

Violence against Women – Empowerment: 16 days of activism

‘Orange the World: #Hearmetoo’

‘Orange the World: #Hearmetoo’ is the chosen United Nations (UN) theme for the 2018 International Day for the Elimination of Violence against Women to continue to empower women and girls to bring to light their experiences. It was in 1999, that the 25th of November was dedicated to commemorate the elimination of violence against women with the UN urging governments, international and non-governmental organisations to raise awareness on this matter.

In support of this day, the National Commission for the Promotion of Equality (NCPE) will join the international and national community for the global campaign of 16-days of activism against Gender-Based Violence. This campaign, headed in Malta by the Commission on gender-based violence and domestic violence, is a way to reflect and to take action with the ultimate objective to end violence against women and girls around the world not just for these 16 days but permanently. It will also raise awareness about gender-based violence as a human rights issue at the local, national, regional and international levels because the problem is a societal issue therefore it concerns all members of society. This campaign starts on the 25th November, rightfully so because it is the International Day for the Elimination of Violence against Women, and it lasts until the 10th December, the Human Rights Day.

Violence against women is a persistent malaise that has seeped through all societies and constitutes a human rights violation. Such violence is a cause and consequence of discrimination against women and persisting inequalities between women and men in society.

Statistics on gender-based violence demonstrate a high prevalence of different forms of violence against women across the European Union (EU) including Malta. In 2014, a study published by the EU Agency for Fundamental Rights (FRA) pointed out that in Malta 22% of women experienced sexual and/or physical violence since the age of 15, compared to the EU-28 average of 33%. Moreover, while 43% of female respondents in the EU-28 experience psychological violence by either their partner or non-partner, in Malta 37% of women experienced such violence. In addition, 26% of women in Malta experienced stalking since the age of 15, compared to 18% across the EU-28.

In this context, NCPE acknowledges the importance of commemorating the UN International Day for the Elimination of Violence against Women. The testimonies of survivors, activists and global movements, especially the #MeToo campaign, created an atmosphere of new found empowerment that has reached a crescendo that cannot be dented. On the contrary, it needs to be sustained. Thousands of women all over the world are voicing their traumas, raising awareness about gender-based violence. In so doing, they are giving courage and hope to survivors while also putting pressure on institutions to take action.

Empowering victims to report their case is key to seek access to justice. In Malta, 28% of women claim that the most serious incident of violence came to the attention of the police when the perpetrator was the partner, and 23% when the perpetrator was a non-partner. The EU-28 average is 20% and 19% respectively.

These findings show that it is not only important to work for the elimination of violence against women but to also prevent such violence from occurring, to protect survivors and potential victims as well as to prosecute the perpetrators. In fact, following the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence which is based on the understanding that violence against women is a form of gender-based violence that is committed against women because they are women, the Maltese government enacted the Gender-based violence and domestic violence Act in April of this year.

The Act strengthens the legal provisions associated with crimes relating to gender-based violence and domestic violence, including rape, sexual harassment, and stalking, and introduces harsher penalties for perpetrators of violence. It also fortifies existing mechanisms for the protection of victims, while introducing new systems for the protection of victims in urgent situations. The Act has also widened the remit of the former Commission on Domestic Violence, that has now become the Commission on gender-based violence and domestic violence.

Strong legislation is indeed vital as a tool for victims of gender-based violence. However, to access this tool effectively, financial empowerment is crucial. Women, economically dependent on their perpetrators, not only face additional difficulties to leave violent relationships, but also find themselves at a great disadvantage in the courts. Many relate their experiences of having to face their perpetrator being supported by more than one lawyer while they have to make do with the services of the legal aid department which is overloaded with work.

#Hearmetoo is also a call for victims to be empowered to be heard. This includes the financial empowerment to enable such a process. A mechanism should be found whereby it is made possible for the victim, usually the woman, to access the assets of the community of acquets at an early stage of litigation. This would not only somewhat relieve the financial support burden of the state but more importantly give women the self-confidence to seek and benefit effectively from the justice system. Access to one's own assets will enable victims to get out of the abusive relationship and embark on a new life course.

NCPE continuously works to raise awareness on the need of economic independence not only through campaigns in the traditional media and on social media but also through research on developments in this area of concern.

Moreover, NCPE is empowered to investigate cases of sexual harassment, another form of violence against women, as per Chapter 456 of the Laws of Malta. NCPE also gives training and consultations on gender equality and sexual harassment, among other issues.

NCPE acknowledges that the #Hearmetoo highlights the need for further awareness about such violence and the empowerment of victims to disclose their experiences and seek effective justice. As the UN Secretary-General António Guterres stated, *"Every woman and every girl has the right to a life free of violence... It is time for united action from all of us, so that women and girls around the world can live free from harassment, harmful practices, and all other forms of violence."*

For further information, contact NCPE on 2295 7850, equality@gov.mt or on Facebook.