibits sexual harassment in the work place. The law allows an employee to resign from work without notice if the employee has been a victim of a sexual assault perpetrated by the employer or the employer’s representative. However, it does not grant this right if the assault is committed by another co-worker in the workplace.

## Lebanon

The penal code includes punishment of some “indecent acts” of harassment in public spaces. The labour law does not criminalize harassment in the workplace. A new law criminalizing sexual harassment in the workplace was adopted in December 2020. The law includes maximum penalties for

harassment in the work place, public institutions or educational facilities. Perpetrators of harassment can be sentenced to up to two years in prison and fined up to 20 times the value of the minimum wage, which is \$450.

## Morocco

The law on combating violence against women (article 503) prohibits sexual harassment of women in public places. The sentence is increased if the perpetrator is a work colleague or a security agent entrusted with “keeping order in public spaces and such,” or one of the victim’s legal guardians, or any person with power and authority over the victim, or a person entrusted with the victim’s care, or if the victim is minor. The

labour law also prohibits sexual harassment and provides that an employee can claim unfair dismissal if the employee has to leave employment because of serious misconduct by the employer or the head of the company, including as a result of any form of violence or aggression against the employee, sexual harassment, or incitement to indecent conduct.

## Palestine

The penal code criminalizes unwanted sexual conduct under article 305 which covers harassment of women in public places. The labour law does not clearly prohibit harassment of women. Under the labour law of 2000, discrimination in the workplace

between men and women is prohibited. However, the labour law does not include any specific prohibition on sexual harassment or other forms of gender-based violence in the workplace.

## Tunisia

The law on eliminating violence against women prohibits sexual harassment of women in public places. The penal code criminalizes sexual harassment in general, whether it is committed public, private, or workplace. (Article 226 (3))

The labour law does not criminalize sexual harassment in the workplace.

# Legal Framework and Public Policies

## Indicator 13

The existing laws, in the absence of a comprehensive law on VAWG, criminalize “honour” crimes and laws prohibit harmful practices such as FGM, early marriage

There are forms of VAWG that are specific to certain cultural contexts. These include crimes in the name of “honour” and FGM.

Even if mitigated penalties for “honour” crimes have been suppressed from the penal codes of Tunisia in 1993, Lebanon in 2011, Jordan in 2017, and the West Bank in Palestine in 2018 (this reform is not applied in Gaza), there is still discrimination between spouses in this field. In Egypt and Jordan, a husband who injures or kills his wife caught in sexual act with another person, still benefits from mitigating circumstances.

Female Genital Mutilation (FGM) has been criminalized in Egypt and in Tunisia. But there is no mention of it in Algeria, Jordan, Lebanon, Morocco, and Palestine, as it is not practiced.

Early marriage is also linked to social and cultural considerations. In Lebanon, the minimum age for marriage varies according to religious communities. While it is set at 18 years for men, it is often allowed below that age for girls. For the other countries, early marriage is not authorized, and the law sets the same age to marry for both men and women: 19 years in Algeria, 18 years in Egypt, Jordan, Morocco, Palestine, and Tunisia. However, the judge can still exceptionally authorize the marriage under the legal age.



### Algeria

Article 279 of the penal code provides that a person who kills or injures his or her spouse benefits from mitigating circumstances if his or her spouse was caught in sexual act out of marriage. There is no legal prohibition against FGM as it is not commonly practiced in Algeria and only some cases may exist in migrant

communities. The family law sets the age of marriage for men and women at 19 years. However, in “exceptional circumstances”, the judge may approve a marriage for those under the age of 19 years.



### Egypt

Article 237 of the penal code provides that a husband who kills his wife benefits from mitigating circumstances if his wife was caught in sexual act out of marriage. The penal code criminalizes FGM and considers it as an aggravating factor in the crime of causing deliberate physical injury. The child law of

2008 sets the minimum age of marriage in Egypt at 18 years for females and males. However, in “exceptional circumstances”, the judge may approve the marriage of a minor under the age of 18.



### Jordan

Article 98 of the penal code which relates to killing women in the name of “honour” was amended in 2017, preventing the reduction of penalties and punishment for “honour” crimes in general. However, article 340 has not been canceled nor amended. It stipulates that a person that catches his spouse committing sexual act out of marriage can benefit from a reduced sentence.

Although the article gives the wife the right to benefit from a reduced sentence, same as the husband, in case one of them is caught in sexual act out of marriage, the wife does not benefit from the reduced sentence unless the husband is caught in the sexual act in the marital home. There is no legal prohibition against FGM but it is not practiced in Jordan. The legal age of marriage is 18 years. However, the judge may approve a marriage of a minor who is between 15-17 years old.



### Lebanon

“Honour crimes” are prohibited without benefiting from reduced penalty. Article 562 of the penal code, which allowed reduction of sentences for “honour” crimes, was repealed in 2011. There is no legal prohibition against FGM as it is not practiced in Lebanon. There is no law prohibiting early marriage. The

minimum age of marriage varies among religious denominations and disadvantages girls. Although most religious groups set the minimum age as 18 for boys, all religious groups allow girls under the age of 18 to marry.



## Morocco

Article 418 of the penal code provides that a husband or wife benefits from a mitigated sentence if they kill their spouse caught in sexual act out of marriage. There is no legal prohibition against FGM as it is not practiced in Morocco. Under the family code 2004 the minimum legal age of marriage was raised to 18 years. The law on combating

violence against women of 2018 criminalized early marriage. However, child marriages can be legalized if the family gets a waiver for the minor.

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## Palestine

Laws allowing mitigation of penalties for “honour” crimes were repealed in 2011 and 2018 in the West Bank. The government in Gaza has not applied the reforms. There is no legal prohibition of FGM as it is not practiced. The legal age of marriage for women in the West Bank is 18 years under the

Jordanian personal status law while, in the Gaza Strip, it is 17 years old. However, in “exceptional circumstances”, the judge may approve a marriage for those under these limits.

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## Tunisia

Article 207 of the penal code was repealed in 1993. Mitigation for “honour” crimes committed against women caught in sexual act out of marriage is no longer applied. The legal age of marriage for each is 18 years. However, it is possible in exceptional cases to conclude a marriage contract below the prescribed

age after obtaining special permission from the court, which is given only for “serious” reasons and for the “obvious” interest of the spouses. Article 221 of the penal code prohibits the mutilation or partial or full removal of a woman’s sexual organ.

# Legal Framework and Public Policies

## Indicator 14

The law ensures the punishment of rapist regardless of the acceptance to marry the victim

Rape has often been considered an offence and a crime against the “honour” of the victim’s family and not a VAWG and a violation of their physical integrity. Algerian law still retains this conception of rape. It is for this reason that the marriage of the victim to her rapist was considered as a kind of compensation for this outrage and led to the withdrawal of the prosecution against the rapist.

Due to the activism of feminist movements and human rights defenders, the legislation of the index countries has evolved and most of them have abandoned this practice by maintaining legal prosecution of rapists even if they accept to marry their victims (Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia). In Algeria there is a contradiction, as while maintaining the conviction of the rapist even if he agrees to marry the victim, the law abolishes it in the case of abduction of a minor without the use of threats or violence in the case when the abductor marries his victim.



### Algeria

The rapist is penalized regardless of the acceptance to marry the victim. The penal code No. 66-156 of 1966 criminalizes rape. If the rape was committed against a minor, the sentence is tightened. However, article 326 of the penal code exonerates a man who abducts a girl under 18

without violence, threat, or deception if he later marries her. If the victim marries her abductor, the offender can only be prosecuted if the marriage is annulled.



### Egypt

The rapist is penalized regardless of the acceptance to marry the victim. Article 267 of the penal code law No. 58 of 1937 criminalizes rape. Articles 268 and 269 criminalize indecent

assaults. Article 291 of the penal code that allowed the rapists to avoid prosecution by marrying their victims, was repealed in 1999.



### Jordan

The rapist is penalized regardless of the acceptance to marry the victim. Article 308 of the penal code that allowed the

rapists to avoid prosecution by marrying their victims, was repealed in 2017.



### Lebanon

The rapist is penalized regardless of the acceptance to marry the victim. Article 522 which allowed men, who had been convicted of committing sexual assault to avoid penalty if a

valid contract of marriage could be provided, was repealed in 2017.



## Morocco

The rapist is penalized regardless of the acceptance to marry the victim. In 2014, article 475 of the penal code, that allowed

rapists of underage girls to avoid prosecution by marrying their victims, was repealed.

## Palestine

The rapist is penalized regardless of the acceptance to marry the victim. Rape is criminalized by article 152 of the penal code of 1936 in Gaza Strip and article 292 of the penal code

of 1960 in the West Bank. In the West Bank, article 308 of the penal code, which allowed the rapists to avoid prosecution by marrying their victims, was repealed in 2018.



## Tunisia

The rapist is penalized regardless of the acceptance to marry the victim. In 2017 the provisions that enabled impunity for sexual intercourse with a minor with her consent were also

repealed in the penal code (Article 227 bis) as well as for escaping with a minor (Article 239).

# Legal Framework and Public Policies

## Indicator 15

**There is a national strategy for preventing and combating VAWG with adequate resources, budget, and monitoring and evaluation plan**

The States have primary responsibility for action on VAWG, for the implementation of laws, policies, strategies, and services related to it.

There is evidence today that a strategy addressing VAWG with an established national action plan is particularly effective. Such action plans are more likely to have greater impact if they apply a holistic approach of coordinated interventions among relevant responsible actors across sectors at multiple levels and over multiple time-frames, to identify various measures and best steps to achieve one or more specific objectives. The States are accountable for their implementation and responsible to set aside adequate resources to implement this strategy, while women's rights organisations can help in the development, implementation, as well in monitoring and evaluation.

Four countries have on-going national strategies to combat VAWG: Algeria, Egypt, Lebanon and Tunisia. Palestine strategy ended 2019 and has not been renewed yet. These strategies, however, have not been supported by adequate resources.

Morocco has addressed VAWG through the Governmental Plan for Equality 2017-2021 (Ikram 2) and is working in a strategy for the period until 2030. Ikram 2 aims at ensuring gender equality in general, and combating all forms of discriminating and violence against women through axis four aiming at implementing the laws related to combating discrimination against women. Jordan addressed VAWG through the National Strategy for Women (2020-2025). The second objective of the strategy addresses gender based violence and specifies that "women and girls shall lead a life free of all forms of gender-based violence."

### Algeria

A National Strategy for Combating VAWG was developed in 2007 by the then Ministry of Family and Women's Affairs. The strategy has three intervention areas: appropriate and diversified services, community mobilization and social and national solidarity, and alliances building. It has facilitated various small legislative changes such as the amendment of the nationality law, the family law and the penal code. In line with this strategy, there are on-going trainings carried out for judiciary, gendarmerie and police.

The strategy does not include defined resources, budget and monitoring and evaluation plan. In 2019 the Minister of National Solidarity, Family and Women's Affairs announced that the ministry was preparing a national strategy for women and family, which has not been launched yet.

### Egypt

There is the National Strategy for Combating Violence against Women (2015-2020). The strategy, which was developed by the National Council for Women (NCW), has four areas: prevention, protection, interventions, prosecution, and litigation. The president of Egypt adopted in March 2017 the National Strategy for the Empowerment of Egyptian Women 2030, which includes topics related to combating VAWG. The strategy was developed by the NCW in line with Egypt's Vision 2030 and its Sustainable Development Strategy.

The strategy has not been budgeted due to the lack of assessment of the cost of some activities and programs to be implemented by different actors. The funding of a detailed operational action plan depends on three sources: the State as a major funder, community contributions, and the private sector and donors, especially since there is a national and international interest in this issue. CSOs advocate for the implementation of the strategy and for the development of the M&E plan.

### Jordan

There is a National Strategy for Women (2020-2025). The strategy was developed by the Jordanian National Commission for Women (JNCW) and approved by the government.

The second objective is linked to gender based violence and specifies that "women and girls shall lead a life free of all forms of gender-based violence." The strategy also includes mechanisms for implementation as building effective partnerships, defining roles, monitoring and evaluation, as well as providing resources.

## Lebanon

There is the National Strategy for Combating Violence against Women. It was launched in February 2019 by the Office of the former Minister of State for Economic Empowerment of Women and Youth. Additionally, there is a ten-year “National Strategy for Women in Lebanon (2011-2021)” developed

by the National Commission of Lebanese Women (NCLW) that aims to empower women and insure gender equality in the social, political, economic, and legal spheres. However, the strategies do not include defined resources, budget and monitoring and evaluation plan.

## Morocco

The Ministry of Solidarity, Social Development, Equality and Family adopted the second Government Plan for Equality (ICRAM) 2 for the period 2017–2021. The Ikram 2 follows the Ikram 1 plan, and seeks to combat violence against women and ensure equality between women and men on economic, social, and political levels. The fourth axis of the plan determines six objectives linked to implementing laws on combating discrimination against women, ensuring implementation of laws guaranteeing women’s rights, establishing an adequate and effective framework to combat gender-based violence, ensuring protection and support for women victims of gender-

based violence, sustainably limiting gender-based violence, and promoting social protection of women. The Ministry of Solidarity, Social Development, Equality and Family is working on a national strategy to combat violence against women for the period until 2030, based on the legal reforms aimed towards women’s protection and the implementation of the government national and international obligations. The development of strategy has applied a participatory approach that includes consultations with various government stakeholders and civil society actors.

## Palestine

There is no specific strategy for combating VAWG. However, the Council of Ministers issued a National Policy Agenda: Putting Citizens First 2017–2022. The policy includes the government’s commitment to eliminating all forms of discrimination against

women and girls, and institutionalizing gender mainstreaming in policy making. Nevertheless, the policy does not have allocated budget or monitoring and evaluation plan.

## Tunisia

The Ministry of Women, Family, Children and Elderly has adopted a National Strategy for Combating Violence Against Women within the family and in society since 2008. The strategy was developed through a participatory approach that included various government stakeholders and civil society actors. It aims to review and implement laws on the prevention of violence against women, leading to the drafting and the

adoption of a comprehensive law to eliminate violence against women. The strategy was revised in 2019 considering the provisions of this law.

No budget and resources have been allocated to it by the Tunisian State.

# Legal Framework and Public Policies

## Indicator 16

### The national health policies address VAWG

VAWG damages the physical and mental health of women. Hence a national health policy specifically addressing and formulating the care of victims of VAWG is especially important. The index countries have not developed national health policies. There are however some partial measures in particular fields, like the Egyptian strategy developed by the National Council for Motherhood and Childhood (NCCM) to address genital mutilations, the health care policy to address gender-based violence in Lebanon, or the Palestinian national health strategy about sexual awareness, sexually transmitted diseases, and adolescent and youth health.

#### Algeria

There is no national health policy that addresses VAWG.

#### Egypt

There is no national health policy that addresses VAWG. However, NCCM has developed a National Strategy for Childhood and Motherhood (2017– 2030) and an Action

Plan (2017– 2021). It is also developing a plan to combat violence against children, particularly addressing early marriage and FGM.

#### Jordan

The Ministry of Health launched a Strategic Plan 2018-2022. The plan has seven pillars that include programs for women and children's health. One of them addresses primary healthcare

and focuses on reproductive health, decreasing mortality rates of mothers, and providing reproductive health and maternity services in most primary healthcare centers.

#### Lebanon

There is no national health policy that addresses VAWG. However, the former Office of the Minister of State for Women's Affairs developed in 2018 a strategy for gender equality and

gender-based violence including health care policy to respond to VAWG referrals.

#### Morocco

The Ministry of Health established in 2017 the National Health Program for Supporting Women and Children Victims of Violence. It aims at enhancing prevention by actively detecting cases of unreported violence so that health professionals can

monitor and handle them appropriately. A unit for combating violence against women and children was created in the Ministry of Health in 2002 to work on the provision of a comprehensive, integrated and effective support and treatment for the victims of violence.

#### Palestine

There is no national health policy that is specifically intended to address VAWG. However, the 2017–2022 National Health Strategy endorses the need for cross-sectorial cooperation to support gender and youth health, including sexual awareness;

adolescents and youth health; sexually transmitted diseases; women's empowerment; and health care for women and men at different stages of life. It also strives to implement a national referral system for women victims of violence.

#### Tunisia

There is no national health policy that addresses VAWG. However, the law on eliminating violence against women requires ministries to provide special units for women victims of violence as well as health and psychosocial services. Article 18

of the Tunisia's State budget law (13/2/2019) declares that each public policy must include goals and indicators guaranteeing equality between men and women and equal opportunities between them.

# Standard Procedures and Guidelines

## Indicator 17 | JUSTICE

**Existence of procedures enabling women and girls to easily report VAWG and facilitating their access to justice**

To encourage women to report VAWG and their perpetrators, it is important for States to put in place adequate, simplified and easily accessible procedures.

In the index countries, the reporting system includes police and courts. Legal assistance is also being provided.

In some countries like Egypt and Jordan, the Family Protection Department is also mandated to receive complaints about domestic violence and requests for protection and assistance. Others like Morocco provide guides with practical information about institutions and shelters to protect victims of violence.

Tunisian Ministry of Women, Family, Childhood and Elderly provides a green number for victims and reserved areas in courts for judges dealing with cases of violence against women.

### Algeria

The formal channels of reporting systems include police and courts, the Ministry of National Solidarity, Family and Women's Affairs.

### Egypt

Formal channels of reporting systems include police, courts, and departments of Ministry of Interior, NCW, and Women Complaint Office.

The Family Protection Department is mandated to receive every complaint, notification, and request for assistance or protection related to domestic violence. Also, members of law enforcement must accept reports and complaints regarding crimes and promptly send them to the public prosecution pursuant to article 24 of the code of criminal procedure. All

actions taken by police officers must be documented in signed reports, showing the time and place of the crime. The same article mandates that police reports must be signed by the witnesses and experts heard by the police and be sent to the public prosecution.

There are also the Family courts which were established by the law No. 10 of 2004 on the establishment of family courts. Family courts have the jurisdiction to hear family cases including divorce, alimony, and custody.

### Jordan

Formal channels of reporting systems include police, courts departments, Ministry of Interior, governmental hospitals, and the Family Protection Department affiliated to the public security directorate.

Courts that hear personal cases of family violence provide the Family Protection Department with a copy of the case file. The Family Protection Department is mandated to receive every complaint, notification, and request for assistance or protection related to domestic violence and to take action in response

as quickly as possible. In any case of family violence, the law requires all parties to be referred to the Family Protection Department for necessary actions. Article 4 of the law on protection from domestic violence of 2017 obligates all health, education and social services providers in the public and private sectors to report any case of domestic violence inflicted on an incapacitated or incompetent person. The reporting is made with the consent of the victim if they are competent and if the offence constitutes a felony according to the same article of the law.

### Lebanon

Formal channels of reporting systems include police and courts. Women victims of VAWG can report cases through

using the hotline established by the police (Directorate General of the Internal Security).

## Morocco

Formal channels of reporting systems include police, courts, and governmental hospitals.

Based on the provisions of the law on combating violence against women, a central cell/unit was created within the Ministry of Solidarity, Social Development, Equality and Family to support women victims of violence, according to the draft decree no. 2.18.856. The law also provides for the establishment of institutional cells supporting women victims of violence within courts, hospitals, police stations and the

royal gendarmerie, as well as additional cells in sectors relating to justice, women, youth and sports, responsible for receiving, listening and supporting victims.

The Presidency of the Prosecutor's Office has also launched electronic platforms to receive complaints of violence against women.

## Palestine

Formal channels of reporting systems include police, courts departments within Ministry of Interior, governmental hospitals.

## Tunisia

Formal channels of reporting systems include police, courts departments, green number of the Ministry of Women, Family, Children and Elderly. Article 22 of the law on violence against women declares that the public prosecutor must assign one or more substitutes to receive reports of violence against women

and conduct the necessary investigations. Article 23 adds that areas must be provided in the courts and reserved for judges dealing with cases of violence against women, both at the level of prosecutors and investigating judges.

## II Standard Procedures and Guidelines

### Indicator 18 | JUSTICE

**Reported cases of VAWG are acted upon, including investigation, prosecution, and punishment of the perpetrators, wherever the violence occurs: home, school, workplace, and public sphere**

It is difficult to have a precise idea of the outcome of complaints of VAWG and girls because there are no precise statistics on such cases. Experiences of working with VAWG show that an important number of complaints do not result in prosecution or conviction, since in some States, prosecution is suspended if the victim withdraws the complaint. There is often social or familiar pressure on the victim to abandon the case because of shame, so the dispute is finally settled out of court.

In Tunisia if the police officer belonging to specialized units for combating violence against women coerces the victim to withdraw her report or modify her testimony, he or she is facing a prison sentence.

#### Algeria

There is no information on how many cases that are acted upon compared to the reported cases. Generally, after a report is received, common follow-up steps are taken, including arresting the perpetrator if required, and referrals

to courts and public persecutors to initiate investigations. All procedures can be cancelled in case women dropped the complaint or if it is solved amicably.

#### Egypt

There is no information on how many cases that are acted upon compared to the reported cases. All procedures can be cancelled in case women dropped the complaint and therefore

women are under pressure to cancel the complaint and avoid stigma.

#### Jordan

There is no information on how many cases that are acted upon compared to the reported cases. Some of the cases are solved amicably and judges show leniency towards the perpetrator.

#### Lebanon

There is no information on how many cases are acted upon compared to the reported cases.

#### Morocco

Cases and data are available for the public in the annual reports of the Presidency of the Prosecutor's Office in the 2017 and 2018 reports, but they do not provide data on number

of reported and acted upon cases. All procedures can be cancelled in case women dropped the complaint.

 **Palestine**

There is no information on how many cases are acted upon compared to the reported cases. The reported cases are acted upon according to laws and procedures that include

investigation, prosecution, and punishment of the perpetrators, wherever the violence occurs.

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 **Tunisia**

There is no information on how many cases are acted upon compared to the reported cases. The reported cases are acted upon according to laws and procedures that include investigation, prosecution, and punishment of the perpetrators, wherever the violence occurs. Article 25 of the law on violence against women

states that a penalty of one to six months of imprisonment shall be imposed on any police officer from specialized units for combating violence against women who coerces the victim to withdraw her report or modify her testimony. Dropping a complaint does not stop prosecution or trial.

## II Standard Procedures and Guidelines

### Indicator 19 | JUSTICE

#### The percentage of VAWG cases sentenced in proportion to reported cases

The lack of data in this area is an obstacle to assessing the effectiveness of the system of judicial protection for women victims of violence. Partial information are available in Morocco and Tunisia as provided by reports issued respectively by the Presidency of the Prosecutor's Office and the Ministry of Women, Family, Children and Elderly.

#### Algeria

No available information.

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#### Egypt

No available information.

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#### Jordan

No available information.

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#### Lebanon

No available information.

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#### Morocco

The 2017 and 2018 annual reports published by the Presidency of the Prosecutor's Office include the number of reported cases and the number of cases acted upon.

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#### Palestine

No available information.

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#### Tunisia

The 2019 Annual Report published by the Ministry of Women, Family, Children and Elderly includes the number of complaints undertaken by the competent teams tasked with combating

violence against women and children and the number of cases of violence against women that are dismissed annually from the courts.

# Standard Procedures and Guidelines

## Indicator 20 | POLICE

### Existence of standard procedures and guidelines for service providers assisting victims of VAWG

The purpose of this section is to collect information on whether procedures exist or not, under what form they exist and how these procedures are different across countries. An assessment of how advanced or efficient these procedures are will be made at a later stage.

The States have generally adopted specific procedures for providers of assistance to victims. These procedures consist in some cases in standard protocols like guides in Egypt, or a charter in Palestine.

In other cases, sectoral protocols have been drawn up and a special unit set to receive reports on violence against women, like in Tunisia and Morocco.



#### Algeria

No available procedures.



#### Egypt

There are procedures for service providers assisting victims of VAWG. In March 2020, the Ministry of the Interior launched a guide titled "An Effective Police Response to Violence against

Women" in cooperation with the United Nations Office on Drugs and Crime.



#### Jordan

There are procedures for service providers assisting victims of VAWG. According to article 6 (a) of the law on protection from domestic violence, the Family Protection Department affiliated to the Public Security is mandated to receive every complaint, notification, and request for assistance or protection related to domestic violence and to take action in response as quickly as possible. In any case of family violence, the law requires all parties to be referred to the Family Protection Department for necessary actions.

In addition, there is the national manual on procedures that should be followed to prevent and respond to cases of violence. The manual was issued by the National Council for

Family Affairs and adopted by ministries and national agencies which provide services to women and girls who are victims of violence. The manual included in its first part a description of the policies, guidelines, procedures, and responsibilities related to the prevention and response to cases of violence in Jordan.

There is also the National Framework for Family Protection which includes measures and procedures for ministries and government institutions for dealing with women victims of VAWG and service provision.



#### Lebanon

There are procedures for service providers assisting victims of VAWG. Service Order No. 164/204 was issued by the Directorate General of Internal Security in 2013 concerning

measures that should be taken by different groups and at different sites for dealing with women victims of VAWG.



## Morocco

There are procedures for service providers assisting victims of VAWG. These procedures were developed and adopted by the Ministries of Health, Ministry of Interior, and Ministry of Justice and Ministry of Solidarity, Social Development,

Equality and Family. The National Committee on Combating Human Trafficking is developing guidelines as per the provisions of the law on combating violence against women.

## Palestine

There are procedures for service providers assisting victims of VAWG. They include a set of rules that comes under the National Referral System for dealing with women victims of

VAWG. The procedures include actions for transferring the case from one service provider to another to receive other by police.

## Tunisia

There are procedures for service providers assisting victims of VAWG. The law on violence against women includes the principles for providing care for the victims (Article 4). It also places general obligations to be shouldered by every care-providing entity (Article 39) and special obligations to be carried out by specialized units when caring for victims (Articles 25-26)

Five sectoral protocols have been signed between Ministries of Health, Justice, Social Affairs, Security Apparatus, and the Ministry of Women, Family, Childhood and Elderly that include principles and best practices on how to provide care for women victims of violence. A joint framework agreement has also been drawn up between all sectors on care for victims and signed by all the relevant ministries.

# II Standard Procedures and Guidelines

## Indicator 21 | POLICE

### Existence of victim-sensitive procedures and guidelines to be used by law to identify, interview, and assist trafficked women

Although trafficking involves both men and women, statistics show that the largest proportion of victims are women and children and they are trafficked for sexual exploitation. Governmental procedures and guidelines are mostly focused on combating trafficking in migration, forced labor and private household and less on sexual exploitation and forced marriage.

There are no specific guidelines related to working with women trafficked for sexual exploitation and prostitution in the index countries.

There are no gender sensitive guidelines or procedures in the index countries to identify and assist trafficked women to be used by the law.

## Algeria

There are no specific guidelines to identify trafficked women and there is no specific anti-trafficking law. The government prepared anti-trafficking law in 2019 but it has not been indorsed yet. However, Algeria prohibits forms of trafficking under the penal code. In 2016, a presidential decree established the

Inter-Ministerial Anti-Trafficking Committee under the auspices of the Prime Minister's Office. The committee coordinates implementation of the national anti-trafficking action plan.

## Egypt

There are no specific guidelines to identify trafficked women but there is the law No. 64 of 2010 regarding combating human trafficking. Article 22 of the law on the protection of victims says that "the State shall guarantee the protection of the victim and shall work to create the appropriate conditions for their assistance, health, psychological, educational, and social care."

The law also includes procedures that guarantee the protection of the victims and their rights including the right to physical and mental safety and the right to protect their inviolability. It also says that "the competent court shall take measures to ensure the protection of the victims". The government also established the National Coordination Committee on Preventing and Combating Illegal Migration (NCCPIM & TIP), which manages inter-ministerial anti-trafficking efforts, initiates more trafficking investigations and prosecutions, and conducts awareness campaigns.

## Jordan

There are no specific guidelines to identify trafficked women but there is the anti-trafficking law of 2009. Article 7 of the law includes that "the Council of Ministers may establish a shelter or more for sheltering victims of human trafficking. The Council of Ministers shall issue by-laws that shall regulate admission and departure from such shelters and provision of physical, psychological and social support for those victims, in addition to by-laws that shall regulate administrative and employees' related matters."

The Anti-Trafficking Unit was established in 2009 and it is placed within the structure of the Public Security Directorate, as part of the criminal investigation. The unit aims to directly implement the anti-trafficking law. The unit adopts the legal procedures related to combating human trafficking, tracking it and arresting the perpetrators and sending them to the competent judicial authorities. In addition, a referral system was developed for the purposes of coordination in terms of dealing with cases. The system was formulated by the National Committee to Combat Human Trafficking.



## Lebanon

There are no specific guidelines to identify trafficked women but there is the law No. 164 on punishment for the crime of trafficking in persons of 2011. Section 7 of the law is on protection procedures in the crime of trafficking in persons. However, the section does not include or stipulate on following on procedures and guidelines to be used by law to identify and assist trafficked women.

In 2014, a guideline manual was issued with participation of the Ministry of Interior, Ministry of Justice, Ministry of Social Affairs and Directorate General of the Internal Security. The manual explains the law and the procedures that should be followed to identify perpetrators, deal with witness, and help victims of trafficking.



## Morocco

There are no specific guidelines to identify trafficked women but there is the anti-trafficking law No. 27.14 of 2016. The law does not include or stipulate on procedures and guidelines to be used by law to identify and assist trafficked women. An inter-ministerial anti-trafficking committee was established

to coordinate anti-trafficking policies and programs across ministries. Specialized unit was also created to combat trafficking among Moroccans overseas and migrants in the country. However, there is no provision or funding of specialized protection services specifically for trafficking victims for sexual exploitation.



## Palestine

There are no specific governmental guidelines to be used by law to identify trafficked women and there is no specific anti-trafficking law. However, there are some provisions of the penal

code of Jordan and the child law which apply to trafficking in the West Bank.



## Tunisia

There is a National Anti-Trafficking Commission for combating human trafficking pursuant to the provisions of the basic law No. 2016-61 of 3 August 2016 on the prevention and combating of trafficking in persons. It is responsible for developing a national strategy to address human trafficking, receiving reports of trafficking cases and presenting them to the appropriate court, as well as establishing a database on human trafficking. It follows gender-sensitive guidelines as stipulated in Article 60:

"The National Anti-Trafficking Commission, in coordination with the concerned departments and structures, shall provide the necessary social assistance to victims to facilitate their reintegration into social life and shall provide them with accommodation within the limits of available resources. These measures take into account the age of the victims, their gender and their specific needs." There is also a measure that allows for a stricter trafficking penalty if the victim is a pregnant woman.

# Standard Procedures and Guidelines

## Indicator 22 | POLICE

### Existence of standard procedures and guidelines to identify and prosecute traffickers

As there is no specific policy to address trafficking, there are no guidelines to identify and prosecute traffickers.

In Lebanon, there is a manual for the procedures that should be followed to identify perpetrators, deal with witnesses, and help victims of trafficking.

In Egypt, Jordan, and Tunisia special bodies have been set to address this concern.

#### Algeria

There are no standard governmental procedures and guidelines to identify and prosecute traffickers. There is still no anti-trafficking law. However, the penal code includes

punishments for the person who commits trafficking with up to 10 years imprisonment (article 303).

#### Egypt

There are no standard governmental procedures and guidelines to identify and prosecute traffickers. The law No. 64 of 2010 regarding combating human trafficking includes punishment for the person who commits human trafficking that reaches life

imprisonment (article 6), but it does not include or stipulate on following specific guidelines to identify traffickers.

#### Jordan

There are no standard governmental procedures and guidelines to identify and prosecute traffickers. The anti-trafficking law of 2009 includes punishments for the persons who commit human trafficking crimes with up to 10 years imprisonment (article 9). The article imposes additional punishment in case the victim is a woman or a person with disabilities, and increases the

severity of the punishment if the perpetrator is a public sector/service employee and has committed the crime by exploiting his position or public services. However, the law does not include or stipulate clear standard procedures and guidelines to identify traffickers.

#### Lebanon

There are no standard governmental procedures and guidelines to identify and prosecute traffickers. The law No. 164 on punishment for the crime of trafficking of persons of 2011 includes punishments for the persons who commit human

trafficking crimes with up to 15 years imprisonment (article 586-4), but it does not include or stipulate on following clear standard procedures and guidelines to identify traffickers.

#### Morocco

There are no standard governmental procedures and guidelines to identify and prosecute traffickers. The anti-trafficking law No. 27.14 of 2016 includes punishments for the persons who commit human trafficking crimes with up to 20

years imprisonment (article 3-448), but it does not include or stipulate on following clear standard procedures and guidelines to identify traffickers.

 **Palestine**

There are no specific governmental guidelines to be used by law to identify trafficked women and there is no specific anti-trafficking law. However, there are some provisions of the penal

code of Jordan and the child law which apply to trafficking in the West Bank.

 **Tunisia**

The 2016 law on trafficking of persons has created a set of procedures to identify and prosecute traffickers with up to 10 years' imprisonment and a fine (article 8). Persons who do

not report acts of trafficking of which they are aware shall be punished with one year of imprisonment and a fine (art 14).

# Standard Procedures and Guidelines

## Indicator 23 | HEALTH

### Existence of regulations that oblige service providers to care for and/or refer VAWG victims

Women or girls who are victims of violence are often unable to report it, either for fear of reprisal or because they are under close surveillance, or because they do not know to whom to turn or what process to follow. It is for this reason that the law must establish the obligation for medical and healthcare personnel to refer the case to the appropriate authorities to investigate these acts and prosecute the perpetrators, as soon as they observe, during the examination of the victims, traces of such violence, whether physical or psychological. Integrating VAWG into health systems can build and strengthen the State's capacity to provide comprehensive services for victims.

Service providers in health sector must be obliged to care for and refer VAWG cases. All index countries have such regulations. Some of the countries include these obligations within the laws, like in Algeria and Jordan where the public health law and the law on family protection respectively oblige services providers in health sector to care and refer VAWG cases. In Lebanon, the Service Order No. 164/204 was issued by the Directorate General of the Government to regulate procedures and oblige service providers in health sector to deal with VAWG cases.



#### Algeria

There are regulations that oblige service providers including those in the health sector to care for and/or refer VAWG victims. The public health law was amended in 2018 to oblige

the services providers including doctors and nurses to report VAWG cases.



#### Egypt

There are regulations that oblige service providers including those in the health sector to care for and/or refer VAWG victims.



#### Jordan

There are regulations that oblige service providers including those in the health sector to care for and/or refer VAWG victims. The law on protection from domestic violence obliged service providers in the health, education, and social sector to care for and/or refer cases of VAWG victims.

Service providers are following the national manual on procedures to prevent and respond to cases of violence issued by the National Council for Family Affairs. The guide included in its first part a description of the policies, guidelines, procedures, and responsibilities related to the prevention and response to cases of violence in Jordan.



#### Lebanon

There are regulations that require service providers to care for VAWG victims. Service Order No. 164/204 issued by the Directorate General of the Government concerning measures

that should be taken by different groups including obliging service providers in health sector for dealing with women at risk of violence.



#### Morocco

There are regulations that oblige service providers including those in the health sector to care for and/or refer VAWG victims. Article 10 of the law on combating violence against women 2018 includes establishing specialized units within

courts, and sectors of health, women, youth, and gendarmerie for receiving, referring, and providing direction to the women victims of VAWG.



## Palestine

There are regulations that oblige service providers including those in the health sector to care for and/or refer VAWG victims.



## Tunisia

There are regulations that oblige service providers including those in the health sector to care for and/or refer VAWG victims. Article 8 of the law on violence against women (2017) declares that the Ministry of Health shall introduce programs in medical and paramedical teaching curricula to address violence against women and to train health personnel at all levels to detect, assess and evaluate all forms of violence against women, to examine victims and to care for them and their dependent children. Article 14 of the same law declares that any person,

including those bound by confidentiality, is required to inform the relevant authorities of acts of violence against women as soon as they discover or witness them. The multi-sectoral protocol for providing care for women victims of violence at the level of the health sector includes the services that are provided by other actors and the referral of victims to them. The inter-sectoral framework agreement also explains the mechanism of referral of victims from one actor to another.

# Standard Procedures and Guidelines

## Indicator 24 | HEALTH

### Existence of focal person within the ministry for coordination of health sector response for survivors of VAWG

Laws and the national strategy to address VAWG are more likely to be effectively implemented if the Ministry of Health establishes a department or person to centralize and coordinate the various responses to the health problems associated with VAWG as well as ensure providing care and support to victims of VAWG.

All countries have such focal points.

#### Algeria

The Ministry of Health and Ministry of National Solidarity, Family and Women's Affairs have a coordination department

under the Directorate of Public Health to coordinate health sector response to VAWG.

#### Egypt

There is a gender focal person in the Ministry of Health for coordination of health sector response for VAWG victims.

#### Jordan

There is a gender focal point within the Ministry of Interior and Health Ministry for coordination and referring the VAWG victims between the Family Protection Department and health sector.

#### Lebanon

There is a gender focal person in all ministries including the Ministry of Health. However, they are not specialized for VAWG victims.

#### Morocco

There is a gender focal unit in the Ministry of Health for coordination of health sector response for VAWG victims.

#### Palestine

There is a gender focal point working within the National Referral System for the coordination of health sector response for VAWG victims.

#### Tunisia

The law on violence against women (2017) declares that the Ministry of Health shall be responsible to detect, assess and evaluate all forms of violence against women. The Ministry of

Health signed protocols of cooperation with different ministries and bodies to receive and refer VAWG cases

# II Standard Procedures and Guidelines

## Indicator 25 | EDUCATION

### Existence of regulations/laws that require teachers and lecturers to refer VAWG survivors

One of the most important elements in combating VAWG is the effort made to detect and report such violence. Education is an important sector and teaching staff has a great responsibility in this area. Legislation and regulations require them to report any acts of violence they may observe in the school or university environment, or among pupils and students, even if they have suffered such violence outside school and university. This facilitates the combined State efforts in combating VAWG.

Only in Tunisia, the law on eliminating violence against women includes provisions requiring the Ministry of Education, Higher Education and Vocational Training to take all necessary measures to prevent and combat violence against women in educational institutions.

#### Algeria

There are no regulations or laws that require teachers and lecturers to refer VAWG victims.

#### Egypt

There are no regulations or laws that require teachers and lecturers to refer VAWG victims.

#### Jordan

There are no regulations that require teachers and lecturers to refer VAWG victims. Article 4 of the law on protection from domestic violence of 2017 obliges all health, education and social service providers in the public and private sectors to

report any case of domestic violence. However the reporting is made with the consent of the victim and if the offence constitutes a "felony" according to the same article. The reporting is only made without the consent of the victim if they are "incapacitated or incompetent person".

#### Lebanon

There are no regulations or laws that require teachers and lecturers to refer VAWG victims.

#### Morocco

There are no regulations or laws that require teachers and lecturers to refer VAWG victims. The Ministry of National Education cooperates with Ministry of Interior on activating the role of listening and mediation centers and monitoring and protection measures in educational institutions. A tracking information system (IT portal) "Ikram 2" was established to

follow up on cases of violence within educational institutions. The directors of educational institutions and the heads of listening and mediation centers can report cases of violence detected locally. The ministry has prepared a set of reference documents, and provided training courses and knowledge exchange meetings.

#### Palestine

There are no regulations or laws that require teachers and lecturers to refer VAWG victims.

#### Tunisia

The law on eliminating violence against women includes provisions requiring the Ministry of Education, Higher Education and Vocational Training to take all necessary measures to prevent and combat violence against women in educational institutions (Article 7). Article 39 stipulates that everyone entrusted with the protection of women from violence, including

judicial police officers, representatives of child protection services, health workers, women and family affairs, social affairs, education and others, should respond immediately to every request for assistance or protection submitted by the victim directly.

# Standard Procedures and Guidelines

## Indicator 26 | EDUCATION

### Existence of gender sensitive manuals for teachers at first and secondary level

Education remains one of the most important channels for prevention of VAWG. Integrating VAWG and the principles of equality and dignity in education programming can help to communicate to learners at an early stage in both primary and secondary schools and to identify and address gender biases. To this purpose, providing teachers with specific handbooks designed to raise awareness among children and adolescents about gender equality issues, particularly gender-based violence can help the States' preventive efforts.

Even if some private schools have made individual strides in integrating courses or lesson plans on gender related issues, in the index countries the education systems have not such teaching tools. During 2020 a Manual for Teachers on Gender-Sensitive Education was developed by EuroMed Feminist Initiative in cooperation with gender units of ministries of education and gender experts from the index countries. It is expected to be used as a training tool during 2021.

#### Algeria

There are no gender sensitive manuals for teachers.

#### Egypt

There are no gender sensitive manuals for teachers.

#### Jordan

There are no gender sensitive manuals for teachers. However, the Manual for Teachers on Gender-Sensitive Education (2020) is planned to be used in 2021.

#### Lebanon

There are no gender sensitive manuals for teachers.

#### Morocco

The Ministry of National Education has prepared a set of reference documents, and has organized training courses and knowledge exchange meetings.

#### Palestine

There are no gender sensitive manuals for teachers. However, the Manual for Teachers on Gender-Sensitive Education (2020) is planned to be used in 2021.

#### Tunisia

There are no gender sensitive manuals for teachers.

# Standard Procedures and Guidelines

## Indicator 27 | YOUTH & SPORTS

### Existence of regulations and/or procedures to prevent sexual exploitation of minors

The prevention and protection of children against sexual abuse and sexual exploitation, including pornography is of utmost importance, especially with the rapid development of new communications technologies, which can be a particularly dangerous means of recruiting minors into this type of activity. It is therefore needed to have regulations adapted to new technological requirements.

The index countries report that the regulations have remained very traditional and do not go beyond what the penal codes provide for, such as the tightening of penalties in the case of rape of minors, as it is the case in Algeria, Egypt and Tunisia, or in the case of abduction of minors or incitement to "indecent conduct". In Lebanon and Palestine, however, the penal code expressly criminalizes the sexual exploitation of minors.

In Tunisia, we can find specific regulation relating to sexual exploitation of minors in special laws as the law addressing trafficking, and the law for protection of children.

#### Algeria

There are no regulations to prevent the sexual exploitation of minors. Generally, the penal code prohibits procuring or enticing a person into prostitution. These offences are punishable by a fine and imprisonment for two to five years. Punishment may increase from five to ten years when the offence is committed

against a minor under the age of 18 or when the offense is accompanied by threats, duress, violence, assault, abuse of authority, or fraud.

#### Egypt

There are no regulations to prevent the sexual exploitation of minors. Nonetheless, the penal code stipulates that the penalty for rape is death, when committed against a girl, or a minor

under the age of 18. This also applies if the perpetrator is related to the victim, or a legal guardian and is responsible for the victim's upbringing or care.

#### Jordan

There are no regulations to prevent the sexual exploitation of minors, but article 310 of penal code criminalizes forcing a minor to prostitute.

#### Lebanon

There are no regulations to prevent the sexual exploitation of minors. Generally, the penal code criminalizes the sexual

exploitation of minors according to the articles 507, 509, 510, 519 and 520.

#### Morocco

There are no regulations to prevent the sexual exploitation of minors. Generally, the penal code imposes tougher punishments if the offence is committed against a person who

is in a vulnerable situation due to age (minors), illness, physical or psychological disability.

 **Palestine**

There are no regulations to prevent the sexual exploitation of minors. Generally, the penal code criminalizes the sexual

exploitation of minors according to the article 42 in the new child law.

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 **Tunisia**

There are specific regulations to protect children from sexual exploitation in the law on anti-trafficking (2016), the penal code, and the law on child protection (1995). Article 20 of the latter declares that sexual exploitation of a child whether it's a boy or a girl constitutes one of the difficult situations which threaten the health of the child and her/his physical or psychological integrity. The law stipulates for the creation of a child protection officer, responsible for preventive intervention mission in all cases where it turns out that the child's health or physical or

psychological integrity is threatened or exposed to danger. The deadlines for public prosecution of sexual crimes committed against children start when the child comes of age and becomes an adult and not from the day the crime was committed.

Article 227 of the penal code considers consent as absent in the crime of rape if the victim is less than 16 years old. Also incest committed against a child is punishable by life imprisonment and the same penalty if a child under 16 years old is raped.

# Standard Procedures and Guidelines

## Indicator 28 | YOUTH & SPORTS

Existence of regulations and procedures that address VAWG in youth centres, clubs, and stadiums.

Apart from domestic space, violence in public spaces must also be prevented and addressed, but also in spaces of leisure such as clubs, stadiums, or youth centres.

Specific measures must be adopted and adapted for each type of environment: measures taken to address violence in the workplace for instance, are completely different than measures taken to address violence that occurs in stadiums.

There is no specific regulation in consideration of each kind of these spaces in the index countries.

### Algeria

There are no regulations and procedures that specifically address VAWG in the youth centres, clubs, and stadiums.

### Egypt

There are no regulations and procedures that specifically address VAWG in the youth centres, clubs, and stadiums.

### Jordan

There are no regulations and procedures that specifically address VAWG in the youth centres, clubs, and stadiums. In 2020, Jordan Olympic Committee established an independent

specialized body responsible for looking into sexual harassment and exploitation allegations, covering all sports clubs of all federations, as well as complaints from first and second divisions. The committee can also refer certain cases to the courts.

### Lebanon

There are no regulations and procedures that specifically address VAWG in the youth centres, clubs, and stadiums.

### Morocco

There are no regulations and procedures that specifically address VAWG in the youth centres, clubs, and stadiums. Under article

10 of the law on combating violence against women, central and non-central cells were established within youth-relevant sectors.

### Palestine

There are no regulations and procedures that specifically address VAWG in the youth centres, clubs, and stadiums.

### Tunisia

There are no regulations and procedures that specifically address VAWG in the youth centres, clubs, and stadiums. The law on eliminating violence against women criminalises harassment in

the public space (Article 17), which may apply to these spaces, i.e., youth centers, clubs and stadiums.

# Provision of Services Funded by the State

## Indicator 29

### Existence of a police directorate or unit, specifically dedicated to domestic violence

Experience has shown that complaints of domestic violence are often not of interest to the police, as they are regarded as “banal” cases and “private issues”, compared to other types of “more serious” violence. Addressing cases of domestic violence is more likely to be efficient if there are specialized units within police forces with sufficient resources, who have acquired knowledge and experience to deal with the complex nature of VAWG as well as skills to receive victims, carry out the necessary investigations, and refer the cases to the courts.

Algeria does not yet have such a specialized unit within its police force. Lebanon, although the law provides for the establishment of such a unit, has not yet created it. In Egypt and Tunisia special units exist but they deal with VAWG in general and not with domestic violence. Only Jordan, Palestine and Morocco have specialised units for domestic violence.



### Algeria

There is no directorate unit affiliated to the police specifically dedicated to deal with domestic violence.



### Egypt

There is the Combating Violence Crimes Against Women Unit affiliated to the Ministry of Interior. The unit is set up to receive

and deal with complaints from women victims of VAWG and coordinate with different institutions.



### Jordan

There is the Family Protection Directorate affiliated to the Public Security Department that is specifically dedicated to deal with domestic violence. The department is set up to receive complaints

from women victims of VAWG, settle disputes in misdemeanour cases filed by women victims of VAWG and enables courts to impose protective measures and protection orders.



### Lebanon

There is not a specific directorate unit that deals with domestic violence. The law on the protection of women and family members against domestic violence requires a special unit

on domestic violence to be established within the Directorate General of the Internal Security Forces to examine complaints. However, the directorate has not yet been created.



### Morocco

There are 132 police units set up to support women victims of all forms of violence, particularly domestic violence.



### Palestine

There is the Family and Juvenile Protection Unit affiliated to the Palestinian Police. The unit is set up to receive and deal with

complaints of domestic violence and coordinate with different institutions.



### Tunisia

Article 24 of law on combating violence against women requires forming special units in each police district to receive complaints from women victims of violence in general. However, these

units have not been created yet, because the law does not provide for the establishment of specialized units to receive domestic violence complaints. There is no specific directorate unit affiliated to the police that deals with domestic violence.

# Provision of Services Funded by the State

## Indicator 30

### Existence of dedicated shelters, specialized crisis centres or other housing

In the case of the protection of women victims of violence, one of the most important measures is to offer the victims shelters where they can take refuge, especially when they have no financial resources.

In all index countries, except Lebanon, the State provides shelters. Their number varies from two to nine, and they are under the responsibility of Ministry of National Solidarity, Family and Women in Algeria, the Ministry of Social Affairs in Egypt, in Lebanon and in Morocco, the Ministry of Social Development in Jordan and Palestine, and the Ministry of Women Family, Childhood and Elderly in Tunisia.



### Algeria

Specialized services are provided to women victims of VAWG in 2 government-run shelters operated by the Ministry of National Solidarity, Family and Women's Affairs. The ministry

also operates reception centres for adolescent girls under the age of 18 and centres for elderly that receive women who are older than 60 years.



### Egypt

Specialized services are provided to women victims of VAWG in 9 government-run Safe Houses in different governorates of Egypt, under the supervision of the Ministry of Social Solidarity.



### Jordan

Specialized services are provided to women victims of VAWG in 3 government-run shelters under the supervision of the Ministry of Social Development. One of these shelters is specialized for women who are under arbitrary detention and at risk of being

victims of “honor crimes”. However, there are some cases where women who are at risk of being victims of “honor crimes” are referred to prison as the governor has the power to put women in arbitrary detention.



### Lebanon

There are no government-run shelters or centres for providing specialized services to women victims of VAWG.



### Morocco

Specialized services are provided to women victims of VAWG in 10 shelters under the supervision of the Ministry of Solidarity, Social Development, Equality and Family. There are also 85 sub-centers providing support for women victims of VAWG.



### Palestine

Specialized services are provided to women victims of VAWG. There are 2 government-run shelters in the West Bank under the supervision of the Ministry of Social Development.



### Tunisia

Specialized services are provided to women victims of VAWG in 6 shelters, operated under the supervision of the Ministry of Women, Family, Childhood, and Elderly.

# Provision of Services Funded by the State

## Indicator 31

### Existence of hotlines and free psychosocial counselling

Psychological assistance to women victims of violence is especially important when they are unwilling or unable to leave the family home and move to the shelters intended for them. Psychological support also makes it possible to follow up with these victims, listen to them, and inform them about the different types of help available to them and the procedure to follow if they wish to report the violence. Free hotlines are the most appropriate tools for providing this type of support, especially since they do not require the victim to move and can be available at any time.

In all the index countries, the State offers counselling and psychological assistance services to victims of violence, often in shelters for victims of violence. In Algeria, Egypt, Jordan, and Tunisia, there are also free hotlines for psychological assistance.



### Algeria

The psychological support and care are provided for women victims of VAWG by the national shelters operated under the Ministry of National Solidarity, Family, and Women's

Affairs. Hotline for women's complaints is operated under the supervision of the same ministry.



### Egypt

The psychosocial counselling is provided by the government-run Safe Houses of the Ministry of Social Solidarity. Also, the NCW established an Ombudsperson's Office in 2001 to assist

women with counselling and legal aid, and to provide legal awareness on their rights. Also, hotline for women's complaints is established by NCW.



### Jordan

The psychosocial counselling is provided by shelters of the Ministry of Social Development. The Family Protection

DIRECTORATE and the National Centre for Human Rights (NCHR) provide 24-hour hotlines.



### Lebanon

There are no government – run shelters or centres for providing specialized services to women victims of VAWG. The hotline is

provided by the police, but it is for all criminal cases including women and juvenile hotline and not specialized for VAWG cases.



### Morocco

The psychosocial counselling is provided to women victims of VAWG in the shelters under the Ministry of Solidarity, Social Development, Equality and Family. There was a governmental hotline but it was cancelled in 2008. Many CSOs now demand the government to re-establish the hotline. The Ministry of

Solidarity, Social Development, Equality and Family fully funded the platform "Kuluna Maa'ki" providing listening and support services to victims (no. 8350). The platform was launched by the National Union for Moroccan Women in partnership with the Ministry of Solidarity, Social Development, Equality and Family and other actors.



### Palestine

The psychosocial counselling is provided by government shelters under the Ministry of Social Development. The hotline

is provided by the police, but it is for reporting criminal cases and not specialized for VAWG cases.



### Tunisia

The psychosocial counselling is provided to women victims of VAWG in the service centers of the Ministry of Social Affairs, in the regional offices of the Ministry of Women, Family, Childhood

and Elderly, in shelters, listening, counseling and reception centers as well as hospitals and hot-lines as the 1899 Green Line set up by the Ministry of Women, Family, Childhood and Elderly.

# Provision of Services Funded by the State

## Indicator 32

### Existence of legal counselling and assistance

Perpetrators of VAWG would remain unpunished if investigations are not carried out and if judges are not referred to. However, the procedures are long, complex, and costly, making legal aid for victims necessary.

In all the index countries, the States provide a certain level of legal assistance. It is provided either by the Ministry of Justice, as it is the case in Jordan and Tunisia and Morocco, or by the ministries of women's affairs, or by shelters for victims, as it is the case in Egypt, or jointly by several State actors, as it is the case in Morocco, where legal aid is provided by both the Ministry of Justice and the Royal Prosecutor, or in Tunisia, where it is offered by the Ministry of Justice and Ministry of Women, Family, Childhood and Elderly.



### Algeria

Legal counselling and assistance for women victims of VAWG are provided by the national shelters operated under the

Ministry of National Solidarity, Family, and Women's Affairs. Each shelter has legal consultants to provide legal assistance.



### Egypt

Legal counselling and assistance for women victims of VAWG are provided by the government-run safe Houses.



### Jordan

Legal counselling and assistance for women victims of VAWG are provided by the Ministry of Justice which has established a

legal aid department to provide assistance in cooperation with the registry of lawyers and CSOs.



### Lebanon

Legal counselling and assistance for women victims of VAWG are provided by the Women's Affairs Division in the Ministry of Social Affairs.



### Morocco

Legal counselling and assistance for women victims of VAWG are provided by the Ministry of Justice and by the Royal Prosecutor.



### Palestine

Legal counselling and assistance for women victims of VAWG are provided by the government through the shelters and the Ministry of Social Development.



### Tunisia

Legal counselling is provided by Ministry of Justice.

## Provision of Services Funded by the State

### Indicator 33

**Existence of specialized public services to women of marginalized groups victims of VAWG: bilingual hotlines, specialized crisis centres, specialized trained police**

Special assistance is needed for women who belong to groups that are doubly vulnerable firstly because they are women and secondly because they belong to religious, ethnic, or other minorities or because they are migrants.

In the index countries, these groups are not offered appropriate assistance, such as bilingual hotline or translation services that enable migrants to understand what the law provides them in terms of guarantees and protection.



### Algeria

There are no specialized public services to women of marginalized groups victims of VAWG.



### Egypt

There are no specialized public services to women of marginalized groups victims of VAWG.



### Jordan

There are no specialized public services to women of marginalized groups victims of VAWG.



### Lebanon

There are no specialized public services to women of marginalized groups victims of VAWG.



### Morocco

There are no specialized public services to women of marginalized groups victims of VAWG.



### Palestine

There are no specialized public services to women of marginalized groups victims of VAWG.



### Tunisia

There are no specialized public services to women of marginalized groups victims of VAWG.

# Provision of Services Funded by the State

## Indicator 34

### Existence of government funds dedicated to shelters, or centres

The setting up of shelters or safe houses for women victims of violence must take into consideration their needs, which implies that such shelters must not only provide sufficient places in relation to the demand, but also that they must be set up in such a way that all regions of the country are covered.

This is linked to financial and human resources mobilized to address these needs. Support and long-term funding to women's rights organisations by the State, can also support State efforts by enabling the civil society to share its good practices, provide services to women and girls and increase their access to justice, as well as help tackle impunity.

The information gathered reveals that while the State is responsible for setting up and financing shelters, their numbers and geographic coverage are not sufficient.

In all index countries except Lebanon there are State run shelters and governments fund them. In Tunisia and Morocco, the governments also fund selected CSOs who run shelters and provide services.



### Algeria

The government dedicates funds to 2 State-run shelters for women victims of VAWG. There is a third shelter under

establishment, but it has not been launched yet. There is no governmental fund allocated for shelters run by CSOs.



### Egypt

The government dedicates funds to 9 State-run shelters and centres for women victims of VAWG. There is no governmental fund allocated for shelters run by CSOs.



### Jordan

The government dedicates funds to 3 State-run shelters and centres for women victims of VAWG. There is no governmental fund allocated for shelters run by CSOs.



### Lebanon

The government does not dedicate any fund to shelters and centres for women victims of VAWG.



### Morocco

The government dedicates funds to 10 State-run shelters and centres for women victims of VAWG. There is no governmental fund allocated for shelters run by CSOs. The Ministry of Solidarity, Social Development, Equality and Family reports that between 2012-2020, the government has funded over 280 listening centers run by CSOs with about 5,5 million Euro.

To ensure sustainability and quality of services, the ministry started providing 3-year financial funding to projects aimed at developing listening centres for women victims, particularly in rural areas. In 2020, 66 listening centres were funded by about 645 000 euro.



### Palestine

The government dedicates funds to 2 state-run shelters. There is no governmental fund allocated for shelters run by CSOs.



### Tunisia

According to a decree issued in August 2020, the Ministry of Women, Family, Childhood and Elderly has allocated public

funding to 6 shelters run by associations under the supervision of the Ministry.

# Data System and Statistics

## Indicator 35

### Public statistics exist on all forms of VAWG, including the rate of unreported cases

The existence of accurate statistical data on the various forms of VAWG, especially on the rate of violence, is extremely important for the monitoring and evaluation of laws and mechanisms put in place to combat VAWG. This type of data is generally not available in the index countries. Statistics in this area are insufficiently detailed, and not updated by the relevant bodies (National Agencies for Statistics). Therefore, it is difficult to get a clear idea of the evolution of this type of violence or of the rate of violence that goes unreported.

#### Algeria

There are no regular and recent public statistics to measure the rate of all forms of VAWG, including the rate of unreported violence. The National Bureau for Statistics and the police

departments provide statistics on VAWG, but they do not cover all forms and rates of VAWG.

#### Egypt

There are no regular and recent public statistics to measure the rate of all forms of VAWG including the rate of unreported violence. The government's Central Agency for Public Mobilization and Statistics provides data to officials and

concerned authorities at the national level in collaboration with the NCW and the UNFPA. However, these statistics do not cover all forms and rates of VAWG.

#### Jordan

There are no regular and recent public statistics to measure the rate of all forms of VAWG including rate of unreported violence. Annual statistical report is issued by the Department of Statistics. Also, there are population and family health surveys

issued by the ministry of social development as well statistics and figures issued by the Ministry of Health and the Higher Population Council.. However, these statistics do not cover all forms and rates of VAWG.

#### Lebanon

There are no regular and recent public statistics to measure the rate of all forms of VAWG including the rate of unreported violence. The Central Administration of Statistics carries

out national surveys, but it does not have relevant data or information on incident reporting. Moreover, these statistics do not cover all forms and rates of VAWG.

#### Morocco

There are no regular and recent public statistics to measure the rate of all forms of VAWG including the rate of unreported violence. Information is published in the President of the Prosecutor's Office annual reports on the implementation of

criminal policy and the work of the prosecutor's office, detailing felonies and offenses committed against women and including all forms of violence.However, these reports do not cover all forms and rates of VAWG.

#### Palestine

There are no regular and recent public statistics to measure the rate of all forms of VAWG including the rate of unreported violence. The Palestinian Central Bureau of Statistics conducts

a survey specialized in violence in Palestinian society, especially against women. Moreover, these statistics do not cover all forms and rates of VAWG.

#### Tunisia

There are no regular and recent public statistics to measure the rate of all forms of VAWG including the rate of unreported violence. The Ministry of Women, Family, Childhood and the

Elderly, publishes statistics on VAWG. However, these statistics do not cover all forms and rates of VAWG.

## Data System and Statistics

### Indicator 36

The statistics provide information in terms of type of VAWG, severity and frequency, characteristics of victims

Accurate and precise statistics on VAWG by type, severity and frequency are necessary not only for decision-makers, which allows them to readjust laws and mechanisms based on the obtained results, but also for civil society actors because it allows them to make this violence more visible, and translate the data obtained into stories of broken lives and thus to make the necessary advocacy to change, amend and remove discriminatory laws and ensure better implementation of laws, while making sure that they are respected by all. This is also essential to changing social attitudes towards victims. The information gathered shows that the index countries have only partial statistics in this field which are not detailed in terms of severity and frequency.

### Algeria

There are partial statistics in terms of type, not in terms of severity and frequency.

### Egypt

There are partial statistics in terms of type, not in terms of severity and frequency.

### Jordan

There are partial statistics in terms of type, not in terms of severity and frequency.

### Lebanon

There are partial statistics in terms of type, not in terms of severity and frequency.

### Morocco

There are partial statistics published periodically on the website of the Presidency of the Prosecutor's Office on the type, severity and frequency of VAWG, as well as the type of perpetrator.

### Palestine

There are partial statistics in terms of type, not in terms of severity and frequency.

### Tunisia

There are partial statistics in terms of type, not in terms of severity and frequency.

## Data System and Statistics

### Indicator 37

#### The statistics and data collected by national agencies/institutions are disseminated

Existant statistics should not only be collected but also disseminated to be accessible to all. This is a matter of transparency.

In the index countries the dissemination of statistics and data is limited to the official websites of the governmental institutions.



#### Algeria

There are no publications or fact sheets. Data disseminated is mostly limited to the official website of the institutions.



#### Egypt

There are no publications or fact sheets. Data disseminated is mostly limited to the official website of the institutions.



#### Jordan

There are no publications or fact sheets. Data disseminated is mostly limited to the official website of the institutions.



#### Lebanon

There are no publications or fact sheets. Data disseminated is mostly limited to the official website of the institutions.



#### Morocco

There are no publications or fact sheets. Data disseminated is mostly limited to the official website of the institutions as the Presidency of the Prosecutor's Office and the Ministry

of Solidarity, Social Development, Equality and Family, and institutions specialized in statistics as the Higher Planning Commission.



#### Palestine

There are no publications or fact sheets. Data disseminated is mostly limited to the official website of the institutions.



#### Tunisia

There are no publications or fact sheets. Data disseminated is mostly limited to the official website of the institutions.

# Preventive Programs and Measures

## Indicator 38

The national educational curricula covers issues related to VAWG, gender equality, women rights

Education is one of the fields in which committed investment, to address discriminatory attitudes and behaviours towards recognizing equality between women and men can help the State to prevent and combat violence against girls in schools. Therefore, integrating VAWG programs into education policy frameworks is an important step. Establishing educational curricula to eliminate biases against women and girls and to recognize their full rights, as well as reviewing all school textbooks to get them rid of all types of stereotypes and prejudices against women, can support the State preventive actions.

In the index countries there are no national educational programs related to VAWG, gender equality and women's rights.



### Algeria

The national educational curricula do not include issues related to VAWG, gender equality, women rights.



### Egypt

The national educational curricula do not include issues related to VAWG, gender equality, women rights.



### Jordan

The national educational curricula do not include issues related to VAWG, gender equality, women rights.



### Lebanon

The national educational curricula do not include issues related to VAWG, gender equality, women rights.



### Morocco

The national educational curricula do not include issues related to VAWG, gender equality, women rights. However, some improvements have been reported. A family education course and a class on equality was added to the preparatory level curriculum and a civic education to the primary and preparatory levels. Ministry of Solidarity, Social Development, Equality and Family that hosts the National Observatory of Violence against Women reported that in 2014, 147 school books were reviewed and stripped of contents and images

violating the values of equality and tolerance. Educational curricula relating to illiteracy programs in mosques have been reviewed, adding topics promoting women's rights. The Ministry of National Education, Vocational Training, Higher Education and Scientific Research committed to combating violence against women through the Marrakesh Declaration 2020<sup>11</sup>, by committing to invest in curricula, programs, school books and mechanisms to promote women right to equality, and combating VAWG.



### Palestine

The national educational curricula do not include issues related to VAWG, gender equality, women rights.



### Tunisia

The national educational curricula do not include issues related to VAWG, gender equality.

<sup>11</sup> The 2020 Marrakesh Declaration on Women's Rights was announced during a ceremony celebrating International Women's Day held in Marrakech under the chairmanship of Princess Lalla Meryem. The declaration focuses on the issue of violence against women, providing care for women victims of violence, and promoting the culture of non-violence through all levels of schooling. Seven departments signed the declaration, which are: education & higher education; health; culture; social development, equality & Family; President of the Public Prosecutor's Office; and President of the High Authority for Audiovisual Communication.

# Preventive Programs and Measures

## Indicator 39

### Existence of training programs for teachers on gender equality and VAWG

It is particularly important to set up specific training programs for teachers on gender equality and VAWG. Institutionalizing such training is necessary because teachers themselves sometimes carry prejudices that they may consciously or unconsciously transmit to students, especially if there are no specific manuals to guide them.

In the index countries there are no such training programs for teachers.



#### Algeria

There are no specific programs available for school teachers on gender equality and VAWG.



#### Egypt

There are no specific programs available for school teachers on gender equality and VAWG.



#### Jordan

There are no specific programs available for school teachers on gender equality and VAWG. The Gender Unit within the Ministry of Education, in cooperation with the Policies and Training Unit organizes various workshops and trainings for

teachers and education supervisors on gender equality and gender mainstreaming in education.



#### Lebanon

There are no specific programs available for school teachers on gender equality and VAWG.



#### Morocco

There are no specific programs available for school teachers on gender equality and VAWG. The Ministry of National Education is implementing during the period 2018-2022 a training program in partnership with the Muhammadiyah Association of Scholars

and UNDP aimed at activating educational clubs, in particular those related to citizenship and human rights. The training targets around 3000 educational institutions across all regional academies, on the secondary and post-secondary levels.



#### Palestine

There are no specific programs available for school teachers on gender equality and VAWG.



#### Tunisia

There are no specific programs available for school teachers on gender equality and VAWG.

# Preventive Programs and Measures

## Indicator 40

### Existence of governmental awareness raising and advocacy campaigns to address gender stereotypes and VAWG in public and private spheres and shift the blame to perpetrators

Legal reform to address comprehensively VAWG is needed but is not enough as VAWG is widely practiced because social norms and attitudes have not sufficiently changed. As gender inequality and unequal power relations between women and men are the root cause of VAWG, social change that corrects these is vital for eliminating VAWG.

VAWG often generates feelings of shame and guilt among the victims, particularly in the case of sexual assault. These explain why women often do not report the crime. That is why it is important to carry out campaigns so that the shame and guilt change side and are felt by the perpetrators not by the victims.

The State has a primary role in raising awareness about the root causes of VAWG to achieve this change. However, the role of civil society, whether local or international, is also especially important in raising awareness about stereotypes and discrimination against women.

All index countries report the existence of campaigns, mostly linked to the 16 days global campaign to eliminate violence against women. In Egypt, Jordan, and Lebanon, they are conducted by NCW, JNCW, and NCLW respectively. In Algeria, Morocco, Palestine and Tunisia, campaigns are organised by the ministries of women affairs. In all countries the CSOs are involved.



## Algeria

There are annual awareness campaigns conducted by Ministry of National Solidarity, Family and Women's Affairs.



## Egypt

There are awareness campaigns conducted by NCW and NCCM under a 16 days campaign to eliminate violence against women and other campaigns against FGM.



## Jordan

There are annual awareness campaigns conducted by JNCW under a 16 days campaign to eliminate violence against women.



## Lebanon

There are annual awareness campaigns conducted by NCLW in cooperation with international organizations under a 16 days campaign to eliminate violence against women.



## Morocco

The Ministry of Solidarity, Social Development, Equality and Family launches a 16 days campaign to eliminate violence against women. The Ministry of National Education oversees

the organisation of awareness campaigns by using the activities of the listening and mediation cells, the educational clubs and regional and local media and by disseminating publications and posters on VAWG.



## Palestine

The Ministry of Women Affairs launches a 16 days campaign to eliminate violence against women.



## Tunisia

Some concerned ministries, especially the Ministry of Women, Family, Childhood and Elderly carry out awareness campaigns on specific occasions, as during the 16 Days Campaign to End Violence against Women, on 8 March or

on the National Women's Day on 13 August. They also carry out awareness campaigns in partnership with civil society and with the support of donors in the framework of implementing programs and special projects.

# Professional Capacity of First Respondents

## Indicator 41

### Existence of institutional trainings for policemen and policewomen, and court staff, who deal directly with victims of VAWG

Lessons learned from working with VAWG show that integrating VAWG programming in governance and security sector<sup>12</sup> can build a State capacity to recognise, respond and tackle VAWG. When the authorities responsible for enforcing laws and for addressing VAWG have a precise knowledge of these laws, they provide preventive and protective measures, they can ensure a unified and efficient implementation. For this reason, the institutionalization of specific training programs for all professionals involved in the implementation of these laws, whether security forces, prosecutors, or judges, can effectively support the State efforts to combat VAWG.

In Egypt, where a Department of Combating Violence against Women has been set up, a special effort has been made to recruit an important number of women in the police forces. One thousand judges have been trained by virtue of a protocol between the Ministry of Justice and the NCW.

In Jordan, a special guide has been set up for judges to respond to violence against women cases and the judicial council appointed a group of judges to address domestic violence cases through the country.

In Lebanon, the Ministry of Interior and the Ministry of Defence carry out these trainings with support of international organizations.

In Palestine, the executive plan for the National Referral System designated the Ministry of Women Affairs to identify the training needs and to ensure delivering the trainings.

In Morocco, the Ministry of Interior conducts these trainings jointly with the Ministry of Justice.

In Tunisia, trainings have been set for police forces in cooperation between the Ministry of Interior and the Ministry of Women, Family, Childhood, and Elderly. The law on VAWG requires specialized training for judges and police.



## Algeria

There are no trainings provided by government for policemen and court staff who deal directly with victims of VAWG.



## Egypt

There are some trainings provided by the government. In 2013, the Ministry of Interior established the department of combating violence against women to raise awareness, encourage women to report crimes of violence to the police, inform women of their rights, and refer women to support, including the NCW and the Office of the Public Prosecutor. The ministry has increased

the number of women police officers throughout Egypt. The ministry of justice has established a department of combating violence against women to provide training for judges to deal with such violence. A protocol of cooperation was adopted in collaboration with the NCW, under which some 1,000 judges were trained.



## Jordan

There are some limited trainings provided by the government, funded by international organizations. The judicial council appointed 107 judges to consider domestic violence cases across the country in a specialized manner. The judicial council adopted a guide for judges on responding to cases of violence

against women and judges trained to deal with VAWG. There are training programs for police officers, judges and court employees organized by the Ministry of Interior and Ministry of Justice, as well as by the National Centre for Human Rights.

<sup>12</sup> OECD (2009) OECD DAC Handbook on Security System Reform: Section 9: Integrating Gender Awareness and Equality, Paris.



## Lebanon

The Human Rights Department of the Ministry of Interior and the International Human Rights Law Department of the Ministry of Defence, in cooperation with international organizations and experts, provide these trainings.

Police stations and judicial units receive regular training to provide counselling services to victims of VAWG.



## Morocco

There are institutionalized trainings for the policemen and court staff provided by the Ministry of Interior and the Ministry of Justice.



## Palestine

There are some trainings provided by the Ministry of Women Affairs. The executive plan for the National Transfer System designated the Ministry of Women Affairs to identify the training

needs for service providers who deal with women victims of VAWG, to prepare a training guide, and measure the impact of trainings.



## Tunisia

Special training of police officers has been organized by the CREDIF (Centre de Recherches, d'Etudes, de Documentation, et d'Information sur la Femme), and the Ministry of Women,

Family, Childhood and Elderly, on the implementation of the law on combating VAWG.

# Professional Capacity of First Respondents

## Indicator 42

### Provision by the Ministry of Health of specific training on VAWG for nurses or doctors

Health services have an important role to play in addressing VAWG, not only in the care and support they provide to victims, but also because they must report cases of violence they are aware of.

In Egypt there is a special training for health service providers and a guide for them to address VAWG. Doctors are provided with training as well, in cooperation with UNFPA.

In Tunisia, where the law requires the integration of specific programs on combating VAWG into the curricula of medical and paramedical staff, the Ministry of Health in partnership with the National Board for Family and Human Urbanism completed a training program for the health sector, especially for staff working in the emergency departments, and provided training of trainers programs.

#### Algeria

There is no specific training provided by the Ministry of Health for nurses or doctors who respond to victims of VAWG.

#### Egypt

The Ministry of Health has issued a guide for health service provision to victims and conducts trainings of doctors in cooperation with UNFPA.

#### Jordan

No specific training is provided by the Ministry of Health for nurses or doctors who respond to victims of VAWG.

#### Lebanon

No specific training is provided by the Ministry of Health for nurses or doctors who respond to victims of VAWG.

#### Morocco

No specific training is provided by the Ministry of Health for nurses or doctors who respond to victims of VAWG. The Ministry of Health has conducted training courses in partnership with

UNFPA for over 200 persons during 2020 to build the capacities of health professionals to provide quality support to victims in compliance with international standards.

#### Palestine

No specific training is provided by the Ministry of Health for nurses or doctors who respond to victims of VAWG.

#### Tunisia

The law on eliminating violence against women of 2017 stipulates that special curricula should be integrated in the programs for medical and nurse students. The Ministry of Health worked in partnership with the National Office for the Family and Human Urbanism to complete the training program for those involved in the health sector, especially those working in the emergency departments to enhance their capabilities in the field of detection and evaluation of all forms of violence against women as well as examination, treatment and follow-up of cases. It also organized awareness sessions on the law on eliminating violence against women, the mechanisms of providing care and coordination in various fields.

National Board for Family and Human Urbanism managed to secure over 90 training sessions on violence against women and girls at the regional level, that benefited more than 2000 medical and paramedical personnel, and 6 workshops for over 165 emergency medical workers. Over 30 medical workers benefited from a Training of Trainers course on providing care for women victims of violence.

The Faculty of Medicine has incorporated a postgraduate degree in sexual and reproductive health, which includes a course on violence against women.

# Professional Capacity of First Respondents

## Indicator 43

### Trainings on VAWG are institutionalized within different ministries and governmental institutions

Sustained institutional training and capacity-building programs on addressing VAWG are essential for building gender-sensitive capacities in ministries and government institutions. This has been made clear by CEDAW when recommending “mandatory cross-cultural gender and child-sensitivity training modules for police, criminal justice officials and professionals involved in the criminal justice system on the unacceptability of all forms of violence against women and on their harmful impact and consequences on all those who experience such violence” para. 24 (b) of general recommendation 19. The regional campaign on Zero Tolerance for VAWG (2019-2021) involves various State structures. It calls for the intervention of the ministries of the interior, justice, health, women’s affairs (where such exists), social affairs and education. Lessons learned from work on institutional response to violence against women and girls demonstrate that interventions are more likely to be efficient if training programmes are set up in all these departments, institutionalised and well planned to ensure the long-term commitment and investment essential for the comprehensive and cross-cutting treatment needed for this type of violence.

Different ministries in the index countries provide trainings to their staff in cooperation with CSOs, INGOs and UN Agencies, but these have not been institutionalized as a part of a policy or strategy.

In Tunisia, the law on eliminating violence against women 2017 states that Ministry of Interior, Ministry of Health and Ministry of Social Affairs must ensure provision of trainings for staff in health sector and social workers on violence against women and the work on institutionalising has started. The Ministry of Interior started to train the judicial police on the skills and knowledge for dealing with women victims of VAWG.



## Algeria

There is no training programme on VAWG that is being institutionalized within the ministries and government's institutions.



## Egypt

There is no training programme on VAWG that is being institutionalized within the ministries and government's institutions.



## Jordan

There is no training programme on VAWG that is being institutionalized within the ministries and government's institutions.



## Lebanon

There is no training programme on VAWG that is being institutionalized within the ministries and government's institutions.



## Morocco

There is no training programme on VAWG that is being institutionalized within the ministries and government's institutions.

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## Palestine

There is no training programme on VAWG that is being institutionalized within the ministries and government's institutions.

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## Tunisia

Articles 8, 9 and 10 of the law on eliminating violence against women 2017 states that the Ministry of Interior, Ministry of Health and Ministry of Social Affairs must ensure provision of

trainings for staff on combating violence against women. The work on institutionalizing has started at the Ministry of Interior which conducts trainings to the judicial police on the skills and knowledge for dealing with women victims of VAWG.

# National Coordination and Regional Cooperation

## Indicator 44

### Existing cooperation mechanisms between police, shelters, hospitals, courts/judiciaries, ministries, civil society for addressing VAWG

A holistic approach to tackling VAWG requires a long term coordinated action at all levels and across all sectors to achieve and sustain results. The various actors involved in addressing VAWG represent a chain whose actions are more likely to be efficient if they are coordinated. For this reason, cooperation mechanisms set up among them is helpful to optimise the intervention of each of these actors, facilitate the prevention of violence and protection for women at risk of violence. Different changes, be they legal, institutional or changes of social norms, behaviours, and practices, take different time to be achieved. Involvement of women's rights organisations in such cooperation also helps the States to be more efficient in their responses.

In the index countries, existent mechanisms imply a series of actions and measures that form a system of cooperation among different actors. In Algeria there are cooperation mechanisms for referring VAWG cases and an institutional information system on violence against women is established. In Egypt, cooperation between police, hospitals and ministries on the referral level is established. In Jordan, there is cooperation for receiving complaints, between Family Protection Department, ministers and CSOs shelters.

In Lebanon, in 2013, a service order has been issued by the government about the different measures that have to be taken by different actors dealing with women at risk of violence.

In Morocco, the government established a protocol for the cooperation mechanisms between police, shelters, hospitals, courts/judiciaries, ministries, and civil society on exchange of information on cases of violence.

In Palestine, a referral level is established between police and hospitals. The police also has a specialized department in charge of responding to domestic violence cases and ensuring coordination between different institutions.

In Tunisia, multi-sectorial protocols have been signed for protecting women victims of VAWG among relevant ministries.



## Algeria

There are cooperation mechanisms between police, hospitals, and other government institutions for referring VAWG cases. The cooperation is arranged by the Ministry of National

Solidarity, Family and Women's Affairs and includes the institutional information system on violence against women that was created to consolidate and exchange all data related to women and girls who are victims of VAWG.



## Egypt

There are mechanisms of cooperation for addressing VAWG that were established among different ministries and institutions according to the National Strategy for Combating Violence against Women (2015-2020). An executive committee has been formed between NCW and the heads of the departments and units concerned with women's rights in various ministries including the Ministry of Interior,

Ministry of Health and Population, Ministry of Social Solidarity, the National Council on Disability, the National Council for Childhood and Motherhood. According to the protocols signed among the parties mentioned above, the committee works on following up on the execution of the action plans of the National Strategy for Combating Violence against Women.



## Jordan

There are cooperation mechanisms established according to the National Framework for Protection from Domestic Violence which includes the Standard National Working Procedures and Response to Violence. These mechanisms identified the cooperation between the Family Protection Department

affiliated to the Public Security Department, Ministry of Interior, Ministry of Health, Ministry of Education, Ministry of Social Development and National Council for Family Affairs for preventing, receiving, referring and responding to VAWG cases.



## Lebanon

There are cooperation mechanisms between police, shelters, hospitals, courts/judiciaries, ministries, and civil society. Service Order No. 164/204 was issued by the Directorate General of

the Council of Ministers in 2013 concerning measures that should be taken by different institutions dealing with women victims of VAWG.



## Morocco

There are cooperation mechanisms between police, hospitals, and ministries. The government established a protocol for the cooperation between police, shelters, hospitals, courts/judiciaries, ministries, and civil society. The institutional information system on violence against women was created to consolidate all data related to women and girls who are victims

of VAWG. A protocol on exchange of information on cases of violence against women was signed in 2014 by different governmental institutions. There is also a guide that has been prepared for the institutional cells providing support to women victims of violence. It facilitates communication between relevant partners.



## Palestine

There are cooperation mechanisms between the police and other governmental institutions. The Family Protection Department, which is affiliated to the police, responds to the domestic violence cases and coordinates with other institutions

within the referral system. The referral system includes procedures for cooperation between government institutions to deal with cases of VAWG.



## Tunisia

There is cooperation between police, hospitals, and ministries. Multi-sectorial protocols have been signed for protecting women victims of VAWG, including the Ministry of Health, Ministry of Education, Ministry of Social Affairs and Ministry

of Interior, Ministry of Women, Family, Childhood and Elderly. These sectorial protocols include procedures for each sector in combating women victims of VAWG, as well as mechanisms for inter-sectorial coordination.

# National Coordination and Regional Cooperation

## Indicator 45

### Existence of inter-ministerial coordination on VAWG

Coordination between different ministries is necessary for the development and implementation of a comprehensive policy to address VAWG.

This coordination takes several shapes. It is sometimes systematic as in Egypt, where such coordination is a recommendation of the National Strategy for Combating Violence against Women, and in Tunisia where the coordination is established within the multi-sectorial protocols on protecting women victims of VAWG signed among relevant ministries. In Algeria and Morocco, Ministry of National Solidarity, Family and Women's Affairs and Ministry of Solidarity, Social Development, Equality and Family, respectively, supervise this coordination.

Sometimes it is partial, as in Jordan where coordination exists for reporting cases between the Ministry of Health and the Ministry of Interior. Such coordination has been suspended in Lebanon in 2019.

#### Algeria

There is inter-ministerial coordination on women issues including VAWG supervised by the Ministry of National Solidarity, Family and Women's Affairs through the Directorate of Women Issues

and the Directorate General of Family, Women and Social Cohesion.

#### Egypt

There is inter-ministerial coordination on VAWG under the responsibility of NCW, as per the National Strategy for Combating Violence against Women (2015-2020). The

coordination includes the Ministry of Interior, Ministry of Education, Ministry of Health and Population, Ministry of Social Solidarity, and Ministry of Justice.

#### Jordan

There is an inter-ministerial coordination on VAWG among specific ministries to refer cases of VAWG including the Ministry of Health, Ministry of Interior and Ministry of Social Development. There is also Inter-Ministerial Committee for

Women Empowerment established in 2015 and currently led by the Ministry of Political and Parliamentary Affairs, but its mandate is not specifically for combating VAWG.

#### Lebanon

The Ministry of Social Affairs and NCLW ensures the coordination among ministries. Also, there was an inter-ministerial coordination on VAWG between the former Office of Minister of State for Women Affairs and other ministries.

The office was cancelled in 2018 and substituted with the Office of Minister of State for Economic Empowerment of Women and Youth, which was also cancelled at the end of 2019.

#### Morocco

There is an inter-ministerial coordination on VAWG. Ministry of Solidarity, Social Development, Equality and Family supervises

the coordination directly and through the Directorate of Women and the National Observatory of Violence against Women.

#### Palestine

There is an inter-ministerial coordination led by the Ministry of Women Affairs. The Ministry coordinates with the Ministry of Interior, the Ministry of Health, and the Ministry of Social

Development for dealing with women victims of VAWG and support women's rights policies..

#### Tunisia

There is inter-ministerial coordination among Ministry of Health, Ministry of Education, Ministry of Social Affairs, Ministry of Interior, and Ministry of Women, Family, Childhood and Elderly in the frame of the multi-sectorial protocols adopted in the implementation of the provisions of article 12 of the law on eliminating violence against women and article 8 of the Inter-Sectoral Agreement to Provide Care to Victims. Since May

2019, twenty-four coordinating bodies have been established on regional level that include representatives of the sectors: justice, interior, health, social affairs, women, family, children, and seniors, as well as competent civil society organizations active in the respective regions. A national coordination body has not been established yet.

# National Coordination and Regional Cooperation

## Indicator 46

**Existence of a governmental body/agency in charge of leadership, coordination, and support for VAWG policies across different sectors, including services for women refugees**

The multi-sectoral and comprehensive approach to address VAWG is more likely to be sustained and successful if there is a governmental body responsible for coordinating the action of all stakeholders.

In the index countries, different institutions fulfil this role. In some of them it is a ministry as in Algeria (Ministry of National Solidarity, Family and Women's Affairs), Morocco (Ministry of Solidarity, Women, Family, and Social Development), Palestine (Ministry of Women Affairs) and Tunisia (Ministry of Women, Family, Childhood, and Elderly). In Egypt, this role is taken by NCW that was established by a presidential decree. In Jordan by JNCW which is a semi-governmental institution that was established by the Council of Ministers' decision, and in Lebanon by NCLW that was established by the law No. 720



### Algeria

The Ministry of National Solidarity, Family and Women's Affairs leads VAWG policies across different sectors.



### Egypt

NCW was established by presidential decree and is affiliated to the president. Its mandate is to plan for the advancement of women, draft a national plan for the advancement of women, address their needs, and advise on draft laws. It proposes

policies and legislation follow up on the implementation of the plans and strategies. NCW is also responsible for the coordination between the ministries for combating VAWG.



### Jordan

JNCW was established by a Council of Ministers' decision as a semi-governmental organization. JNCW gained recognition as the authority on women's affairs in Jordan and leads the coordination for VAWG policies and mainstreaming gender in

national legislation, policies, plans, programs, and budgets. JNCW is also member in the Inter-Ministerial Committee on Women Empowerment and is involved in the coordination between ministries.



### Lebanon

NCLW coordinates VAWG policies across different ministries and sectors. According to the law 720/1998, national tasks and activities regarding women's issues were officially assigned to

NCLW with a mandate to advise the government on women's issues, liaise and coordinate with the concerned ministries and public institutions.



## Morocco

The Ministry of Solidarity, Social Development, Equality and Family oversees the coordination and support for VAWG policies. The Ministry hosts also the National Observatory for

Violence against Women which contributes to the coordination for VAWG policies.



## Palestine

The Ministry of Women Affairs ensures coordination government commitment to gender mainstreaming of laws and public policies and enhancing women rights. The Ministry ensures

coordination between different sectors including women rights organisations, and improving the services provided for women.



## Tunisia

The Ministry of Women, Family, Childhood and the Elderly is responsible for coordination with various bodies and establishing partnership with civil society.

The Ministry of Women, Family, Childhood and Elderly coordinates between the various actors and establish partnership, support, and coordination mechanisms with CSOs in implementation of the provisions of article 12 of the law on eliminating violence against women and article 8 of the Inter-sectoral Agreement to Provide Care to Victims.

# National Coordination and Regional Cooperation

## Indicator 47

### Existence of gender responsive budget with specific lines allocated for addressing VAWG

Whatever the quality of legislation to combat VAWG, its efficiency will be limited if it is not supported by adequate financial allocations.

The index governments have not yet implemented allocation of specific budget line to finance the tools and mechanisms that the various laws have put in place for combating VAWG.

#### Algeria

There is no gender responsive budget adopted by government with specific lines allocated for addressing VAWG.

#### Egypt

There is no gender responsive budget adopted by government with specific lines allocated for addressing VAWG.

#### Jordan

There is no gender responsive budget adopted by government with specific lines allocated for addressing VAWG.

#### Lebanon

There is no gender responsive budget adopted by government with specific lines allocated for addressing VAWG.

#### Morocco

There is no gender responsive budget adopted by government with specific lines allocated for addressing VAWG. However, the government adopted a budget for gender mainstreaming

funded by the European Union under the Government Plan for Equality.

#### Palestine

There is no gender responsive budget adopted by government with specific lines allocated for addressing VAWG.

#### Tunisia

There is no gender responsive budget adopted by government with specific lines allocated for addressing VAWG.

# National Coordination and Regional Cooperation

## Indicator 48

### Existence of bi/multi-agreements or programs to address VAWG at the regional level based on international women's rights norms and agreements

The existence of bilateral and multilateral co-operation mechanisms or programs to combat violence against women is helpful in combating violence against women and girls, not only because it makes it possible to learn from comparative experiences, both successes and failures, but also because it makes it possible to highlight leading experiences and best practices which can encourage other States to adopt efficient policies and/or strategies.

One of these multilateral mechanism in the Arab Region is the Arab League. Most of the States members adopted the five years strategy for identifying the priorities launched by the Arab League.

One of the most active mechanisms is the Union of the Mediterranean (UfM) which, due to the variety of its components, allows the countries of the Arab region to complement the existing Arab-Arab framework with additional experiences with different history, different back-grounds but similar challenges.

#### The Union for the Mediterranean

The Ministerial Declaration of the 4th UfM Ministerial Conference on enhancing the role of women in the society has a specific area on combating VAWG, PVE and WPSA. The 4th UfM Ministerial Conference on Strengthening the Role of Women in Society that took place on 27 November 2017 in Cairo, Egypt gathered ministers of the 43 Member States of the Union for the Mediterranean responsible for women affairs and gender equality, under the Co-Presidency of the European Union and the Hashemite Kingdom of Jordan.

The Ministers agreed to promote the following 4 actions:

- Raising women's participation in public life and decision-making.
- Raising women's economic participation.
- Combating all forms of violence against women and girls.
- Challenging cultural and social norms and eliminate gender stereotypes, particularly in and through education and media.

#### The Arab League

The Arab League established the Arab Women Committee. Under this committee, the Arab League launched on 10/2/2020 a 5-year strategy for identifying the priorities in the Arab countries according to the Beijing convention. Also, on 9/2/2020, the Arab League approved the establishment of the "Arab Network for Women Peace Mediators", as one of the regional mechanisms of the Arab Women Committee.

#### Informal regional networks

Informal networks include:

- The Coalition of Women MPs form Arab Countries to Combat Violence against Women aims to combat violence against women as well as spreading awareness among parliamentarians, people, and the public opinion; place the issue of violence against women among the legislative priorities; exchange information and coordinate joint actions among parliamentarians with the participation of relevant civil society organization. The Coalition launched in 2016 a "draft Arab Convention to Combat Violence against Women and Girls and Domestic Violence" which was adopted by the Arab Women's Committee in February 2017. It is currently in the final stage of approval and ratification.
- The Arab Women Parliamentarians Network for Equality (Ra'edat) advocates gender equality and combating VAWG as well as advocating for comprehensive laws in the Arab region.
- There are no bi agreements for addressing VAWG.

All index States are members of the two regional bodies. i.e. the Arab League and the UfM

## National Coordination and Regional Cooperation

### Indicator 49 Existence of regional monitoring mechanism on VAWG

There is no regional monitoring mechanism on VAWG on the governmental level. However, all States are members of the UfM and follow up on the implementation of the Ministerial Declaration on Women's Rights (2017, Cairo).

The 4th UfM Ministerial Declaration sets the roadmap to combat VAWG, PVE and implement WPSA, and has established indicators.

There is a Regional Civil Society Observatory to follow up on the implementation of the 4th UfM Ministerial Declaration in the area of VAWG, PVE and WPSA.

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The Regional Civil Society Observatory  
المبادرة الإقليمية لمؤسسات المجتمع المدني



EuroMed Feminist Initiative  
المبادرة النسوية الأورومتوسطية  
Initiative Féministe EuroMed

## About the Regional Civil Society Observatory on VAWG:

The Regional Civil Society Observatory (RCSO) is an independent civil society mechanism that follows up on measures and actions to combat VAWG, in particular the implementation of the Ministerial Declaration of the 4th UfM Ministerial Conference on women's rights (November 27th 2017, Cairo) in the area of combatting all forms of VAWG, Women, Peace and Security Agenda (WPSA) and Preventing Violent Extremism (PVE).

The RCSO is hosted by the EuroMed Feminist Initiative (EFI) in Amman, Jordan. It aims to develop regional tools to follow up on the implementation of the 4th UfM Ministerial Declaration. These include evaluating and highlighting gaps between international women's rights mechanisms and national legislations, providing evidence-based recommendations to policymakers aiming to improve the efficiency of policies and measures in this field and preparing guidelines for developing WPSA, and support the adoption and implementation of further instruments on UNSCR 1325.

## About the EuroMed Feminist Initiative EFI:

EuroMed Feminist Initiative is a policy network encompassing women's rights organization from both shores of the Mediterranean and advocates for gender equality and women's rights as inseparable from democracy building and citizenship, political solutions to all conflicts, and for the right of people to self-determination. EuroMed Feminist Initiative seeks to improve and promote women's rights as universal human rights, the value of gender equality, and the use of non-violent means to solve conflicts. Our criterion and position align with the international resolutions and conventions and regional instruments promoting the universality of women's rights and strengthening women's impact and voices in conflict resolution.

