

II.3.B GENDER INEQUALITY AND DOMESTIC VIOLENCE

There is an extensive acquis of OSCE commitments covering gender equality and domestic violence. Participating States have called for more equal participation of women and women's organizations in legislative, programmatic and policy development, and enhanced measures to address violence against women, including through effective investigation, prosecution and service provision.⁶⁵⁴ The importance of these commitments as essential elements of comprehensive security and the human dimension has been underlined on numerous occasions. In the Moscow Document (1991), participating States recognized gender equality as a cornerstone of security and democracy in the OSCE region. In 2003, states committed to “*pay special attention to the health of women and girls, inter alia, by: Improving access to gynaecological health care,*

including prenatal, delivery and postnatal health care services”.⁶⁵⁵ The Covid-19 pandemic and related emergency measures have presented an unprecedented challenge to live up to these standards and ensure these commitments are reality across the OSCE region.

The public health emergency responses to the pandemic have had a significantly negative impact on women's human rights, exacerbating existing gender inequalities and discrimination, and raising concerns regarding the implementation of gender equality commitments across the OSCE region. The economic impact on women is likely to be greater, as they face a higher risk than men of losing their job in the private sector. At the same time, they make up the majority of staff in the medical or care services, as well as caring for children, older people and the sick at home.⁶⁵⁶ However, ODIHR monitoring has revealed low numbers of women in Covid-19 decision-making bodies such as commissions or taskforces in most participating States; limited gender analysis within crisis response and recovery planning; and an inability of many states to tackle the increased levels of economic vulnerabilities and employment discrimination against women. Quarantines, curfews, and closures of schools and other public services have intensified women's time constraints as their unpaid care work has increased. Confined living conditions due to lockdowns and self-isolation regimes, coupled with increased financial stress, unemployment and strained community resources, have compounded existing forms of gender-based discrimination. This includes violence against women, as their exposure to abuse at the hands of an intimate partner or family member has

654 2009 MC Decision 7/09 on Women's Participation in Political and Public Life; and the 2005, 2014 and 2018 MC Decisions on Violence Against Women (15/05; 7/14 and 4/18). Reaffirming the earlier two Ministerial Council Decisions (15/05 and 7/14) on Preventing and Combatting Violence Against Women, Decision 4/18 called on participating States to “ensure access to justice, effective investigation, prosecution of perpetrators, as well as provide, while respecting their rights and privacy, adequate protection, rehabilitation and reintegration support for victims of all forms of violence against women and girls” (Cf. OSCE MC.DEC/4/18 para 1; The earlier MC Decision 7/14 called also on States to “Give consideration to the signature and ratification of relevant regional and international instruments, such as the Council of Europe Convention on preventing and combating violence against women and domestic violence, where applicable”. OSCE pS have also committed to “adhere to and fully implement the international standards and commitments they have undertaken concerning equality, non-discrimination and women's and girls' rights”, in particular the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). (MC.DEC/14/04 - 2004 OSCE Action Plan for the Promotion of Gender Equality)

655 MC.DEC/3/03 - OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area

656 **OECD Policy Responses to Coronavirus (COVID-19): Women at the core of the fight against COVID-19 crisis**

increased, while opportunities to seek and receive vital support have diminished.⁶⁵⁷

Public services normally available to women victims of violence, including gynaecological health services, police interventions, judicial remedies and sheltering services have all been disrupted, while the risk of violence has increased. In some cases, pressure on referral mechanisms available to victims of violence, in addition to restrictions of movement, has been lethal for women, with a documented rise in femicides.⁶⁵⁸

Diversity in public and political life, policy making, advisory and decision-making bodies, as well as a gender-sensitive legislative process, translate into more representative and effective laws and policies, which benefits everyone.⁶⁵⁹ An analysis of the composition of Covid-19 taskforces reveals significant gaps in terms of gender balance in many participating States. While women's representation is higher in public health councils and vaccination advisory groups, it has been low in roles with stronger links to political decision-making.⁶⁶⁰ The limited integration of gender perspectives into pandemic-related crisis planning and response is likely to exacerbate existing gender inequalities. In this context, it is of concern that few participating States

are reported to be conducting gender impact assessments to guide more gender-sensitive Covid-19 recovery policies.⁶⁶¹

Although gender statistics such as sex- and age-disaggregated data on the socio-economic impact of Covid-19 are not systematically collected across the OSCE region, such data is important to address the differential impact that emergency responses and measures have had on women and men, including those in different situations of vulnerability and risk, such as older women, adolescent girls, migrant and refugee women, women with disabilities, women deprived of liberty, and women from minority backgrounds, including Roma and Sinti, as well as indigenous women.⁶⁶²

The impact of the pandemic response measures on women's economic rights has been significant. Women are globally over-represented in less protected and low-paid jobs and in most hard-hit sectors, such as tourism, retail and manufacturing, and are therefore at a disadvantage as the economic situation deteriorates.⁶⁶³ In many participating States women, particularly those who are pregnant, have been disproportionately affected by pandemic-related lay-offs.⁶⁶⁴

657 **Covid-19 and Ending Violence Against Women and Girls, UN Women**

658 **Statement by the UN Working Group on discrimination against women and girls - Responses to the COVID-19 pandemic must not discount women and girls.** The UN called domestic violence "the shadow pandemic" alarming over its spread and extent. Many international and national governmental and non-governmental organizations have joined their voices to calls for action. Joint calls on participating States to step up measures to protect women and children were made by heads of **OSCE Executive Structures, ODIHR and the Parliamentary Assembly** as well as by **forty-three OSCE participating States**. WHO warned of a surge of domestic violence as COVID-19 cases decrease in Europe, **UN Regional Information Centre for Western Europe, COVID-19 Pandemic: Tackling the Dramatic Increase in Cases of Violence Against Women, Council of Europe**

659 ODIHR, **Making Laws Work for Women and Men: A Practical Guide to Gender-Sensitive Legislation**, Warsaw, 2017.

660 **For instance, the Covid-19 taskforce of the United States and Italy did not initially include any women. Hungary's taskforce included one woman out of 15 task force members.** For an overview of different countries' task forces see [here](#).

661 Based on the information published by the **Council of Europe** only **Serbia** and **Sweden** initially reported to be conducting gender impact assessments.

662 See also: MC.DEC/04/13, para. 2.12 on Enhancing OSCE Efforts to Implement the Action Plan On Improving The Situation Of Roma And Sinti Within the OSCE Area, With A Particular Focus On Roma And Sinti Women, Youth And Children. For the intersecting forms of discrimination and impact of pandemic-related responses and measures with relation to access to rights, see the Section on Roma and Sinti Issues. Disaggregating data on a variety of characteristics, including disability, migrant and refugee status is recommended to facilitate more inclusive decision making.

663 The economic and labour crisis created by the pandemic could increase global unemployment by almost 25 million, according to a new **assessment** by the International Labour Organization (ILO).

664 For example, an **analysis** by the state bodies in **Finland** has revealed that while the proportion of those laid off has increased overall, this has disproportionately impacted women, particularly in the age cohort of 35–45 years. In the **United States**, 60 percent of those who lost jobs during the first two months of the epidemic were women, according to some **reports**. The **United Kingdom's** Equality and Human Rights Commission has **noted** increased employment discrimination against pregnant women. According to a **study** by the Institute for women's policy research, women lost more jobs than men in almost

Throughout the health crisis, women appeared slightly more likely than men to be diagnosed with Covid-19, possibly partly due to the fact that women account for the majority of healthcare workers. Globally, women constitute a majority of employees in healthcare and frontline services sectors⁶⁶⁵, which makes them more susceptible to infection.⁶⁶⁶ A large majority of healthcare workers infected with Covid-19 have been women.⁶⁶⁷

Available evidence has shown that across the OSCE region, states experienced a dramatic surge of domestic violence cases reported to national helplines and support services,⁶⁶⁸ with women and girls forming the overwhelming majority of victims in search of emergency shelter. According to women's rights experts and media sources, different forms of online violence have also been on the rise including stalking, bullying, sexual harassment, and sex trolling during the pandemic, in particular during strict lockdown periods.⁶⁶⁹

The sudden introduction of lockdown measures in many countries and the lack of or inadequate level of preparedness by national governments and local authorities for this extraordinary situation has affected protection

and response measures to tackle the increase in domestic violence. In some cases, first responders from the police and judicial and health services have found themselves overwhelmed; in other cases, resources have been diverted away from the criminal justice system towards more immediate public health measures to deal with the pandemic. This has resulted in the scaling back of helplines, crisis centres, legal aid and social services in some states, in particular in the initial phase of the crisis.⁶⁷⁰ Examples of gaps in protection also included the replacement of walk-in free legal aid services with remote counselling because of social distancing requirements, which *de facto* often hindered access to justice for victims of domestic violence as they were unable to speak in the presence of their abuser.⁶⁷¹ The crisis has also disrupted the work of courts in many states,⁶⁷² leading to delays in issuing injunctions for protection or restraining orders as well as in adjudicating divorce and child custody proceedings. In many cases, the severity of quarantine regimes and the enactment of curfews have affected the opportunity of women to escape from the household, fearing fines, reprisals by their abuser and a lack of protection by the state.⁶⁷³

In shelters, lengthy admittance procedures linked to virus-testing or confirmation of medical certification have often exposed victims to further harm in the home.⁶⁷⁴ In some countries, equitable access to sexual and reproductive health care has been severely reduced, with relevant health services classified as non-essential during the course of the pandemic.⁶⁷⁵

all sectors of the economy. Amnesty International has **noted** increased discrimination and job insecurity in Hungary, particularly impacting pregnant women.

665 For example, in **Czech Republic** and **Ukraine**, the proportion of women in health services is 78 percent and 82 percent, respectively, which is higher than the global average of 70 percent, according to a Council of Europe **study**.

666 Furthermore, according to media **reports**, the standard-sized personal protective equipment is often designed for male bodies and facial features, which exposes women in frontline health care work to further evitable and unnecessary risks, which indicates gender bias in the decision-making process and insufficient consideration of the needs of women.

667 Early figures from Spain, **Italy** and the **United States** indicates that 75.5 percent, 69 percent and 73 percent respectively of the total health-care workers infected with Covid-19 were women, which is significantly higher than the percentage of women infected amongst the general population. Source: UN Women **calculations**

668 For instance, in the **United Kingdom**, this was reported to range from 15 percent to 120 percent, **UK domestic abuse helplines report surge in calls during lockdown**, The Guardian

669 Examples include unsolicited pornographic videos appearing in virtual chat rooms. See, for instance, **Risk of online sex trolling rises as coronavirus prompts home working**. Reuters

670 **Justice for Women Amidst COVID-19**, UN Women, IDLO, UNDP, UNODC, World Bank and The Pathfinders.

671 **Eastern Europe and Central Asia Confronted with COVID-19: Responses and Responsibilities**, Amnesty International

672 See the section on the judiciary and access to justice above for more detail.

673 **COVID-19 and Domestic Abuse: When Home is not the Safest Place**, Balkan Insight

674 **Eastern Europe and Central Asia Confronted with COVID-19: Responses and Responsibilities**, Amnesty International

675 Reports include examples from **Poland**, the **Russian Federation** or in some states in the **United States**. See **Abortion Access Worsens Amid Pandemic**, Foreign Policy, **How COVID-19 affects Women's Sexual and Reproductive Health**, Medical News Today; **Denying Women Abortion Access in Moscow**, Human Rights Watch.

Emergency measures have had extremely negative consequences on women with less access to security, justice and health services such as women with disabilities, women from ethnic and other minority or indigenous backgrounds, and women from at-risk groups such as migrants, asylum seekers or refugee women in camps, all of whom have found themselves in situations of increased vulnerability to violence.⁶⁷⁶ During lockdowns, these groups of women have had to cope with numerous accumulated challenges. For example, women with disabilities have also faced poor access to health and social services.⁶⁷⁷ Women from minority, marginalized or migrant backgrounds have faced a lack of access to life-saving information through a lack of internet access or due to the unavailability of information in minority languages or in remote or rural areas.⁶⁷⁸

Alongside increased reports of domestic violence, risks for women also increased in institutional settings. Disruption to the work of many external oversight bodies and mechanisms has meant that women detained in criminal justice facilities, or in need of mental and other healthcare services including in nursing homes and other institutions, may have been exposed to heightened risk of violence.⁶⁷⁹

GOOD PRACTICES

This brief overview of the negative impact of pandemic and related emergency measures on women and how they have exacerbated gender inequalities can only be considered as indicative. A thorough analysis is still needed at all levels and in all sectors, based on disaggregated data and gender-sensitive research. As the pandemic continues and some emergency measures are still in place, and as in particular the social and economic consequences will be felt for years to come,

it is too early to present a comprehensive analysis at this point. It has, however, already become clear that a number of states have acknowledged the importance of the gender dimension of the pandemic and response measures, and some positive examples of policy adjustments, dedicated services and communication initiatives have emerged. Several such examples are presented below, with the aim of feeding into recommendations to participating States and encouraging a positive learning exchange between countries.

Some participating States have made concerted efforts to integrate gender considerations into their Covid-19 policy responses⁶⁸⁰, or have established mechanisms to capture and analyse the available documentation and provide lessons learned.⁶⁸¹ Some countries have developed targeted guidance on maternal health.⁶⁸² Emergency sexual and reproductive health services and treatment have remained available in many states.⁶⁸³ The rise in domestic violence has prompted some participating States to make emergency support programmes part of their emergency response.⁶⁸⁴

676 Covid-19 and violence against women and girls: Addressing the shadow pandemic. UN Women, <https://www.unwomen.org/en/digital-library/publications/2020/06/policy-brief-covid-19-and-violence-against-women-and-girls-addressing-the-shadow-pandemic>

677 **Rapid gender assessment of the situation and needs of women in the context of COVID-19 in Ukraine**, Reliefweb.

678 **COVID-19 compounds isolation of rural women facing violence**, Canada's National Observer

679 **Justice for Women Amidst COVID-19**, UN Women, IDLO, UNDP, UNODC, World Bank and The Pathfinders.

680 For example, in **Belgium**, the Institute for the Equality of Women and Men is represented in the taskforce conducting analysis, monitoring and proposing policy measures. In **Serbia**, the co-ordination body for gender equality is conducting a gender analysis of the situation to set measures to remedy the adverse effects of Covid-19 on women and men, and on gender equality in the country. In **Sweden**, a government decision has made gender impact assessments mandatory regarding all policies related to Covid-19. Similar mechanisms and practices are in place in **Ireland** and **Bosnia and Herzegovina**. Promoting and protecting women's rights at national level, **Council of Europe. Belgium, Serbia, Sweden, Ireland, Bosnia and Herzegovina**

681 In **Finland**, the National Institute of Health and Welfare has created an online repository of resources that capture the effects of coronavirus and its impact on men and women as well as on gender equality in Finland.

682 For instance, **Spain, Slovenia** and the **United States (New York State)**. In **Ireland**, the Department of Justice and Equality produced a videoclip on "Pregnancy and COVID-19" targeting travellers and Roma and Sinti. See **Promoting and protecting women's rights at national level, Council of Europe. Spain, Slovenia, Ireland**.

683 Including in **Slovenia** and **Finland**, as well as in **Belgium** where access to regular and emergency contraception has been facilitated via e-prescription. **Promoting and protecting women's rights at national level, Council of Europe. Slovenia, Finland, Belgium**

684 In **Spain**, the Ministry of Equality has promoted a contingency plan against gender-based violence during the Covid-19 crisis, which includes declaring as essential all

Some states have set up detection and protection measures focused on expanding access to counselling and sheltering services to victims of domestic violence through early warning mechanisms, including through the use of radio and TV, social media, mobile applications, dedicated 24-hour helplines and webpages⁶⁸⁵ or established email-based services⁶⁸⁶ for domestic violence cases. Some states have introduced new helplines to provide free legal and psychological advice in collaboration with international organizations and civil society.⁶⁸⁷ To tackle the digital divide, efforts have also been made to expand internet access⁶⁸⁸ or make mobile services affordable or free.⁶⁸⁹ Some participating States have enabled pharmacies to initiate referral pathways through code words.⁶⁹⁰ Others have trained personnel from postal services to identify and

respond to cases of domestic and gender-based violence.⁶⁹¹ Additional sheltering accommodation has been put in place in some states, including the use of hotels or holiday apartments as shelters for victims of domestic violence.⁶⁹² Special crisis teams have been created on the basis of law-enforcement and civil society co-operation.⁶⁹³

In some states, national human rights bodies and institutions have taken a leading role in developing appropriate responses in this area.⁶⁹⁴ Several countries have begun prioritizing court cases for violence hearings.⁶⁹⁵ Additional funding sources have been allocated to deal with the increased needs in several participating States.⁶⁹⁶

comprehensive assistance services for victims of such violence. **Promoting and protecting women's rights at national level, Council of Europe. Spain**

- 685 In **Italy**, police have expanded the usage of an app called "YouPol", originally designed to report bullying and drug dealing, to give victims of violence an opportunity to alert the police without the partner's knowledge. **European Countries Develop New Ways to Tackle Domestic Violence During Coronavirus Lockdowns, NBC News.**
- 686 In **Portugal**, the Commission for Citizenship and Gender Equality has activated an email service to request support in domestic violence cases.
- 687 The Gender Equality Commission of the Republic of **Uzbekistan**, with the support of the UNFPA and Civic Initiative Support Centres, launched a helpline for the prevention of domestic violence during the quarantine. Senate of the Oliy Majlis of the Republic of Uzbekistan: **"Establishment of telephone helpline of the Gender Commission"**.
- 688 Modems have been delivered to families without internet in **Malta**, **Promoting and protecting women's rights at national level, Council of Europe. Malta**
- 689 The government of **Belarus** has partnered with a mobile operator to make the national help-line toll free to subscribers. **Eastern Europe and Central Asia Region. COVID-19 Situation Report. UNFPA.**
- 690 This innovative practice has been reported from **Belgium, Uzbekistan, Spain**, the **United Kingdom** and **France**.

691 For example **Czech Republic**.

- 692 Examples include **Belgium, Germany, Italy, Bosnia and Herzegovina** and **France**, **Charities look for creative ways to protect women trapped in their homes with violent partners during COVID-19 shutdown**, Thomson Reuters Foundation News
- 693 For instance, in **Bulgaria** and in **Kyrgyzstan**.
- 694 In **Armenia**, the Human Rights Defender's Office has established a working group on domestic violence prevention during the pandemic. In the **Russian Federation**, the Human Rights Commissioner has called on the authorities to allow domestic violence victims to leave their homes without obtaining special digital permits that several cities have introduced to monitor the lockdown measures, while members of the parliament have asked the government to exempt victims from punishments for violating quarantine rules. **Domestic Abuse in Russia Doubles Amid Virus Lockdown: Official**. The Moscow Times
- 695 E.g. in **Malta** and in the **Netherlands**. **Promoting and protecting women's rights at national level**, Council of Europe
- 696 In **Canada**, for instance, the federal government has earmarked funding for the immediate needs of shelters and sexual assault centres including an existing network of emergency shelters to support Indigenous women and children fleeing violence. **Violence Against Indigenous Women During COVID-19 Sparks Calls for MMIWG plan**, CTV News

RECOMMENDATIONS

- Involve state bodies responsible for gender equality, as well as women's civil society, in emergency response and post-emergency planning and explicitly incorporate gender considerations into any recovery strategies and plans;

- Take into account the gendered impact of the crisis in state budgeting to ensure adequate resource allocation for social protection and safety nets for those who have been laid off due to the emergency and to ensure sectors with so-called essential workers are adequately resourced and individuals in these sectors are adequately compensated;
- Prioritize proceedings to investigate and prosecute cases of domestic violence and other forms of gender-based violence and provide judicial remedies in all cases;
- Pay particular attention to ensure information dissemination campaigns reach marginalized women, women from minority backgrounds and women with disabilities to step up the accessibility of violence reporting mechanisms and ensure alternative accommodation for victims, even after quarantine measures are lifted;
- Classify shelters and crisis centres as essential during all stages of emergencies and increase support to civil society organizations assisting victims of domestic violence;
- Ensure the delivery and accessibility of health services of immediate need, including health services covering gynaecological health, making these available to all women experiencing violence by an intimate partner, and consider targeted delivery of health services to women subject to intersecting forms of discrimination, such as Roma and Sinti women and women with disabilities;
- Collect sex-disaggregated data to understand the social, economic and legal impacts of the public health crisis on women and girls, and the implications of restrictions to fundamental freedoms brought about by government responses;
- Integrate gender considerations into laws, policies, budgets and other measures related to emergency planning, preparedness and response, so they efficiently address inequalities and deliver adequate services, protection and equitable recovery to all, women and men, in all their diversity;
- Ensure greater representation of women in any future emergency taskforces, efficiently address women's needs, and reflect a diversity of women's perspectives in decision-making;
- Promote inclusive approaches to addressing public crises, with the participation of civil society organizations catering to different population segments, including the most marginalized;
- Increase women's participation in the delivery of security and justice services and continue enabling special crisis teams to function beyond the termination of quarantine measures;
- Set up effective legal protection and guarantees to prevent and combat domestic violence and other forms of gender-based violence through national legislation; and thoroughly revise enforcement mechanisms where gaps have been reported during the pandemic.