



ARTEMIS:

Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order

D36 – Final Research Report



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**THE APPLICATION OF THE EC DIRECTIVE 2011/99/EU AND THE
EUROPEAN PROTECTION ORDER**

FINAL RESEARCH REPORT

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LEGAL NOTICE

This report was authored by Susana Pavlou and Alexia Shakos within the framework of the project “ARTEMIS - Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order”.

All reasonable efforts have been made to ensure the accuracy of the data referred to in this report, including through data verification. We regret, however, any data errors that may remain.

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Introduction

The Artemis project

This study was carried out within the framework of the project – *Artemis: Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order*¹.

The European Protection Order (**EPO**), a mechanism for the mutual recognition of protection measures of victims of crime, was introduced by EC Directive 2011/99/EU (the “**EPO Directive**”) and had to be transposed into the national legislation of the Member States by 11 January 2015.

The aim of the EPO Directive and the function of the EPO are to simplify procedures for recognising protection orders issued from one Member State in another, as well as safeguarding the protection of victims of crime across the EU. The EPO covers both precautionary and non-precautionary protection orders issued in criminal law proceedings and which satisfy the criteria in art. 5 of the EPO Directive; additionally, there are specific grounds for non-recognition of an EPO specified in art.10.

Very limited research has been carried out to date to explore the implementation of the EPO and to identify challenges and barriers to its effective application. According to a study carried out by the European Parliamentary Research Service in 2017,² EPOs have been implemented in a very limited capacity: only 7 EPOs have been issued throughout the EU.³ This is despite the fact that, in 2010 for example, an estimated 100,000 women residing in the EU benefitted from protection measures related to gender-based violence (**GBV**). This is compounded by evidence which indicates that one in three women in the EU has experienced physical and/or sexual violence since the age of 15 and that one in five women has experienced stalking⁴. Therefore, the EPO is a potentially significant tool for the enhancement of women’s protection across the EU.

The aforementioned study also identified a general lack of awareness and training regarding EPOs, both among legal practitioners likely to come into contact with victims, as well as among NGOs active in the field of victim support. As a consequence, protected persons do not have access to information on their right to an EPO nor the relevant procedures for requesting one should they travel to another Member State.

¹ www.artemis-europa.eu

² European Parliamentary Research Service (2017), “European Protection Order Directive 2011/99/EU: European Implementation Assessment”, [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/603272/EPRS_STU\(2017\)603272_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/603272/EPRS_STU(2017)603272_EN.pdf).

³ However, according to a recently published EU report based on data provided by Member States, in the period 2015-2018, 37 EPOs were issued across the EU; of these, 15 had been recognised and executed. The vast majority of the EPOs were issued by a single Member State, with 2 other Member States accounting for the remainder; no EPOs had been issued nor recognised and executed in 10 Member States. There is no further breakdown of the data in the report. European Commission (2020), “Report from the Commission to the European Parliament and the Council on the implementation of Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order”, p. 11, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0187&from=EN>

⁴ European Union Agency for Fundamental Rights (FRA) (2014), “Violence against Women: An EU Wide Survey, Main Results”, <https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>.

Therefore, the aim of the ARTEMIS project is to study the application of the EPO Directive in the project partner countries (**Croatia, Cyprus, Czech Republic, Greece and Italy**), identify gaps in implementation of the EPO, and propose ways in which the EPO can be better promoted and utilized by relevant stakeholders such as lawyers, NGOs, criminal justice professionals, and social services for the protection of victims of GBV.

Preliminarily, the lack of implementation and underutilisation of the EPO is a common point across the project partner countries, which reflects a broader trend across the EU. Another commonality is the use of POs at the national level mainly to safeguard women victims of GBV, a serious problem present across the project partner countries and similarly mirrored across the EU. However, given the differing legislative frameworks at hand, the potential scope for issuance and recognition of the EPO is variable, giving rise to country-specific problems that nevertheless affect the overall effectiveness of the EPO in enhancing the protection of women victims of GBV, not only at the national, but also at the EU level.

This report is a comparative analysis of the implementation of the EPO in the project partner countries based on a review of the national reports submitted by each project partner⁵. This report shall identify and analyse common themes and trends, as well as points of difference and divergence, and will set out recommendations that may facilitate the overall effectiveness and implementation of the EPO in the wider EU context. Finally, a number of good practices will be identified for promoting the use of POs and as well as the EPO (see Annex).

GBV in project partner countries

Croatia

Violence against women in Croatia is a serious and widespread issue, especially violence in intimate partner relationships. A nationwide survey conducted by Autonomous Women's House Zagreb (AWHZ) in 2003, the only one of its kind to date, showed that every third woman had survived or was likely to become the survivor of some form of physical intimate partner violence during her lifetime.⁶ The 2014 data from the EU-wide survey on violence against women by the Fundamental Rights Agency (FRA)⁷ showed that one in eight (12%) women in Croatia experienced physical violence since the age of 15, while 3% experienced sexual violence and 42% experienced psychological violence, all from a partner. Among the forms of violence experienced, the most common (33%) was abusive behaviour (verbal abuse, insults, humiliation), but nearly three in ten (29%) also identified controlling behaviours. More than one in ten (11%) identified economic abuse from their partners since the age of 15.

Cyprus

⁵ National reports can be found at <https://www.artemis-europa.eu/results/>.

⁶ Autonomous Women's House Zagreb (2003), "*Interpretacija rezultata istraživanja o nasilju nad ženama u Republici Hrvatskoj*", ("Interpretation of Research Results of a Survey on Prevalence of Violence Against Women in Croatia"), available in Croatian at <http://www.azkz.net/istrazivanja.html>. The research looked at women's experience of violence, as well as the relevant experience of their mothers and their friends, in order to then calculate a lifetime prevalence.

⁷ See footnote 3.

In 2012, Cyprus conducted the first nationwide survey on domestic violence against women in Cyprus,⁸ which revealed that at least 28% of women in Cyprus have experienced some form of domestic violence, including economic, psychological, sexual, and physical violence. Two years later, the 2014 FRA survey showed that, since the age of 15, one in five women in Cyprus had experienced physical and/or sexual violence by a partner and/or a non-partner, while 31% of people in Cyprus revealed that they knew a female victim of domestic violence within their circle of friends and family.⁹

Czech Republic

The 2014 FRA survey showed that 32% of women in the Czech Republic had experienced physical or sexual violence. The study also showed that, in their lifetime, 9% of women had suffered stalking, 12%, sexual abuse, and 5% had been victims of rape.¹⁰

Greece

GBV in Greece is a widespread phenomenon. According to recent EU data derived from EIGE's gender equality index,¹¹ 25% of women in Greece have experienced physical and/or sexual violence at least once since the age of 15. In addition, the Observatory of the General Secretariat for Family Policy and Gender Equality in Greece underlined an annual increase of 49% in the number of women victims of domestic violence based on police reports (Observatory of GSFPGE, 2019).¹² The Observatory reported 25,079 women turning to the 41 counselling centres across the country between April 2012 and November 2018; the vast majority – 22,183 cases – concerned GBV. In the same period, 1,352 women victims of violence were housed in the 21 shelters. Moreover, the GSFPGE national helpline received 5,984 calls in 2019, of which 77% referred to cases of GBV. From these calls, 3,103 concerned women victims of violence, who reported domestic violence at 90%, sexual harassment at 2%, rape at 1%, and other forms of violence at 5% (GSFPGE, 2019).¹³ In the same year – 2019 – the Union of Women Associations of Heraklion Prefecture (UWAH, 2020) received 134 calls on its helpline and 22 messages through Facebook or email, and also addressed 114 cases of gendered violence through its psycho-social counselling services; five women were provided housing at the UWAH hostel.

Italy

Research recently published by the National Institute of Statistics (ISTAT) showed that 31.5% of women in Italy aged 16-70 have suffered some form of physical or sexual violence during their lifetime: 20.2% have experienced physical violence and 21%, sexual violence,

⁸ The executive summary of "Extent, Frequency, Nature and Consequences of Domestic Violence against Women in Cyprus", a survey commissioned in 2012 by the Advisory Committee for the Prevention and Combating of Domestic Violence in the Family is available in Greek at <http://www.familyviolence.gov.cy/cgi-bin/hweb?-A=971&-V=research>.

⁹ See footnote 3.

¹⁰ See footnote 3.

¹¹ European Institute for Gender Equality (EIGE) (2017), *Gender Equality Index*, <https://eige.europa.eu/gender-equality-index/2017/domain/violence/EL>.

¹² Observatory of the General Secretariat for Family Policy and Gender Equality (2019), "Observatory -E-bulletin-no-23-gender-based violence", <http://www.isotita.gr/wp-content/uploads/2020/05/Observatory-E-bulletin-no.-23-Gender-based-violence.pdf>.

¹³ General Secretariat for Family Policy and Gender Equality (2019), *Στατιστικά στοιχεία τηλεφωνικής γραμμής SOS 15900 1-1-19 έως 31/12/2019* ("Statistics from the 15900 SOS Helpline from 1 January – 31 December 2019"), available in Greek at <https://www.isotita.gr/wp-content/uploads/2020/01/%CE%A3%CF%84%CE%BF%CE%B9%CF%87%CE%B5%CE%AF%CE%B1-%CE%93%CF%81%CE%B1%CE%BC%CE%BC%CE%AE%CF%82-SOS-01-01-2019-%CE%AD%CF%89%CF%82-31-12-2019.pdf>

with 5.4% experiencing aggravated forms such as rape and attempted rape. In addition, 21.5% of women in the study had suffered stalking from an ex-partner during their lifetime.

Overview of Protection Orders in the project partner countries

The project partner countries have all transposed Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime (the **Victims' Rights Directive**) and have ratified the Council of Europe's Convention on preventing and combating violence against women and domestic violence (the **Istanbul Convention**).

Croatia

GBV against women is regulated in Croatia through the Criminal Code and the Law on Protection from Domestic Violence. The Criminal Code contains legal provisions to sanction most forms of violence against women and GBV, including stalking, sexual violence and domestic violence. As regards domestic violence specifically, in practice, most cases are prosecuted and punished under the Law on Protection from Domestic Violence, which differs importantly from the Criminal Code in that it is a misdemeanour law – i.e. a law for minor criminal offences - and therefore of lesser seriousness.

POs in Croatia are therefore issued both under criminal law and misdemeanour laws. There are no civil law POs in Croatia.

In terms of POs under criminal law, the Criminal Code prescribes POs in the form of safety measures issued by the court against convicted perpetrators as criminal sanctions, which include restraining orders and removal orders. The Criminal Procedure Code prescribes precautionary measures, including restraining orders, removal orders and no contact orders, as a substitute for pre-trial detention; these may also apply for the duration of the trial. Similarly, POs may be issued by the court as precautionary measures during trial proceedings and protection measures at the sentencing stage under misdemeanour legislation. Additionally, the police may issue an emergency protection order under the misdemeanour law, but they almost never utilise this measure. Lastly, in cases of domestic violence, POs may be issued by the court as sanctions pursuant to the Law on Protection from Domestic Violence; these include restraining and removal orders.

Overall, the duration of POs issued in Croatia ranges from one month to a maximum of five years. Monitoring mechanisms and procedures exist for POs issued under both criminal law and misdemeanour law, through which the victim and/or the police can monitor violations by the perpetrator. PO violations can be punished according to criminal or misdemeanour law.

Data cited in the national report indicates that most POs issued for the protection of women victims of GBV have been issued pursuant to the Law on Protection from Domestic Violence. This reflects data collected by the police, which indicates that the majority of cases of GBV are prosecuted under the aforementioned law, instead of under criminal law, which would entail stronger sentences and also cover a wider range of victims.

Cyprus

Although there is no specific law on violence against women in Cyprus, most forms of violence against women are criminalised. Domestic violence is criminalised under the Violence in the Family (Prevention and Protection of Victims) laws of 2000 through to 2015 (**Cyprus Family Violence legislation**). Sexual offences, including rape, are punishable with

a maximum sentence of life imprisonment. Rape within marriage is also recognised as a crime. Other forms of GBV such as forced marriage and female genital mutilation are against the law. Significantly, stalking has not yet been criminalised in Cyprus.

Cyprus legislation offers the use of POs, as either a precautionary measure or as a criminal sanction, aimed at prohibiting visits or harassment, as well as entry or presence in the family home by any member of the family who is a perpetrator. In effect, POs are mainly issued for the protection of women victims of domestic violence and of the offences set out in the Cyprus Family Violence legislation.

These criminal law POs can be adopted by a court either prior to (temporary precautionary restraining order and precautionary removal order) or following (restraining order and removal order) judicial proceedings. The specific conditions, including the duration of the POs, are at the discretion of the judge. A breach of protection orders imposed as a criminal sanction is punishable with imprisonment or a fine, however it is unclear in the legislation whether a breach of a precautionary measure is criminally sanctioned.

It should be noted that, in cases where the legally established penalty for an act of domestic violence does not exceed five years imprisonment, the competent authority to issue POs is the District Court, a mixed civil-criminal court. When the penalty does exceed five years, the competent authority switches over to the Criminal Court. In the absence of monitoring mechanisms or tools to protect victims from breaches of POs, it is up to the victim to report violations. However, if the victim is underaged, social workers are responsible for monitoring compliance and for reporting breaches to the police.

POs may also be issued under civil law by a Family Court: these mainly relate to the granting of custody of a minor and may in practice be issued in cases of domestic violence.

There is no central national register that keeps track of issued POs, and the relevant authorities – the police and social welfare services – do not collect data on POs. It is therefore not possible to assess the prevalence of use or effectiveness of POs in protecting women victims of violence in Cyprus.

Czech Republic

In the case of the Czech Republic, GBV is criminalised and punished under Czech criminal law, with different forms of GBV falling under corresponding offences.

POs may be issued under criminal law, civil law and administrative law and are used as precautionary measures against the perpetrator at the pre-trial stage, as well as safety measures at the sentencing stage. The POs may be in the form of restraining orders, no contact orders and removal orders. Additionally, the police may issue an eviction order against the perpetrator as an emergency measure under administrative law.

POs issued as precautionary measures are governed by specific legislative provisions aimed at the protection of victims of domestic violence and stalking. The POs imposed as precautionary measures under civil law have a maximum duration of 6 months, whereas the duration of POs imposed as safety measures according to criminal law are determined by the criminal court; emergency eviction orders last for 10 days with the possibility of extension.

Generally, it is up to the victim to report PO violations, excepting emergency eviction orders, which are monitored by the police. A violation of a PO is punished with either imprisonment or a fine.

Data is limited and has not been collected systematically by the relevant bodies; however what data is available indicates that the eviction order as well as POs issued under administrative law and civil law are applied quite frequently, in contrast to criminal law POs which are insufficiently issued.

Greece

Various forms of GBV have been recognised as crimes in Greece – including domestic violence and stalking – particularly following the ratification of the Istanbul Convention. POs are governed by criminal law, civil law and public law and are issued under both general and specific legislative provisions on interpersonal violence, notably under the Domestic Violence Law, which has been incorporated into both civil and criminal law.

Under civil law, POs may be issued by the court in the form of precautionary security measures in cases of emergency or to prevent an imminent danger; the extent and exact form of this type of measure is at the discretion of the judge. Civil law POs may also be issued for the protection of victims of domestic violence and stalking: these include restraining orders, removal orders and the prohibition to contact or approach the victim; these POs do not have a fixed term and are generally in force for the duration of the trial proceedings.

Similarly, criminal law provides for the use of POs as a precautionary measure in place of pre-trial detention, for example, a barring or restraining order; judges again have a degree of discretion as to the extent and the exact terms of these measures. Further, the Domestic Violence Law has also introduced provisions for the issuance of criminal law POs, in the form of restraining orders and removal orders, at the discretion of the criminal court (art. 18). These POs may remain in force at the discretion of the court that issued the PO; specifically, the court has the power to revoke, replace or modify the PO according to the circumstances of each case and in order to ensure the effective protection of the victim.

Compliance with POs is not actively monitored in Greece, rather it is generally left up to the victim to report violations. The breach of criminal law POs is punishable with imprisonment or a fine; it is unclear whether the breach of civil law POs is criminalised. Lastly, there is no central database recording POs in Greece.

Italy

Italy has laws that focus on combating specific forms of GBV, including sexual violence and violence in the family, as well as a law prohibiting GBV in general, which have been introduced through amendments to both the Civil Code and Criminal Code. POs are therefore governed by civil, criminal or administrative law and linked to specific types of crimes: sexual violence, domestic violence (which also includes child abuse), injury and stalking.

Under civil law, POs include removal orders and restraining orders issued against the perpetrator, whereas under administrative law, POs take the form of a police warning against the perpetrator, issued with or without the consent of the victim, requiring the perpetrator to

cease the offensive behaviour.¹⁴ Lastly, under criminal law, POs may take the form of no contact orders, restraining orders and removal orders issued by a court. Additionally, a short-term barring order may be issued by the police under criminal law in situations where the perpetrator is caught in the act of committing a crime that presents a serious and current danger to the life or physical and psychological integrity of the victim.

Generally, POs issued in Italy last for approximately one year. In terms of monitoring violations of POs, it is generally up to the victim to report these; no other monitoring mechanisms are in place. Breaches of civil law POs is criminally sanctioned with imprisonment, as are breaches of criminal law POs, while breaches of POs issued under administrative law automatically trigger the commencement of criminal proceedings.¹⁵ Data cited in the national report indicates that civil law POs are issued less frequently than POs issued under criminal and administrative law provisions.

Overview of the European Protection Order (EPO) in the project partner countries

The project partner countries have all transposed the EPO Directive into their national laws.

Cyprus used the technique of creating a single law in order to ensure full legislative transposition. However, no consultation process was carried out prior to this move, which has resulted in significant problems in implementing the law. Specifically, no practical provisions, legislative or otherwise, are foreseen, nor have been implemented, which would result in the tangible effect of the EPO Directive.

The body authorised under national legislation to issue the EPO is the District Court that imposed the PO. Similarly, the District Court is the body that must to recognise EPOs incoming from another Member State. To date, no EPOs have been issued or recognised in Cyprus, nor is there a central register recording or monitoring EPOs.

In Croatia, the investigative judge of the County Court is the competent authority for the issuance and recognition of an EPO. The national law transposing the EPO Directive stipulates that an EPO may only be issued with respect to national POs governed by criminal law; thus, national POs issued under misdemeanour law– i.e., under the provisions of the Law on Protection from Domestic Violence – are expressly excluded from the remit of the EPO.

There is no data available on the prevalence of EPOs in Croatia, given that no governmental department or body has been charged with the monitoring and collection of data on EPOs. Evidence from the public domain indicates that two EPOs have been recognised,¹⁶ whereas no EPOs have been issued; however, it has not been possible to verify these numbers.

In Italy, the competent authority for the issuance and recognition of EPOs is the Ministry of Justice, in cooperation with judges and courts. Specifically, the judge which issued a national PO is authorised to issue the relevant EPO; the Court of Appeal, meanwhile, is authorised to recognise EPOs. Although the national transposing law stipulates that the judicial, police, and social welfare authorities should be notified when an EPO is recognised, it does not

¹⁴ GREVIO (2020), “Baseline Evaluation Report: Italy”, <https://rm.coe.int/grevio-report-italy-first-baseline-evaluation/168099724e>.

¹⁵ See footnote 12 above.

¹⁶ IUS-INFO (2020), “*Europski nalog za zaštitu i njegova primjena u Republici Hrvatskoj*” (“European Protection Order and its application in the Republic of Croatia”), available in Croatian at <https://www.iusinfo.hr/aktualno/u-sredistu/40386>.

however provide practical information or guidelines, for example in monitoring breaches. To date, one EPO has been issued and it appears that no EPOs have been recognised and executed; however, due to the absence of a national public register, it is difficult to verify the recording and monitoring of EPOs in Italy.

As regards the Czech Republic, the bodies authorised to issue EPOs are either the courts or the public prosecutor's office; meanwhile, the body authorised to recognise an EPO is the District Court. The government has issued guidelines in an explanatory memorandum on the application of the EPO Directive in the national context and specifically on the types of national POs that fall within the remit of the EPO Directive and the EPO. No EPOs have been issued or recognised and executed at the date of this report; additionally, there is no official EPO register in the Czech Republic.

Lastly, in Greece, the central authority designated for the coordination of the issuance and recognition of EPOs is the Ministry of Justice, Transparency and Human Rights. More specifically, the prosecutor of the first instance court is the competent authority for recognising an EPO, and the prosecutor of the court which issued the PO is responsible for issuing the EPO. There are no specific monitoring mechanisms in place, but a breach would be criminally sanctioned with up to two years imprisonment. Given that there is no central register, there is no data available on the number of EPOs issued or recognised and executed in Greece.

Assessing the implementation and impact of Protection Orders and the European Protection Order in the project partner countries: A comparative analysis

Legal framework on national POs

The project partner countries have, on the whole, similar legislative frameworks regarding the issuance of POs. In the majority of countries, POs are available under both criminal and civil law, with the exception of Croatia where no civil law POs are available. In Italy, Greece and the Czech Republic, POs are also available under administrative or public law. Only Italy, the Czech Republic and Croatia have legislative provisions for the imposition of an emergency barring order by the police acting *ex officio*. Croatia is markedly different from the rest, in that national POs are regulated by criminal law and misdemeanour law.

Broadly speaking, national legal frameworks across the project partner countries provide for POs as precautionary measures at the pre-trial stage, but also as sanctions under either criminal or civil law, excluding Greece and Italy, where POs are not issued as criminal sanctions. Finally, the breach of a POs is a punishable offence across the board, although there is variance as to the severity of the sanction.

One notable trend is the lack of consistency in covering victims of GBV, resulting in gaps in protection. In Cyprus, Croatia and Greece, for example, POs are mainly available within the narrow framework of domestic violence. As a result, conditions such as cohabitation, sharing a family home and children between the victim and the perpetrator are required for the issuance of a PO (Cyprus and Croatia). This can exclude women victims of other forms of GBV, such as stalking or intimate partner violence, where the victim and perpetrator do not live or have any children together.

Although in the majority of the project partner countries stalking has been criminalised and national POs may be issued for the protection of the victims (Croatia, Czech Republic, Greece and Italy), stalking has yet to be recognised as a crime in Cyprus.

Additionally, there tends to be a tension at the national level regarding the use and purpose of POs, specifically between maximising victim protection and adopting a defendant-centred approach, particularly at the pre-trial stage where national POs are issued as precautionary measures (Croatia and Greece). In Croatia, judges are mostly interested in securing the presence of the defendant at the trial and the court procedures are not victim-centred; indeed, research has shown that misdemeanour precautionary measures, which would protect the victim, are issued in only 5% of the cases. Similarly, in Greece, the precautionary measures available in criminal proceedings – which are most commonly imposed – are heavily focused on the defendant and, as a result, do not safeguard the victim. This contrasts with POs available under civil law, which are more focused on maximising victim protection.

Another point of variation among the project partner countries is the degree of discretion afforded to judges to determine the conditions of POs; Cypriot and Greek legislation on POs notably grants a substantial degree of discretion to judges. This presents issues in terms of legal certainty and may discourage victims of GBV from exercising their rights and applying for POs.

Finally, another significant point to note is the impact that the definition and regulation of GBV and violence against women in each project partner country has on POs and by extension, on the EPO. The national strategies to combat GBV in the Czech Republic, Greece and Italy expressly refer to GBV, whereas the national action plans of Croatia and Cyprus refer to violence in the family only. There are limitations to regulating GBV solely under specialised legislation on domestic violence or violence in the family, as these effectively exclude victims of other forms of GBV that occur outside the context of a family home or cohabitation.

Moreover, in Croatia most instances of intimate partner violence, including domestic violence, are penalised as misdemeanours rather than more serious crimes under criminal law; this points to the wider issue of the failure to recognise and penalise violence against women as a serious offence in Croatia.

The above reveals the lack of a common understanding of GBV and violence against women in all of its forms – a lack of a “common conceptual framework” as phrased by the EPOGender project study¹⁷ – across the EU Member States. This may limit not only the effectiveness and implementation of POs and the EPO, but also the comprehensive combatting of GBV in all its forms.

Data collection on POs

A common theme across the project partner countries is the notable lack of consistent, reliable and verifiable data on POs, in terms of how many have been issued, the type of PO, the crime for which they have been issued and the monitoring of compliance. In the majority

¹⁷ Freixes & Roman (eds.) (2014) *Protection of the Gender-Based Violence Victims in the European Union, Preliminary study of the Directive 2011/99/EU on the European protection order*, p. 15, https://ec.europa.eu/justice/grants/results/daphne-toolkit/content/epogender-gender-violence-protocols-protection-victims-and-effectiveness-protection-orders_en.

of the countries (Croatia, Czech Republic, Greece, Italy) data collection exists in some form, however it is not consistent, reliable nor publicly available. This may be related to issues of institutional responsibility and organisational capacity, as it appears that there is no clear institutional coordination for the collection and breakdown of data in certain countries (Croatia and Czech Republic). Cyprus, by contrast, seems to have no data collection process whatsoever.

The lack of data impedes the assessment of the impact and effectiveness of POs at the national level, which will unavoidably affect the evaluation of the use and impact of EPOs.

Effectiveness of POs

Overall, notwithstanding the lack of reliable data mentioned above, it appears that, across all of the project partner countries, the use of POs in cases of GBV is low in relation to the corresponding prevalence of GBV. This seriously undermines the effort and commitment of each national government to combat GBV and ensure the safety of victims under national action plans, and EU and international legislation alike.

As regards the application of POs, judicial authorities in the Czech Republic tend to issue civil law and administrative law POs more frequently than criminal law POs, even though the former are not as effective as criminal law POs and do not maximise the protection of the victim. In Italy by contrast, criminal law POs are more often issued than civil law POs; it would also appear that emergency barring orders issued by the police under administrative law provisions are also frequently imposed against perpetrators. Similarly, in Greece, victims more commonly resort to the criminal justice system, resulting in a prevalence of criminal law POs being more commonly issued and imposed against perpetrators. In Cyprus, there is no data available to ascertain which type of PO is issued most frequently.

The data available for Croatia – the clear outlier in that its legal system governs the issuance of POs under criminal law and misdemeanour law only – indicates that POs provided for by misdemeanour legislation, specifically, the Law on Protection from Domestic Violence, are the most commonly issued by courts. Conversely, POs available under criminal law at both the pre-trial and sentencing stage, are rarely used. Overall, the limited research and data available indicate that POs in general are not issued frequently enough, the sanctions for breaching POs are not adequately severe and that, overall, POs in Croatia are largely ineffective. There are similar findings in the Czech Republic, whereby POs are insufficiently applied and enforced and sanctions for breaching POs are imposed only to a very minimal extent.

Nevertheless, it is noted that the data available across project partner countries is not sufficient nor reliable and therefore trends in the application and enforcement of POs are difficult to verify on the national level.

The lack of robust and effective monitoring mechanisms is also notable across the project partner countries, limiting the effectiveness of POs. Breaches by perpetrators are generally left up to the victim to report to the police (Cyprus, Czech Republic, Greece and Italy), which on the one hand puts an undue burden on the victim, and on the other, undermines the protection purportedly provided by the POs. Even where monitoring procedures are in place, it appears that they are not actively adhered to by the relevant authorities, such as the police, and the victim remains largely responsible for monitoring compliance (Croatia).

In Greece, although national legislative provisions foresee the imposition of sanctions during criminal law proceedings in the form of attendant penalties, these however are imposed only to a minimum degree and they do not include the issuance of POs as sanctions against a convicted perpetrator. Again, this constitutes a potential gap in the protection of victims; the sanctions ordinarily imposed in cases of GBV in criminal proceedings have been critiqued as both failing to ensure adequate protection for victims on the one hand, and the rehabilitation of the perpetrator on the other. This limitation on the issuance of POs has a detrimental impact on the effectiveness of POs overall in Greece.

Generally, there appears to be an underutilisation of POs, both in application and extent of implementation, in all of the project partner countries, which limits the effectiveness of POs to protect victims. This, in turn, impacts on the utilisation of the EPO, as well as its potential scope and effectiveness – this is discussed in the following section.

Implementation and effectiveness of the EPO

As noted earlier in this report, all of the project partner countries have transposed the EPO Directive into their national laws; however only Italy has issued a single EPO, while the remainder of the project partner countries have neither issued nor recognised any EPOs.¹⁸

There are two key themes emerging from the national reports regarding the relationship between the national legislative frameworks and the effectiveness of the EPO in terms of its operation and implementation.

One theme is the extensive variance between the national legal systems of the partner countries – and more widely between all Member States of the EU – which may hamper the *recognition and execution* of EPOs. The diverse range of POs available under civil, criminal, administrative and misdemeanour legislation across the partner countries may constitute an important factor in the underutilisation of the EPO. Also, the varying durations of POs across the partner countries may further complicate the recognition and execution of EPOs, particularly where the national transposing law is silent on this point.

Further, when national laws have gaps, variance and divergences between national legal systems of Member States are amplified, which also hampers the recognition of EPOs. A concrete example of this is stalking, which the EU Parliament has also used to highlight as a key barrier to the implementation of the EPO Directive.¹⁹ An EPO issued on the grounds of stalking in Italy would not be recognised nor executed in Cyprus as the latter country does not recognise the act as a crime.²⁰

Another key theme is the lack of consideration by Member States of the relationship between the EPO Directive and their existing national frameworks, which may hamper the *issuance* of the EPO. There is a notable disregard of the interplay between the provisions of the EPO Directive and existing national laws combating GBV, which is evident to varying degrees across the project partner countries.

¹⁸ Regarding Croatia, please see page 12 of this report. As stated earlier, information from the public domain suggests that Croatia has recognised and executed two EPOs; however it has not been possible to verify these numbers.

¹⁹ European Parliament, Committee on Civil Liberties, Justice and Home Affairs and Committee on Women's Rights and Gender Equality (2018), "Report on the implementation of Directive 2011/99/EU on the European Protection Order", p. 16, https://www.europarl.europa.eu/doceo/document/A-8-2018-0065_EN.html

²⁰ This would constitute grounds for rejecting the EPO pursuant to Article 10, paragraph 1(c) of the EPO Directive and Article 11, paragraph (1)(c) of the Cyprus transposing legislation.

Where partner countries have transposed legislation with more detailed provisions as to the types of POs which fall within the ambit of the EPO (Croatia and Czech Republic), this has instituted an arguably restrictive approach to issuing EPOs. In the Czech Republic, for instance, provisions under civil law providing for the issuance of POs specifically for victims of domestic violence and stalking have been expressly excluded from the remit of the EPO. This, despite the fact that POs are more frequently issued pursuant to these civil law provisions, rather than criminal law provisions, to protect victims of domestic violence.

In general, many of the POs available at the national level in the project partner countries - specifically POs issued under civil law and administrative law provisions - would not be available as EPOs, given that the EPO Directive applies to POs which have been issued during criminal proceedings only (EPO Directive, art. 2). Thus, in the Czech Republic and Italy, where the data indicates that civil law and administrative law POs respectively are the most commonly issued POs to protect women victims of GBV, such POs are excluded from the remit of the EPO Directive and would not be covered by an EPO.

In Croatia, where the national legal framework does not provide for the issuance of POs under civil law, POs issued under misdemeanour legislation – i.e., the Law on Protection from Domestic Violence – are expressly excluded from the scope and remit of the EPO Directive. Even in an underutilised and ineffective capacity, it seems that POs issued under misdemeanour proceedings, as opposed to criminal proceedings, are the most commonly used in Croatia, which is a potential impediment to many victims in the country benefitting from the protection of an EPO.

Moreover, there is also an absence of due consideration around the practical enforcement of the provisions of the EPO Directive and the EPO in the national context. As discussed above, the transposition of the EPO Directive across the partner countries has not been accompanied by practical guidelines and/or protocols to legal professionals, nor to government agencies potentially involved in the implementation of an EPO (Cyprus and Italy).

As mentioned, Cyprus has decided that *only the District Court* that initially issued the PO can issue the EPO. However, as per the Cyprus Family Violence legislation, for the most serious offences punishable with imprisonment of more than five years, both the jurisdiction and competence to issue a PO moves from the District Court to a Criminal Court. This potentially constitutes a gap in protection for those victims who are facing the most serious forms of family violence, since, according to the national transposing law, they are not able to apply for an EPO. This will inevitably constrain the issuance of EPOs in Cyprus and thereby the effectiveness of the EPO and the EPO Directive.

In both Italy and the Czech Republic, while the national transposing legislation stipulates an express obligation that the victim should be informed of their right to request an EPO, in practice, this obligation is not always fulfilled (Czech Republic). And that's the best case for victims being informed of their rights: in the rest of the project partner countries (Croatia, Cyprus and Greece), the relevant transposing legislation does not stipulate such an obligation at all.

As regards the effectiveness of the EPO, in the absence of clear monitoring mechanisms and systematic data collection (a point discussed in the section below), combined with the very low number of EPOs issued and recognised overall, it is impossible to evaluate the

effectiveness of EPOs. While breaches are punished in almost all project partner countries – excepting Italy where there are no sanctions – none have reported setting up clear mechanisms to monitor enforcement of EPOs so as to detect such breaches. This is linked to the absence of effective monitoring mechanisms at the national level regarding the application and enforcement of POs.

Thus, it is possible to conclude that the utilisation of the EPO is dependent to a large extent on the issuance and enforcement trends of POs on the national level; where there is a low utilisation and implementation of POs, this will be mirrored in a corresponding trend for EPOs.

Lastly, despite the prevalence of POs being issued under civil and administrative law and their consequent exclusion from the remit of the EPO, there appears to have been little discussion at the national level of deploying alternative or complementary measures to compensate for these gaps in protection, for example, the Victims' Rights Directive or Regulation 606/2013 on mutual recognition of protection measures in civil matters (the "**Regulation**"). According to the EU Commission's recent report on the EPO, the EPO Directive, the Regulation and the Victims' Rights Directive together form a package of measures that could safeguard and ensure the comprehensive protection of victims and their rights across the EU.²¹

Data on the application of the EPO

Across the project partner countries, official data is not available on the application of the EPO. This is partly explained by the lack of EPOs issued; as stated above, only Italy has issued one EPO, while none of the rest of the project partner countries have recognised nor executed any EPOs.²²

No central register or authority for the collection of data on the application of EPOs has been established in any of the project partner countries. Therefore, it is not possible to ascertain the prevalence of EPOs in these Member States.

This lack of data is linked to the more general problem of inadequate data collection on POs at the national level on the one hand, as well as to the lack of data collection at the EU level by EU institutions and agencies on the other.²³

Training of professionals

Another general theme is the lack of awareness or limited knowledge of the EPO by relevant professionals working in the field of GBV – such as NGOs providing victim support services – and in the criminal justice system, such as judges, prosecutors, lawyers and the police.

This lack of awareness is likely a result of the lack of training and information available to legal professionals and practitioners on the EPO across the project partner countries. The law transposing the EPO Directive into national law in Cyprus, for instance, fails to address the need to train the judiciary, prosecutors and others involved in the procedures around the

²¹ European Commission, (2020), "Report from the Commission to the European Parliament and the Council on the implementation of Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order", p. 1, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0187&from=EN>.

²² Please see footnote 16 regarding Croatia.

²³ See footnote 17, p. 4.

issuance and recognition of an EPO. This is contrary to the Preamble of the EPO Directive calling on Member States to provide training to said professionals (para. 31). Nevertheless, our survey results from all project partner countries indicate a willingness from legal professionals and NGO representatives alike to receive such training (see section titled “Survey among legal professionals” below).

In Greece, where POs are widely used, the results of our survey indicate that legal professionals’ lack of knowledge is directly connected to the rare application of the EPO Directive. This is a particularly relevant finding, as victims of GBV in Greece tend to resort to the criminal justice system over NGOs and support services for assistance; thus, awareness-raising and training of criminal justice professionals and officers would be particularly beneficial to and would facilitate the use of EPOs in Greece.

Lack of awareness and provision of information to victims

Another notable theme common to all project partner countries – also linked to the lack of training of professionals – is the lack of awareness and provision of information on the EPO to victims.

This is a clear result of the failure of national action plans and GBV combatting strategies across the partner countries to take into account the practical application of the EPO.

In general, victims are not made aware of the rights and remedies available to them at either the national or EU level. In Cyprus for example, since the transposition of the EPO Directive in 2015, there have been no specific awareness-raising, informative activities or campaigns on the rights of protected persons under the law. This is crucial since the application of the EPO depends on the protected person having knowledge of its availability, as well as the requirements and procedures for applying for an EPO. The same observations apply for the other project partner countries as well.

Additionally, no provisions have been made in any of the partner countries for legal aid to victims requesting an EPO, further constraining victims from exercising their rights and their access to justice. This is supported by the survey results analysed below, where legal assistance and state-provided legal aid is cited as one of the most important factors in facilitating access to POs.

All these findings may be linked to a lack of institutional coordination regarding the EPO and its potential for offering additional protection to women victims of GBV.

Survey among EU citizens/residents

Methodology

The target group of this online survey were men and women over 18 years old that are EU citizens or residents. The purpose was to explore the level of awareness of POs available for victims of violence against women in the partner countries (Croatia, Cyprus, Czech Republic, Greece and Italy) as well as on the EPO. This information can feed into the design of the training and awareness-raising activities for legal professionals and NGOs working in the field of GBV against women.

The survey aimed to reach as many respondents as possible without purposive monitoring of sample characteristics such as region, age and gender.

Channels used for the dissemination of the online survey included:

- social media channels (Facebook, Twitter, LinkedIn),
- partner organisation websites
- electronic dissemination to partner organisation contacts database
- local and national networks

The sampling methodology does not allow any generalisation of the results. Therefore, this study is intended to be merely indicative of the level of awareness of protection measures.

The survey questionnaire was completed by 2,881 EU citizens/residents in the five partner countries, as follows:

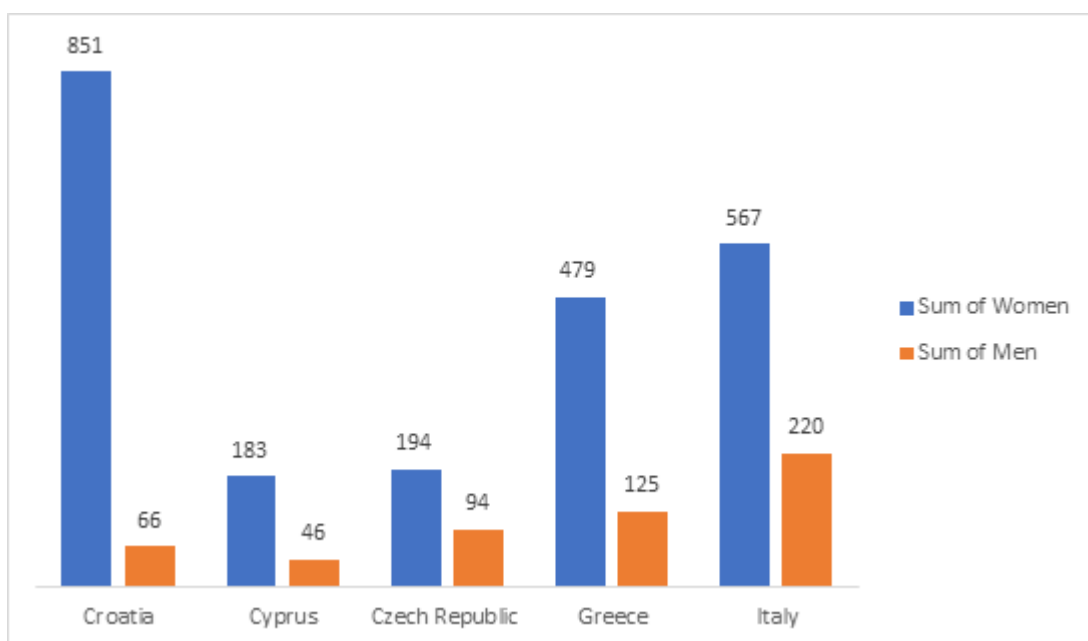
Table 1: Number of respondents per country

Country	Number of Respondents
Croatia	920
Cyprus	230
Czech Republic	302
Greece	604
Italy	825
TOTAL	2,881

The survey was structured into four sections. The first section looked at the demographic profile of the respondents. The second explored the level of awareness of rights and services available to victims of violence. The third looked at possible experiences of violence among respondents, including different forms of violence and help-seeking behaviours. The final section explored experiences of POs and the EPO among survivors of GBV.

Demographics

Graph 1: Number of respondents by sex



As can be seen in Graph 1, almost 80% of survey respondents across the board were women, and the response rate among women was significantly higher than men across all age groups.

The survey respondents represent a diversity of age groups, and no clear trend can be identified across the partner countries regarding the age of respondents.

In Cyprus, the majority of respondents (30%) were aged 35-44, followed by 55+ (24%). Only 5% of respondents belonged to the 18-24 age group. In Greece, the majority of respondents were in the age bracket of 35-44 (27.8%), followed by 24-34 (22.2%). The lowest rate of response was among respondents 55+. By contrast, in Italy, the highest rate of response was among women aged 55+ with 25.2%, followed by 24.2% among those aged 25-34. In the Czech Republic, the vast majority of respondents were 24-34 years old with 28.8%, followed by the age bracket 35-44 with 26.8%, with the lowest response rate among those 55+. Finally, in Croatia, the majority of respondents were in the 35-44 age bracket (32.8%), followed by those aged 45-54 (27.8%), with the lowest response rate among those aged 18-24 (2.3%).

In terms of educational level, the majority of respondents across partner countries held at least an undergraduate degree.

Awareness of rights and services available to victims of violence

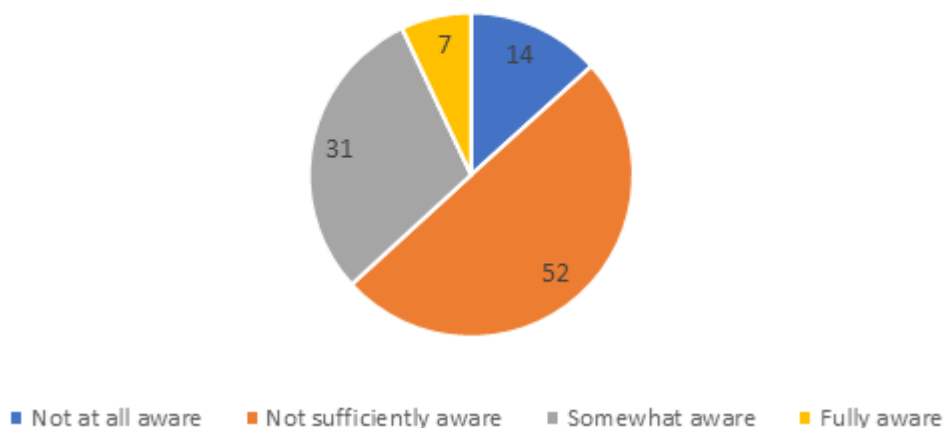
The second part of the survey aimed to gauge the level of awareness and knowledge of support services and information available to victims of violence among the respondents. It also aimed to understand whether respondents were aware of their relevant rights (see Graph 2).

Italy and the Czech Republic had the most responses saying they were not at all aware of information or support available to victims of violence (19.3% and 20.8% respectively), while Greece, Cyprus and Croatia had a corresponding response rate of approximately 10%.

Over half of all respondents across countries reported not being sufficiently aware of information and support services for victims, while roughly a third declared being somewhat aware.

A very small percentage of respondents declared being fully aware of information and support services being available to them: the highest reported was in the Czech Republic with 10% and the lowest in Croatia with 0.54%.

Graph 2: Level of awareness of support services/information for victims of violence (%)



In relation to finding support should they experience some form of violence, the findings were similar across countries as can be seen in Table 2 below. The main channels of assistance that the respondents would use are the police, followed by NGO services, and legal assistance. Only in the case of Greece were respondents more likely to contact a lawyer rather than an NGO with a significant difference of 16 percentage points. A relatively high percentage of respondents in Croatia (11%) did not know where to seek help, with the lowest rate in Cyprus with only 2%. A low percentage of respondents claimed they would not seek help at all with an average of rate of 2.4%.

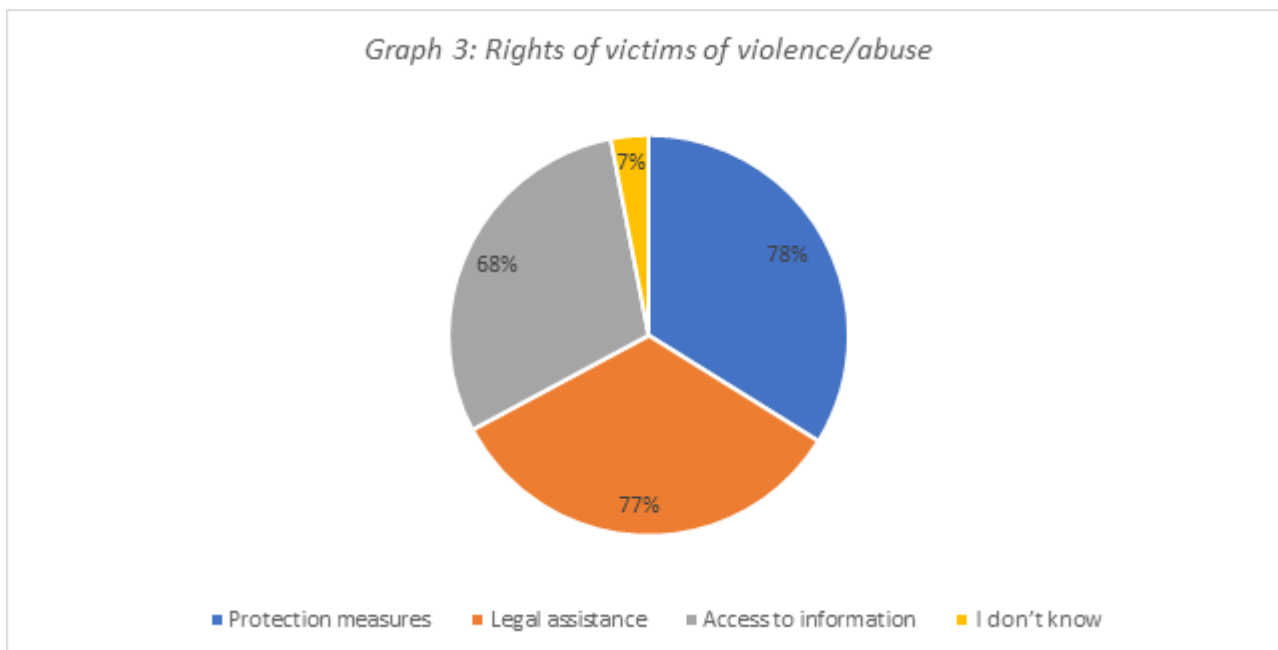
Table 2: Types of support in case of violence/abuse

Type of support	Cyprus	Croatia	Czech Republic	Greece	Italy
Police	74.0%	61.6%	67.0%	65.9%	75.4%
NGOs	42.0%	47.4%	41.0%	30.6%	29.6%
Lawyer	32.0%	26.7%	15.9%	46.3%	19.0%
Other	4.0%	2.0%	4.6%	7.8%	-
I don't know	2.0%	11.0%	3.6%	7.5%	6.2%
Would not seek help	1.0%	2.1%	5.3%	0.8%	3.0%

Similarly, when asked what action they would take if they were victims of violence, the majority of respondents across countries indicated reporting to the police and calling an NGO helpline, followed by seeking legal assistance.

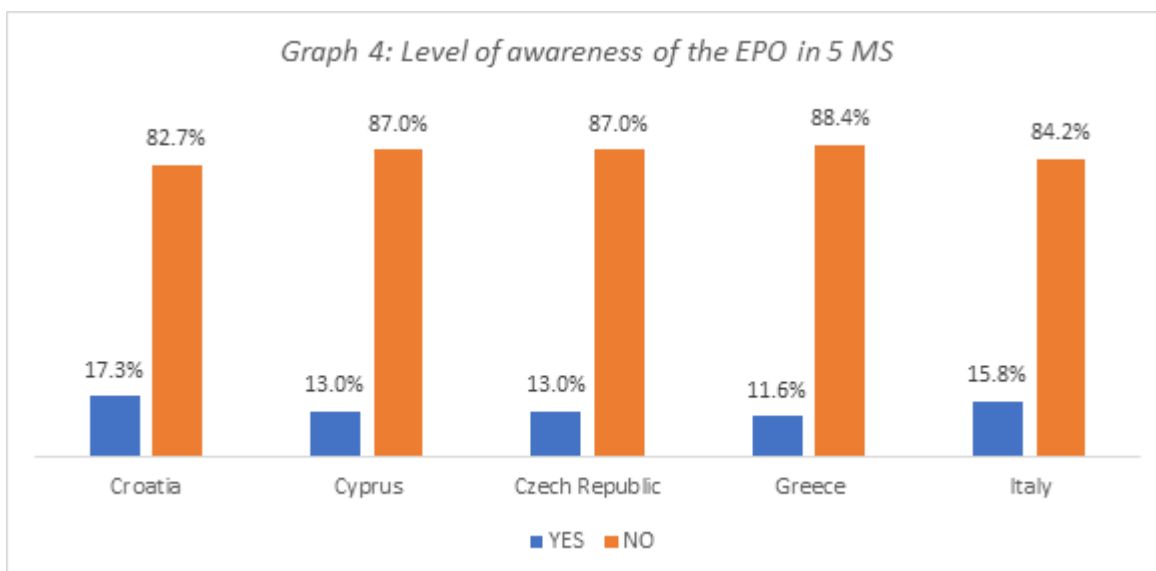
As can be seen in Graph 3 below, when asked about their awareness of the rights of victims of violence, the right to protection measures and legal assistance received the highest rate of response (78% and 77% respectively), followed by access to information (68%). A small

but significant percentage of respondents reported that they did not know what rights victims of violence/abuse had access to (7%). Although findings across countries were similar, the only difference can be identified in Greece that had a higher response to access to legal assistance. This is consistent with the findings reported above, where a high number of respondents in Greece would seek the help of a lawyer should they experience violence/abuse.



Awareness of the EPO

Given the focus of the *Artemis* project on the implementation of the European Protection Order across Europe, the survey also aimed to gauge the level of awareness on the EPO at the national level (Graph 4).



Despite the data not being representative, the results nevertheless indicate that the level of awareness among respondents across the five partner countries is significantly low.

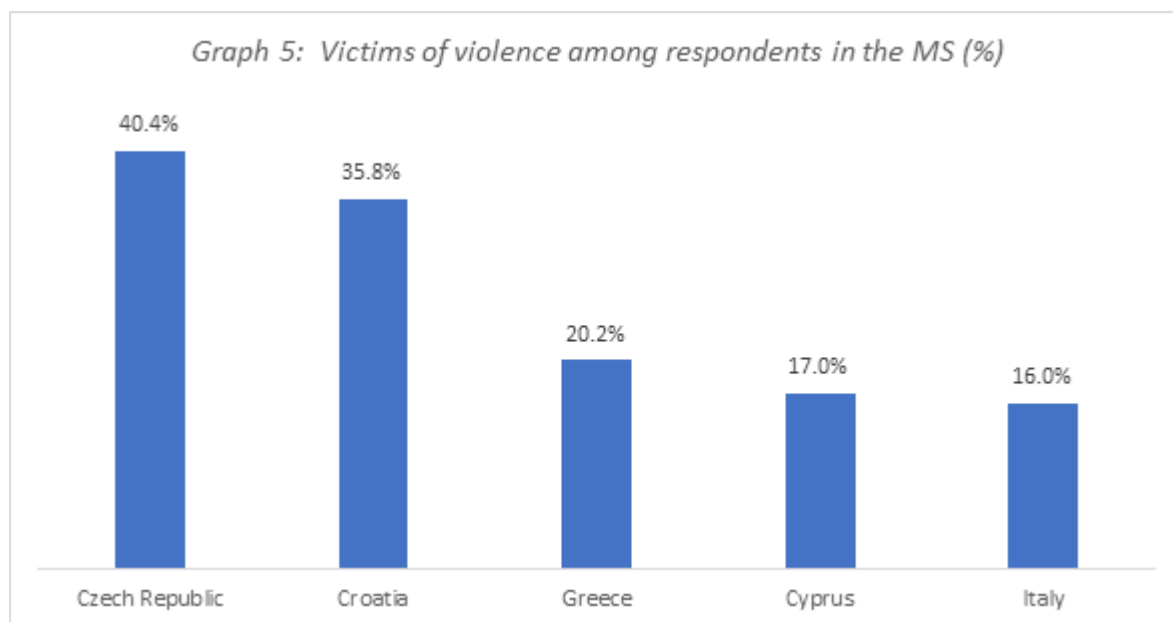
Differences in awareness levels among women and men were not statistically significant given the small sample size and the much higher response rate among women.

Given that the Member States under review had made no significant efforts to raise awareness on the EPO, the percentage of those that reported having some knowledge of the EPO seems relatively high. The makeup of the survey sample may justify this result, however, as the survey had been shared among the contacts and followers of the partner organisations through social media and other channels; it is thus possible that the sample was likely to have a higher level of awareness on GBV and related legislation compared to the general population.

Experiences of violence and abuse

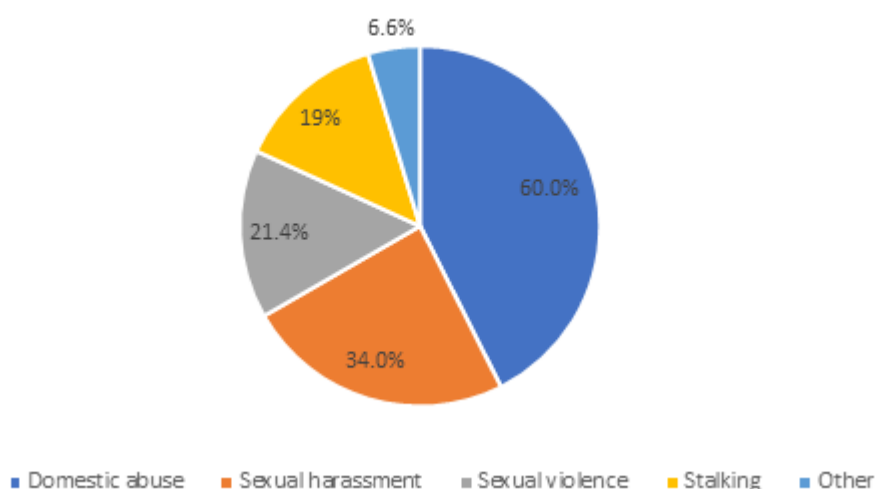
The third part of the survey aimed to explore whether respondents had themselves experienced violence/abuse, in order to subsequently assess the level of access to and use of protection measures among this group.

Out of the 2,881 respondents to the survey across the five project partner countries, 745 reported having experienced some form of violence or abuse (25.8% or approximately 1 in 4; see Graph 5 below). Due to the differences in sample size and the way the sample was constituted for each country, it is not possible to make assumptions or generalisations in relation to the prevalence of violence/abuse. As expected, the majority of those reporting having experienced violence or abuse are women. Given that the partner organisations in Greece, Croatia, and the Czech Republic provide services to women victims of violence, this may have influenced the composition of the sample (i.e., the profile and experiences of the respondents).



In relation to the type of violence experienced, respondents were able to select multiple answers, allowing them to report overlapping forms of violence. The most prevalent form of abuse experienced by the respondents was domestic abuse, followed by sexual harassment, sexual violence and stalking (Graph 6).

Graph 6: Forms of abuse experienced by respondents in 5 MS



Other forms of violence reported by the respondents included psychological violence, verbal violence, and institutional violence.

Level of use and experience of POs

Out of the 745 respondents that reported experiencing some form of violence or abuse, only 171 (23%) reported having requested some form of PO in the context of GBV. Out of the 171, just over half were granted POs (90 or 52.6%). This supports the findings of the desk research that points to the underutilisation of POs in the context of violence against women.

In Cyprus and Greece, the most common response was that they did not feel it was necessary (40% and 37.5% respectively). However, the greatest barrier to the application of the PO was fear. Thirty-six percent of respondents in Croatia, and 32% in Cyprus and the Czech Republic declared that they did not apply for a PO because they were too afraid to do so. In Italy, the corresponding rate was 19.6%.

Other barriers included a lack of awareness: in Italy, 41.3% of victims reported that they did not know that they could access a PO, followed by 21% in Greece, 20% in Cyprus, 12.3% in the Czech Republic and 14.7% in Croatia.

The remaining reasons included not having access to legal assistance, being a minor at the time of the offence, and others related to social stigma or not being believed by the authorities.

Procedures for requesting a PO and perceived effectiveness

In the majority of cases across four of the Member States, the protection order was requested by the police. The exception to this was Greece where legal professionals were more likely to request a PO, followed by the police. The social services also play an important role in requesting POs in Italy, Croatia and in the Czech Republic. In Croatia, the court issued them *ex officio* in 18% of cases.

In terms of effectiveness of POs, in Croatia, the Czech Republic and Italy, over half of those benefiting from a PO felt that it was not effective in ensuring their protection. The level of satisfaction was much higher in Greece and Cyprus, with the majority of respondents

reporting that the PO had been effective. However, these results should be treated with caution, as the absolute number of victims benefiting from POs from the survey sample is relatively small.

Level of use and experience of the EPO

The survey did not generate any results in relation to the use and experience of EPOs in Cyprus, Greece, and Italy. None of the respondents that had benefited from a PO in these countries reported an intention to travel to or settle in another EU Member State while their PO was in force.

In the Czech Republic, only one respondent reported having applied for an EPO, which was granted for execution in Sweden. However, our desk research failed to turn up evidence of this application in the official government data. Nevertheless, the participant claimed that the EPO had not been effective, as she did not have access to legal assistance.

In Croatia, of the seven women that planned to travel to another EU Member State, only three were informed of their right to an EPO. Two were informed by the NGO support services, and one was informed by the police. Two proceeded to request an EPO, that in both cases were granted. One successful applicant said that the EPO had been effective, but added that would have liked to have been better informed, while the other woman felt that the EPO was not effective because she didn't receive the same level of protection in the MS she had travelled to.

Given the small survey sample, and the lack of data on POs and EPOs issued and executed, it is not possible to make any assessment on the practical implementation of the EPO in the partner countries. However, the survey data shows that there is a general lack of awareness and information among respondents regarding the EPO.

Survey among legal professionals

Methodology

The target group of the online survey was lawyers/legal professionals that practise in the five partner countries (Table 3). The purpose was to explore the level of awareness of protection measures available to women victims of GBV and the extent to which such measures are implemented at the local level. The survey aimed to reach as many respondents as possible without purposive monitoring of sample characteristics such as region, age, and gender. The results are intended to be indicative of the level of awareness of protection measures and does not allow for any generalisation of the results.

Channels of communication and dissemination of the questionnaire included social media channels, as well as the partner organisations' contact databases. Some organisations also requested the assistance of the national and local bar associations.

Table 3: Number of respondents per country (legal professionals)

Country	Number of Respondents
Croatia	41
Cyprus	7
Czech Republic	40
Greece	75

Italy	176
TOTAL	339

The majority of respondents reported that they are lawyers, followed by legal consultants/counsellors, and state prosecutors and judges. The types of legal services offered by the respondents included legal representation, legal advice and legal aid.

In relation to participation in national legal aid programmes, there is a mixed picture across the participating countries (Table 4). In the Czech Republic, the majority of respondents (77.5%) participate in legal aid, while the figure is less than half for Croatia and Italy (46.3% and 43.2%, respectively). In Greece, one third of respondents participate in legal aid, while in Cyprus the figure was 3 out of 7.

Table 4: Number of respondents participating in a national legal aid programme

Country	Number of Respondents participating in legal aid programme
Croatia	19 (46.3%)
Cyprus	3 (42.8%)
Czech Republic	31 (77.5%)
Greece	75 (33.3%)
Italy	76 (43.2%)
TOTAL	339

In relation to GBV, 85.4% of respondents in Croatia, 80% in the Czech Republic, 78.7% in Greece, 64.8% in Italy, and 43% of respondents in Cyprus offer services to victims of violence/abuse.

Among respondents, a relatively high percentage reported having requested a PO on behalf of a client. The highest rate was reported in Croatia (83%), followed by Greece (77.3%), the Czech Republic (75%), and Cyprus (57%), while just under half reporting having requested a PO in Italy (48.3%).

Main reasons for requesting a PO for a victim/client

The majority of legal professionals that offer legal services to victims of violence had requested a PO in the context of domestic violence. Others were requested in the context of sexual abuse, child abuse, and divorce. This may be explained by the fact that the partner organisations used their local contacts and networks to disseminate the survey, and reached a specific segment of legal professionals more likely to work on domestic abuse cases.

Effectiveness of the protection measures available to victims

In line with the findings of the desk research, as well as responses from the survey targeting EU citizens, the majority of legal practitioners had a negative perception towards protection measures available in their country: less than 25% in Croatia, Cyprus, Czech Republic and Italy felt that POs were effective. The outlier was Greece where a relatively high percentage of respondents felt POs are effective (44%), while 43% felt that they are not.

Barriers to victims obtaining a PO

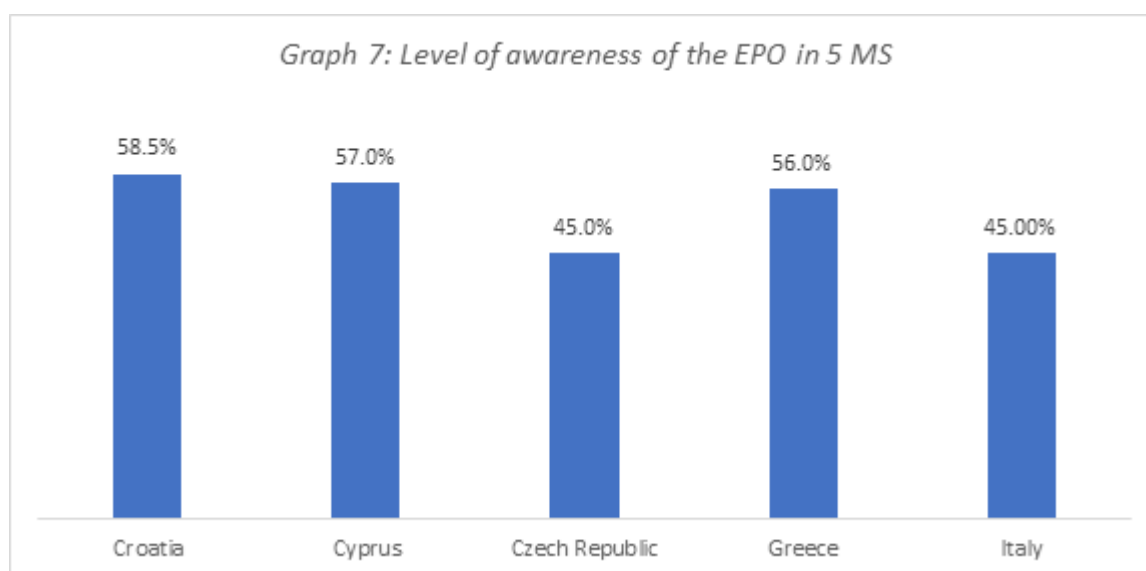
All respondents cited barriers faced by victims in accessing POs. The most prevalent barrier cited was a lack of awareness around their rights, followed by a lack of legal assistance/legal aid, and lack of victim support mechanisms.

Other barriers that the legal practitioners identified included inefficient implementation of POs, a restrictive approach by the courts in issuing the orders and the difficulty in proving in court that the victim is at high risk, lack of competence among legal practitioners, as well as a lack of well-trained judges, prosecutors and police on this issue.

Awareness and application of the provisions of the EU Directive on the EPO

In relation to awareness of the provisions of national law on the EPO, 53.4% of all respondents declared that they are aware of the EPO legislation and its provisions at the national level.

The level of awareness was higher among respondents in Croatia, Greece and Cyprus, compared to Italy and the Czech Republic, although there are not significant differences across the five Member States (Graph 7).



Despite a relatively high awareness rate among respondents, a very low number reported providing information to victims regarding their right to an EPO in Cyprus, the Czech Republic, and Croatia. For example, only one respondent (out of four) in Croatia and Cyprus reported providing information to victims regarding their right to request an EPO. In the Czech Republic, only half (n=9) of those professionals aware of the EPO provided information to clients/victims on their right to an EPO.

In Greece and Italy, a much higher rate of those aware of the EPO provided information to clients on their right to the EPO (64.3% in Greece, and 77.5% in Italy).

In terms of applying for an EPO (Table 5), the rate across the project partner countries was significantly low but, given the dearth of data across Europe on the application of the EPO, they are worth noting.

Table 5: No. of legal professionals that have requested an EPO in the project partner countries

Country	No. of legal professionals requesting an EPO
Croatia	2

Cyprus	0
Czech Republic	2
Greece	10
Italy	0
TOTAL	14

Only respondents from Greece, the Czech Republic and Italy reported requesting an EPO on behalf of clients. More specifically, 10 respondents in Greece requested an EPO for cases related to domestic violence, sexual violence and child abuse. In Croatia, two respondents requested an EPO on behalf of clients in relation to domestic violence and child abuse. Finally, in the Czech Republic, two respondents reported requesting an EPO, but did not specify under which circumstances.

However, in the absence of reliable data at the national level, as discussed in the earlier sections of this report, it is not possible to substantiate these findings.

Training of legal professionals

As expected, the survey results confirm the findings of the desk research that show a lack of awareness-raising and training programmes for legal professionals on the EPO. A very low number of respondents (25 or 7.4%) reported having participated in awareness-raising or training activities on the application of their national law on the EPO. Nevertheless, almost 95% of all respondents declared that they would benefit from such training. Those who had already taken part in such training, as expected, reported better awareness regarding the provisions of the EPO and were more likely to provide relevant information to their clients regarding their rights to an EPO.

Survey among professionals at NGOs and victim support services

Methodology

The target group of this survey included NGOs and victim support services that operate in the partner countries and provide services to victims of GBV or victims of crime more generally (Table 6).

The online survey aimed to reach as many respondents as possible without purposive monitoring of sample characteristics such as region, age and gender. The results are indicative of the level of awareness of protection measures in the target group and does not allow for generalisation of the results.

Channels of communication and dissemination of the questionnaire included social media channels, as well as the partner organisations' contact databases. The survey was also disseminated to the members of the Women against Violence in Europe (WAVE) network.²⁴

Table 6: Number of respondents per country (NGOs/Victim support services)

Country	Number of Respondents
Croatia	88
Cyprus	7

²⁴ The WAVE Network is a network NGO composed of European women's NGOs working in the field of combating violence against women and children – www.wave-network.org.

Czech Republic	47
Greece	53
Italy	99
TOTAL	294

Provision of services to victims of gender-based or other forms of violence

The vast majority of NGO respondents reported providing front-line services to victims of gender-based and other forms of violence (92%), with no significant differences across countries.

Services offered include provision of information, psychological support and counselling, victim advocacy, psycho-social support, legal advice, and shelter services. Many of the respondents also engage in advocacy work, as well as campaigning, awareness-raising, and training.

Beneficiaries of NGOs/victim support services

The vast majority of organisations that participated in the survey offer services to victims of domestic violence: over 90% in Croatia, Cyprus, the Czech Republic, and Greece, and 72% in Italy. Respondents also provide support services to victims of other forms of violence, including trafficking in human beings, sexual violence, sexual harassment and stalking. The majority of organisations offer services to victims of diverse forms of violence and abuse.

Collaboration with other services

The survey results demonstrate a high level of collaboration between NGOs/victim support services and other services, primarily the police. Collaborations are also common with social services (including child protection services), the courts, public prosecutors, health services, and other NGOs. Again, most respondents said that they collaborate with more than one organisation or institution in their work.

Provision of information and assistance with POs

The majority of organisations represented in the survey provide information/assistance to clients/victims on POs according to their respective national legislation (86%).

Across all countries, the majority of NGO respondents felt that protection measures are not sufficiently accessible to victims: 86% in Cyprus, 72.7% in Croatia, 68% in Greece, and 63.6% in Italy, and 58% in the Czech Republic.

The NGOs that participated in the survey cited significant barriers, the most prominent of which, with an overwhelming majority across the project partner countries, was the lack of awareness on the rights of victims (82.5%). The issue of access to legal aid was further explored in the survey, with the majority of participants stating that state-provided legal assistance is not made sufficiently available to victims of GBV. Only Greek respondents were divided on this issue (similar to the findings of the survey with legal professionals), with 45.3% claiming that legal assistance is accessible to victims of violence.

Other barriers to accessing POs included lack of victim support and safe accommodation, financial dependence of victims on perpetrators, and the inefficiency of the judicial system in providing protection to victims.

Another important factor that acts as an impediment is the lack information on what protection measures are available, as well as on the process of requesting a PO: 66% of NGO professionals that participated in the survey across the five Member States reported that such information is not made sufficiently available to victims.

NGO respondents also reported that POs are not adequately enforced. Only 15% of those in Cyprus answered that POs for victims of violence are effective, 20.8% in Greece, 23% in the Czech Republic and Italy, and only 4.6% in Croatia.

Awareness of and application of EPO

In relation to awareness of the provisions of the national law on the EPO, over half (59.5%) of all NGO respondents declared that they are not aware of EPO legislation at the national level. Awareness levels were highest in Greece with 49%, followed by 44.3% in Croatia, 43% in Cyprus, 39% in the Czech Republic, and only 27.3% in Italy.

NGO respondents that reported providing information and/or assistance to clients/victims on protection measures were more likely to be aware of the provisions of the national law on the EPO.

Given the relatively low level of awareness and knowledge of the provisions of national laws on the EPO across the board, it follows that only a small number reported providing information to clients/victims of their right to an EPO if the latter were considering traveling to or settling in another EU country. In fact, across the project partner countries, only 65 NGO representatives (22%) reported providing such information to clients/victims. The majority of respondents also felt that information on the process of requesting an EPO is not easily available and few were aware of any specific information campaign targeting victims on their right to an EPO.

Access to training and awareness activities on the EPO

As far as training activities and training needs are concerned, among the NGO professionals that participated in the survey, the majority reported that they do not have access to courses, training or awareness-raising activities on the EPO (100% in Cyprus, 87.2% in the Czech Republic, 76% in Croatia, 60.4% in Greece and 58.6% in Italy). Very few respondents (27 or 9.2%) had actually participated in such specialised training or awareness-raising activities, which explains the low levels of awareness of the provisions of the EPO among NGOs and victim support services.

Eighty percent of NGO respondents across the partner countries expressed that such training would be beneficial to them in their work.

Summary of findings

- The utilisation and effectiveness of the EPO is dependent on the enforcement trends of POs across the project partner countries, and by extension, across EU Member States. The scope to effectively implement the EPO is limited by national legislative frameworks that govern the issuance of POs at the national level; the pro-activeness of judges/courts and professionals in the criminal justice system to issue, enforce and monitor POs; and the awareness of victims of their rights and their access to justice and remedies.

- The underutilisation of POs limits the effectiveness of national POs to protect victims. This in turn negatively impacts on the scope and effectiveness of the EPO and mirrors the underutilisation of the EPO across the EU.
- There are legislative gaps in protecting women victims of GBV within and between Member States, which in turn impede the issuance, and the recognition and execution of EPOs.
- Not all women victims of GBV have access to protection under POs and consequently EPOs. This is linked to a limited definition of GBV in a number of countries, which is focused on domestic violence and/or violence in the family; in practice, this excludes victims of other forms of GBV, for example, those who do not share a family home with the perpetrator.
- The use of POs in certain jurisdictions is overly focused on the defendant and deployed mainly as an alternative to pre-trial detention, instead of ensuring and maximising the safety/protection of the victim.
- Women victims of GBV are not covered by equivalent levels of protection across the Member States and the EU. For example, Cyprus has not yet recognised stalking as a criminal offence; Croatia's national legal system defines domestic violence and intimate partner violence as misdemeanours, as opposed to criminal acts; as a result, the aforementioned are excluded from the remit of the EPO.
- There is a wider problem of a lack of a common understanding of GBV at the EU level and a lack of harmonisation of Member States' national legal systems, which limits the effectiveness of the EPO.
- Central registers and data are both lacking across the project partner countries, thus impeding the proper assessment of the effectiveness of POs and the EPO, as well as the prevalence of GBV.
- Notwithstanding the lack of reliable data across the project partner countries around the issuance of POs, the use of POs in cases of GBV is low in relation to the prevalence of GBV.
- According to the results of the survey among EU citizens, out of a total of 2,881 respondents, 745 reported having experienced some form of violence or abuse (25.8%); this is equivalent to 1 in 4 across the five partner countries. Of these respondents, only 171 (23%) had requested some form of PO in the context of GBV, of which, just over half (90) were granted.
- Both legal professionals and NGO representatives consider POs largely ineffective and inadequate across the board. The majority of legal practitioners had a negative perception of the POs available to victims; less than 25% in Croatia, Cyprus and Italy felt that POs were effective. This is corroborated in the responses from the EU citizen

survey: more than half of 'protected' respondents in Croatia and Italy felt that their PO was **not** effective in ensuring their safety. The overwhelming majority of NGO respondents across the partner countries also reported that POs are not adequately enforced: only 15% of NGO respondents in Cyprus answered that POs for victims of violence are effective, 20.8% in Greece, 23% in the Czech Republic and Italy, and only 4.6% in Croatia.

- The diverse range of POs available under civil, criminal, administrative and misdemeanour law across the project partner countries may constitute an important factor in the underutilisation of the EPO, given that the EPO Directive applies only to POs issued during criminal proceedings. The varying durations of national POs across the project partner countries may further complicate the recognition and execution of EPOs. This reveals the need for greater harmonisation of Member States' national legislative frameworks of protection of women victims of GBV across the EU.
- The research reveals that there has been very limited use of the EPO across the partner countries. As of the date of this report and according to the data and information provided, only Italy is confirmed to have issued an EPO. There is evidence to suggest that Croatia has issued two EPOs, however this has not been verified; the remainder of the project partner countries have not issued any EPOs. None of the project partner countries have recognised / executed any EPOs from other Member States.
- Robust and effective monitoring is also lacking in respect of POs and EPOs. While monitoring mechanisms for POs are envisaged in some jurisdictions, these are not adequately enforced; overall, victims are left with the responsibility of reporting violations of POs. No monitoring mechanisms have been instituted with respect to EPOs across any of the project partner countries. This seriously undermines the effectiveness of POs and the EPO.
- No consideration has been given at the national level to the use of the Victims' Rights Directive or of the Regulation, together with the EPO Directive, as a comprehensive package of complementary measures to ensure a more holistic coverage of victims in need of protection.
- There is a general lack of awareness of the EPO amongst professionals and practitioners working in the field of GBV. Over half (59.5%) of NGO respondents across the five project partner countries were not aware that their own national legislation had transposed the EPO Directive.
- There is limited training available to legal practitioners, judges, criminal justice professionals or NGOs providing support services to victims on the possibility of applying for an EPO. The survey with EU citizens revealed that in Croatia only three out of seven women who planned to travel to another Member State had been informed of their right to an EPO. National legislation in only two of the project partner countries includes an obligation for courts and prosecutors to inform victims of their

right to an EPO during the trial procedure. The national legislation of the remainder partner countries does not include any such obligation.

- Training and awareness-raising campaigns on the EPO would indeed be beneficial to the implementation of the EPO. This is supported by the results of the survey, with 95% of legal professionals and 80% of NGO professionals declaring that they would benefit from awareness-raising and specialised training programmes on the EPO.
- Those legal professionals who had already taken part in such training reported better awareness regarding the provisions of the EPO and were more likely to provide relevant information to their clients regarding their rights to an EPO.
- There is a general lack of awareness amongst women victims of GBV of their rights to protection and access to justice. According to the survey results, victims cite this lack of awareness as a significant barrier to accessing POs. Similarly, an overwhelming majority of NGO respondents across the project partner countries (82.5%) agreed that lack of awareness amongst victims impedes access to POs.
- Since the transposition of the EPO Directive, there have been no specific awareness-raising campaigns or information activities on the rights of victims and the EPO in any of the project partner countries. This explains and reflects the low uptake of EPOs, as EPOs may only be issued at the request of the victim.
- Out of the five project partner countries, Greece is an outlier and diverges from the other project partner countries in the following significant ways:
 - (i) There is a greater use by victims of the criminal justice system; courts issue POs more frequently; and victims report greater satisfaction in terms of perceived effectiveness of national POs. According to the results of the survey with EU citizens, only respondents in Greece were more likely, to a notable degree, to contact a lawyer rather than an NGO should they experience violence/abuse. Additionally, the level of satisfaction with POs was much higher in Greece, with the majority of respondents reporting that the PO was effective.
 - (ii) POs cannot be issued against the perpetrator as part of the sentence following conviction. This constitutes a significant gap in protection for victims, particularly in light of the ineffectiveness of sanctions ordinarily imposed against perpetrators in cases of GBV, which have been critiqued as neither safeguarding the victim nor ensuring the rehabilitation of the perpetrator.
 - (iii) Given that POs are widely used in Greece, the results of the survey attribute the low application and issuance of the EPO to a lack of knowledge of legal professionals. This is a particularly relevant finding, as victims of GBV in Greece tend to resort to the criminal justice system over NGOs and support services for assistance; thus, raising the awareness of and training criminal

justice professionals would be particularly beneficial in Greece and would facilitate the use of the EPO.

Recommendations

- A common EU-wide conceptual framework should be developed to identify and define the various types of GBV that may provide the basis for the issuance of POs and EPOs, with a clear gender perspective. This will facilitate the recognition of EPOs across the EU and ensure that there are no gaps in the adequate protection of victims between Member States. This will also enable Member States to better understand and define how the EPO Directive operates and applies in their own national context and legal system.
- Data collection should be improved at both the national and EU levels. A centralised data collection system that records the number of EPOs issued and/or received across Member States is paramount. The system should also include data on breaches of POs and EPOs, as well as the sanctions imposed. This will require the provision of adequate resources to relevant institutions and professionals. Mechanisms for monitoring compliance with POs and EPOs should be established and/or bolstered. Data collection at the EU level by the EU Commission should occur on a regular basis and should also be bolstered.
- Given that the effectiveness of EPOs is dependent on the domestic legislative framework and the effectiveness of POs at the national level, this report highlights the need for Member States' governments to re-evaluate the adequacy of their national provisions, in light of their obligations under the EPO Directive, as well as the Victims' Rights Directive and the Istanbul Convention. In particular, Cyprus should pass a law criminalising stalking; Croatia should consider amending its national legislation transposing the Directive in order to include the Law on Protection from Domestic Violence, which deals with misdemeanours, in the remit of the EPO Directive; all Member States should recognise and criminalise GBV in all its forms and avoid restricting understandings of GBV to domestic violence or violence in the family.
- Member States should incorporate the EPO Directive, as well as the Regulation and the Victims' Rights Directive, into their national strategies and action plans to combat GBV, adopting a gender-sensitive perspective. Thorough consideration should be given to the practical application of these measures in the national context.
- Member States should clearly define the interplay between the operation of the EPO Directive and the provisions of the Regulation and the Victims' Rights Directive, given that a substantial number of POs issued in response to GBV, as was the case in the project partner countries, come under administrative or civil law. This will benefit victims by providing more comprehensive protection and by ensuring that victims are fully informed of their rights and are thereby enabled to make decisions.

- Member States should provide adequate resources and funding to their relevant national authorities to conduct organised courses, training and information activities for legal and NGO professionals who provide advice and assistance to women victims of violence and abuse.
- Member States should conduct national awareness-raising campaigns on the EPO Directive and the EPO to raise the awareness of EU citizens. Furthermore, the right to an EPO should be included in existing awareness-raising material issued by the police and other authorities and made widely available to victims. Awareness-raising campaigns on the full spectrum of the rights of women victims of GBV should be conducted and/or bolstered.

Bibliography

- Advisory Committee on Preventing and Combating Violence in the Family (2002), *Interdepartmental Procedures Manual on Handling cases of Violence in the Family*. Available (in Greek) at: <http://www.familyviolence.gov.cy/cgibin/hweb?-V=manual& FSECTION=10020&-dmanual.html&-Sr& VSECTION=0000& VCATEGORY=0000& VCATEGORY=0000>
- Autonomous Women's House Zagreb (2003), *Interpretacija rezultata istraživanja o nasilju nad ženama u Republici Hrvatskoj* ("Interpretation of Research Results of a Survey on Prevalence of Violence Against Women in Croatia"). Available (in Croatian) at: <http://www.azkz.net/istrazivanja.html>
- Autonomous Women's House Zagreb (2020), *The application of the EC Directive 2011/99/EU and the European Protection Order: National Research Report: Republic of Croatia*, Artemis: Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order. Available at: <https://www.artemis-europa.eu/wp-content/uploads/2020/09/Artemis-national-report-Croatia.pdf>
- Briški, M., (2020), *Europski nalog za zaštitu i njegova primjena u Republici Hrvatskoj* ("European Protection Order and its application in the Republic of Croatia"), IUS-INFO, 15 Jan 2020. Available (in Croatian) at: <https://www.iusinfo.hr/aktualno/u-sredistu/40386>
- Council of Europe (2011), *Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*. Available at: <https://www.coe.int/en/web/istanbul-convention/home>
- Cyprus Police (2014), Data on violence in the family 2009-2013. Available (in Greek) at: <http://www.familyviolence.gov.cy/upload/20140516/1400231541-07696.pdf>
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. Available at: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32012L0029>
- European Agency for Fundamental Rights (2014), *Violence against women: an EU-wide survey. Main results*. Available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-vaw-survey-main-results-apr14_en.pdf
- European Commission (2020), "Report from the Commission to the European Parliament and the Council on the implementation of Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order". Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0187&from=EN>
- European Institute for Gender Equality (2017), *Gender Equality Index*. Available at: <https://eige.europa.eu/gender-equality-index/2017/domain/violence/EL>
- European Parliamentary Research Service (2017), "European Protection Order Directive 2011/99/EU: European Implementation Assessment". Available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/603272/EPRS_STU\(2017\)603272_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/603272/EPRS_STU(2017)603272_EN.pdf)

- European Parliament, Committee on Civil Liberties, Justice and Home Affairs and Committee on Women’s Rights and Gender Equality (2018), “Report on the implementation of Directive 2011/99/EU on the European Protection Order”. Available at: https://www.europarl.europa.eu/doceo/document/A-8-2018-0065_EN.html
- Freixes T. & Roman L. (eds), (2014), “Protection of the Gender- Based Violence Victims in the European Union, Preliminary study of the Directive 2011/99/EU on the European protection order”, Publicacions Universitat Rovira i Virgili Publicacions Universitat Autònoma de Barcelona.
- General Secretariat for Family Policy and Gender Equality, Ministry of Labour and Social Affairs, Greece (2019) “Observatory - E-bulletin-no-23- gender-based violence”. Available at: <http://www.isotita.gr/wp-content/uploads/2020/05/Observatory-E-bulletin-no.-23-Gender-based-violence.pdf>
- General Secretariat for Family Policy and Gender Equality (2019), *Στατιστικά στοιχεία τηλεφωνικής γραμμής SOS 15900 1-1-19 έως 31/12/2019* (“Statistics from the 15900 SOS Helpline from 1 January – 31 December 2019”). Available in Greek at: <http://www.isotita.gr/wp-content/uploads/2020/01/%CE%A3%CF%84%CE%BF%CE%B9%CF%87%CE%B5%CE%AF%CE%B1-%CE%93%CF%81%CE%B1%CE%BC%CE%BC%CE%AE%CF%82-SOS-01-01-2019-%CE%AD%CF%89%CF%82-31-12-2019.pdf>
- GREVIO (2020), “Baseline Evaluation Report: Italy”. Available at: <https://rm.coe.int/grevio-report-italy-first-baseline-evaluation/168099724e>
- Mediterranean Institute of Gender Studies (MIGS) (2020), “The application of the EC Directive 2011/99/EU and the European Protection Order: National Research Report: Cyprus”, Artemis: Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order. Available at: https://www.artemis-europa.eu/wp-content/uploads/2020/09/ARTEMIS-Research-Report_Cyprus.pdf
- proFem Center for Victims of Domestic and Sexual Violence (2020), “The application of the EC Directive 2011/99/EU and the European Protection Order: National Research Report: Czech Republic”, Artemis: Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order. Available at: https://www.artemis-europa.eu/wp-content/uploads/2020/09/National-report-Czech-Republic_proFem.pdf
- Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013R0606>
- Scuola di Formazione e Perfezionamento per la Pubblica Amministrazione (2020), “The application of the EC Directive 2011/99/EU and the European Protection Order: National Research Report: Italy”, Artemis: Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order. Available at: <https://www.artemis-europa.eu/wp-content/uploads/2020/09/ARTEMIS-WP2-RESEARCH-report-IT.pdf>
- Union of Women Association of Heraklion Prefecture (UWAH) (2020), “The application of the EC Directive 2011/99/EU and the European Protection Order: National Research Report: Greece”, Artemis: Promoting the right of protection of women through the

application of the EC Directive 2011/99/EU and the European Protection Order.
Available at: https://www.artemis-europa.eu/wp-content/uploads/2020/09/ARTEMIS-Research-Report_Greece.pdf

Annex

Promising practices for the application of EC Directive 2011/99 /EU ((the European Protection Order Directive)

National legal frameworks

Portugal

The Portuguese legal system provides for a wide range of protection orders (POs). These measures are governed by criminal law and are regulated both in general criminal law (the Portuguese Code of Criminal Procedure and the Portuguese Criminal Code) and under the legislation specifically concerning the crime of domestic violence (Law No. 112/2009). Measures can be ordered by courts during the pre-trial stage or throughout the proceedings. They can also be imposed either as an **accessory penalty**, in case of conviction for domestic violence, or as an **alternative measure**, in cases of suspended pre-trial detention or provisional suspension of criminal proceedings, or as an **accompanying requirement**, in cases of suspended prison sentences and conditional release. Measures encompass contact bans (usually entailing the prohibition of approaching the house and the workplace of the victim), the prohibition of approaching certain people or places, mandatory permanence within certain locations, travel bans, mandatory attendance of rehabilitation or perpetrator programmes for domestic violence offenders and the prohibition of possessing weapons.

Electronic monitoring can be imposed by a court decision whenever it is deemed essential to guarantee the safety of the victim. It is carried out under the supervision of the prison and probation services. Data provided on domestic violence cases revealed a sharp increase in the past few years in the number of POs monitored electronically: from a total of 99 measures in 2011 to 603 in 2017, mostly in relation to coercive measures decided in the course of proceedings and, to a lesser degree, in combination either with the provisional suspension of proceedings or with the imposition of a suspended prison sentence.

Relevance to EPO: As EPOs apply to POs issued during criminal proceedings at the national level, a robust pre-existing legislative framework of protection orders regulated under criminal law, as in the case of Portugal, is favourable to the implementation of EPOs.

Source: GREVIO's baseline evaluation report on Portugal, 2019, paragraphs 211-218: <https://rm.coe.int/grevio-reprt-on-portugal/168091f16f>

Austria

Austria has been selected as having good practices due to its pioneering role in 1997 to establish the first ever regime of Emergency Barring Orders (EBOs) and protection orders aiming to ensure the protection of victims of domestic violence and abuse (Council of Europe, 2017, p. 30). The Austrian EBOs has been recognised by the Council of Europe as the gold standard for EBOs and POs in cases of domestic violence.

The protection regime consists of 3 tiers: (i) issuance of EBOs; (ii) intervention centres providing emergency support to victims; and (iii) civil law POs which may be applied for by

victims following the expiration of the EBOs or otherwise (Council of Europe, 2017, p. 30). The EBOs are issued by the police *ex officio* and cover all victims of violence in their home, including migrant women and victims of stalking, and there is no requirement for cohabitation between the victim and the perpetrator (pp. 31-32). In addition, the EBOs are implemented alongside victim support services in the form of access to “intervention centres”, which are free of charge throughout the process and not conditional on the victim applying for a PO in addition to the granted EBO. These support services are generally available to any victim, irrespective of whether the victim wishes to report the violence or apply for a PO (p. 33). Thus, EBOs are applied within a multi-agency, integrated approach to enforcement and protection, involving the police, victim support services and civil courts (pp. 33-34).

At the issuance of an EBO, the police are actively involved in the monitoring of compliance and must check with the victim that the perpetrator has not approached the victim’s home (p. 32). Additionally, the police have a legal duty to inform the victim of their rights to apply for a civil law protection order. They must also inform the relevant intervention centre about new cases of violence against women within 24 hours (p. 33).

Furthermore, Austria is notable for its widespread use and enforcement of EBOs and POs, also as a preventive tool (GREVIO, p. 45). This use is a reflection of the wide acceptance of the legislative regime governing these in Austria (p. 46).

The good practice outlined above is relevant to the application of the EPO as a model of wide and proactive utilisation and implementation of EBOs and POs at the national level to protect women victims of gender-based violence, constituting an environment conducive to the use of EPOs.

Sources: Council of Europe, *Emergency Barring Orders in situations of domestic violence: Article 52 of the Istanbul Convention*, 2017, pp. 30-34: <https://rm.coe.int/article-52-convention-istanbul-english-version/168073cae6>

GREVIO’s baseline evaluation report on Austria, 2017, pp. 45-46: <https://rm.coe.int/grevio-report-austria-1st-evaluation/1680759619>

Spain

Spain has passed two significant pieces of legislation on gender-based violence (GBV):

- Organic Law 1/2004 of 28 December, on Integrated Protection Measures against Gender Violence, which considers violence directed against women due to the fact that they are women as a brutal symbol of inequality and a flagrant attack on fundamental rights such as freedom, equality, life, safety and non-discrimination.
- Organic Law 3/2007 of 22 March, for the Effective Equality between Women and Men, which establishes the universal nature of the principle of equality and introduces a gender perspective in the activities of public authorities (GREVIO, 2019, p. 2).

The 2004 law set up an all-encompassing framework for combatting GBV in Spain, involving legal and social support, healthcare, as well as awareness-raising activities.

Specifically, it established specialised GBV courts to provide emergency services (Council of Europe, 2017, p. 39). These courts have the power to issue integrated POs under criminal or civil law, and include emergency barring orders (p. 39). The courts are always open and available to issue emergency POs, a process that must be fulfilled within 72 hours of the incident being reported (p. 40). These emergency POs may be in the form of no contact orders, restraining orders or the preliminary granting of custody of children to the victim, and usually remain in force for 30 days with the possibility of extension at the request of the victim.

There is a comprehensive system of support available to victims in Spain, with close cooperation and coordination between agencies, including the courts, the police and NGOs providing victim support (p. 41). Psycho-social and legal support is also available to victims and their children, on the condition that the victim files a report on the incident; this support also includes financial and housing aid. Victim support services are provided by NGOs and state agencies, who are coordinated through cooperation measures when POs are issued.

The good practice outlined above is relevant to the application of the EPO as a model of wide and proactive utilisation and implementation of EBOs and POs at the national level to protect women victims of GBV, which constitutes an environment conducive to the use of EPOs.

Sources: Council of Europe, *Emergency Barring Orders in situations of domestic violence: Article 52 of the Istanbul Convention*, 2017, pp. 39-41: <https://rm.coe.int/article-52-convention-istanbul-english-version/168073cae6>

Spain State Report to GREVIO, 2019: <https://rm.coe.int/state-report-from-spain/16809313e0>

Procedures for requesting an EPO

Estonia – EPO Translation Services

The provision of comprehensive translation services by Estonian authorities has been cited by the EU Parliament (2017) as a good practice regarding the implementation of the EPO.

The Estonian Ministry of Justice has established a framework for the translation of EPO forms in the context of both issuance and execution. Thus, when issuing an EPO, the EPO is translated into the official language of the executing State and transferred to the competent authority. Additionally, where victims are not proficient in Estonian, the victim can request for a translation of the EPO – as well as supporting documentation essential for ensuring their procedural rights – into their native language or a language in which they are proficient. The request can only be refused with a relevant ruling.

Source: European Parliamentary Research Service, *European Protection Order Directive 2011/99/EU: European Implementation Assessment*, September 2017, p. 38: https://www.europarl.europa.eu/RegData/etudes/STUD/2017/603272/EPRS_STU%282017%29603272_EN.pdf

Data collection

Spain – Central Register for the Protection of Victims of Domestic and Gender-based Violence and the Observatory against Domestic and Gender Violence

Spain is notable for its collection and centralised keeping/holding of administrative data specifically on domestic violence and GBV, a good practice identified by the Council of Europe. Spain has established a Central Register for the Protection of Victims of Domestic and Gender-based Violence for the centralised collection of administrative data, which is handled by the Ministry of Justice. Data collected includes information on the victim, the perpetrator and the criminal offence, as well as on POs and the outcomes of judicial cases. The National Statistics Institute (NSI) also collects data on POs and final judgements in Spain on an annual basis. The information collected in the Central Register is verified by the NSI and categorised under the relevant section of the Criminal Code (Council of Europe, 2016, p. 14).

Additionally, Spain has established the Observatory against Domestic and Gender Violence, a body responsible for coordination, analysis and policy-making on matters of domestic and gender-based violence, with the ultimate aim of eradicating such forms of violence in Spanish society (Council of Europe, 2016; Observatory against Domestic and Gender Violence, n.d.). One of its core functions is the compiling and analysis of data from judicial statistics, including statistics on issued POs (Observatory against Domestic and Gender Violence, n.d.). Additionally, the body obtains information on POs through the collection of data from electronic devices used in the monitoring of POs (GREVIO, 2019, p. 15). With this data, the Observatory investigates and conducts analysis of the responses of the justice system to incidents and victims of domestic and GBV, in order to make recommendations regarding the improvement of services.

The good practice of consistent and systematic data collection is relevant to the application of the EPO, in that a pre-existing recording system of data on national POs is favourable for the recording of EPOs.

Sources: Council of Europe, *Ensuring data collection and research on violence against women and domestic violence: Article 11 of the Istanbul Convention*, 2016, p. 14: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680640efc>

Observatory against Domestic and Gender Violence website:

<http://www.poderjudicial.es/cgpj/en/Subjects/Domestic-and-gender-violence/Spanish-Observatory-on-Domestic-Violence/>

Spain State Report to GREVIO, 2019: <https://rm.coe.int/state-report-from-spain/16809313e0>

Denmark – Registers and surveys

Denmark has been cited as having good practices regarding data collection on violence against women and domestic violence. Denmark has established a comprehensive system in terms of the types of data collected, as well as the methods used.

Firstly, there is an established system for the collection of administrative data from every agency that comes into contact with victims of violence. A series of registers collecting different data have been linked together through the use of the ID number of victims and perpetrators, whilst ensuring that all datasets are encrypted and anonymous. Overall, the registers aim to collect data on victims of violence who have used or are users of public services. Specifically, the registers collect data on crime (by looking at police-recorded crime and court verdicts); hospital patients; cause of death; and use of shelters/refuges administered by NGOs and funded by the state. (Council of Europe, 2016, pp.15-17)

Secondly, Denmark collects data by conducting nationwide surveys, which is important for gathering information on victims who do not seek assistance. Questions relating to GBV are included on health- and population-related surveys on a regular basis. Questions explore the type of violence experienced, as well as the relationship between the victim and the perpetrator. The surveys have enabled the Danish authorities to map ongoing trends in violence nationwide (pp. 20-21).

Further, the data collected from the surveys can again be linked and cross-referenced with administrative data through the use of ID numbers; this enables connections to be made between the health and criminal justice outcomes of victims of gender-based and domestic violence. The data is anonymised and the identity of victims and perpetrators is safeguarded. This comprehensive linking of data has been labelled by the Council of Europe as “research infrastructure”, producing favourable conditions for carrying out research on GBV, by providing useful, comprehensive data, with which research can be conducted (pp. 24-25).

Good data collection facilitates and promotes the use of POs and thereby EPOs. Existing registers already recording POs at the national level can be deployed to record EPOs, and thereby facilitate the use of EPOs.

Source: Council of Europe, *Ensuring data collection and research on violence against women and domestic violence: Article 11 of the Istanbul Convention*, 2016, pp. 15-25: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680640efc>

Victim support services

Cyprus – Association for the Prevention and Handling of Violence in the Family (SPAVO)

SPAVO has been identified as a good practice for victim support and individual needs assessment. SPAVO is a non-profit, non-governmental organisation that operates to provide support, information, as well as awareness-raising and training on domestic violence issues. All services provided are free of charge.

SPAVO offers integrated services to victims of domestic violence in Cyprus including:

- The **1440 helpline**, which is free of charge and accessible 24/7; staffed by psychologists, social workers and trained volunteers, the helpline provides counselling and information on the basic rights and support options for victims of domestic violence.
- The **SPAVO shelters** for women victims of violence and their children. Women can access one of two shelters by calling the 1440 helpline or by referral from the police and/or the social

welfare services. The shelter runs programmes, in which women at the shelter must participate, to help them identify their needs and make empowered choices.

- The **SPAVO counselling services** are run by psychologists and social workers who provide psychological support and counselling to victims and perpetrators of domestic violence.

SPAVO programmes target victims of domestic violence including women, men, and children. Shelter services target women victims of violence and their children, taking into account the specific vulnerabilities and needs of this target group. Furthermore, SPAVO offers counselling services to perpetrators of violence through their “Love without Hurt” programme.

Source: Association for the Prevention and Handling of Violence in the Family (SPAVO): www.domviolence.org.cy.

Italy – Anti-violence centres and associations

Italy is characterised by a large number of anti-violence centres and associations that offer psychological, financial and other support to women victims of violence. The Italian system of protection and support to such victims and their children is largely based on the services of women's NGOs, usually non-profit organisations that run anti-violence centres and shelters at the local or regional level. In addition to offering specialised services for women victims, these NGOs organise prevention activities and provide training on dealing with violence against women to law enforcement officials, prosecutors, magistrates, social workers and other stakeholders.

The role played by women's organisations has received recent legislative recognition at the national level. The principle of their involvement in the development of policies to combat violence against women has been expressly recognised by Law No. 119/2013 (Art. 5, para. 1), which provides for their participation in the drafting of the “Extraordinary action plan against sexual and gender-based violence”. The law also recognises the need for public institutions to work closely with civil society organisations engaged in supporting and assisting women victims of violence, including anti-violence centres and shelters.

Notable civil society organisations in this field include:

1. D.i.Re (Donne in Rete contro la violenza - The Italian National Women’s Network against Violence) is the original and sole Italian network of independent women’s shelters and women’s anti-violence centres managed by women's associations to promote the prevention of violence against women and to provide counselling and support services to women victims of violence.

2. Differenza Donna (Women and Girls Against Violence) has been active since 1989 with the goal of exposing, combating, preventing and overcoming gender-based violence. In 2018, Differenza Donna founded the Observatory on Violence against Women with Disabilities, the first in Italy to focus on this issue.

Sources: D.i.RE.: <https://www.direcontrolaviolenza.it/>

Differenza Donna: <https://www.differenzadonna.org/>

Law n. 119 of the 15th of October 2013

Training for professionals

Portugal - V National Plan on Violence against Women

Portugal's V National Plan on Violence against Women, launched in 2014, had the key strategic objective of training professionals in the field of GBV. It identified a broad range of professionals working in agencies and services victims of GBV are likely to come into contact with, including professionals in health care, law enforcement, the judiciary, social security, education, employment, migrants' services and the media.

The training aims to enhance the interpersonal and technical skills of professionals and specifically addresses the needs of victims and provision of support, with additional consideration given to vulnerable groups of victims such as children, the elderly, people with disabilities and LGBTI people. NGOs work with the coordinating body to deliver the training, as well as help develop the training material.

In 2017, the Portuguese government provided funding for approximately 100 training programmes led by such NGOs covering gender equality, GBV and trafficking of human beings.

With respect to police personnel, officers receive initial and in-service training addressing domestic violence (e.g., the underlying causes of domestic violence, reporting, risk assessment and management, policing models), GBV and vulnerable groups of victims (e.g., the elderly, people with disabilities and LGBTI people). Training is prioritised for officials in specialist units dealing with GBV and vulnerable victims, but is also open to any front-line staff. Between 2012 and 2017, a total of 26,500 law enforcement officials attended training sessions focusing on domestic violence against women as a gendered phenomenon.

Source: GREVIO's baseline evaluation report on Portugal, 2019, paragraphs 92-100: <https://rm.coe.int/grevio-reprt-on-portugal/168091f16f>

Training manual for judiciary, 2016: http://www.cej.mj.pt/cej/recursos/ebooks/outros/Violencia-Domestica-CEJ_p02_rev2c-EBOOK_ver_final.pdf

Training for legal professionals

Italy - National guidelines for managing cases of violence against women

In 2009, the Superior Council of the Magistracy issued national guidelines around best practices for managing cases of violence against women. These were more recently updated in 2018, following the ruling of the European Court of Human Rights in the *Talpis v. Italy*.²⁵ The guidelines provide that *only specialised or trained magistrates may examine cases of violence against women*. Consequently, 3-4 day courses are available on an annual

²⁵ The case concerns violations of arts 2 and 3 of the European Convention on Human Rights due to the passivity of the authorities in handling the claimant's complaint around the domestic violence committed by her husband in 2012, whose actions became increasingly violent and culminated in 2013 with the attempted murder of the claimant and the murder of her son. The case also concerns the violation of art. 14, due to the discriminatory nature of the gaps found in the protection of a woman victim of domestic violence. In its March 2017 judgment (Appeal No. 41237/14), the ECtHR criticised in particular: the fact that the risk to the life of the applicant and her child was not promptly assessed by the authorities and that no protective measures had been taken; the absence of investigative actions (including the hearing of the victim) in the seven months following the filing of the complaint by the claimant; and the excessive duration of criminal proceedings for aggravated charges of personal injury brought against the claimant's husband.

basis on GBV to judges and prosecutors, as mandatory continuing education administered at the national level. Guidelines include best practices such as:

- a) reserving the treatment of proceedings relating to the area of gender and domestic violence to specialised magistrates and, for investigation activities, to judicial police personnel with similar specialisation;
- b) including the same procedures among those with priority treatment, with a minimisation of the times of exhaustion of the various procedural phases;
- c) realising forms of integrated intervention with local authorities, health facilities, social services, anti-violence centres and third sector subjects active in the territory.

In some larger judicial offices, another good practice – the institution of the so-called *round of violence* – is carried out, exclusively, *by the magistrates of the specialised group that intervene in cases of urgency in relation to the crimes of competence*. The designated magistrate is the contact person for all the police forces of the district for crimes of competence of the specialised group, including the crime of femicide, and particularly in cases where it is necessary to proceed to the arrest, detention or urgent removal of the perpetrator from the family home. In smaller prosecutors' offices, where it is not possible to set up a specialised shift, instructions are given to the magistrate on duty, in the event of the arrest, detention or adoption of urgent removal measures from the family home of a perpetrator of crimes of specialised competence, with immediate and timely intervention of the specialised magistrate assignee of the procedure.

Source: Resolution on guidelines on organization and good practice in dealing with proceedings relating to crimes of gender and domestic violence, (Resolution of 9 May 2018), Italian Superior Council of the Magistracy:

<https://www.csm.it/documents/21768/87316/Risoluzione+sulle+linee+guida+in+tema+di+organizzazione+e+buone+prassi+per+la+trattazione+dei+procedimenti+relativi+a+reati+di+violenza+di+genere+e+domestica/4799cbdc-4af8-a794-f908-e1b38b7bc1fa>

Multi-agency cooperation

Italy – Cooperation between judicial authorities, territorial anti-violence networks and social services

Prosecutors' offices in Italy often collaborate with institutional and third sector actors engaged in the prevention and fight against GBV, such as social services, local anti-violence centres, as well as public and private services, in order to quickly find accommodation for victims of violence, where their removal from the home is urgent. These types of collaboration are recommended as they seem to help protect victims by removing them from the contexts in which the crime has taken place.

Another notable good practice used by Public Prosecutors is setting up social services offices, in collaboration with municipalities, that provide assistance to the specialised team responsible for crimes against "vulnerable groups" with reference to both civil and criminal affairs. The office receives and evaluates reports from individuals, local services, hospitals, and nursing homes for the purpose of providing support according to the priority criteria, on the basis of which, it can also initiate legal appeals. This practice allows for a closer cooperation between the judiciary, the police and social services, facilitating both the

investigation of crimes as well as the provision of victim protection. Social workers assigned to the office cooperate with the judiciary and the police, for example, by supporting the activity of judicial police in cases where there is a need for a parallel social intervention (such as home visits). This is an effective interface with the social and health services when there is a need to initiate legal protection of persons involved in criminal proceedings. In practice, this function is evaluated positively by the judicial offices that have experienced it because it allows to quickly identify competent social or health professionals and to obtain the necessary answers in a short time, by ensuring overall the speediness of the judicial action.

Source: Resolution on guidelines on organization and good practice in dealing with proceedings relating to crimes of gender and domestic violence, (Resolution of 9 May 2018), Italian Superior Council of the Magistracy:

<https://www.csm.it/documents/21768/87316/Risoluzione+sulle+linee+guida+in+tema+di+organizzazione+e+buone+prassi+per+la+trattazione+dei+procedimenti+relativi+a+reati+di+violenza+di+genere+e+domestica/4799cbdc-4af8-a794-f908-e1b38b7bc1fa>

Cyprus – Interdepartmental Procedures for Victims of Violence in the Family (IDP)

In 2002, the Advisory Committee for the Prevention and Combatting of Violence in the Family prepared a manual of Interdepartmental Procedures (IDP) for handling incidents of violence in the family. The main aim of the manual is to clarify the role and functions of front-line professionals in handling cases of domestic violence, as well as to map referral procedures and promote multi-agency cooperation. Following an evaluation of the impact of the IDP, a separate manual targeting children was produced.

The aim of the IDP is to protect and support the victims of domestic violence from when they first report the crime or complaint all the way through to trial. To achieve this objective, a key prerequisite is the interdisciplinary cooperation of stakeholders: the public and private sector, as well as NGOs.

The manuals are aimed at professionals in the social welfare services, the police, health services, education, the legal service and NGOs engaged in handling violence in the family. The beneficiaries include anyone affected by violence in the family, regardless of gender.

The manuals are available on the Advisory Committee's website at www.familyviolence.gov.cy and are also disseminated by the relevant ministries to their departments and services involved in handling and addressing domestic violence. Furthermore, the manuals are promoted through seminars and workshops organised by the Advisory Committee targeting front-line professionals.

The IDP has been identified as a good practice for the identification of victims' needs on an individual basis, as well as assessment and referral.

Source: Advisory Committee on Preventing and Combating Violence in the Family, (2002) *Interdepartmental Procedures Manual on Handling cases of Violence in the Family*: www.familyviolence.gov.cy

Legal aid and assistance

Greece – “All Safe” Programme: Free legal aid

The Diotima Centre for Research on Women's Issues, in collaboration with the Municipality of Athens implemented the "All Safe" programme in 2020, aiming to provide free legal aid

to Greek women and immigrants, victims of domestic violence, who are citizens or residents of Athens and have a low income (up to 10,000 euros per year).

The programme, which is now envisioning a second phase, supported survivors of GBV to reduce the effects of domestic violence, which is on the rise around the world, and especially so due to the COVID-19 pandemic and associated restrictions.

Cases were directly referred to a specialised lawyer and psychologist at Diotima, either by the victim or by the municipality. Responding to the difficulty of many women to communicate with support structures in this condition, in addition to telephone communication, chat, email, and other applications were used.

Legal aid included: advice, aid and representation. For example, legal assistance with filing a lawsuit/complaint with the police or the prosecutor, drafting precautionary restrictive measures and/or lawsuits, assistance in the process of issuing a residence permit for humanitarian reasons, in cases of immigrants without legal documents, etc.

Victims could also avail themselves to up to 3 sessions of psychosocial support: emergency mental health counselling, connection to relevant services, information about programmes, etc.

Diotima is a specialised centre that works on GBV. In the last five years, they have supported, through psychosocial and legal assistance, over 2,800 women victims of GBV and they have represented more than 500 women in court; additionally, 700 women and men have participated in empowerment and awareness-raising groups on GBV.

Source: Diotima Centre for Research on Women's Issues:

<https://diotima.org.gr/cases/oles-asfaleis-dorean-nomiki-voitheia-se-thymata-endooikogeneiakis-vias/>

Monitoring mechanisms and sanctions

Spain – VioGén System (Integral Monitoring System in Cases of Gender Violence)

Spain's computerised system of monitoring the enforcement of POs has been cited as a good practice by the EU Parliament (2017), and deemed as particularly relevant to the application of the EPO in the context of the recognition and execution of EPOs (p. 49).

The VioGén System is a comprehensive monitoring system involving several agencies and state professionals who provide assistance and protection to women victims of GBV and their children. The software, developed by the Spanish government in 2007, aims to coordinate the actions of various state agencies and actors through information exchange, including the monitoring of perpetrators' compliance with POs (González-Álvarez et al., 2018). In particular, the system enables users to input information on critical incidents and automated alerts are immediately sent to the police unit responsible for the case.

The system is used by (among others) the judiciary, including the specialised GBV courts; the Public Prosecutor; specialised GBV units of the police; welfare services; and social services. All these agencies may input and share information on the system; close to 30,000 users across these agencies had accessed the system by 2018.

Between its launch and 2018, the VioGén system handled more than 510,000 cases nationwide and standardised police procedures, as well as the handling of cases of GBV where there is a risk of re-victimisation.

Source: González-Álvarez, J.L., López-Ossorio, J.J., Urruela, C. & Rodríguez-Díaz, M. (2018), *Integral Monitoring System in Cases of Gender Violence. VioGén System*, Behaviour & Law Journal, 4(1), 29-40:

<http://www.interior.gob.es/documents/642012/1626283/articulo+violencia+de+genero/fd0e7095-c821-472c-a9bd-5e6cbe816b3d>

European Parliamentary Research Service, *European Protection Order Directive 2011/99/EU: European Implementation Assessment*, September 2017, p. 48: https://www.europarl.europa.eu/RegData/etudes/STUD/2017/603272/EPRS_STU%282017%29603272_EN.pdf

Spain - AlertCops and My112

Spain has developed and instituted applications for smartphones which facilitate the monitoring of national protective measures, including POs. These applications have been cited by the European Parliament as a good practice in the context of monitoring the execution of EPOs recognised in Spain.

The applications – AlertCops (available in Spain) and My112 (available in Catalonia) – enable instant reporting of an offence or a situation of risk to the police. They enable direct and fast communication with the police and use geolocation systems to locate the victim in an emergency.

Furthermore, these apps have been developed so as to ensure access to vulnerable victims. They are available in several languages and accessible to persons with communication disabilities. For example, My112 includes videos in sign language for persons with hearing impairment.

Through a simple phone call, a victim of GBV at high risk can be automatically identified by the app to the police and an automatic warning is sent to six persons of close relation to the victim, chosen by the victim herself.

Source: European Parliamentary Research Service, *European Protection Order Directive 2011/99/EU: European Implementation Assessment*, September 2017, p. 48: https://www.europarl.europa.eu/RegData/etudes/STUD/2017/603272/EPRS_STU%282017%29603272_EN.pdf