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Spain: Government must live up to its responsibilities on protection of women's rights

The Spanish government must improve its record on the protection of women's rights. As the UN Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) is preparing to examine Spain's fifth periodic report, Amnesty International is calling on the new Spanish government to tackle violence against women in the family.

Over two million women in Spain have suffered physical and/or mental violence at the hands of their partners while 97 per cent of women victims of violence in the family do not report such incidents. This year 32 women have died as a result of such violence.

"The UN Committee has pointed out its concern about the 'apparent increase in domestic violence' in the past", Amnesty International said.

"Over the past two years, the Spanish authorities have not done enough to address the concerns raised by the UN. The new Spanish government, which came into office in March 2004 must step up to this challenge."

Amnesty International's report *Spain: Brief of information from Amnesty International with respect to the fifth report presented by Spain before the UN Committee on the Elimination of All Forms of Discrimination against Women*, looks at the Spanish authorities' response to and fulfilment of, their international obligations over the past two years. The report provides the UN Committee with a number of recommendations the Spanish authorities should take in order to improve its efficiency in combatting violence against women in the family.

Amnesty International continues to receive information on the lack of effective protection of women's human rights. This lack of protection is particularly marked in respect of violence against women in the family:

"Alicia Aristegui, resident of the province of Navarre was stabbed to death by her husband on 9 April 2002 because a restriction order placed on him was never communicated to, and enacted by, the municipal police of the town of Villava, where she was living. After 14 years of abuse, Alicia had sought refuge in a government shelter. She and her relatives had reported the repeated threats made by her husband to kill her."

"Mar Herrero was murdered on 13 October 1999 in Madrid by her former partner after he was released on bail against the advice of the prison psychologist. He was serving a sentence for the attempted murder of a previous partner. Mar Herrero reported to the police that she was harassed and threatened and the district attorney applied for revocation of the parole which was turned down seven days before she was killed."

In both cases the authorities denied any responsibility for the lack of protection of the victims. In the case of Mar Herrero, in May 2003, the Supreme Court overturned an order to pay compensation to the victim's family.

"The Spanish government must take measures to prevent such crimes. It must make sure that state officials face up to their responsibilities instead of hiding behind bureaucratic inadequacies. State officials must be made answerable when they fail to protect victims of violence against women," Amnesty International said.

Amnesty International is concerned that the Spanish government is failing to protect the human rights of women and cannot fulfil the UN Committee's requirements due to:

- Lack of sufficient research into the needs of victims of violence against women and the needs of most vulnerable groups of women like immigrants, trafficked women, women from rural areas and disabled women;

- Lack of coordination between the autonomous regions and the central government;

- Lack of sufficient shelters run by the government;

- Insufficient resources for the implementation of measures against violence against women, uneven distribution between the regions of available resources and lack of transparency in their use.

- Insufficient measures to eradicate traditional stereotypes that perpetuate direct and indirect violence against women;

- Insufficient role of women and non-governmental organizations in the process of policies on violence against women;

- Insufficient training of health professionals in work with victims of violence against women;

- Lack of effective protection for women who file a complaint and lack of reparation to victims;

- Impunity for state officials and lack of legislative assistance for victims.

On coming to power, the new Socialist Party (PSOE)-led government proposed a draft legislation on violence against women covering all the policies of prevention, victim support, investigation and sanction of such violence.

"We welcome the stated wish of the new Spanish government to take measures to fight violence against women. However, it must take care to eliminate any loopholes that may undermine the effectiveness of the proposed legislation," Amnesty International said.

Background

Spain ratified the Convention for the Elimination of All Forms of Discrimination against Women in 1984. The United Nations Committee for the Elimination of Discrimination against Women is scheduled to examine the fifth periodic report by Spain on 7 July 2004.

A 2002 study by Spain's Institute for Women's Issues states that in that year more than two million women suffered from physical and/or mental violence at the hands of their partners. According to the governing body of the judiciary, between 2002 and 2003, 131 women were murdered by members of their families - a 59 per cent increase in one year, which shows a clear lack of effectiveness of public policies to combat violence against women.

Amnesty International is running a global campaign to end violence against women. For more

information and news related to the campaign "Stop violence against women" visit:
<http://news.amnesty.org/mav/actforwomen>

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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