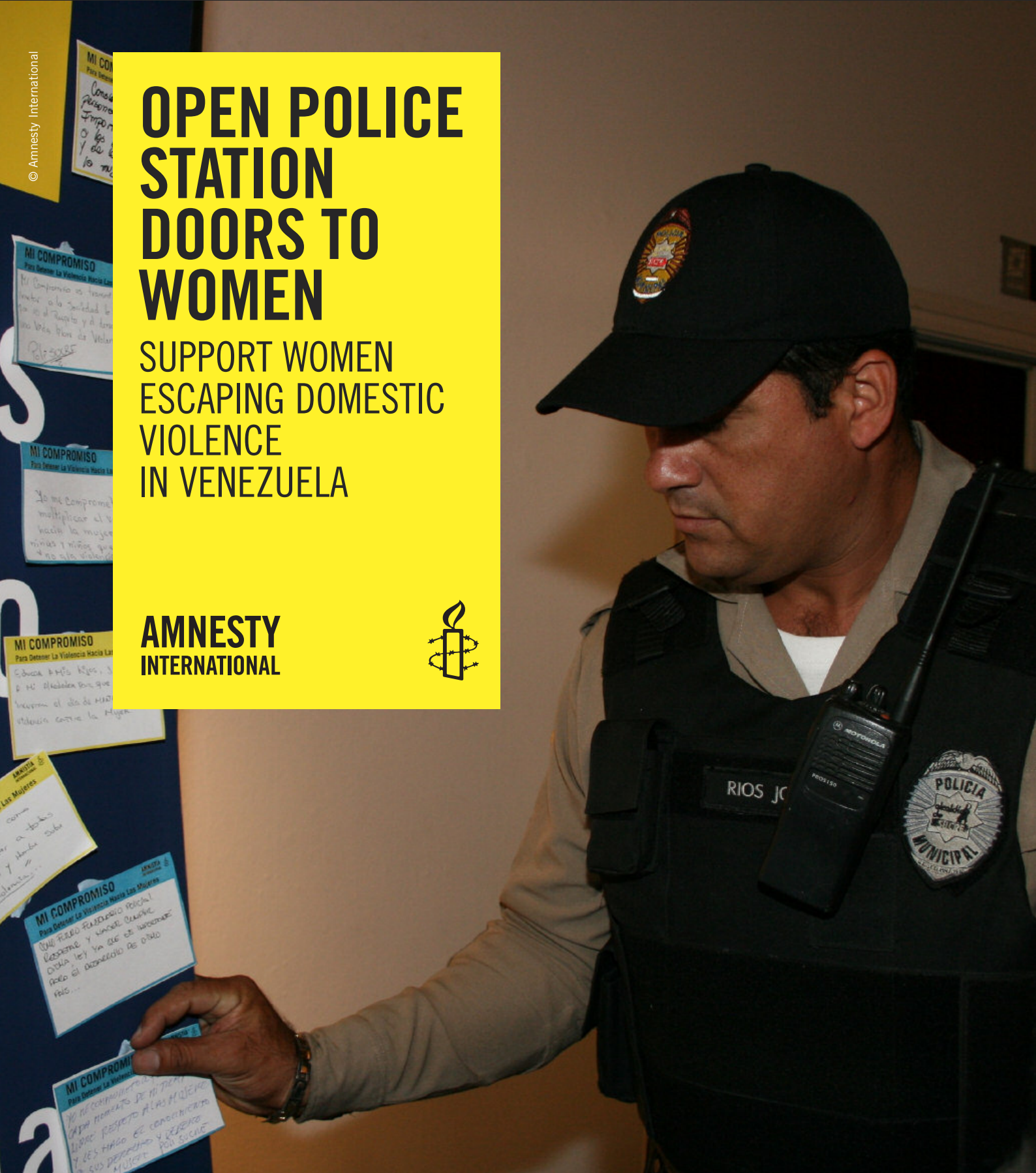


OPEN POLICE STATION DOORS TO WOMEN

SUPPORT WOMEN ESCAPING DOMESTIC VIOLENCE IN VENEZUELA

AMNESTY INTERNATIONAL



‘AND ONE OF THE THINGS THAT STOPPED ME FILING A COMPLAINT WAS... [THE POLICE] DID NOT WANT TO ACCEPT IT. [THEY SAID] IT WAS A PROBLEM BETWEEN HUSBAND AND WIFE. NO! AS LONG AS WE THINK OF DOMESTIC VIOLENCE ISSUES AS MATTERS BETWEEN HUSBANDS AND WIVES, WE ARE NEVER GOING TO GET OUT OF THE HOLE WE ARE IN.’

Woman C, interviewed by Amnesty International, July 2007

Domestic violence is a global phenomenon. It is the most common form of violence against women and its effects on survivors, their families and communities are far reaching and profound.

DOMESTIC VIOLENCE IN VENEZUELA

In Venezuela each year thousands of women are raped, beaten and verbally abused, or suffer other forms of domestic violence at the hands of their partners or former partners. In 2007 alone, 4,484 women called a helpline set up by the National Institute of Women's Affairs (INAMUJER) to report abuse. According to local organizations, however, only one woman in nine who has experienced domestic violence reports it to the authorities. Most women, for various reasons, remain silent.

Domestic violence violates women's human rights, including the rights to life, to physical integrity, to the highest attainable standard of physical and mental health and to equality before the law. States, including Venezuela, have pledged to respect, protect and fulfil such rights through a series of international treaties. But every day, these rights are denied to women living in the shadow of violence at home.

The Venezuelan authorities have taken positive steps towards eradicating domestic violence, in particular by introducing the 2007 Organic law on the right of women to a life free of violence. This law states that “the State has a binding obligation to adopt all administrative, legislative, judicial and other measures that may be necessary and appropriate to ensure compliance with this Law, for the purposes of guaranteeing the human rights of women who are subjected to violence” (Article 5). By acknowledging the human rights dimension of domestic violence, the law reinforces the duty of the government to protect those at risk and punish the perpetrators.

‘[THE COMMITTEE] ALSO CALLS ON THE STATE PARTY TO ENSURE THAT PUBLIC OFFICIALS, ESPECIALLY LAW ENFORCEMENT PERSONNEL, THE JUDICIARY, HEALTH-CARE PROVIDERS AND SOCIAL WORKERS, ARE FULLY FAMILIAR WITH APPLICABLE LEGAL PROVISIONS, SENSITIZED TO ALL FORMS OF VIOLENCE AGAINST WOMEN AND TRAINED TO ADEQUATELY RESPOND TO THEM’

UN Committee on the Elimination of Discrimination against Women, Concluding Comments, Venezuela, 31 January 2006

However, although the law was passed in 2007, there is still a huge gap between what the law has promised and how it has been implemented in practice. One significant obstacle to delivering the promised protection is the lack of training of law enforcement officials responsible for dealing with cases of domestic violence. As a result, women fleeing domestic violence are still denied proper protection, as well as the rights to justice and reparation.

THE RIGHT TO PROTECTION, THE DUTY TO PROTECT

Domestic violence remains a largely hidden crime with only a fraction of cases reported. The reasons why women are often reluctant to report violence are complex, and include social attitudes and misconceptions about domestic violence, as well as practical circumstances.

The attitude and behaviour of law enforcement officials are important factors in a woman's decision to report domestic violence. Women told Amnesty International how they had been discouraged from



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The Organic law on the right of women to a life free of violence (Ley Orgánica sobre el Derecho de las Mujeres a una Vida Libre de Violencia) was approved on 16 March 2007. The 2007 law defines violence against women as a human rights violation and reaffirms the responsibility of the state and its officials to eradicate it. It sets out measures to prevent violence

against women, to protect women at risk and to punish those responsible.

ARTICLE 26. POWERS OF THE MINISTRY WITH REGARD TO INTERIOR AND JUSTICE MATTERS.

The ministry with responsibility for interior and justice matters shall provide whatever is required to implement training plans and programmes for officials who are directly

involved in enforcing this law. Such plans and programmes should be formulated and carried out in co-ordination with the National Institute of Women's Affairs and should ensure that women who are victims of violence receive appropriate treatment and care [...]"



reporting by intrusive, judgmental and inappropriate questioning in an environment which felt neither secure nor confidential. They were also deterred from reporting by responses from officials who treated their complaints as trivial or outside their remit and so failed to ensure immediate protection when it was needed. Such experiences reinforce distrust in the system's ability to help, which in turn means fewer women will report domestic violence.

A key element in eradicating domestic violence is a police force that supports and advises survivors, enforces protection measures, investigates allegations of domestic violence and brings perpetrators to justice. All this should take place in an environment that challenges deep-rooted prejudices and misconceptions about domestic violence. Officials should be educated on relevant legislation and specifically trained to deal with cases of domestic violence.

The need to provide training to law enforcement officials is recognized in the basic principles of the 2007 law. More specifically, Article 26 states that the Ministry of Interior and Justice is responsible for providing training to officials involved in applying the law, so as to guarantee appropriate treatment and adequate support for victims. Nevertheless, nowhere near enough training programmes have been carried out to date. The relevant authorities should urgently allocate resources and prioritize the provision of training activities.

Adequate training, however, is only part of the solution. Much more needs to be done by the Venezuelan authorities to implement the 2007 law. Many of those actions are summarized in Amnesty International's 14-point Programme for the Prevention of Domestic Violence. Although the passing of the 2007 law was a milestone, the authorities have failed so far to show the political will and determination to make the law a reality. Thousands of women experiencing domestic violence in Venezuela are depending on the government of Venezuela to honour its commitment to uphold their rights.

'WHAT WOULD I ASK THE AUTHORITIES? FIRST OF ALL, I THINK THEY SHOULD BE TRAINED. ALL OF THEM, NOT JUST THE OFFICIALS AT THE STATE PROSECUTION SERVICE, BUT THE BODIES WHERE YOU FILE COMPLAINTS. BECAUSE A CASE IS ALLOCATED TO THEM AND BY THE TIME THEY DEAL WITH IT THE VICTIM HAS DIED, OR IS DISABLED OR INCAPACITATED [...] I HAVE GREAT FAITH IN THIS NEW LAW.'

Woman A, interviewed by Amnesty International, July 2007

**'THE LAW IS THERE,
LET'S USE IT'**
ENDING DOMESTIC VIOLENCE IN
VENEZUELA AMR 53/001/2008
Available at:
www.amnesty.org/library



Front cover: Venezuelan policeman making a personal commitment to stop violence against women at the launch of Amnesty International's report "The law is there, let's use it" – Ending domestic violence in Venezuela, July 2008. Inside image: Police officers working with women fleeing domestic violence and who were interviewed by Amnesty International delegates.

RECOMMENDATIONS

AMNESTY INTERNATIONAL'S CALLS ON THE VENEZUELAN AUTHORITIES TO:

■ PROVIDE COMPULSORY TRAINING ON DOMESTIC VIOLENCE FOR OFFICIALS

Fund and implement compulsory training programmes for officials – including police, lawyers, judges, forensic and medical personnel, social workers, immigration officials and teachers – in how to identify cases of domestic violence, how to ensure the safety of survivors and how to collect, safeguard, consider and present evidence.

■ Condemn domestic violence

■ Provide adequate funding

■ Raise public awareness of domestic violence

■ Provide places of safety for women fleeing violence

■ Use the education system to challenge prejudice

■ Provide support services for women

■ Abolish legislation that discriminates against women

■ Collect and publish data on domestic violence

■ Investigate and prosecute complaints of domestic violence

■ Let women know what they are entitled to

■ Remove obstacles to prosecutions for domestic violence

These recommendations are based on Amnesty International's 14-point Programme for the Prevention of Domestic Violence.

STOP VIOLENCE
AGAINST WOMEN

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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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