EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

HELPING TO MAKE FUNDAMENTAL RIGHTS A REALITY FOR EVERYONE IN THE EUROPEAN UNION

Challenges to women's human rights in the EU

Gender discrimination, sexist hate speech and gender-based violence against women and girls

Contribution to the third Annual Colloquium on Fundamental Rights - November 2017

Women and girls in the European Union (EU) experience persistent gender discrimination and gender-based violence, as evidence collected by the EU Agency for Fundamental Rights (FRA) confirms. This severely limits the ability of women and girls to enjoy their rights and to participate on an equal footing in society. Recent revelations on the global extent to which women and girls experience sexual harassment stress the urgent need to tackle socially, culturally and structurally entrenched gender inequalities. This FRA contribution to the third Annual Colloquium on Fundamental Rights 'Women's rights in turbulent times' looks at core human rights commitments. It balances these against selected evidence on gender discrimination, sexist hate speech and gender-based violence against women and girls in the EU. The paper underlines the need for EU institutions and Member States to stand firm in their commitment to safeguard the dignity of all women and girls in the EU. It therefore highlights concrete areas of intervention where the EU and its Member States could work actively to turn this commitment into a reality.

Contents

Safeguarding the dignity of women and girls in the EU 2
A comprehensive EU framework to counter discrimination and violence against women 2
Gender inequality contributes to persisting discrimination, hate speech and violence against women 4
All women are not the same: gender discrimination intersecting with other grounds of discrimination 17
Backlash against gender equality 21
In conclusion 22
Endnotes 26

Safeguarding the dignity of women and girls in the EU

Women and girls in the European Union (EU) regularly face discrimination, hate speech and violence, simply because they are women or girls.[1] This violates their fundamental rights to dignity and integrity, as well as their right to equality and to non-discrimination, which are enshrined in the Charter of Fundamental Rights of the European Union.

The EU and its Member States have an obligation to guarantee the respect of these fundamental rights for women and girls in all areas of life. To achieve this, they have set out a range of legal and policy measures. The EU's *Strategic engagement for gender equality 2016-2019*, lists "dignity, integrity and ending gender-based violence" as one of five key areas of action.[2] In this respect, the Union signed in June 2017 the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) sending a powerful signal that the Union takes women's rights seriously; by November 2017, 16 EU Member States had ratified the convention.

The European Commission selected women's rights as the topic of its 2017 edition of the Annual Colloquium on Fundamental Rights[3], which reflects the political significance of this issue for the EU. The colloquium will bring together national, EU and international policymakers, civil society organisations and the media to discuss topics affecting women's rights, including issues of gender equality, misogyny in society, violence against women, the gendered nature of hate speech and discrimination.

The European Union Agency for Fundamental Rights (FRA) produced this paper as contribution to this colloquium.[4] It is not intended to provide a comprehensive overview of women's rights issues in the EU, but to inform relevant debates at the colloquium and feed into its outcomes. In this light, it refers to core human rights commitments and selected evidence on gender discrimination, sexist hate speech and gender-based violence against women and girls in the EU that were published in the last three years. The agency's research network, Franet,[5] collected the evidence, which FRA complemented with data from EU-wide surveys and desk research. Information is included on perpetrators and on factors that underpin the manifestation of gender discrimination, sexist hate speech and gender-based violence against women and girls in the EU, where such evidence is available.

A comprehensive EU framework to counter discrimination and violence against women

UN Convention on the Elimination of All Forms of Discrimination against Women

Article 1 – Discrimination

Discrimination against women shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Equality between women and men is one of the foundational values of the EU, as outlined in Article 2 of the Treaty on European Union. Furthermore, Article 10 of the Treaty on the Functioning of the European Union (TFEU) stipulates that "[i]n defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex". Article 19 of the TFEU stipulates that the Council "may take appropriate action to combat discrimination based on sex". The EU Charter of Fundamental Rights prohibits discrimination on the ground of sex (Article 21) and prescribes that "[e]quality between women and men must be ensured in all areas, including employment, work and pay" (Article 23).

EU law defines gender discrimination as occurring when one person is treated less favourably on grounds of sex than another is,

has been or would be treated in a comparable situation. The EU's definition of gender discrimination also encompasses harassment and sexual harassment.[6]

Harassment covers situations where "unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment," as stipulated in the recast Directive 2006/54 of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.

The same directive stipulates that sexual harassment covers situations "where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment".[7]

All 28 EU Member States have set up national equality bodies mandated to deal with cases of discrimination on the ground of gender.[8] These bodies are mandated to handle complaints of gender discrimination across a range of areas of life, in line with the relevant EU equality legislation. They are also mandated to conduct research and awareness raising campaigns, and to make independent recommendations.

No specific EU legal instrument regulates *per se* the prohibition of sexist hate speech. In the broader European context, however, the Council of Europe Commission against Racism and Intolerance (ECRI) explicitly includes any form of harassment based on sex or gender under its definition of hate speech.[9] In addition, the Istanbul Convention, signed by the EU, calls for criminal and legal sanctions to be imposed in cases of sexual harassment.

In light of this, the EU Member States have endorsed human rights instruments obliging them to combat violence against women as a human rights violation and as a specific gender-related form of violence linked to the discrimination of women.[10]

These instruments include the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Istanbul Convention. EIGE further notes that several EU legal instruments are relevant to combating violence against women and girls.[11]

Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

Article 3 – Definitions

"Violence against women" is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Despite the existence of this framework, much remains to be done to realise gender equality in the EU and its Member States, as findings from EIGE's 2017 Gender Equality Index indicate.[12] This index shows that the EU has made marginal progress between 2005 and 2015, with significant differences in gender equality observed between Member States. Almost two thirds of the Member States fall below the average score for the EU as a whole.

Persisting discrimination and endemic gender-based violence severely limit the ability of women and girls to enjoy their fundamental rights and to participate in society on an equal basis with men. Women's rights at risk include those guaranteed by the EU Charter of Fundamental rights, such as the right to dignity, to life, liberty and security, and to equality with men in all areas.

If violations of these rights are left unchecked, the EU and its Member States risk not meeting their objectives of achieving gender equality and empowering all women and girls by 2030, under the United Nations (UN) Sustainable Development Goals (SDGs).[13] Targets the EU

and its Member States have to meet under these goals include:

- eliminating discrimination, violence and harmful practices against women and girls;
- enabling their full participation in political, economic and public life.

Pervasive gender stereotyping prevents women and girls from fully enjoying their rights and entrenches structural aspects of gender inequality. The Office of the High Commissioner for Human Rights of the United Nations (OHCHR) defines gender stereotyping as "the practice of ascribing to an individual woman or man specific attributes, characteristics or roles on the sole basis of her or his membership of the social group of women or men" which can lead women and girls to:

- become vulnerable to poverty and violence;
- be confined to specific gender roles and professions, with accompanying pay gaps and glass ceilings;
- experience restrictions on their sexual and reproductive rights.[14]

Gender stereotypes are commonplace, which media often reproduces. In the UK for example, a newspaper`s front page stated "Never mind Brexit, who won Legs-it!" next to a photograph of Scottish first minister and British prime minister. When politicians reproduce such stereotypes, there is a high risk that these will be legitimised. This is the case, for example, in Hungary, when the Speaker of the National Assembly argued that women's primary goal is reproduction and childbirth.[15] In Slovenia, the president of the largest parliamentary opposition party characterised in a tweet two female journalists as prostitutes.[16] In Romania, a member of a political party suggested on Facebook the sterilisation of Roma women.[17]

In Bulgaria, during an interview a member of the European Parliament (MEP) referred to the journalist's body using sexually connoted words. [18] A Polish MEP, during a debate in the European Parliament, argued that women must earn less than men because they are weaker, smaller and less intelligent. In Romania, during a speech[19] in Parliament, a member of parliament addressed insulting sexual comments to his female colleagues.[20]

Gender inequality contributes to persisting discrimination, hate speech and violence against women

Women and girls in the EU experience structural gender inequality in a variety of forms and in a range of settings. The evidence shows that in recent years women in the EU faced discrimination in employment and at work; harassment, sexual harassment and sexist hate speech, including online; as well as psychological, physical and sexual violence. The following sections provide examples of such evidence.

Discrimination at work and when looking for work

FRA conducted in 2012 the largest EU-wide survey on violence against women. The survey included questions on discrimination showing that 14 % of women felt discriminated at work because of their sex at some point in their lives. Women who had completed tertiary education were the most likely to have felt discriminated at work (22 %), followed by women who completed secondary education (13 %) and those that completed primary education (11 %). A large proportion of women in top management positions indicated having felt discriminated at work (28 %).

Across the EU, women remain underrepresented in decision-making positions, particularly in politics and business, as the European Commission notes.[21] By March 2017, 37 % of MEPs were women. A Council of Europe report reveals that in 2016 women accounted for 26 % of members of the single or lower houses of parliaments across Europe; less than 17 % of heads of state government, regional government or mayors were women; and the representation of women in High/Supreme Courts was 33 % and 26 % in Constitutional Courts.[22] By November 2017, only four EU Member States had in place binding legal provisions

regulating the share of women among board members of large listed companies.[23]

In Luxembourg, a survey shows that 57 % of women consider themselves disadvantaged as professionals, but also regarding salary gaps, child rearing, housekeeping tasks and discrimination.[24]

In the Netherlands, a study reveals that although the proportion of women who reported discrimination diminished from 26 % in 2012 to 14 % in 2016, still 43 % of the women who became mothers and worked and/or applied for a job experienced a potentially discriminatory situation in 2016, compared with 45 % in 2012.[25]

In Belgium, a survey finds that 80 % of women have experienced sexist behaviour at work, such as 'manterrupting' (unnecessary interruption of a woman by a man) and 'mansplaining' (a man patronising a woman).[26] Sexist behaviour limits women's freedom on a daily basis by influencing the way they dress and behave, the times they go out and the places they frequent.

Harassment and sexual harassment against women and girls

FRA's survey on violence against women asked women about their experiences of sexual harassment, including online. These findings show that, for example, 29 % of women have experienced unwelcome touching, hugging or kissing and 11 % of women have received unwanted, offensive sexually explicit emails or SMS messages, or offensive, inappropriate advances on social networking sites.

The Twitter and Facebook hashtag campaign *#MeToo* and the upsurge of allegations of sexual harassment and abuse in the European Parliament brought awareness about the scale of sexual harassment women face. Evidence points to women and girls experiencing it practically everywhere: at schools, while working, by simply being in a public space, and online.

In Hungary, research among more than 2,000 university students finds that 33 % of female students experienced sexual harassment; 12 % of sexist incidents experienced were committed by male lecturers and 10 % by male students.[27] None of the students reported the incidents. In Romania, a study on sexual harassment at universities shows that 380 out of 680 students and personnel experienced sexual harassment by students or professors.[28]

Findings from Germany's first representative survey on violence against women reveal a high proportion of sexual harassment, with 58 % of women experiencing this in a public place at least once – either by a stranger or by a casual acquaintance – or having been followed by persons from their workplaces, schools or places of training and apprenticeship.[29] About half of them experienced forms of sexual harassment in which they felt seriously threatened and feared for their personal safety, and 9 % said that it led to unwanted sexual intercourse or other forms of physical violence.

In Poland, out of 451 women participating in a survey, 88 % experienced one or more forms of sexual harassment since they had turned 15 years.[30] The majority of women experienced sexual harassment by men whom they did not now (69 %) and the rest by men whom they knew by sight or by men they knew personally (colleagues or friends).

Countering sexual harassment in Belgium

Considering that sexism is a widespread phenomenon, which cannot be tolerated in a democratic society, Belgium adopted in 2014 a law to address sexual harassment in public space. A prison sentence of up to one year and/or a fine of up to € 1,000 can be imposed for "any public gesture or act, which is obviously intended to express contempt vis-à-vis a person because of his or her sex or, for the same reason, considers a person as inferior or reduces the person to his or her sexual dimension and which results in a serious infringement on the dignity of that person".

Belgium, Moniteur Belge (2014), Act of 22 May 2014 to fight against sexism in public spaces and to adapt the Act of 10 May 2007 to fight discrimination in order to criminalise discriminatory acts

A Danish survey among nearly 28,000 persons reveals that female employees are more likely to have experienced sexual harassment (5 %) than male employees (1 %).[31] Women younger than 30 years are especially exposed, and sexual harassment is mostly the fact of clients or customers.

A case study including a survey among more than 1,100 women on harassment in Rotterdam, Netherlands, finds that 94 % of women have experienced sexual harassment on the street.[32] Some 44 % of women classify these incidents as annoying, offensive, threatening or intimidating, with non-verbal behaviours being regarded as more disturbing. Both women with an ethnic Dutch background and those with a migrant background feel especially intimidated by perpetrators belonging to a different ethnic group than their own. Perpetrators of all ages and backgrounds often downplay their behaviour, claiming it stems from respect for women and that women appreciate it.

Tackling sexual harassment on the street

In response to documented widespread sexual harassment of women on the street, the municipality of Rotterdam makes it a punishable offense. The city adjusted its General Local Regulation so that anyone who catcalls, follows, asks for sex or bothers a woman in any way will face a fine of up to € 4,100 or a prison-sentence of up to three months. Rotterdam starts issuing warnings for sexual harassment on the street, and the city appointed four extra enforcement officers to support this measure. The city also establishes a hotline for victims.

Amsterdam also adapted its General Local Regulation to make sexual intimidation on the street a punishable offence. Reportedly, as of 1 January 2018, street harassment will be punishable by a fine of € 190 in Amsterdam.

For Rotterdam, see https://rotterdam.raadsinformatie.nl/modules/1/ingekomen%20stukken/396874; for the amendment of the regulation in Amsterdam, see https://www.amsterdam.nl/publish/pages/844255/raadsvoordracht_apv_artikel_straatintimidatie.pdf

Women in media: invisibility and harassment

The media often represent women and men in ways that reinforce gender stereotypes. Furthermore, the under-representation of women in media can contribute to sustaining gender inequalities. The Global Media Monitoring Project covering 22 EU Member States suggests that women are significantly under-represented in the story categories with most prestige, such as those about politics and economy. It provides evidence that "[i]n 2015, women make up only 24 % of the persons heard, read about or seen in newspaper, television and radio news, exactly as they did in 2010."[33]

"In summary, the ongoing problem for women's relationship to media is twofold, we are rendered invisible from large parts of the media agenda and when we are allowed to speak, it is within a narrow repertoire of story types and from an equally narrow range of role positions."

See European Federation of Journalists (2016), 'New platform launched to monitor threats against women journalists', 8 March 2016

Evidence illustrates the backlash women face when exercising their right to freedom of expression. For example, an analysis by the think tank DEMOS shows that, on Twitter, "Journalism is the only category where women received more abuse than men, with female journalists and TV news presenters receiving roughly three times as much abuse as their male counterparts."[34] Threats and the resulting trauma women journalists experience do not only affect them individually but also the broader society.

FRA's contribution to the 2016 Colloquium on Fundamental Rights on 'Media pluralism and democracy'[35] illustrated the types of threats women journalists and bloggers face in the EU. It highlights that women journalists are often harassed, threatened and abused by the persons they interview or their colleagues.

Concrete examples include a male journalist in Austria who launched an intense hateful online campaign against a female journalist, claiming that it was mere criticism of her work.[36] In the UK, a BBC news reporter was

sexually harassed in public by two men passing by, when she was reporting on street harassment.[37] In another case, the BBC provided bodyguards for its first female political editor because of threats from online trolls.

In Finland, a woman journalist was harassed and threatened through phone calls and text messages, after expressing her opinion on a rape suspect in a newspaper article.[38] In the Netherlands, a newspaper columnist received threats of rape and death after criticising the debasement of women in popular online blogs.[39] She was supported by a hundred of prominent women who co-signed a letter addressed at the corporation which "supports a site where the humiliation of women and racism is the norm, not the exception".[40]

In Cyprus, a TV presenter of Bulgarian origin was subjected to online sexist and racist insults by a colleague.[41] In Estonia, a Member of Parliament while being interviewed on the Istanbul Convention, patronised the journalist and claimed that childless women like her are part of Estonia's birth rate problem.[42]

There are cases of women journalists who decided to pull out from the public space and to stop writing all together because of the pressures they faced in their work. Alternatively, they chose or were assigned to cover areas that would not generate controversies or might engage in self-censorship to shield them from abuse. This can lead to women being silenced and discouraged from participating in public affairs.

Women in politics: sexist hate speech

FRA's survey on violence against women shows how pervasive forms of sexual harassment are in Europe. Based on a representative sample of 43,000 women, it finds that one in four has been subjected to sexually suggestive comments or jokes that offended them or that they found to be threatening.

Sexist hate speech preserves, reproduces and exacerbates gender inequality.[43] Women in positions of power, particularly younger women or those belonging to an ethnic minority, often are the target of sexist comments or attacks that serve to delegitimise their power and influence. A study by the Inter-Parliamentary Union on sexism, harassment and violence against women parliamentarians shows a troubling prevalence of gender-based violence against female members of parliaments throughout the world. The acts include sexist comments by media and other politicians, rape threats and physical assaults. "Such violence impedes the ability of women parliamentarians to do their work freely and securely and has a dissuading effect on women's political engagement in general."[44]

In Germany, male perpetrators used online racist and sexist speech against a member of parliament following her vote at a parliamentary session.[45] In Denmark, a female politician, after expressing her political opinion online received online death threats to her child and herself.[46]

In the UK, during the 2017 election campaigning, the shadow home secretary was the target of hate speech and harassment of a racist and sexist nature from social media users.[47] In Italy, the president of the chamber of deputies was the target of continuous sexist online comments on Facebook, between 2013 and 2017.[48] In Austria, a member of a political party received online insults of a sexist nature and later on resigned for health reasons.[49]

Politicians and other opinion makers have a particular responsibility because media amplifies and multiplies their voices. Yet, politicians' targeting of fellow women politicians is a common occurrence in many EU Member States. For example, in Ireland, a member of parliament harassed a woman colleague during a session, by pulling her onto his lap during a debate on abortion.[50] In Malta, during a debate a male member of parliament threatened his female colleague with physical harm.[51] In Belgium, male members of the association of cities and towns mocked a politician in a photo collage with sexual connotation.[52]

Cyber-harassment

FRA's violence against women survey provides evidence about the perpetrators of sexual harassment, distinguishing between cyber-harassment, receiving offensive or threatening emails or making offensive

comments on the internet, and harassment in other not online contexts.

The results reflect the fact that it is easier for perpetrators of sexual cyber-harassment to hide their identity – in 14 % of incidents of sexual cyber-harassment it was impossible for the victim to determine who the perpetrator was (and whether they had met before), compared with 4 % of incidents involving other forms of sexual harassment.

Perpetrators of sexual cyber-harassment reflect closely perpetrators of other forms of sexual harassment – except when the perpetrator was somebody from work (9 % for sexual cyber-harassment but 19 % for other forms of sexual harassment).

The internet is a virtual world where human rights can be violated and crimes can be committed with real consequences on victims, as documented in the 2017 EIGE publication on cyber violence against women and girls.[53] Victims of, for example, revenge porn, had to move house, change their name and faced serious consequences ranging from being stalked to even committing suicide.

In Italy, a woman committed suicide following the online disclosure of private sex films by her ex-boyfriend.[54] In the Czech Republic, intimate pictures of more than a hundred women were published on Facebook by unknown persons, including demeaning comments, while encouraging other Facebook users to do the same.[55]

In Germany, a male university student worker collected private pictures and videos from female students' computers and published them on various adult entertainment websites without their knowledge and consent.[56]

In the UK, a professor at a university was the victim of a sexist and ageist harassment campaign and of abuse on Twitter, after defending a BBC video on ethnic diversity in Great Britain. In the Netherlands, male members of a university student association published an online booklet containing personal contact information and details on intimate relations of 22 female students.

Table 1: Perpetrator(s) of sexual cyber-harassment and other forms of sexual harassment – most serious incident experienced by respondents (%)

	Sexual harassment (excluding cyber-harassment)	Sexual cyber-harassment
Partner (current or previous)	9	11
Somebody from employment context	19	9
Somebody from school context	6	2
Relative / family member (other than partner)	6	3
A date / someone you just met	4	3
Friend / acquaintance	15	15
Other known person	18	17
Someone you did not know	38	39
Unknown perpetrator	4	14

Note: Category 'Unknown perpetrator' refers to instances where the victim had no way of determining the identity of the perpetrator (e.g. the sender of anonymous emails could be somebody the victim knows or a stranger, but there is no way of finding out). In contrast, category 'Someone you did not know' refers to instances where the identity of the perpetrator was revealed and the victim was able to determine that the person was someone they had not met or been in contact with before (such as in the case of sexual harassment by a stranger in the street or in public transport).

Source: FRA gender-based violence against women survey dataset, 2012

However, the internet can also be a powerful tool to promote human rights and to empower women and girls to exercise their freedom of expression, as in the Twitter and Facebook hashtag campaign *#MeToo*. Members of the European Parliament strongly supported this campaign. Still, the internet presents significant challenges in respect to achieving effective legal redress, as anonymity also allows impunity.

Pew Research Centre surveys from 2014[57] and 2017[58] show that women, especially young women aged 18 to 29 years, disproportionately experience severe types of cyber-harassment, including cyberstalking and sexual harassment. Even when not experiencing harassment directly but just witnessing it while online can have a number of potential negative consequences, for example feeling anxious or unsafe about their own participation online.

Women who have ideas that are considered radical for their time, women challenging traditional gender roles, journalists and otherwise politically outspoken women all have faced gendered threats and violence through Twitter and other social online forums. Being present in online spaces alone often means being present in a hostile, sexist environment.

A Buzzfeed News reporter says in her book that feminist campaigners online are "sent death threats online at a rate of over fifty-per-hour".[59]

Guidance on protecting oneself against online harassment

After being targeted by a violent hate campaign due to her involvement in the gaming industry, Zoe Quinn launched an online crises and resource centre for people fighting online harassment: 'Crash override'.

Together with Anita Sarkeesian, who was targeted for her documentary series exploring how women are represented in video games, they launched the website 'Speak Up & Stay Safe(r): A Guide to Protecting Yourself From Online Harassment'.

For more information, see the following websites for the campaign on Crash Override and for Speak Up & Stay Safe(r): A Guide to Protecting Yourself from Online Harassment

These sexist mechanisms impeding women of partaking in democratic processes and political forums send a strong signal to women that they do not belong to the political sphere altogether, and their impact transcends the online arena.

Women who have experienced online sexist hatred describe the standard response they receive from the police as suggesting to take simply a break from the internet.[60] Women are thus being told to withdraw from or change their engagement in a sphere that is widely acknowledged as an essential aspect of contemporary life.

Stalking and cyberstalking

FRA`s EU survey data show that:

- 18 % of women have experienced stalking;
- stalking by means of email, text messages or the internet (cyberstalking) concerns in particular 18- to 29-year-old women, out of these 4 % have experienced cyberstalking in the 12 months before the survey interview;
- 74 % of stalking cases never come to the attention of the police.

The Istanbul Convention defines 'stalking' as the intentional conduct of repeatedly engaging in threatening conduct directed at another person, causing her or him to fear for her or his safety. There is no internationally recognised definition for cyberstalking.

Cyberstalking is analogous to traditional forms of stalking but through new mediums such as email and the internet. So far, no research exists to estimate the volume of instances of cyberstalking. Experts argue that due to the widespread availability of internet, cyberstalking might be more common than traditional stalking. The border between these two is fuzzy, often one spills into the other.

Addressing cyberstalking involves a variety of different and innovative approaches, including personal prevention strategies, legislative interventions, and technological solutions to current technological flaws.

For more information, see Ogilvie, E. (2000), Cyberstalking, Australia, Australian Institute of Criminology

Perpetrators are rarely held accountable. This is mainly due to problems

- in establishing what constitutes incitement to hatred that is illegal, as opposed to speech that might be shocking but is legal;
- with the anonymity of the internet and thus problems in identifying perpetrators;
- related to establishing the jurisdiction of where the offence took place.

There is a need for increased access to internet for women and girls and, at the same time, for more effective protection online.

The independent mechanism of the UN Human Rights Council has referred to the internet as "a site of diverse forms of violence against women, in the form of pornography, sexist games and breaches of privacy".[61] Various studies and reports document how experiencing online hatred hampers the advancement of women, limits their online participation, compromises their privacy and rights to dignity and free speech, and poses a threat to their and their families' physical safety. EIGE's 2017 report on cyber harassment against girls and women outlines the severe social and economic, direct and indirect implications for women and girls, and the broader society.

"Women's equal and meaningful participation in the digital society is seen as both integral to the realization of women's rights in the 21st century, as well as the realization of a just, inclusive and rights based information society and to achieve global objectives around gender equality and women's empowerment by 2030."

United Nations (UN), Broadband Commission (2017), Working Group on the Digital Gender Divide, Recommendations for action: bridging the gender gap in Internet and broadband access and use

The internet is an essential tool for everyday life and using it is increasingly important for work. Worldwide, there is a gender gap of 12 % in male and female access to the internet, the UN Sustainable Development Goal (SDG) on gender equality[62] places women's access to technology for their empowerment as one of the core indicators for progress. Goal 9.C[63] aims to provide universal and affordable access to the internet, in recognition of its developmental potential. To be sustainable, new opportunities created by technological innovations must empower all, including girls and women.

Harassment through social media

A 2014 study on *Misogyny on Twitter*[64] reveals that of over 100,000 Tweets mentioning 'rape' between 26 December 2013 and 9 February 2014, more than one in 10 appeared to be threatening in nature. A high proportion of tweets containing misogynistic language are considered to be 'casual' or metaphorical. The study also suggests that women are increasingly inclined to use the same derogatory language used against them; they are almost as likely as men to use the terms 'slut' and 'whore' on Twitter.

"Because of the constant flood of threats and harassment I have received over the past five years simply for being a woman who argues for the basic humanity of women in a deeply misogynistic culture, I went for a very long time rarely participating in public conversations. Being a target of cybermob harassment is a traumatizing experience, though harassers seek to deny this."

Anita Sarkeesian, 'On VidCon, harassment & garbage humans', Feminist Frequency, 26 June 2017

Widespread harassment can create an environment in which people are scared or unwilling to speak freely for fear of retribution – the 'chilling effect'. More than one in four survey respondents have chosen not to post something online after witnessing harassment of others. Various studies show how some women self-censored, write anonymously or under pseudonyms, or withdraw partly or completely from the internet.

A quantitative content analysis investigating 2,996 randomly chosen comments from Facebook pages of two major news providers in Denmark finds that 76 % of the hateful comments come from men.[65] A survey of Danish Facebook users' perception of the public online debate supported this analysis. Out of the 1,045 participants, 511 had earlier participated in a debate on Facebook. Results show that 37 % of men refrain from participating

in a discussion forum (the 'chilling effect'), compared with 58 % of women in the study. Men are targeted with hateful comments on their political opinion or social status, women are targeted because of their gender.

"Young men are growing up in this society where misogyny is so rife, women are perceived as objects and some of the language we see on the comments on these revenge porn posts is horrific – you know 'women need to be beaten, tied up, raped'. But if you spoke to some of those men in real life, they'd pass it off as 'banter'."

Laura Higgins, Revenge Porn Helpline

Sexual and physical violence against women and girls

FRA's survey on violence against women covered a range of manifestations of violence against women, including physical violence, sexual violence and partner violence, information on the perpetrators, underreporting and the consequences.[66] The findings show that:

- one in 10 women in the EU experienced some form of sexual violence since the age of 15, with one in 20 having been raped;
- one in five women experienced physical and/or sexual violence from either a current or previous partner and roughly half of them say it happened more than once;
- 43 % experienced some form of psychological violence in their relationships, such as controlling and/or abusive behaviour or economic violence;
- only 14 % of women reported the most serious incident of intimate partner violence they experienced to the police, with 13 % reporting the most serious incident of non-partner violence they experienced to the police.

There is abundant additional evidence of the pervasive nature of physical and sexual violence against women. Regarding domestic violence, for example, the analysis of more than 19,000 direct contacts with the support organisation Women's Aid in Ireland reveals in total 16,946 disclosures of domestic violence against women, including:

- 11,078 incidents of emotional abuse, such as being stalked, both physically and online, being isolated from family and friends, being put down constantly, and death threats against women and children;
- 3,502 incidents of physical abuse, such as being hit, beaten with weapons and everyday objects, stabbed and cut with knives, slapped, being bitten, being strangled, including to the point of losing consciousness, including while they were pregnant;
- 695 women were raped, beaten during sex, coerced into sex, were denied access to family planning, had sexually explicit images and videos made without their consent, sometimes being shared online;
- 1,671 women were being denied access to family income, their salaries/social welfare payments were being controlled, their partners were running up debt in their name.[67]

In France, data show that, on average, 84,000 women aged 18 to 75 years are victims of rapes or attempted rape each year, with another 223,000 women aged 18 to 75 years being victims of domestic violence in its most serious forms.[68] The final evaluation of the French plan on combating violence against women notes that girls between 12 and 15 years of age are twice more likely to be victims of sexual violence than boys, and that young women (18-25 years) are underrepresented in specialised support mechanisms, except for associations addressing forced marriages or female sexual mutilation.[69]

A survey on violence against women in Germany shows that 40 % of women experienced either physical or sexual abuse or both. Some 42 % experienced forms of psychological violence, beginning with intimidation and aggressive yelling, on to slander, threats and humiliation, and up to psychological terror.

Addressing misogyny in schools

In a study among 3,000 adolescents in secondary education in Spain, 19 % of boys and 17 % of girls admitted having done some form of a misogynistic act, for example insulting a girl for having relationships with boys or for 'being provocative', and also for not being interested in boys or for not having relationships with boys.

Acknowledging that misogyny and sexist stereotyping exist in schools and that they can significantly hinder girls' and boys' personal and social development, the Educational Institute of Scotland developed new guidance for teachers on challenging misogynistic attitudes among children and young people: 'Get it Right for Girls'.

For more information, see Donoso Vázquez, T., Rubio Hurtado, M.J. and Vilà Baños, R. (2016). 'La adolescencia ante la violencia de género 2.0: Concepciones, conductas y experiencias', Educación XX1, Barcelona and Educational Institute of Scotland (EIS) (2016), Get it Right for Girls, Scotland.

Enabling factors of violence against women and girls

Certain factors contribute to making women and girls more vulnerable to violence. A UN study illustrates how structural inequality, gender discrimination and violence against women interact and enable violence against women:

- **at the level of the individual:** youth; a history of abuse as a child; witnessing marital violence in the home; the frequent use of alcohol and drugs; low educational or economic status; and membership in marginalised and excluded communities. These factors are associated with both the perpetrators and victims/survivors of violence;
- **at the level of the couple and family:** male control of wealth and decision-making authority within the family; a history of marital conflict; and significant interpersonal disparities in economic, educational or employment status;
- **at the level of the community:** women's isolation and lack of social support; community attitudes that tolerate and legitimise male violence; and high levels of social and economic disempowerment, including poverty;
- **at the level of society:** gender roles that entrench male dominance and female subordination; and tolerance of violence as a means of conflict resolution;
- **at the level of the state:** inadequate laws and policies for the prevention and punishment of violence; and limited awareness and sensitivity on the part of law enforcement officials, courts and social service providers.[70]

Other research, for example a survey in Germany points to the interrelation of risk factors, such as traditional gender roles and dependencies in relations, increased risk after announcing intentions of separation or divorce, psychological abuse, and to lesser degree alcohol and unemployment.[71] The survey finds no significant correlation between aspects such as educational status, social class, career status or income of perpetrators and violent tendencies. However, those who have experienced violence at the hands of teachers, educators or caregivers are three times more likely to be affected by violence in their later relationships.

Economic inequalities, discrimination against women in areas such as employment and limited economic independence reduce women's capacity to take decisions and might increase their vulnerability to violence. In its violence against women survey, FRA asked the respondents if they find it difficult to cope with their present income. The results suggest that women who find it difficult to cope with their income are more likely to indicate they have experienced physical and/or sexual violence in their relationship, compared with those who say they can cope with the present income.

In Cyprus, a survey on domestic violence among almost 4,000 households finds that violence decreases when the financial status of the family improves and when the couple decides on financial issues together.[72] No correlation is found between domestic violence and the level of education of either the victim or the perpetrator. However, other

research point to different findings. A study in Germany, for example, reveals that women older than 45 years with a high job status and many resources are more likely to be a victim of violence by a current partner.[73]

Economic independence does not protect women from violence; access to resources, however, can enhance women's abilities to make independent choices, including escaping violent situations and accessing protection, as well as seeking redress, as the UN highlights.[74]

The examination of risk factors related to perpetrators' behaviour could help to protect women, and prevent violence and counter such phenomenon. There are various checklists for risk assessment of domestic violence.[75] For example, a British study explores the links between stalking and murders, and finds that stalking is a key indicator for future potential serious harm.[76]

Underreporting of violence against women and girls

Victimisation surveys consistently show that official statistics based on police and criminal justice data only reveal the tip of the iceberg as concerns crime, especially forms of crime that people do not easily report, such as physical or sexual violence against women. Social and cultural norms influence reporting rates to the authorities and, to a certain extent, to victimisation surveys. For example, the levels of disclosed violence are positively related to the scores of EIGE`s 2015 Gender Equality Index, which shows that more incidents of violence are reported in EU Member States where there are higher scores of gender equality.[77] In Member States where domestic violence is seen as more 'acceptable' or is less openly addressed, women are less likely to report such violence.

Women in FRA's survey indicate that one of the main reasons for not reporting abuse to the police or other services is them considering it to be a "private matter". The 2016 Special Eurobarometer on gender-based violence also finds that 15 % of Europeans consider domestic violence a private matter to be handled within the family; respondents in eastern parts of the EU are the most likely to agree with this view.

More worryingly, across the EU, almost one in five FRA survey respondents agree that violence against women is often provoked by the victim, and more than one in five Europeans believe that women often make up or exaggerate claims of abuse or rape. However, there is significant variation between countries. For example, almost half of the respondents in Malta (47 %), Cyprus (44 %) and Lithuania (42 %) believe this to be the case, compared with only 8 % in Sweden or 13 % in France and Italy.[78]

Prevalent social and cultural norms, as well as attitudes, further affect women's understanding of what constitutes sexual harassment and violence, which determines whether or not they will report incidents.

In Bulgaria, for instance, a study finds that domestic and gender-based violence are phenomena with high levels of concealment and unawareness, both on the part of victims and perpetrators.[79] The survey shows that although a quarter of men and a third of women among the general population and about half of the Roma women and girls experienced some type of domestic and gender-based violence, the proportion of those who are aware that they have become domestic and gender-based violence victims is much smaller.

Qualitative research in Sweden shows that in the early stages of breaking free from violence in a relationship, women consider the abuse as something more or less normal.[80] Results suggest that discourses on heterosexual coupledom and sex, rape and intimate partner violence provide scope of how men's violence against women should be regarded.

A study in Germany stresses that, for women living in violent couple relationships, the threshold which must be reached and crossed before they turn to legal intervention or social assistance systems is often rather high, and for informing the police even higher.[81]

Given the high rate of underreporting of violence to the police, population-based victimisation surveys – such as FRA's survey on violence against women – are the most reliable and established method for getting information about the scale and nature of

violence against women in the general population. Such surveys directly ask women about their experiences of violence, including questions on the specific type of physical or other form violence encountered.

The broader impact of systemic gender inequality is crucial when seeking explanations for the factors underlying violence against women and girls. However, it is also important not to overlook individual psychological factors and behaviours, and personal histories of the perpetrators, such as alcohol abuse or a history of exposure to violence.

Consequences of violence against women and girls

Numerous studies report on the grave health, social and economic consequences of violence against women, which range from femicide, forced suicide, physical injuries, sexually transmitted diseases and a generally increased vulnerability to both temporary and chronical disease, as well as psychological consequences such as mental health problems. Violence reduces the victims' capacity to work and participate in public life; drains resources from social services, the justice system, healthcare agencies and employers; and lowers the overall educational attainment of the victims, their children and even the perpetrators of such violence.

Fear of gender-based violence affects not only victims but also all women. FRA's survey shows that half of all women avoid certain situations or places, at least sometimes, for fear of being physically or sexually assaulted.[82] This includes avoiding certain streets or areas, or not opening the door when home alone.

Comparison of women's risk avoidance behaviour in the public and private domains shows that women are most likely to avoid doing certain things in the public domain. Women may have more choice of and control over what they avoid doing in the public domain, whereas certain situations in the private domain – such as being at home or in the presence of a colleague or boss – are more difficult to avoid. The results suggest that sexual harassment makes women feel insecure in a variety of situations, which makes them fear for more serious forms of violence.

Data produced at national level confirm these findings. For example, the 2016 Swedish crime survey[83] found more women feel insecure outside their homes than men: 31 % of female respondents report that they feel insecure/unsafe when outside their homes, compared to 9 % of the male respondents.

Table 2: Women who avoided certain places or situations for fear of being physically or sexually assaulted, by experiences of sexual harassment in the 12 months before the survey (%)

At least some-times in the past 12 months, for fear of being physically or sexually assaulted...	*In the 12 months before the survey...*	
	Experienced sexual harassment	Did not experience sexual harassment
Avoided leaving your home on your own	22	12
Avoided taking certain streets or going to certain areas	56	32
Avoided going to places where there are no other people	58	35
Avoided opening your door when home alone	42	29
Avoided being alone with a colleague or a boss at work	7	2

Note: How to read these results: For example, out of women who have experienced sexual harassment in the 12 months before the survey, 56 % have avoided taking certain streets or going to certain areas in the 12 months preceding the survey interview for fear of being physically or sexually assaulted, compared with 32 % women who have not experienced sexual harassment.

Source: FRA gender-based violence against women survey dataset, 2012

Perpetrators of violence against women and girls

Both men and women can commit violent acts. However, men are more likely to use violence than women. As FRA's EU-wide survey on violence against women shows, 72 % of physical and/or sexual violence against women by non-partners is committed by men. A study in Bulgaria finds that women victims of gender-based violence are most often victimised by men (88 %) and less often by other women (12 %).[84]

Different perpetrators and types of violence require tailored approaches, police procedures, institutional infrastructure and rehabilitation.

In a survey on violence against women in Germany, 99 % of respondents name male partners or ex-partners as using physical or sexual violence; only 1 % of abused women name female partners as perpetrators.[85] Proportions of strangers and casual acquaintances are at respectively 15 % and 22 % for sexual abuse, and 11 % and 20 % for physical violence. Some 71 % of women suffering physical violence and 69 % suffering sexual violence state that the attack took place in their own home. In comparison, some 26 % of women who suffered physical violence refer to public places, such as streets and parks, and 20 % of women who suffered sexual attacks. For sexual abuse, 12 % are acquaintances from work, training or school,

.

Women as perpetrators of violence

Although sexual and physical attacks can play a role in lesbian relationships as well, as literature has shown, there is insufficient research available on the topic. This is perhaps due to the overall small proportion of women who partake in national surveys on violence against women.

The results of FRA's violence against women survey suggest, despite the very low number of non-heterosexual women respondents, notable differences in the levels of experienced physical and sexual violence among heterosexual and non-heterosexual women (lesbian, bisexual or other). Some 11 % of non-heterosexual women have experienced this type of violence by female perpetrators, compared with 4 % of heterosexual women.

So far, very little is known about when and how men become victims of violence in the family, for example by partners or by children. Men can also be attacked for transgressing predominant concepts of masculinity, for example because they are gay or transgender.

In the UK, the Crown Prosecution Service to Parliament [a] reports that 2015 saw 5,641 women convicted of perpetrating domestic violence. In Belgium, the minister for equality states that in 2014 a helpline for victim support received [b] 83 % of calls from female victims, 8 % from male victims, 2 % from female perpetrators and 6 % from male perpetrators.

Likewise in France, a national report shows that in 2015 some 21 men died from domestic abuse including one living in a non-heterosexual relationship. On average, one man is killed every 18 days by his partner.[c] In 2015, 115 women died from domestic violence; so, on average one woman dies every three days.

The report depicts the female perpetrator of domestic violence as married, a French citizen, between 41 and 60 years old, and unemployed. Forms of violence women use against men are different. For example, according to a French victim support group, women often use psychological violence against men.[d] Only few initiatives exist to help male victims, such as a first shelter for men in Belgium[e] and a support blog in France.[f] Men are not provided with sufficient help and assistance, according to the chairperson of the British ManKind initiative.[g]

Sources: a) The Independent (2016), 'Number of women convicted of domestic violence at record high', 19 September 2016; b) Groupe Socialiste Parlement de Wallonie (2015), Question orale, Égalité des chances, 24 March 2015; c) Ministère de l'Intérieur (2016), Étude nationale sur les morts violentes au sein du couple, Paris; d) see website SOS Femmes; e) RTBF (2015), 'Violence conjugale: le phénomène des "hommes battus"', 5 March 2015; f) see website SOS Hommes Battus: Aide aux hommes victimes de violences conjugales et aux femmes violentes au sein du couple ; g) see ManKind Initiative webpage

and 20 % friends or neighbours. In the case of psychological or mental abuse, 47 % of women affected name men exclusively as their assailants, 32 % name men and women equally as perpetrators, and only 20 % name women exclusively.

In France, analysis of almost 49,000 calls to a women violence hotline in 2014 shows that 98 % of the calls concerned domestic violence, 2 % related to sexual violence, 0.1 % concerned forced marriage, 0.3 % sexual violence at work (108 calls) and 0.03 % sexual mutilation (12 calls).[86] In 99 % of situations, a man perpetrated the assault; 57 % of the attackers were between 30 and 49 years old; 68 % of the attackers were at work and 8 % are pensioners.

Femicide: the most extreme form of violence against women and girls

The term 'femicide' describes killings of women that are gender related to recognise the impact of inequality and discrimination, identified as the root cause of violence against women. Femicide is a significant cause of premature mortality for women, including in EU countries.[87]

"In contrast to other types of homicide in which the victims are predominantly men, the percentage of female homicide victims resulting from intimate partner/family-related homicide is much higher than the corresponding percentage of male victims in all regions [of the world]. Homicide of this type is the ultimate consequence of unequal power relationships between men and women in the private sphere, which it serves to reinforce and sustain."

United Nations Office on Drugs and Crime (2014), *Global Study on Homicide 2013*, Geneva, UN, p. 54. See also Corradi, C. and Stöckl, H. (2014), 'Intimate partner homicide in 10 European countries: Statistical data and policy development in a cross-national perspective', European Journal of Criminology, Volume 11, Issue 5

Changing men's attitudes to violence

Men's Development Network (MEND), based in Ireland and financed by state budget, supports and develops men leadership to foster gender equality and to change violent men's attitudes and behaviour in the context of intimate partner relationships. This is done through:

- the MEND programme [a] – a behaviour change group programme for men who are violent in close relationships. It also includes a partner support service. The programme has developed a self-help booklet [b] providing men with the necessary tools to identify their abusive behaviour, its effect on their partners and children, and the available response to it;
- the White Ribbon Campaign [c] – a male-led campaign to end men's violence against women through engaging boys and men to enable social change.

The European Network for the Work with Perpetrators of domestic violence [d] organises different events with the aim of encouraging its members to work with perpetrators and end close relationships abuse. Through its IMPACT [e] project, the network evaluates European programmes working with perpetrators and develops tools to harmonise and enhance their effectiveness. The toolkit includes Guidelines [f] to set up a framework of standards, a Working paper [g] to measure the impact of the toolkit, and a Toolkit Part II [h] to facilitate a European-wide dataset upon which most effective programmes can be designed and implemented.

Sources: a) Men's Development Network webpage; b) Men Ending Domestic Abuse (2016), How to deal with domestic abuse: a self-help book for men who want to change*; c) see campaign on White Ribbon Ireland website; d) see The European Network for the Work with Perpetrators of domestic violence; e) The European Network for the Work with Perpetrators of domestic violence (2013),* The Impact Project*; f) The European Network for the Work with Perpetrators of domestic violence,* Guidelines to develop standards*; g) The European Network for the Work with Perpetrators of domestic violence (2015),* Impact Toolkit Working Paper 1*, December 2015; h) The European Network for the Work with Perpetrators of domestic violence (2015),* Implementing the IMPACT Toolkit (Part II)

In the UK, for example, the Femicide census, a database with information on women killed by men, identified 936 cases between 2009 and 2015.[88] On average, 85 women were murdered by their partners every year, for a total of 598 women, including 75 women killed by their sons and 45 by another male family member.

In Spain, 859 women were killed between 2002 and 2015, as the report on gender-based violence and on domestic violence shows.[89] Sixty women were killed in 2015, 70 % of these were in a relationship with the perpetrator and 20 % were killed by their ex-partner.

In Germany, 415 persons were killed in 2015 in the context of domestic violence: 331 women and 84 men. There were 430 alleged offenders: 85 women and 345 man.[90]

In France, results of a national survey on severe domestic abuse show that in a year on average one women dies every three days (115 women had died in 2015).[91] 67 % perpetrators are unemployed and between 41 and 60 years old.

"Women subjected to continuous violence and living under conditions of gender-based discrimination and threat are always on death row, always in fear of execution."

United Nations, Human Rights Council (2011), Report of the Special Rapporteur on violence against women, its causes and consequences

In Poland, a woman died after three men raped her multiple times, while they held her in captivity for 10 days. In Portugal, a famous actress committed suicide after her former boyfriend threatened and stalked her.[92]

All women are not the same: gender discrimination intersecting with other grounds of discrimination

Some international human rights instruments explicitly recognise the impact of intersecting forms of discrimination on the enjoyment of human rights by women and girls and the need for targeted protection of women from intersecting forms of discrimination based on grounds such as race, gender, sex, ethnicity, religion, nationality and migration status.

"This is constantly happening [to] women, and it's not just me and it's not just my friends. Street harassment against females is rife [...] I've experienced verbal abuse on the streets before and you can kinda brush it off but I've never experiences an attack like that. It ended up so violently. [...] It was directed at me because I'm identifiably gay [...] He said he wouldn't hit my friend because she was a girl but that he didn't know what 'that' was – directing it at me."

Victoria Curtis, in The Journal (2016), '*Dublin woman punched four times in face in homophobic attack after night out*', 8 March 2016

In General Recommendation No. 28, the CEDAW Committee called upon State parties to legally recognise such intersecting forms of discrimination and their compounded negative impact on the women concerned and prohibit them, and to adopt and pursue policies and programmes designed to eliminate such occurrences.[93]

The forms of discrimination described in this section are intersectional, in that they are not only the result of a single particular individual characteristic, such as gender, age, ethnicity, etc., but the result of the interplay between such characteristics, which can result in more severe consequences for the individual.

Disability

In FRA's survey on violence against women, 16 % of women indicate that their health is bad or very bad, that their everyday activities are limited by their health or that they consider themselves as disabled or belonging to a minority in their country in terms of disability.

Out of these, 34 % have experienced physical or sexual violence by partner during a relationship, compared with 19 % of women who do not have a health problem or disability. Differences between these two categories of respondents exceed 10 percentage points also in terms of psychological violence and threats of violence by a partner, violence in childhood and non-partner violence.

The United Nations Convention on the Rights of Persons with Disabilities (art. 8) includes an obligation for States Parties to "combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life". Article 6 further stipulates that "States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms". Furthermore, article 16 requires States Parties to "take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects."

Surveys conducted in Europe, North America and Australia[94] show that women with disabilities disproportionally face physical abuse, and that they experience violence in particular ways in their homes and institutional settings, perpetrated by family members, caretakers or strangers.

A European Parliament commissioned report[95] refers to a UK study in 2011 showing that the intersection of disability, gender and race makes domestic violence more pronounced for minority ethnic women. Nevertheless, the study argues that there is 'a stark lack of dedicated service and policy development for disabled women who experience domestic violence within relevant agencies, strategic partnerships and inter-agency forums', due reportedly to lack of funding and resources and prevailing attitudes.

Forced medical treatment and reproductive health procedures performed on women and girls with disabilities without their consent are other aspects of violence that affect them, as the European Parliament report and a UN report on the situation of women and girls with disabilities[96] show. Such procedures include forced sterilisation, which is an extreme violation of disabled women's rights on the basis of gender and disability. Some EU Member States have practised this type of treatment in past decades, including also on Roma women.

Furthermore, the European Parliament report stresses that data disaggregated by disability, sex and age remain scarce. The lack of reliable and high-quality data is a major obstacle impeding greater progress in policies and programmes for women and girls with disabilities.

Ethnicity, religion and belief

FRA's work, in particular the second wave of its European Union Minorities and Discrimination Survey (EU-MIDIS II) carried out in 2016, provides evidence on the intersection of gender and religion, as well as migrant or ethnic minority background. The survey finds that more than one in three Muslim women who wear a headscarf or niqab in public experienced harassment because of their ethnic or immigrant background, compared with under one quarter (23 %) of women who do not wear such clothing.[97]

More specifically, 39 % of Muslim women surveyed who wear a headscarf or niqab in public experienced inappropriate staring or offensive gestures, with 22 % experiencing insults or offensive comments. While perpetrator(s) of both bias-motivated harassment and violence were in the majority of instances not known to the victim, and did not have an ethnic minority background, about half (48 %) of Muslim women respondents identified as perpetrator(s) someone from another ethnic minority group, compared with just over one in four (26 %) for Muslim men.

According to a report published by the Jo Cox Commission on intolerance, xenophobia, racism and hate crime in Italy, migrant women experience physical and sexual violence as follows: Moldovan women (37 %), Romanian women (34 %), Ukrainian women (33 %), Moroccan women (22 %), Albanian women (19 %) and Chinese women (16 %), compared with 32 % of Italian women.[98]

Some 26 % of migrant women experience physical violence, as compared with 20 % of Italian women. Migrant women are more exposed to (attempted) rape (8 % compared with 5 % of Italian women), and are more likely to suffer violence perpetrated by their

(former) partners (20 % compared with 13 % of Italian women).

In the United Kingdom, a study by *The Guardian* newspaper in partnership with Operation Black Vote[99] examined the gender of over 1,000 of the UK's top political, financial, judicial, cultural and security figures. The study finds that 24 % are women, 3 % men with ethnic minority background, and just seven (0.7 %) were non-white women.

Nationality and migration status

FRA regularly collects and publishes data concerning situation of asylum seekers across several Member States.[100] The report on risks for refugee and migrant women and girls[101] indicates instances of sexual and gender-based violence, including: early and forced marriage; transactional sex; domestic violence; rape; or sexual harassment and physical assault in the country of origin, during the journey to Europe and in host Member States. This field assessment also highlighted the lack of available data on this phenomenon, making the violence against migrant women invisible.

Refugee and asylum seeking women and girls are often victims of violence and harassment, racist and gender-based, and face particular barriers in access to their social and economic rights in relation to employment, housing, health, education, social protection and welfare, and access to information about their rights and services available. In temporary living situations, refugee centres, government agencies, bureaus and welfare offices, professional helpers and counsellors, both male and female, may also carry out violence. There are also acts of violence and racist attacks from strangers or casual acquaintances.

Research[102] by UNICEF and the International Organization for Migration (IOM) found that 72 % of girls detected as victims of trafficking, suffer sexual exploitation. Furthermore, racism can play significant role here: over 80 % of adolescents and young people from sub-Saharan Africa reported exploitation – compared to around 55 % of those originating from elsewhere.

The Istanbul Convention obliges State parties to take the necessary measures to develop gender-sensitive reception procedures and support services for asylum seekers, as well as gender guidelines and gender-sensitive asylum procedures, including refugee status determination and application for international protection. The Reception Conditions Directive (2012/33/EU) obliges EU Member States to take into account specific needs of vulnerable persons, including unaccompanied minors, pregnant women, victims of human trafficking, and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation. The Asylum Procedures Directive (2013/32/EU) requires EU Member States to be gender sensitive during examination procedures.

Once in the host country, the situation is quite different for female refugees, compared with that of men. For example, many have come to Germany to join their family who was already in the country. In 2015, 30 % of all asylum applicants were women, compared with 40 % in 2016. It is difficult for these women to find safe accommodation, healthcare including trauma therapy, as well as educational and work opportunities including available childcare.

About 85 % of women who arrived in Germany between 2013 and 2016 plan on working in the future, according to a survey[103] conducted by the Research Institute for the German Federal Employment Agency, Federal Office for Migration and Refugees and the Socio-Economic Panel. A FRA report on migrant integration policies in the EU[104] shows that few national action plans and strategies focus on the integration of women or gender aspects.

The European Women's Lobby published a report indicating that women and girls fleeing conflicts and travelling to or settling in Europe are at a heightened risk of suffering from male violence. The report[105] calls for gender-sensitive asylum policies and procedures to help women and girls to escape or denounce male violence and to access their full human rights.

The Istanbul Convention prescribes that necessary legislative or other measures must ensure the granting of an autonomous residence permit for migrant women who are victims of domestic violence and whose residence status depends on that of the spouse or partner. Such a residence permit should be granted irrespective of the duration of the marriage or the relationship, in the event of its dissolution. The ongoing reform of the Common European Asylum System includes a European Commission proposal to strengthen the provisions on vulnerable applicants, including women applicants who have experienced gender-based harm.

Sexual orientation and trans women

Little is known about the prevalence of gender-based violence and discrimination against lesbian and bisexual women. FRA's research on violence against women provides some evidence showing that non-heterosexual women (women who indicate their sexual orientation as 'lesbian', 'bisexual' or 'other' in the survey) are exposed to violence because of their gender as well as their sexual orientation.

According to FRA's violence against women survey, 16 % of non-heterosexual women say that they have experienced physical and/or sexual violence by a male non-partner, compared with 12 % of heterosexual women. But 11 % of non-heterosexual women have experienced this type of violence by female perpetrators, compared with 4 % of heterosexual women. Some 23 % of non-heterosexual women indicate having experienced non-partner violence by both male and female perpetrators, compared with 5 % of heterosexual women.

FRA's research on homophobia[106] and discrimination against lesbian, gay, bisexual and transgender (LGBT) persons also provides evidence in this regard.[107] The agency's 2012-2013 EU-LGBT survey shows that lesbian women respondents are more likely (55 %) than gay men respondents (45 %) to have experienced hate-motivated harassment in the year before the survey. In addition, lesbian and bisexual women, as well as transgender respondents, are much more likely than gay or bisexual men to have experienced discrimination based on their gender. Lesbian and bisexual women are also more likely than gay or bisexual men to experience assaults in private settings and to experience sexual assaults or threats of sexual assaults. The survey also finds that 11 % of women with transsexual past avoid expressing their gender through clothing and appearance for fear of being assaulted, threatened or harassed.

Trans women fall under the protection of the gender equality directives, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Istanbul Convention.

"After I transitioned I experienced a combination of discrimination — for being a transgender person and also for being a woman. Trans-misogyny describes this complex interplay between transphobia and misogyny that trans women are faced with [...]. If people are going to make jokes about transgender people, they usually single out trans women. The underlying theme of the joke is how ridiculous it is that someone who was a man would decide to be a woman, to be feminine."

Julia Serano, transfeminist thinker, in The New York Times (2017), 'Julia Serano, transfeminist thinker, talks trans-misogyny', 22 June 2017

A 2017 IZA World of Labor report[108] on the situation of trans people and transitioning finds that trans women experience a significant fall in earnings: the research shows a 23 % reduction in annual earnings. But becoming a man generally results in a small rise in wages.

In Belgium, quantitative research on sexism, homophobia and transphobia concludes that acceptance of existing social dominance and "rigid thought patterns about sex and gender, gender identity, gender roles and sexual preference" are the most significant predictors for having sexist attitudes, followed by the level of education.[109] The research also finds that men are more likely than women to have sexist attitudes, and heterosexuals are more likely than lesbian women or gay men or respondents with another sexual preference to have sexist attitudes. However, this conclusion is not valid for all dimensions.

Backlash against gender equality

"I demand the immediate excuses from the stupid hens that because of personal frustrations generalize against men [...]. You deserve to be all fired you feminists who wrote such sewage."

An example of an online anonymous reaction to nine female authors describing episodes of gender and sexual violence and denouncing perceived return of 'masculinism'; see L'Espresso (2017), '*L'Espresso denuncia il ritorno del maschilismo: e i "maschi" se la prendono con l'Espresso*', 17 July 2017

In the past few years, more subtle forms of sexism increasingly question gender equality. This includes arguments that construct women as perpetrators of violence against men or as using femininity to control men ('masculinism').

In Germany, a Friedrich-Ebert Foundation research on the so-far relatively marginal phenomenon of 'masculinism' indicates that modern anti-feminism is more organised, predominantly on the internet. For example, it dominates the comment sections of online newspapers, thereby preventing and blocking open debates.[110]

Masculinists often harass feminist journalists, scientists and politicians, and reportedly publish addresses of anonymous women's shelters for victims of domestic violence. They call these shelters "centres for the hatred of men". The German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth describes masculinism as radical anti-feminist, opponent of equality policy and advocacy of a presumed `natural gender order`.[111]

In Estonia, an academic claimed that the Istanbul Convention curbs the evolutionary advantage of men (physical strength). Furthermore, he claimed that women's equality should be restricted to "restore the natural gender balance in society".

In isolated cases, aspects of `gender ideology` are translated into government policy. For example, in Poland, the government adopted an amendment requiring a doctor's prescription to obtain emergency contraception. Under the `conscience clause`, the doctor can refuse the prescription on the ground that it violates their values or beliefs. According to a Dutch MEP, the government is in this way "[...] enforcing a sexual counter-revolution, against the health interests and wishes of Polish women and girls".[112]

Beyond conscious efforts to challenge gender equality though, there is also a risk to neglect to take appropriately the gender dimension into account in policy development. For example, a study in the Netherlands entitled Gender scan on domestic violence[113] found that practitioners and regional policymakers are insufficiently alert to gender as a relevant factor in the occurrence and perpetuation of partner violence. The general perception is that Dutch women are fully emancipated and that power discrepancies and stereotyped role expectations are off-limits; for example,

'Gender ideology' and 'anti-gender' movements

`Gender ideology` discourse claims the biological differences between women and men result in specific gender roles. The movement has emerged in recent years in some EU Member States, such as in Germany, France, Hungary, Poland or Slovakia. It aims to limit or deny women`s reproductive rights, gender equality and sexual education, same sex marriages and other aspects of gender progressive politics. In this context, they argue that women perpetrate domestic violence at the same rate and gravity as men (`gender symmetry').

Women`s rights and the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are portrayed as national threats because their behaviour threatens the existence of the `traditional family model` and `national order`.

In the words of a German MEP: "The madness is often under the guise of 'equality' and therefore leads in practice to head births as an obligatory quota for women in business and management levels. Also the supposed right to abortion, the installation of anti-male vulgar feminism and a third sex (!) in the mainstream of society are at the top of the wish list of gender ideologies."

violence is more readily perceived as mutual violence. The sparse research that does exist on the topic merely creates confusion about the roles of men and women in partner violence because of the sex-neutral approach.

Council of Europe Convention on preventing and combating violence against women and domestic violence

Article 12 – General obligations

Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men.

In the UK, research[114] based on national data reveals that 18 % of men aged 25-34 agree to the statement that "I do not want the women in my life to have equality of opportunity with men". At the same time, 17 % of men aged 25-34 years say they would be disadvantaged if women and men were more equal and 20 % say women's equality has "gone too far". Some 24 % of men aged 18-24 years and 33 % of men aged 25-34 years say they oppose feminism, feel excluded by feminism, or think feminism is irrelevant.

The available data shows that gender-based violence against women is present in all European societies with most women attacked by known male perpetrators. Nevertheless, narratives are resurfacing – echoing earlier constructions of threats attributed to outsiders – where contempt for women is portrayed as something imported to Europe by migrants from the Middle East and Africa.

In Germany, the events in Cologne[115] and other cities, where more than 1,000 women were sexually assaulted during the 2015-2016 New Year's Eve celebration, drew attention to the reality of sexual harassment in public places. Media and public discourse, however, articulated the events as attacks by foreign men against the 'local' German women. The reality of violence committed against women by groups of men from different backgrounds – whether from ethnic minority/immigrant backgrounds or not – should not be hidden, since this only undermines the needs and rights of victims. Calls for "protecting our women from foreign men" can serve to obscure the reality that men from all ethnic backgrounds commit violence against women.[116]

In conclusion

The evidence presented illustrates that discrimination, harassment and violence – both on- and offline – constitute a serious challenge for millions of women or girls in the European Union. It gravely undermines the enjoyment of their right to human dignity. And whatever the social or ethnic background of perpetrators, it is undeniable that most are men.

This suggests that the EU and its Member States have not yet done enough to safeguard the dignity and rights of women and girls and should do so with renewed vigour and a strong political commitment. It should be done in the spirit of the Istanbul Convention, which is premised on the notion that discrimination and violence cannot be eradicated without investing in the promotion of gender equality and in changing societal attitudes towards women and girls.

Six main areas of intervention could be considered in this respect:

- **empowering equality bodies** to deal with the entire range of issues that impacts on women's rights, from gender equality to violence against women;
- **improving safety online**;
- **promoting gender equality in education and life-long learning** more effectively;
- **introducing gender quotas**, as a bold step towards positive action;
- **mainstreaming gender equality in the coordination of economic policies** across the EU through the European Semester;
- **improving data collection and dissemination of knowledge** on all forms of discrimination and violence against women and girls.

Empowering equality bodies

The Istanbul Convention calls on states to set up "official bodies responsible for the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence" against women. According to the convention, these bodies should be responsible for data collection and analysis, as well as for the dissemination of research findings.

All EU Member States have set up equality bodies that handle cases of gender discrimination in a range of areas of life. Under EU law, these bodies are competent to conduct research and awareness raising campaigns. Where this is not already the case, the competences of these bodies could be extended to cover violence against women. In any case, for equality bodies to accomplish their tasks, they would need to be adequately staffed and resourced.[117]

Improving safety online

The European Court of Human Rights has recognised the importance of the internet as one of the principal means by which individuals exercise their right to freedom of expression and information. Yet, women and girls face a barrage of online abuse, whether through cyber-harassment, cyberstalking or on social media platforms. This can decrease their usage of the internet and thereby negatively affect their active participation in society.

The steady increase in the use of information and communication technologies as tools to abuse women and girls underlines the need for taking specific action. Internet service providers and operators of social media platforms could therefore be encouraged to be more proactive in removing and enabling the reporting of discriminatory and abusive content, including sexist hate speech. Inspiration and guidance could be taken from the code of conduct on illegal online hate speech agreed by the European Commission and information technologies (IT) companies in May 2016.[118] The code of conduct could be extended to cover sexist hate speech.

Promoting gender equality in education and life-long learning

Educational settings, in particular primary and secondary schools are the core socialisation mechanisms of our societies. Gender equality can be promoted more effectively by engaging teachers, as well as students and parents in efforts to challenge gender stereotypes and understand what it means to be male and female; by considering how to combat gender bias in curricula or teaching practices by both male and female teachers; by taking steps to eradicate any bullying, including gender based.

Promoting human rights-based education and life-long learning can play a central role in breaking gender stereotypes that reinforce structural gender inequalities. People tend to learn stereotypical gender roles from a young age, which they often perpetuate throughout their adult lives. FRA therefore supports the development of human rights-based school curricula and life-long educational tools that target girls just as much as boys, women just as much as men.

The Istanbul Convention "aims to bring societal change by challenging acceptance or denial of [gender based] violence and gender stereotyping. It calls on men and boys as key actors in such a process," as the European Commission has noted.[119] Developing a better understanding of women's rights and gender equality among men and boys should therefore be part of any solution developed to address discrimination and violence against women.

Introducing gender quotas

There is ample evidence that women in the EU are under-represented at higher levels of decision making, whether in the spheres of politics or business. Member States could therefore consider taking bolder steps, for example by combining voluntary initiatives with quotas to achieve gender balance, in line with the European Commission's initiative to promote gender balance in business leadership.[120]

Quotas could be introduced in areas other than business leadership, such as branches of the executive, political decision making, the judiciary, or law enforcement agencies. Such positive action would fall under the remit of Article 157(4) of the TFEU. It stipulates that "[w]ith a view to ensuring full equality in practice between men and women in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for the underrepresented sex to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers."

Mainstreaming gender equality in the coordination of economic policies across the EU through the European Semester

The EU and its Members States are committed to gender equality and empowering women and girls. One means to achieve these objectives would be through hardwiring gender equality in the coordination of economic policies across the EU through the European Semester,[121] the European Structural and Investment Funds,[122] and the European Pillar of Social Rights.[123]

"In line with the EU commitments, a dual approach to tackling gender inequalities implies the systematic mainstreaming of a gender perspective into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, as well as specifically setting the advancement of gender equality as one of the goals and a stand-alone target of the [European Pillar of Social Rights]. By combining gender mainstreaming and gender-specific measures and programmes, a dual approach guarantees a holistic perspective to tackling entrenched gender inequalities and ensuring that policy-making effectively responds to the needs of all citizens – women and men, girls and boys."

EIGE (2017), *The European Pillar of Social Rights as an Opportunity for Gender Equality in the EU – EIGE's Recommendations*

Mainstreaming gender equality in such a way would support commitments made by the Council towards fulfilling the EU's objectives with regard to gender equality, as formulated in the *European Pact for Gender Equality (2011-2020)*.[124] This pact identifies three main fields of action in this respect, namely:

- closing gender gaps and combating gender segregation in the labour market;
- promoting better work-life balance for women and men;
- addressing all forms of violence against women and girls.

Data collection and dissemination of knowledge

EU agencies such as EIGE, Eurofound and FRA, regularly collect, analyse and disseminate comparative, EU-wide data on discrimination and violence against women and girls. The statistical office of the EU, Eurostat, also plays a key role here, through its regular collection and publication of relevant statistical data. Eurobarometer surveys are another useful tool to measure changes in attitudes of Europeans towards women and men.

FRA would encourage the EU and its Member States to draw actively on available evidence and expertise from these sources. This would assist them in assessing the impact of legal instruments and policy measures they put in place to promote gender equality, foster equal treatment and non-discrimination, or counter violence against women.

"Better data-collection: Currently, there is not enough data to show the extent and nature of violence against women. An EU accession to the Convention would oblige Member States to collect and send accurate and comparable data to Eurostat, the statistical office of the EU. This data will be essential for developing effective policies and awareness-raising campaigns. Better knowledge of this phenomenon will help solve it more efficiently."

European Commission (2016), *Istanbul Convention: combatting violence against women – Factsheet*

Member States should also be encouraged to invest in more systematic data collection and dissemination of information on discrimination and violence against women. The Istanbul Convention offers guidance in this respect, calling on States to "collect disaggregated relevant statistical data at regular intervals"; to support research on the "root causes and effects, incidences and conviction rates" of violence against women; and, "to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence" against women. FRA could be of assistance to Member States when they develop their data collection tools, based on its expertise with victimisation surveys and other forms of systematic data collection.

Endnotes

1 See European Institute for Gender Equality (EIGE) (2017), *Gender Equality Index 2017* (online); European Union Agency for Fundamental Rights (FRA) (2014), *Violence against women: an EU-wide survey. Main results*, Luxembourg, Publications Office.

[2]European Commission (2016), *Strategic engagement for gender equality 2016-2019*, available at: https://publications.europa.eu/en/publication-detail/-/publication/24968221-eb81-11e5-8a81-01aa75ed71a1/language-en.

3 European Commission (2017), *2017 Annual Colloquium on Fundamental Rights*, available at: http://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=115277.

4 FRA would like to thank the agency's Scientific Committee and three independent experts (Professor Renée Römkens, Director of Atria; Dr. Gesa Schirrmacher, Ministry of Social Affairs, Health and Equality of Lower Saxony; Professor Dr. Liesbet Stevens, Deputy Director, Institute for the equality of women and men) for their input to previous versions of this paper.

5 For more information on FRA's multidisciplinary research network, see: http://fra.europa.eu/en/research/franet.

6 See Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services; Directive 2006/54 of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast). See, also, European Network of Legal Experts in the Field of Gender Equality (2012), *Harassment related to Sex and Sexual Harassment Law in 33 European Countries – Discrimination versus Dignity*, available at: http://ec.europa.eu/justice/gender-equality/files/your_rights/final_harassement_en.pdf.

7 Directive 2006/54 of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), Article 2: Definitions.

8 For a list of these bodies, see Equinet (2017), *Equinet members*, available at: www.equineteurope.org/-Equinet-Members-

9 ECRI (2015), *General Policy Recommendation No. 15 on Combating Hate Speech*, available at: www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N15/REC-15-2016-015-ENG.pdf, p. 16.

10 EIGE (2017), Gender-based violence – EU regulations, available at: http://eige.europa.eu/gender-based-violence/regulatory-and-legal-framework/eu-regulations.

11 These include: Regulation (EU) No. 606/2013 of 12 June 2013 on mutual recognition of protection measures in civil matters; Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime; Directive 2011/99/EU of 13 December 2011 on the European protection order; Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, replacing the Council Framework Decision 2002/629/JHA; Directive 2010/41/EU of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity; Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast); Directive 2004/113/EC of 13 December 2004 on implementing the principle of equal treatment between men and women in the access to and supply of goods and services.

12 EIGE (2017), *Gender Equality Index 2017*, available at: http://eige.europa.eu/gender-equality-index.

13 United Nations (UN) (2017), *Sustainable Development Goal 5: Achieve gender equality and empower all women and girls*.

14 For more information, see UN Human Rights Office of High Commissioner's webpage on *Gender Stereotypes/stereotyping*.

15 Hungarian Spectrum (2015), 'Lásló Köver, the misogynist and feckless diplomat', 15 December 2015.

16 For more information, see the tweet.

17 Court of Appeal of Bucharest (Curtea de Apel Bucureşti), File No.2625/2/2017.

18 Webcafe.bg (2016), 'Barrekov left the bTV studio after a scandal' (*'Бареков напусна студиото на bTV след скандал'*), 23 October 2016.

[19] Adevărul (2017), 'Scandal în Parlament. Deputatul PSD Nicolae Bacalbaşa a făcut gesturi obscene şi afirmaţii jignitoare...' [Scandal in the Parliament. MP from PSD Nicolae Bacalbaşa has made obscene gestures and insulting statements...], 9 May 2017.

[20] Adevărul (2017), 'UPDATE Schimburi dure de replici în PSD, după ce Dragnea l-a lăsat pe Şerban Nicolae fără funcţii. Bacalbaşa, suspendat din PSD pentru şase luni' [UPDATE Harsh exchange in PSD, after Dragnea left Serban Nicholas without any functions. Bacalbaşa, suspended from the PSD for six months], 10 May 2017.

[21] For more information, see the European Commission webpage on *Gender balance in decision-making positions*.

[22] Council of Europe, Gender Equality Commission (2017), *Balanced participation of women and men in decision-making, Analytical report, 2016 data*, Strasbourg.

[23] European Commission (2017), *2017 Report on equality between women and men in the EU*.

[24] For more information, see COMED (2015), Etude sur l'egalite des femmes et des hommes au Luxembourg, 2014.

[25] Netherlands, E. Hofhuis, C. Thijs. J. Hoegen Dijkhof and A. Swarte (2016), *Is het nu beter bevallen? Vervolgonderzoek naar discriminatie op het werk van zwangere vrouwen en moeders met jonge kinderen*, Utrecht, College voor de Rechten van de Mens (*The Netherlands Institute for Human Rights)*.

[26] For more information, see JUMP (2016), Sexisme, Bientot fini ? Where do we stand on sexism?.

[27] Gregor, A., Simon, D. , Giczi, J., Kovács, M., Szabó, M., Zabolai, M. E. (2017), *Nemek közötti egyenlőtlenségek különböző formáival kapcsolatos attitűdök és tapasztalatok [Experiences and Attitudes with Regards to Different Forms of Gender Inequalities],* Budapest, ELTE University.

[28] Centrul FILIA (2016), Despre hărţuirea sexuală în universităţi [About sexual harassment in universities].

[30] Grabowska, M., Grzybek, A. (2016), *Przełamać taboo. Raport o przemocy seksualnej*, Warszawa, Fundacja na Rzecz Równości i Emancypacji STER.

[31] Lichtenberg, E. and Schytz Juul, J., The Economic Council of the Labour Movement (Arbejderbevægelsens Erhvervsråd).

[32] Fischer, T., Sprado, N. (2017), *Seksuele straatintimidatie in Rotterdam*, Erasmus Universiteit Rotterdam.

[33] Global Media Monitoring Project (2015), *Who makes the news? Regional report: Europe*.

[34] Demos (2014), 'Male celebrities receive more abuse on Twitter than women', Press release, 24 August 2014.

[35] FRA (2016), *Violence, threats and pressures against journalists and other media actors in the European Union*, Luxembourg, Publications Office.

[36] Der Kurier (2017), `Sargnagel: Verfassungsschutz ermittelt gegen Hassposter. Der Arm des Gesetzes greift nach Hasspostern, die der Autorin Vergewaltigung und Tod wünschten', 14 March 2017.

[37] BBC News (2015), 'BBC's Sarah Teale harassed during report about harassment', 26 September 2015.

[38] Journalisti (2016), Huorittelijat, 4 February 2016.

[39] R. Hertzberger (2017, 21 April), 'Vrouwen vernederen big business voor GeenStijl #wiebetaaltDumpertReeten' NRC.

[40] L. Reijmer (2017, 29 April), 'Hoe GeenStijl een universum schiep voor seksistische 'complimentjes," De Volkskrant.

[41] Cyprus Equality Authority (2016), *Report regarding a complaint for harassment at work and for discrimination on the ground of gender and national origin of an employee at the Cyprus Broadcasting Corporation* (*Έκθεση αναφορικά με καταγγελία για παρενόχληση στην εργασία και διάκριση λόγω φύλου και εθνικής καταγωγής που υπέστη εργαζόμενη στο Ραδιοφωνικό Ίδρυμα Κύπρου*), File No. A.K.I. 45/2015, 12 October 2016.

[42] Mallene, L. (2016), 'Martin Helme: Istanbuli konventsiooni ainus efekt on see, et lasteaias õpetatakse poisse kleiti kandma', *Eesti Päevaleht,* 17 May 2016.

[43] Council of Europe (2016), *Combating sexist hate speech*, Council of Europe Gender Equality Strategy, https://edoc.coe.int/en/gender-equality/6995-combating-sexist-hate-speech.html

[44] Inter-Parliamentary Union (2016), *Sexism, harassment and violence against women parliamentarians*.

[45] Dagdelen, S., SPIEGEL ONLINE (2017), ‚Hasspostings in sozialen Netzwerken "Du H*re"', 13 February 2017.

[46] For more information see article.

[47] The Guardian (2017), 'Abuse of Diane Abbott driven by racism and misogyny, says Umunna', 14 June 2017.

[48] For more information see newspaper articles from IoDonna, Blastingnews, Bergamonews, and AdnKronos. See also the personal webpage of the President of the Italian Chamber of Deputies.

[49] ORF.at, 'Grüne fordern schärfere Cybermobbing-Bestimmung', 3 August 2017.

[50] The Irish Times (2013), 'TD says he offered to resign after 'Lapgate' incident', 19 July 2013.

[51] Times of Malta (2015), 'Serious failure by TVM on MP threat to Farrugia', 5 December 2015.

[52] For more information, see articles from DeRedactie and DeMorgen.

53 EIGE (2017), http://eige.europa.eu/rdc/eige-publications/cyber-violence-against-women-and-girls

54 BBC News (2016), 'Four questioned in Italy after woman's suicide over sex video', 15 September 2016, available at: www.bbc.com/news/world-europe-37377286

55 Dlouhá, M., Svatošová M., Tenglerová H. (2016), 'An analysis of gender-related cyber-violence in the Czech Republic' *(Analýza genderově podmíněného kybernásilí v ČR),* The Government Council for Equal Opportunities for Women and Men, pp. 22-23.

56 Kölner Stadt-Anzeiger (2015), 'Nacktbilder-Skandal an der Uni Köln Uni-Mitarbeiter muss Schmerzensgeld an Studentinnen zahlen', 12 June 2015.

57 Pew Research Center (2014), 'Online harassment', 22 October 2014.

58 Pew Research Center (2017), 'Online harassment 2017', 11 July 2017.

59 Warren, R. (2015) Targeted and trolled: the reality of being a woman online, the United-Kingdom, Transworld Publisher.

60 Pacific Standard (2014), 'Why women aren't welcome on the Internet', 6 January 2014.

61 United Nations (UN), Human Rights Council, General Assembly (2013), *Report of the Working Group on the issue of discrimination against women in law and in practice*, 19 April 2013.

62 United Nations (UN) Economic and Social Council, Report of the Secretary-General (2017), *Progress towards the Sustainable Development Goals*, 11 May 2017.

63 United Nations (UN) Economic and Social Council, Report of the Secretary-General (2017), *Progress towards the Sustainable Development Goals*, 11 May 2017.

64 Bartlett, J., Norrie, R., Patel, S., Rumpel, R., Wibberley, S. (2014), 'Misogyny on Twitter', 10 May 2014, DEMOS, Centre for analysis of social media.

65 See the Danish Institute of Human Rights (Institut for Menneskere rettigheder) (2017), *Hadefulde ytringer I den offentlige online debat*, Danmarks Nationale Menneskerettighedsinstitution.

66 FRA (2014), Violence against women: an EU-wide survey. Main results report.

67 For more information, see Women's Aid (2016), Impact report.

68 MIPROF (2015), L'observatoire nationale des violences faites aux femmes, violences faites aux femmes : les principales donnees.

69 Haut Conseil à l'Egalite entre les Femmes et les Hommes (2016), Rapport final d'évaluation du 4e plan interministériel de prévention et de la lutte contre les violences faites aux femmes. Evidence from FRA's survey on violence against women show much higher rates of cyber sexual harassment for younger women across the EU.

70 United Nations (UN), UN Women (2006), *In-depth study on all forms of violence against women*, Report of the Secretary-General, A/61/122/Add.1, 6 July 2006.

71 Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2004), *Health, well-being and personal safety of women in Germany: a representative study of violence against women in Germany*.

72 Apostolidou, M., Mavrikiou P. and Parlalis S. (2014), *Extent, frequency, types and consequences of domestic violence against women in Cyprus (Εκταση, συχνότητα, μορφές και επιπτώσεις της ενοδοικογενιεακής βίας κατά των γυναικών στην Κύπρο*), Advisory Committee for the prevention of domestic violence.

73 www.bmfsfj.de/bmfsfj/service/publikationen/gewalt-gegen-frauen-in-paarbeziehungen/80614

74 United Nations (UN), Secretary General (2006) *Ending violence against women: from words to action*.

75 Lifelong Learning Programme (2010), *Standardized tools of domestic violence risk assessment: European examples, Handbook for police officers*, European Commission.

76 Monckton-Smith, J., Szymanska, K. and Haile, S. (2017), Exploring the Relationship between Stalking and Homicide.

77 EIGE (2015), Gender Equality Index 2015, *Measuring gender equality in the European Union 2005-2012*.

78 For more information on how differences between Member States could be explained, see FRA (2014), *Violence against women: an EU-wide survey. Main results report*[78], pp.158-159.

79 For more information, see National study on domestic and gender-based violence in Bulgaria (2016) Analytical report.

80 See doctoral thesis, Brännvall, M. (2016), Frigörelse med förhinder : om polisanmälan när kvinnor tar sig ur mäns våld i nära relationer.

81 Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2004), Health, well-being and personal safety of women in Germany, a representative study of violence against women in Germany, Germany.

82 FRA (2014), *Violence against women: an EU-wide survey. Main results report*

83 Sweden, Swedish National Council for Crime Prevention (*Brottsförebyggande rådet, Brå*) (*2016),* Swedish Crime Survey (*Nationell Trygghetsundersökning - NTU 2016*).

84 Ivanova, S. (*Иванова, С.*) (2016), *National study on domestic and gender-based violence in Bulgaria*, Sofia, Partners Bulgaria Foundation.

85 Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2004), Health, well-being and personal safety of women in Germany, a representative study of violence against women in Germany.

86 Fédération Nationale Solidarité Femmes (2016), *Extrait de l'Analyse Globale des données issues des appels au "3919-Violence Femmes Info" Année 2015*.

87 Corradi, C. and Stöckl, H. (2014), Intimate partner homicide in 10 European countries: Statistical data and policy development in a cross-national perspective, *European Journal of Criminology*, Volume 11, Issue 5.

88 For more information, see Femicide census report on redefining an isolated incident.

89 Spain (2016), www.poderjudicial.es/stfls/CGPJ/OBSERVATORIO %20DE %20VIOLENCIA %20DOMÉSTICA/INFORMES/FICHERO/20170926 %20Informe %20víctimas %20mortales %20VG %20ámbito %20pareja-2015.pdf,

90 www.bka.de/SharedDocs/Downloads/DE/Publikationen/JahresberichteUndLagebilder/Partnerschaftsgewalt/Partnerschaftsgewalt_2015.pdf?__blob=publicationFile&v=4

91 Ministère de l'Intérieur (2016), *Étude nationale sur les morts violentes au sein du couple*.

92 Diário de Notícias (2015), 'Ministério Público investiga morte da atriz Maria Zamora', 27 February 2015. Available at: www.dn.pt/portugal/interior/ministerio-publico-investiga-morte-da-atriz-maria-zamora-4425512.html

93 UN Human Rights Office of the High Commissioner (2010) CEDAW, *General recommendations No. 28*.

94 Human Rights Watch (HRW), Women's Human Rights, '*Women and girls with disabilities*'.

95 Davaki. K, Marzo, C., Narminio E., Arvanitidou, E. (2013), *Discrimination generated by the intersection of gender and disabilities*, Brussels, European Parliament, Directorate General for Internal Policies, Policy Department C: Citizen's Rights and Constitutional Affairs.

96 United Nations (UN), Secretary General (2017), *Situation of women and girls with disabilities and the Status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto*.

97 FRA (2017), *EU-MIDIS II: Muslims – Selected findings*, Luxembourg, Publications Office.

98 Parliamentary Study Commission "Jo Cox" on intolerance, xenophobia, racism and hate crimes (2017), *Relazione Finale*, 6 July 2017.

99 For more information see the webpage Operation Black Vote.

100 See FRA`s webpage on Regular overviews of migration-related fundamental rights concerns.

101 FRA (2016) *Monthly data collection on the current migration situation in the EU, June 2016 monthly report*.

102 United Nations Children's Fund (UNICEF) (2017) *Harrowing Journeys: Children and youth on the move across the Mediterranean Sea, at risk of trafficking and exploitation*.

103 Brücker, H., Rother, N., Schupp, J., Babka von Gostomski, C., Böhm, A., Fendel, T., Friedrich, M., Giesselmann, M., Kosyakova, Y., Kroh, M., Kühne, S., Liebau, E., Richter, D., Romiti, A., Schacht, D., Scheible, J. A., Schmelzer, P., Siegert, M., Sirries, S., Trübswetter, P., Vallizadeh, E. (2016), *IAB-BAMF-SOEP Refugee Survey. Forced migration, arrival in Germany, and first steps toward integration*, Brief Analyses of the Migration, Integration and Asylum Research Centre of the Federal Office for Migration and Refugees, Nuremberg.

104 FRA (2017), *Together in the EU: promoting the participation of migrants and their descendants*, Luxembourg, Publications Office.

105 EWL (European Women's Lobby) (2016), *Time for EU action to implement gender-sensitive humanitarian response, say women's organisation*.

106 FRA (2014), *EU LGBT survey: European Union lesbian, gay, bisexual and transgender survey - Main results*.

107 FRA (2014), *EU LGBT survey: European Union lesbian, gay, bisexual and transgender survey - Main results*.

108 Drydakis, N. (2017), *Trans people, well-being, and labor market outcomes*, IZA World of Labor.

109 Dierckx, M., Motmans, J. and Meier, P. (2014), *Attitudemeeting m.b.t. seksisme, holebifobie en transfobie "Beyond the box"* , Universiteit Antwerpen.

110 Claus, R. (2014), *Maskulismus. Antifeminismus zwischen vermeintlicher Salonfähigkeit und unverhohlenem Frauenhass*, Berlin, Friedrich-Ebert-Stiftung.

111 Ökologieforschung GmbH (2017), Männer-Perspektiven. Auf dem Weg zu mehr Gleichstellung?, Berlin, Bundesministerium für Familie, Senioren, Frauen und Jugend.

112 The Guardian (2017), 'Polish government widely condemned over morning-after pill law', 26 June 2017.

113 De Vaan, K.B.M., Boer, M.M. and Vanoni, M.C. (2014), Genderscan aanpak huiselijk geweld,. Amsterdam, Regioplan.

114 Taaffe, H. (2017), *Sounds familiar?*, The Fawcett Society.

115 Wikipedia, 'New Year's Eve sexual assaults in Germany', 15 October 2017.

[116] Abuse of women and girls (or men or boys) should always be investigated regardless of who the perpetrators are – be this the Catholic church, people and organisations in positions of power (Harvey Weinstein, Silicon Valley businesses). It should also be investigated when it involves organised abuse by groups of men from specific backgrounds – which in the case of recent abuse scandals in the UK ranged from groups of men of Pakistani origin, and groups of men from other backgrounds, as well as groups of men from white backgrounds 'grooming' girls for abuse. Just as men in positions of power are not investigated because they are powerful, it has been revealed that the organised sexual abuse of 'white' girls by groups of men of Pakistani origin in the UK was not properly investigated for years because of apparent concerns of being seen as racist.

[117] For more information on the adequate resourcing of equality bodies, see also: Equinet (2016), *Equinet Working Paper on Developing Standards for Equality Bodies*, available at: www.equineteurope.org/Equinet-Working-Paper-on-Developing-Standards-for-Equality-Bodies.

[118] European Commission (2016), *Code of conduct on countering illegal hate speech online*.

[119] European Commission (2016), *Istanbul Convention: combatting violence against women – Factsheet*.

[120] See also: European Commission (2012), *Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Gender balance in business leadership: a contribution to smart, sustainable and inclusive growth*.

[121] European Commission (2017), *The European Semester*, available at: https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/european-semester_en.

[122] European Commission (2017), *European structural and investment funds*, available at: https://ec.europa.eu/info/funding-tenders/european-structural-and-investment-funds_en.

[123] European Commission (2017), *European Pillar of Social Rights*, available at: https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en.

[124] *Council conclusions of 7 March 2011 on European Pact for Gender Equality (2011-2020)*, available at: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX %3A52011XG0525 %2801 %29.

Further information:

The following FRA publications offer further information on the themes explored in this paper:

- *Violence against women: an EU-wide survey, Main results* (2014), http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report
- *Fundamental Rights Forum - Chair's Statement* (2016), http://fra.europa.eu/en/publication/2016/fundamental-rights-forum-chairs-statement
- *Monthly data collection on the current migration situation in the EU*, June 2016 monthly report (2016), http://fra.europa.eu/en/theme/asylum-migration-borders/overviews/focus-gender-based-violence
- *The fundamental rights situation of intersex people* (2015), http://fra.europa.eu/en/publication/2015/fundamental-rights-situation-intersex-people
- *Addressing forced marriage in the EU: legal provisions and promising practices* (2014), http://fra.europa.eu/en/publication/2014/addressing-forced-marriage-eu-legal-provisions-and-promising-practices
- *Discrimination against and living conditions of Roma women in 11 Member States*, Roma survey, Data in focus (2014), http://fra.europa.eu/en/publication/2014/discrimination-against-and-living-conditions-roma-women-11-eu-member-states
- *Migrants in an irregular situation employed in domestic work: Fundamental rights challenges for the European Union and its Member States* (2011), http://fra.europa.eu/en/publication/2012/migrants-irregular-situation-employed-domestic-work-fundamental-rights-challenges
- *Analysis of FRA Roma survey results by gender* (2013), http://fra.europa.eu/en/publication/2013/analysis-fra-roma-survey-results-gender
- *Inequalities and multiple discrimination in access to and quality of healthcare* (2013), http://fra.europa.eu/en/publication/2013/inequalities-discrimination-healthcare
- *Violence, threats and pressures against journalists and other media actors in the European Union* (2016), http://fra.europa.eu/en/publication/2016/violence-threats-and-pressures-against-journalists-and-other-media-actors-european
- *Ensuring justice for hate crime victims: professional perspectives* (2016), http://fra.europa.eu/en/publication/2016/ensuring-justice-hate-crime-victims-professional-perspectives

Further information on FRA's work in the field of hate crime is available on the FRA website: http://fra.europa.eu/en/theme/hate-crime

Publications Office

FRA – EUROPEAN UNION Agency FOR FUNDAMENTAL RIGHTS

Schwarzenbergplatz 11 – 1040 Vienna – Austria
Tel. +43 158030-0 – Fax +43 158030-699
fra.europa.eu – info@fra.europa.eu
facebook.com/fundamentalrights
linkedin.com/company/eu-fundamental-rights-agency
twitter.com/EURightsAgency

© European Union Agency for Fundamental Rights, 2017

Printed by the Publications Office in Luxembourg

Print: ISBN 978-92-9491-829-1, doi:10.2811/98517, TK-04-17-918-EN-C PDF: ISBN 10.2811/711644, doi:10.2811/711644, TK-04-17-918-EN-N