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Stop violence against women Spain – beyond the protection of the law

[photo caption]

Cover photo: Women protest in the centre of Madrid, Spain, against domestic violence.

© Andrea Comas/Reuters

[end caption]

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Women murdered after appeals for protection are ignored

Alicia Arístregui was beaten and abused by her husband throughout the 14 years of their marriage. He attacked her psychologically as well as physically. After she left him, he continued to threaten her and repeatedly defied a court order banning him from coming near her. She and her family appealed to the police and courts, asking for protection, but their appeals were ignored.

Her husband caught up with her one day four months after she had left him. She had just taken her children to the school bus stop. He stabbed her to death.

Alicia left her husband in January 2002 and found shelter in a government refuge. When applying for a court order banning him from contacting her, she revealed that she had needed counselling because of his abuse. She stated that he repeatedly threatened her and her family to make her give him custody of the children and the family house, and she believed he would carry out his threats.

[photo caption]

Alicia Arístregui © Courtesy of Eugenio Arístregui

[end caption]

Alicia and her brothers frequently told a court judge that her husband had breached the court's restraining order. These reports were not passed on to the municipal police in the town where Alicia lived. The family's repeated requests for protection were ignored by the authorities. In July 2003 Spain's senior judicial body (the General Council of the Judiciary) supported the judge's conduct, stating that the judiciary was not responsible for ensuring coordination between different police bodies.

Since her death, one of Alicia's brothers has founded an organization to fight for police protection for victims of gender-based violence. In many instances, the courts have failed to take seriously women's complaints of death threats and assaults by their partners, or to enforce restraint orders against the perpetrators, sometimes with fatal results. In addition, there is little state funding for emergency centres, refuges and sheltered apartments, which are unevenly distributed across the country, based primarily on the ability of non-governmental organizations to open and operate them.

The Supreme Court in a ruling in May 2003 refused to accept the state's responsibility for protecting women from domestic violence. The Court overturned a compensation award by a lower court to the family of Mar Herrero, a woman murdered by her former partner after months of threats and harassment which she had reported to the authorities. The Court ruled that state responsibility applied only if the crime was committed by agents of the state or with their knowledge or acquiescence.

Mar Herrero was killed in October 1999 by a man convicted of the attempted murder of a previous partner. He had been conditionally released seven months earlier, against the advice of the prison psychologist. Seven days before he killed her, a request by the Attorney General's office for his conditional release to be reversed was turned down.

[common text]

Support our campaign: together we can make a difference

- **Take an interest:**
Find out and monitor how your community, government, police, security forces and courts respond to violence against women and girls.
- **Take a stand:**
Speak out about violence against women. Challenge prejudiced or dismissive attitudes.
- **Take action:**
Join our global campaign for women's right to freedom from violence and discrimination.

[end common text]

[box - common text]

In the home and in the community, in times of war and peace, millions

of women and girls are beaten, raped, mutilated and killed with impunity. Join Amnesty International's campaign to demand action by governments, communities and individuals to stop violence against women throughout the world.

[end box]

Take action against violence in the home in Spain

Call on the Spanish government to:

- guarantee rigorous compliance with protection orders issued by the courts;
- provide women who are the victims of gender violence with rapid and adequate compensation, and give them parity with other categories of victims of violent crimes in terms of access to support and services;
- undertake a study into conviction rates for violent crimes against women in order to assess possible discrimination against women who are the victims of abuse.

Send your appeals to: Presidente de Gobierno, Presidencia de Gobierno, Complejo de la Moncloa, 28071 Madrid, Spain, fax: 00.34.91.3900217

[box - common text]

What you can do

I would like to join the Stop Violence against Women campaign.

Please send me more information.

I would like to join Amnesty International. Please send me details.

I would like to make a donation to support Amnesty International's work.

Credit card number:

Expiry date

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Amount

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NAME

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Signature

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ADDRESS

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Please send your form to the Amnesty International address in the box below, if there is one:

or to Amnesty International, International Secretariat, Peter Benenson House,
1 Easton Street, London WC1X 0DW, United Kingdom
or visit Amnesty International's website at
www.amnesty.org/actforwomen
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