



MASTER'S DEGREE IN INTERNATIONAL PUBLIC ADMINISTRATION

Dissertation

The protection of SGBV victims: A study on women refugees  
based in camps in Greece

Of  
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Submitted as required to obtain the master's degree  
Specialization Diploma in International Public Administration

May 2021

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Dissertation

*The protection of SGBV victims: A study on women refugees based in camps in Greece*

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## Abstract

Greece is one of the countries affected the most from the crisis and received sharp criticism in its ability to respond to humanitarian needs of refugees, providing asylum reception facilities of minimum or inhuman standards that could not address SGBV. **Aim:** the focus of the present study lies mostly on the incidence of SGBV in relation to accommodation conditions, putting the emphasis on the investigation of possible violations of International Law. **Methodology:** a field case study based on mixed retrospective research was carried out in Northern Greece (Thessaloniki and Veroia). Structured Interview and close-ended questionnaires were used for receiving data. **Sample:** Respondents included 58 (31.86%) women from a total number of 182 female residents of the two camps, aged between 16 and 59 years, coming from different parts of Asia (Afghanistan, Syria, Iraq, Iran and Palestine). **Results:** similar data were found in the two camps regarding the incidence of SGBV (high), the place where the reported violence occurred (in the vast majority survivor's own house), and the alleged perpetrators (principally members of the family). On the other hand, differences were detected solely in terms of the number and types of violence. However, this ratio of differences and similarities was not anticipated, based on the assumption that the camps' structure and characteristics are considered as risk or protective factors for the incidence of SGBV in refugee population. In terms of possible violations, after juxtaposing the mechanisms and procedures followed in Diavata site with the relevant legislation, no direct violations were found under international, regional or state law. On the contrary, in Agia Varvara site three violations were identified in relation to SGBV, namely the lack of Women Safe Space, separate well-lit bathrooms for women, and guarding and patrolling which could be seen as violations of Law 4531/2018.

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## 1. Introduction

Sexual and Gender based violence (SGBV) is one of the most serious threats to the health and safety of women and girls worldwide (Oliveira et al., 2018; Vu et al. 2017, Tappis et al., 2016; Russo and Pirlott, 2006; Keygnaert, Vettenburg and Temmerman, 2012; Clark, Khawaja, Spencer, 2013; Morof et al., 2014; Blay-Tofey and Lee, 2015), while in refugee, asylum seeking and migrant populations the incidence of SGBV is considered to be higher (Inter-Agency Standing Committee, 2015; Keygnaert et al., 2015; UNHCR, UNFPA and WRC, 2016; Lee et al., 2016; Dias, Fraga and Barros, 2013; Bonewit and Shreeves, 2016; Blazek, 2014). This threat is more pronounced in contexts, such as warfare, where law and order are absent or troubled and society has lost its connectivity and normality. In such settings, SGBV has been traditionally used as a war tactic (Hossain et al., 2018; Wirtz et al., 2014; Saint Arnault, 2017), constituting a variety of human rights violations (Clark, Khawaja and Spencer, 2013; Vu et al., 2017; Oliveira et al., 2018). Furthermore, it is common knowledge that in conflict-affected settings, SGBV is pervasive and poses unique challenges to women and girls particularly vulnerable to its sequelae (Hossain et al., 2018; Vu et al., 2016; Gurman et al., 2014; Pavlish and Ho, 2009; Wirtz et al., 2013; Wirtz et al., 2014). At this context SGBV is characterized by the abduction and/or rape of women and girls as an act of power, and to intimidate, humiliate, traumatize them (Saint Arnault, 2017), or even commit genocide to their communities, by forced pregnancies and abortions (Wirtz et al., 2014). Long after armed conflict has ended, survivors continue to experience physical injuries, psychological trauma, fear, and social and cultural stigma (Saint Arnault 2017). More important, as a result of all the above, those women and girls continue to be at increased risk of SGBV by traffickers (Wirtz et al., 2013; Wirtz et al., 2014; Bates and Gangoli, 2018), males of their family (Wirtz et al., 2014), social surroundings (Wirtz et al., 2013) or even their intimate partner (Stark and Ager, 2011; Keygnaert, Vettenburg and Temmerman, 2012; Wirtz et al., 2014; Umubyeyi et al., 2016; Bates and Gangoli, 2018). The problem is even more obvious when those conflict-affected populations enter to a refugee status and women and girls thus face increased vulnerability of different forms, such as general health and mental health issues (Russo and Pirlott, 2006; Blay-Tofey and Lee, 2015), and are at increased risk of violence in general (Tappis et al., 2016), as well as different forms of sexual violence and gender-based violence in particular (Hossain et al., 2018; Vu et al., 2016).

Nevertheless, SGBV – although prevalent among – is not specific to conflict-affected populations and related to multifarious levels of vulnerability in conflict and displacement (Wirtz et al., 2014). Outside the context of war, SGBV is additionally characterized by sexual exploitation, forced marriages, physical, verbal, psychological, emotional, social, spiritual and other forms of violence and the exclusion of women and girls from education, family's income, free expression and movement, isolation, participation to activities, and more. Guilt, shame, and continued interpersonal violence can become a part of daily life, significantly challenging the road to healing and recovery (Saint Arnault, 2017).

Focusing on the European landscape, available UNHCR data highlight 2015 as the year with the highest number of forcibly displaced people in recorded history. According to the UNHCR Global Trends Report (2016), it was estimated that in 2015 approximately “24 people were forced to flee each minute” (UNHCR, 2016; Tappis et al., 2016). Moreover, according to the European Parliament, from 2015 to 2019 more than 2.5 million refugees and migrants entered the European Union to seek asylum. Most of the asylum seekers come from areas such as West and South Asia and Africa (UNHCR, n.d.; IOM, 2019) which are notoriously

troubled by upheavals and wars due to political instability, the rise of Islam extremists (Al Jihad, Hamas, ISIS, Taliban, etc.) and a vacuum of power. This generalized status of unsafety and uncertainty and, in particular, reasons such as persecution, conflict, generalized violence, or human rights violations led to the phenomenon – unprecedented at such a large scale – of the refugee crisis in Europe. Increasing numbers of women, either alone or with family, attempt to reach Europe seeking protection due to conflict and violence in their countries; those women are found to be subject to violence during their journey and/or upon arrival at a destination country (Freedman, 2016). The lack of adequate accommodation or reception facilities for refugees and migrants in most host countries, as well as the closure of borders which has increased the need for smugglers to help them reach Europe, act to exacerbate the violence and insecurity (Freedman, 2016). During the first two years of the crisis the migrant flows were enormous and local and international agencies were attempting to support them with basic living amenities and medical care (Hossain et al., 2018). Yet, refugees, asylum-seekers and migrants living in European asylum reception facilities (EARF) were especially vulnerable to SGBV (Oliveira et al. 2018; Keygnaert et al., 2015) and subsequent ill-health in Europe (Keygnaert et al., 2015). Unfortunately, it has been noted that European minimum reception standards did not address SGBV (Keygnaert et al., 2015). On the contrary, high levels of gender-based violence (GBV) were paralleled by under-reporting and low service utilization due to individual and system barriers (Wirtz et al., 2013).

In the past two years, prominent initiatives, organizations and working groups have started to highlight the targeted needs and issues adolescent girls are facing and have developed programmatic responses, such as safe spaces for adolescent girls, in order to protect them, empower them, and reduce their vulnerability to violence or exploitation (Noble et al., 2017). Despite those efforts, SGBV remains a silent epidemic in many humanitarian settings with many survivors concealing their experiences (Odwe et al., 2018; Glass et al., 2018; Pavlish and Ho, 2009; Wirtz et al., 2013; Keygnaert, Vettenburg and Temmerman, 2012). Widespread stigmatization of gender-based violence promotes silence among survivors and families, inhibiting access to services (Gurman et al., 2014). Notably, adolescent girls are still at an increased risk of sexual violence, abuse, exploitation, and forced or early marriage across humanitarian contexts (Noble et al., 2017), thus their physical and mental health status becomes a global concern calling for immediate action (Hossain et al., 2018). Innovative primary prevention programs are being developed and implemented along with existing response programs to change harmful social norms that sustain GBV in humanitarian settings (Glass et al., 2018). Still though, many women do not benefit from these efforts (Umubyeyi et al., 2016).

From a legal point of view, gender-based violence constitutes a crime and a violation of fundamental human rights rooted in gender and power inequities (Oliveira et al. 2018; Vu et al., 2017) that threatens the well-being of women and girls (Clark et al., 2013). Legislative measures have been instituted to protect women from similar forms of abuse worldwide (Umubyeyi et al., 2016). International and regional organizations and instruments, such as the United Nations and the Council of Europe, have drafted a series of Treaties and Protocols to protect women against such violations. Specifically, the European Convention on Human Rights (Council of Europe, 1950), the Universal Declaration of Human Rights (United Nations, 1948), as well as the Convention on the Rights of Persons with Disabilities (CRPD) (United Nations, 2008) acknowledge the equality between the two genders and protect women. The latter in specific, guarantees to persons with disabilities freedom from exploitation, violence and abuse. Ensuring that people with communication disability achieve this right is inherently

challenging (Marshall and Barrett, 2018). For women refugees that have survived SGBV, communication disability (i.e., linguistic barriers) further challenges human rights, including the right to education, protection from discrimination, a safe place to live, security of person and legal protection (Marshall and Barrett, 2018). Findings also reveal that, for those women, barriers are likely to occur at each step of preventing and responding to SGBV (Marshall and Barrett, 2018). Yet, their experiences and needs are poorly understood (Marshall and Barrett, 2018).

One of the countries affected the most from the refugee crisis in Europe is Greece. Being the southern European border, along with Italy and Spain, and standing alone between Middle East and Europe, Greece is left to absorb the majority of vibrations. Historically, Greece has been familiar with refugee flows and was one of the most important emigration countries following the Second World War. From 1952 to mid-1970s, over 140,000 Greek national emigrants moved to the U. S., Canada, Australia and other countries (IOM, n.d.), while during the 1980s Greece became a transit country for Eastern Europeans, Middle Easterners and Africans. In the beginning of the 1990s it started receiving large inflows of immigrants from Central and Eastern Europe due to the collapse of communist regimes, as well as a large number of migrants from Albania. From 2007, the number of irregular migrants and asylum seekers arriving in Greece by boat (from Pakistan, Bangladesh, Iraq and Afghanistan, among others) through the Aegean Sea significantly increased. However, as from 2010, a shift from the sea to the land border has taken place, resulting to increased illegal border crossings at the Greek land border with Turkey, which constitute approximately 85% of all the detections of illegal border crossing at the EU level. These large influxes of irregular migrants from Asia and Africa, who view Greece as a gateway to the European Union, end up being stranded in the country. In 2011 the European Court of Justice found that 90% of all irregular entry into Europe was through the Greek borders (IOM, n.d.). In addition, 2015 was a record year when more than 800.000 people crossed the Greek borders mostly through sea (Clayton, Holland and Gaynor, 2015; IOM, 2015), while during 2019 the number of arrivals was estimated to be more than 74.000 (an increase of 48% compared to 2018), as refugee flows from the Turkish coast continued unabated (Konstantinou et al., 2020). According to the latest available data for the year 2020, the total number of asylum applicants remaining on the Greek islands was 39.994, out of which 35.437 were accommodated in the RICs facilities with a total capacity of 6,095 places.<sup>1</sup>

Nevertheless, the conditions in temporary camps all over Greece received negative attention both locally and internationally. Greece has been the target of harsh criticism regarding its reception system, the inadequacy of which results to accusations for refugees' human rights violations.<sup>2</sup> It is true that since the outbreak of the refugee crisis in 2015, the country has been struggling to handle the massive refugee and migrant flows to its mainland and islands, thus consequently such shortcomings became more obvious. The following year, in March 2016, the closure of the Western Balkan route as well as the imposition of border restrictions further deteriorated the already difficult situation, by "trapping a number of about 50,000 third-country nationals in Greece, which created inter alia an unprecedented burden

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<sup>1</sup> AIDA and ECRE, 'Country Report: Conditions in Reception Facilities', Greece, last updated on 30/11/2020, available at [https://asylumineurope.org/reports/country/greece/reception-conditions/housing/conditions-reception-facilities/#\\_ftn44](https://asylumineurope.org/reports/country/greece/reception-conditions/housing/conditions-reception-facilities/#_ftn44)

<sup>2</sup> ECtHR, *F.H. v. Greece*, Application No 78456/11, Judgment of 31 July 2014; *Al.K. v. Greece*, Application No 63542/11, Judgment of 11 March 2015; *Amadou v. Greece*, Application No 37991/11, Judgment of 4 February 2016; *S.G. v. Greece*, Application No 46558/12, Judgment of 18 May 2017; ECtHR, 2015; ECtHR, 2016; ECtHR, 2017



on the Greek reception system”.<sup>3</sup> Gradually, a number of reception facilities was established in the mainland mainly through the accommodation scheme of UNHCR and the creation of temporary camps. At the beginning of 2019, UNHCR underlined the imperative need “for more reception places for asylum-seekers and refugees, especially children who are unaccompanied and other people with specific needs” due to the ongoing flows both from land and sea and the “limited legal pathways out of the country”.<sup>4</sup> The situation was even more dramatical on the islands of the eastern Aegean where the Reception and Identification Centers (RIS) were and still are overcrowded. Law 4540/2018 reformed the authorities responsible for the reception of asylum seekers, including the provision of housing, while the new Law 4636/2019 (aka. IPA) followed with more reforms. Thus, “the Reception and Identification Service (RIS) and the Directorate for the Protection of Asylum Seekers (DPAS) within the Secretariat General of Migration Policy under the Ministry for Migration Policy, where relevant, are appointed as the responsible authorities for the reception of the asylum seekers” (GCR, 2018).<sup>5</sup> Supplementing RIC<sup>6</sup>, the Ministry of Economy and the Ministry of Migration Policy may, by joint decision, establish Open Temporary Reception Facilities for Asylum Seekers<sup>7</sup>, as well as Open Temporary Accommodation Facilities for persons subject to return procedures or whose return has been suspended (GCR, 2016).<sup>8</sup>

Despite those (legislative) efforts by the Greek state, “most temporary accommodation centers and emergency facilities operate without a prior Ministerial Decision and the requisite legal basis.”<sup>9</sup> At the time of the study, only the camps of Elaionas, Schisto and Diavata were officially established in mainland Greece.<sup>10</sup> Due to this, both the responsible authorities and the referral pathways for placement in these camps remain unclear. Hence, there is no clear referral pathway or official body receiving and coordinating the requests for placement in these camps; these were to a great extent coordinated unofficially by the office of the Minister of Migration Policy. Furthermore, there are no available official data on the capacity and occupancy of the aforementioned accommodation places, with the exception of the three officially established facilities: Elaionas (Attica) with 2,200 capacity, Schisto (Attica) with 970 capacity and Diavata (Thessaloniki) with 936 capacity.

Many international studies have been conducted on human rights violations in the context of gender-based violence, mainly in developing or underdeveloped countries, such as Uganda, Rwanda, Ethiopia (UNHCR, 2015; Ager et al., 2018; Odwe et al. 2018; Tol et al. 2013; Wirtz et al. 2013; Umubyeyi et al., 2016; Wirtz et al. 2014; Vu et al. 2016; Krause, 2015). In Europe, especially on the basis of referring to and comparing the legislative framework with specific violations, the number of similar field research is far lower. Our study focuses precisely on filling this gap by recording the occurrence of gender-based violence in inland structures while

<sup>3</sup> AIRE Centre and ECRE, ‘With Greece: Recommendations for refugee protection’, July 2016, 7-8, available at <https://www.ecre.org/with-greece-recommendations-for-refugee-protection/ECRE, 2016>

<sup>4</sup> UNHCR, Factsheet: Greece, January 2019, available at: <https://bit.ly/2SYh3qr>

<sup>5</sup> Art. 41(h) IPA. As of 15 January 2020 and the institution of the Ministry of Migration and Asylum, through P.D. 4/2020 (Gov. Gazette 4/A/15.1.2020), the Secretariat General of Migration Policy, Reception and Asylum, as well as the Special Secretariat of Reception have been transferred under the competence of the new Ministry.

<sup>6</sup> Art. 10, par. 1,2 L. 4375/2016. The article has not been abolished by the IPA and remains the same.

<sup>7</sup> Art. 10, par. 4 L. 4375/2016. The article has not been abolished by the IPA and remains the same.

<sup>8</sup> Art. 10, par. 5 L. 4375/2016. The article has not been abolished by the IPA and remains the same.

<sup>9</sup> AIDA and ECRE, ‘Country Report: Types of Accommodation’, Greece, last updated on 30/11/2020, available at [https://asylumineurope.org/reports/country/greece/reception-conditions/housing/types-accommodation/#\\_ftn8](https://asylumineurope.org/reports/country/greece/reception-conditions/housing/types-accommodation/#_ftn8)

<sup>10</sup> Gov. Gazette, 2065/B/18.09.2015; Gov. Gazette, 3720/B/16.11.2016, Gov. Gazette, 1940/B/06.06.2017

correlating it with any violations in the operation of structures and in the legislative framework.

The present study aims to examine the occurrence of SGBV in Greek camps, putting the emphasis on the investigation of related violations of International Law. For the scope of this research two camps in Northern Greece have been selected, one official (Diavata camp, Thessaloniki) and one unofficial (Agia Barbara, Veroia). There are many differences between the two camps, both qualitative and quantitative. In particular, there are distinct variations in administration, procedures, actors and services, capacity-occupancy, population, facilities, location and proximity to services and markets. These differentiations are considered of great importance and will be described thoroughly as they may influence the prevalence of SGBV cases in those camps.

## 2. Methodology and Data Processing

This is a field case study based on mixed retrospective research carried out in Northern Greece (Thessaloniki and Veroia) between October 2018 and May 2019. The research sites were chosen based on the accessibility of the researcher to the population of concern. In both research sites interviews were carried out with refugee women who were in the process of requesting asylum in Greece. In order to conduct the research in an ethical manner, the potential interviewees were first informed about the nature and the purpose of the research, what the interview would entail, and their consent was obtained before the initiation of any interviewing process. It was also made clear to them that the results of the research would be anonymous, that no data would be used for purposes alien to the scope of the study and that their attendance would not by any means influence their asylum process. Furthermore, it was communicated to them that participation is voluntary and that they have the right to withdraw their consent at any time during the procedure. Thus, an informed consent was elicited from each participant. Potential participants in both sites were approached directly and in person after ensuring that this first contact was in private. Although an effort was made to interview women of different ages, status, background and culture, the sites' residents were – as in many cases – on the move and the population was thus mobile and fluctuating. For those reasons no systematic sampling was possible, and interviewees were selected based on their age (over 16 years old), their availability and consent to be interviewed, as well as the availability of interpreters in the field. From a total female population of 97 women and young girls (over 16 years) in Diavata camp (Thessaloniki) 63 were contacted to participate in the research while 34 were either not found during the outreach in their residence or were excluded due to linguistic barriers (unavailability of interpreters in their language). Of those contacted to participate in the research, 28 were included in the study while 35 either denied participating or did not appear to the scheduled appointment. From a total female population of 85 women and young girls (over 16 years) from Agia Varvara camp (Veroia) 46 were contacted to participate in the research while 39 were either not found during the outreach in their residence or were excluded due to linguistic barriers (unavailability of interpreters in their language). Of those contacted to participate in the research, 28 were included in the study and 16 either denied participating or did not appear to the scheduled appointment. Thus, a total of 58 women refugees were interviewed, 28 from the site of Diavata, Thessaloniki and 30 from the site of Agia Varvara, Veroia. All data were recorded and stored in such a way that would guarantee the anonymity and confidentiality of the interview.

Research has been made for the identification and study of measures used earlier in the field of SGBV screening. Nevertheless, in the scope of this study, two questionnaires have been used, drafted by the Ministry of Health and structured specifically for the purposes of programme PHILOS, which was developed to respond to the refugee crisis as a comprehensive emergency health intervention.<sup>11</sup> Thus, a structured interview methodology was developed by the researcher using the available material allocated from programme PHILOS-EODY. Regarding the two questionnaires used, the first one (semi-structured) consisted of both open and close ended questions recording demographics, status, and specific psychosocial data. The second one (fully structured), which was specified for the screening of GBV cases, consisted of 8 “yes” or “no” questions for the occurrence of GBV, each followed by two

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<sup>11</sup> Botsi, C., Mellou, K., Koustenis, A., Christodouloupoulou, A. and Terzidis, A. (2018), 1st World Congress on Migration, Ethnicity, Race and Health - Abstract Supplement: Poster Presentations 4.11-P11 Sexual gender-based violence training in refugee camps in Greece, PHILOS programme European Journal of Public Health, Vol. 28, Supplement 1

columns of 12 given responses for specifying “who” and 7 given responses for specifying “where”. As already mentioned, a consent form drafted by the researcher was signed by each participant prior to their participation in the research.

Regarding the interpretation needs that were essential to the interviewing process, both MetaDrasi – a formal interpretation and intermediation agency – as well as programme PHILOS were willing to provide their services to the researcher. The interpreters notified the participants at the beginning of the interview on their confidentiality regarding any information shared by the latter.

For the processing of data gathered from both tools described above, the researcher used Microsoft Excel to enter all information and transform the data required for statistical analysis from qualitative into numerical form. Descriptive statistics was used for the presentation of the results of the study since the sample was not sufficient to lead to inductive conclusions. For the demographic data Mean, Standard Deviation, Count and Percentages were calculated, whereas data gathered from the SGBV tool were statistically processed using Counts and Percentages.

### 3. Results

#### 3.1. Overall

Respondents included 58 (31.86%) women from a total number of 182 female residents of the two camps: 28 (28.86%) women from Diavata camp, Thessaloniki, (from a total female population of 97) and 30 (35.29%) women from Agia Varvara camp, Veroia, (from a total female population of 85). All respondents were female (100%), aged from 16 to 59 years (mean 31.43 years) (see **Table 1**). In regard to the participants' countries of origin, they were coming from different parts of Asia, particularly Syria (62.1%), Afghanistan (20.7%), Iraq (12.0%), Palestine (1.7%), and Iran (3.4%), of which 44.8% were of Kurdish ethnicity. Their family status varied from married (72.4%), unmarried (8.6%), divorced parents (8.6%), single parents (6.8%), and widows (3.4%). Most women in our research were housewives (63.79%) while the vast majority had not completed secondary education (81.03%). All respondents from Agia Varvara lived in rooms while the ones from Diavata in containers (see **Table 2**).

<b>TABLE 1 QUANTITATIVE PARAMETERS/ AVERAGES</b>			
	TOTAL SAMPLE	DIAVATA	AGIA VARVARA
SIZE	58	28	30
AGE	31.43	32.92	29.93
EDUCATION (YEARS)	7.28	7.03	7.53
AGE OF MARRIAGE	20.09	20.8	19.39
HUSBAND'S AGE OF MARRIAGE	24.46	24.04	24.88
HUSBAND'S AGE	36.08	37.76	34.41

<b>TABLE 2 QUALITATIVE PARAMETERS/ PERCENTAGES</b>			
	TOTAL SAMPLE (58 women)	DIAVATA (28 women)	AGIA VARVARA (30 women)
<b>FAMILY STATUS</b>			
Married	42 (72.41%)	21 (75%)	21 (70%)
Unmarried	5 (8.62%)	3 (10.71%)	2 (6.66%)
Divorced parents	5 (8.62%)	1 (3.57%)	4 (13.33%)
Single parents	4 (6.89%)	3 (10.715)	1 (3.33%)
Widows	2 (3.44%)	0	2 (6.66%)
<b>COUNTRY OF ORIGIN</b>			
Syria	36 (62.06%)	12 (42.85%)	24 (80%)
Afghanistan	12 (20.68%)	12 (42.85%)	0
Iraq	7 (12.06%)	2 (7.14%)	5 (16.66%)
Palestine	1 (1.72%)	0	1 (3.33%)
Iran	2 (3.44%)	2 (7.14%)	0
<b>ETHNICITY</b>			
Kurdish	26 (44.82%)	5 (17.85%)	21 (70%)
Arabs	19 (32.75%)	10 (35.71%)	9 (30%)

Persians	13 (22.41%)	13 (46.42%)	0
<b>PROFESSION</b>			
Housewife	37 (63.79%)	16 (57.14%)	21 (70%)
Tutors	5 (8.62%)	4 (14.28%)	1 (3.33%)
Hairdresser	4 (6.89%)	1 (3.57%)	3 (10%)
Dressmaker	4 (6.89%)	2 (7.14%)	2 (6.66%)
Shepperd	1 (1.72%)	1 (3.57%)	0
Sculptress	1 (1.72%)	1 (3.57%)	0
Sematic interpreter	1 (1.72%)	0	1 (3.33%)
Student	5 (8.62%)	3 (10.71%)	2 (6.66%)
<b>EDUCATIONAL LEVEL</b>			
No education	5 (8.62%)	4 (14.28%)	1 (3.33%)
Primary	26 (44.82%)	11 (39.28%)	15 (50%)
Secondary	25 (43.10%)	13 (46.42%)	12 (40%)
Higher	5 (8.62%)	3 (10.71%)	2 (6.66%)
Have not completed primary education	36 (62.06%)	18 (64.28%)	18 (60%)

The participants were asked to recall cases of SGBV that occurred at any point in their lives prior to the interview. In total, 24 cases were identified (41.37%)- with an average age of 31.95 years- of which 13 (54.16%) in Agia Varvara and 11 (45%) in Diavata. Regarding the distribution of the reported cases (see **Table 3**) per country of origin, nationals from Syria described the highest number of cases (11 cases/ 45.83%) followed by those from Afghanistan (7 cases/ 29.16%). Concerning the distribution per ethnicity, Kurds and Afghans reported the highest number of cases (11 cases and 7 cases respectively/ 45.83% & 29.16%) followed by Arabs (6 cases/ 25%). Regarding the apportionment of cases per family status, PoC's (Persons of Concern) that were married (16 cases/ 66.66%) reported the highest number followed by divorced single parents (5 cases/ 20.83%), while based on an allocation per profession, PoC's that were housewives (12 cases/ 50%) reported the highest number followed by tutors (5 cases/ 20.83%). Finally, the distribution of reported cases per educational level revealed that the majority of PoC's were of primary education (39.65%) followed by secondary education (25.86%) while those that had not completed secondary education were covering 79.16% of the SGBV cases.

<b>TABLE 3 QUALITATIVE PARAMETERS (absolute numbers) IN RELATION TO SGBV CASES</b>									
	<b>BOTH CAMPS</b>			<b>DIAVATA</b>			<b>AGIA VARVARA</b>		
	Total (58)	SGBV (24)	No SGBV (34)	Total (28)	SGBV (11)	No SGBV (17)	Total (30)	SGBV (13)	No SGBV (17)
<b>FAMILY STATUS</b>									
Married	42 (72.41%)	16 (66.66%)	26 (76.47%)	21 (75%)	8 (72.72%)	13 (76.47%)	21 (70%)	8 (61.53%)	13 (76.47%)
Unmarried	5 (8.62%)	1 (4.16%)	4 (11.76%)	3 (10.71%)	1 (9.09%)	2 (11.76%)	2 (6.66%)	0	2 (11.76%)
Divorced parents	5 (8.62%)	5 (20.83%)	0	1 (3.57%)	1 (9.09%)	0	4 (13.33%)	4 (30.76%)	0

Single parents	4 (6.89%)	2 (8.33%)	2 (5.88%)	3 (10.71%)	1 (9.09%)	2 (11.76%)	1 (3.33%)	1 (7.69%)	0
Widows	2 (3.44%)	0	2 (5.88%)	0	0	0	2 (6.66%)	0	2 (11.76%)
<b>COUNTRY OF ORIGIN</b>									
Syria	36 (62.06%)	11 <b>(45.83%)</b>	25 (73.52%)	12 (42.85%)	2 (18.18%)	10 (58.82%)	24 (80%)	9 <b>(69.23%)</b>	15 (88.23%)
Afghanistan	12 (20.68%)	7 (29.16%)	5 (14.70%)	12 (42.85%)	7 <b>(63.63%)</b>	5 (29.41%)	0	0	0
Iraq	7 (12.06%)	5 (20.83%)	2 (5.88%)	2 (7.14%)	1 (9.09%)	1 (5.88%)	5 (16.66%)	4 (30.76%)	1 (5.88%)
Palestine	1 (1.72%)	0	1 (2.94%)	0	0	0	1 (3.33%)	0	1 (5.88%)
Iran	2 (3.44%)	1 (4.16%)	1 (2.94%)	2 (7.14%)	1 (9.09%)	1 (5.88%)	0	0	0
<b>ETHNICITY</b>									
Kurdish	26 (44.82%)	11 <b>(45.83%)</b>	15 (44.11%)	5 (17.85%)	2 (18.18%)	3 (17.64%)	21 (70%)	9 <b>(69.23%)</b>	12 (70.58%)
Arabs	19 (32.75%)	6 (25%)	13 (38.23%)	10 (35.71%)	2 (18.18%)	8 (47.05%)	9 (30%)	4 (30.76%)	5 (29.41%)
Persians	13 (22.41%)	7 (29.16%)	6 (17.64%)	13 (46.42%)	7 <b>(63.63%)</b>	6 (35.29%)	0	0	0
<b>OCCUPATION</b>									
Housewife	37 (63.79%)	12 (50%)	15 (44.11%)	16 (57.14%)	4 (36.36%)	12 (70.58%)	21 (70%)	8 (61.53%)	13 (76.47%)
Tutors	5 (8.62%)	4 (16.66%)	1 (2.94%)	4 (14.28%)	3 (27.27%)	1 (5.88%)	1 (3.33%)	1 (7.69%)	0
Hairdresser	4 (6.89%)	3 (12.5%)	1 (2.94%)	1 (3.57%)	1 (9.09%)	0	3 (10%)	2 (15.38%)	1 (5.88%)
Dressmaker	4 (6.89%)	1 (4.16%)	3 (8.82%)	2 (7.14%)	0	2 (11.76%)	2 (6.66%)	1 (7.69%)	1 (5.88%)
Shepperd	1 (1.72%)	0	1 (2.94%)	1 (3.57%)	0	1 (5.88%)	0	0	0
Sculptress	1 (1.72%)	1 (4.16%)	0	1 (3.57%)	1 (9.09%)	0	0	0	0
Sematic interpreter	1 (1.72%)	1 (4.16%)	0	0	0	0	1 (3.33%)	1 (7.69%)	0
Student	5 (8.62%)	2 (8.33%)	3 (8.82%)	3 (10.71%)	2 (18.18%)	1 (5.88%)	2 (6.66%)	0	2 (11.76%)
<b>EDUCATIONAL LEVEL</b>									
No education	5 (8.62%)	1 (4.16%)	4 (11.76%)	4 (14.28%)	0	4 (23.52%)	1 (3.33%)	1 (7.69%)	0
Primary	26 (44.82%)	9 (37.5%)	17 (50%)	11 (39.28%)	3 (27.27%)	8 (47.05%)	15 (50%)	6 <b>(46.15%)</b>	9 (52.94%)
Secondary	25 (43.10%)	12 <b>(50%)</b>	13 (38.23%)	13 (46.42%)	7 <b>(63.63%)</b>	6 (35.29%)	12 (40%)	5 (38.46%)	7 (41.17%)
Higher	5 (8.62%)	2 (8.33%)	3 (8.82%)	3 (10.71%)	1 (9.09%)	2 (11.76%)	2 (6.66%)	1 (7.69%)	1 (5.88%)

Have not completed primary education	36 (62.06%)	14 (58.33%)	22 (64.70%)	18 (64.28%)	6 (54.54%)	12 (70.58%)	18 (60%)	8 (61.53%)	10 (58.825)
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Considering the reported types of violence per SGBV case (see **Table 4**), the following results were drawn from both sites: 54.16% (13/24) of the women reported being threatened with physical or sexual violence, 66.66% (16/24) being physically hurt, 41.6% (10/24) being forced to get married, 20.83% (5/24) being forced to have sex against their will and 16.66% (4/24) being forced to get pregnant. Neither of the two groups reported being forced to have sex in order to be offered protection or cover basic needs nor being forced to have an abortion.

<b>Table 4</b> Types of violence						
Types of violence	Diavata/ no of sgbv cases	%	Agia Varvara/ no of sgbv cases	%	Total sample/ no of sgbv cases	%
1	7	63.63	6	46.15	13	54.16
2	5	45.45	11	84.61	16	66.66
3	3	27.27	2	15.38	5	20.83
4	0	0	0	0	0	0
5	2	18.18	2	15.38	4	16.66
6	7	63.63	3	23.07	10	41.66
7	0	0	0	0	0	0
1 In the past year have you been threatened with physical or sexual violence by someone in your home or out of it? 2 In the past year have you been hit, punched kicked slapped, choked hurt with a weapon or otherwise physically hurt by someone in your house or outside of your house or in the camp? 3 In the past year were you forced to have sex against your will? 4 In the past year were you forced for to have sex to able to eat have shelter or have sex for essential services (such as protection or school) because you or someone in your family would be in physical danger if you refused? 5 In the past year were you physically forced or made to feel that you had to become pregnant against your will? 6 In the past year were you coerced or forced into marriage? 7 In the past year were you coerced or forced to have an abortion?						

As to the number of types of SGBV reported by each survivor, it was as follows (see **Table 5**): 33.33% (8/24) reported one single type of SGBV, 33.33% (8/24) reported two types, 12.5% (3/24) three types, 12.5% (3/24) four types and only 8.33% (2/24) of the interviewees reported five types of SGBV, while no woman reported more than 5 types of violence. In sum, from the 24 cases, 15 reported multi-types of violence (62.5%).

<b>TABLE 5</b> Number of SGBV types reported by each survivor					
Diavata SGBV cases	No of types	Agia Varvara SGBV cases	No of types	Total SGBV cases	No of types
1 <sup>st</sup>	1	1 <sup>st</sup>	2		
2 <sup>nd</sup>	1	2 <sup>nd</sup>	4		



3 <sup>rd</sup>	4	3 <sup>rd</sup>	2		
4 <sup>th</sup>	4	4 <sup>th</sup>	1		
5 <sup>th</sup>	5	5 <sup>th</sup>	1		
6 <sup>th</sup>	2	6 <sup>th</sup>	1		
7 <sup>th</sup>	3	7 <sup>th</sup>	2		
8 <sup>th</sup>	1	8 <sup>th</sup>	5		
9 <sup>th</sup>	1	9 <sup>th</sup>	3		
10 <sup>th</sup>	2	10 <sup>th</sup>	2		
11 <sup>th</sup>	1	11 <sup>th</sup>	3		
		12 <sup>th</sup>	2		
		13 <sup>th</sup>	2		
<b>Sum cases (%)</b>					
Diavata SGBV cases	No of types	Agia Varvara SGBV cases	No of types	Total SGBV cases	No of types
5 cases (45.45%)	1 sgbv type	3 cases (23.07%)	1 sgbv type	8 cases (33.33%)	1 type
2 cases (18.18%)	2 sgbv types	6 cases (46.15%)	2 sgbv types	8 cases (33.33%)	2 types
1 case (9.09%)	3 sgbv types	2 cases (15.38%)	3 sgbv types	3 cases (12.5%)	3 types
2 cases (18.18%)	4 sgbv types	1 case (7.69%)	4 sgbv types	3 cases (12.5%)	4 types
1 case (9.09%)	5 sgbv types	1 case (7.69%)	5 sgbv types	2 cases (8.33%)	5 types
No case	6 sgbv types	No case	6 sgbv types	0 cases	6 types
No case	7 sgbv types	No case	7 sgbv types	0 cases	7 types

The reported alleged perpetrators (see **Table 6**) are distributed among husbands/ex-husbands, partners/ex partners, members of their family, members of their community, army and others, with the majority of them being members of the family (54.16%) followed by husbands/ex-husbands (33.33%). With reference to the places where the violence occurred (see **Table 7**), they include the survivor's house-container, their neighbor/site, outside their neighbor/site, during their transportation to other location and/or elsewhere, with the vast majority reporting incidents inside their house (83.33%).

<b>TABLE 6 types of Perpetrator</b>					
Diavata SGBV cases	Types of perpetrator	Agia Varvara SGBV cases	Types of perpetrator	Total SGBV cases	Types of perpetrator
1 <sup>st</sup>	01	1 <sup>st</sup>	03		
2 <sup>nd</sup>	03	2 <sup>nd</sup>	01 & 03		
3 <sup>rd</sup>	01 & 03	3 <sup>rd</sup>	09		
4 <sup>th</sup>	01, 03 & 12	4 <sup>th</sup>	01		
5 <sup>th</sup>	01, 03, 08 & 12	5 <sup>th</sup>	12		
6 <sup>th</sup>	03 & 12	6 <sup>th</sup>	09		
7 <sup>th</sup>	03, 04 & 08	7 <sup>th</sup>	09		
8 <sup>th</sup>	03	8 <sup>th</sup>	01, 03 & 09		

9 <sup>th</sup>	03	9 <sup>th</sup>	01 & 03		
10 <sup>th</sup>	02	10 <sup>th</sup>	03 & 09		
11 <sup>th</sup>	12	11 <sup>th</sup>	09		
		12 <sup>th</sup>	12		
		13 <sup>th</sup>	08		
<b>Sum (%)</b>					
Diavata SGBV cases	Types of perpetrator	Agia Varvara SGBV cases	Types of perpetrator	Total SGBV cases	Types of perpetrator
4 cases (36.36%)	01	4 cases (30.76%)	01	8 cases (33.33%)	01
1 case (9.09%)	02	No cases	02	1 case (4.16%)	02
8 cases (72.72%)	<b>03</b>	5 cases (38.46%)	03	13 cases (54.16%)	<b>03</b>
1 case (9.09%)	04	No cases	04	1 case (4.16%)	04
No cases	05	No cases	05	No cases	05
No cases	06	No cases	06	No cases	06
1 case (9.09%)	07	No cases	07	1 case (4.16%)	07
2 cases (18.18%)	08	1 case (7.69%)	08	3 cases (12.5%)	08
No cases	09	6 cases (46.15%)	<b>09</b>	6 cases (25%)	09
No cases	10	No cases	10	No cases	10
No cases	11	No cases	11	No cases	11
4 cases (36.36%)	12	2 cases (15.38%)	12	6 cases (25%)	12
01 husband/ex-husband 02 partner/ex-partner 03 family member 04 community/refugee or religious leader 05 UN/NGO worker 06 someone from the neighborhood/camp 07 someone outside your neighborhood/camp 08 police 09 armed militant 10 teacher 11 government official 12 other					

<b>TABLE 7</b> place where the violence occurred					
Diavata SGBV cases	Places	Agia Varvara SGBV cases	Places	Total SGBV cases	Places
1 <sup>st</sup>	01	1 <sup>st</sup>	01		
2 <sup>nd</sup>	01	2 <sup>nd</sup>	01		
3 <sup>rd</sup>	01	3 <sup>rd</sup>	01		
4 <sup>th</sup>	01	4 <sup>th</sup>	01		
5 <sup>th</sup>	01 & 04	5 <sup>th</sup>	04		
6 <sup>th</sup>	01 & 04	6 <sup>th</sup>	01		

7 <sup>th</sup>	01, 02 & 07	7 <sup>th</sup>	01		
8 <sup>th</sup>	01	8 <sup>th</sup>	01 & 02		
9 <sup>th</sup>	01	9 <sup>th</sup>	01		
10 <sup>th</sup>	01 & 03	10 <sup>th</sup>	01 & 04		
11 <sup>th</sup>	07	11 <sup>th</sup>	01		
		12 <sup>th</sup>	04		
		13 <sup>th</sup>	07		
<b>Sum cases (%)</b>					
10 (90.90%)	01	10 (76.92%)	01	20 (83.33%)	01
1 (9.09%)	02	1 (7.69%)	02	2 (8.33%)	02
1 (9.09%)	03	0	03	1 (4.16%)	03
2 (18.18%)	04	3 (23.07%)	04	5 (20.83%)	04
0	05	0	05	0	05
0	06	0	06		06
2 (18.18%)	07	1 (7.69%)	07	3 (12.5%)	07
01 house where you currently live 02 your current neighborhood/camp 03 outside your neighborhood/camp 04 while in transit to current location 05 school 06 workplace 07 other					

### 3.2. Diavata camp

Examining each camp separately, in Diavata at the time of the study there was a total number of 97 women residents from whom 28 (28.86%) participated in the study. Their age was between 16 and 59 years (mean 32.92 years) for the total sample and between 16 and 51 years (mean 31.9 years) for the SGBV cases (see **Table 1**). The participants of the study were coming from different parts of Asia, particularly Afghanistan (42.85%), Syria (42.85%), Iraq (7.14%), and Iran (7.14%), of whom 46.42% were Persians and 35.71% were Arabs. Their family status varied from married (75%), unmarried (10.71%), single parents (10.71%) and divorced parents (3.57%). Most of the women in our research were housewives (57.14%) while the majority had not completed secondary education (75%) (see **Table 2**).

The respondents were asked to recall cases of SGBV that occurred any time in their lives prior to the interview. A total of 11 cases (39.28%) were identified from the sample. The distribution of reported cases (see **Table 3**) per country of origin graded Afghanistan as the country with the highest number of cases (7 cases/ 63.63%). The distribution of reported cases per ethnicity showed similar results as Persians reported the highest number of cases (7 cases/ 63.63%). Regarding the allocation per family status, PoC's that were married reported the highest number (9 cases/ 81.81%), whereas per profession, housewives reported the highest number (4 cases/ 36.36%) followed by tutors (3 cases/ 27.27%). Finally, the distribution of reported cases per educational level revealed that the majority of PoC's were of secondary education (63.63%) followed by primary education (27.27%), while those that had not completed secondary education were covering 72.72% of the SGBV cases.

Considering the reported types of violence per SGBV case (see **Table 4**), they were as follows: 63.63% (7/11) of the women reported being threatened with physical or sexual violence, 63.63% (7/11) being forced to get married, 45.45% (5/11) being physically hurt,

27.27% (3/11) being forced to have sex against their will and 18.18% (2/11) being forced to get pregnant. None of them reported being forced to have sex in order to be offered protection or cover basic needs nor being forced to have an abortion.

As regards the number of SGBV types reported by each survivor, it was as follows (see **Table 5**): 45.45% (5/11) reported one single type of SGBV, 18.18% (2/11) reported two types, 9.09% (1/11) three types, 18.18% (2/11) reported four types of SGBV, 9.09% (1/11) five types, while no woman reported more than 5 types of violence. In sum, from the 11 cases, 6 reported multi-types of violence (54.54%).

The reported alleged perpetrators (see **Table 6**) are mainly distributed among husbands/ex-husbands, partners/ex partners, members of their family, members of their community, army and others, with the majority of them being family members (72.72%), followed by husbands/ex-husbands (36.36%). The places where the violence occurred (see **Table 7**) are the survivor's house-container, their neighborhood/site, outside their neighborhood/site, during their transportation to other location and/or elsewhere, with the vast majority reporting incidents of violence inside their house (90.90%).

### *3.3. Agia Varvara camp*

In Agia Varvara at the time of the study there was a total number of 85 women residents from whom 30 (35.29%) participated in the study. Their age was between 16 and 58 years (mean 29.93 years) for the total sample and between 19 and 48 years (mean 32 years) for the SGBV cases (see **Table 1**). The participants of the study originated from different parts of Asia, particularly Syria (80%), Iraq (16.66%), and Palestine (3.33%), of which 70% were Kurds and 30% Arabs. Their family status varied from married (70%), divorced parents (13.33%), unmarried (6.66%), single parents (3.33%) and widows (6.66%). Most of the women were housewives (70%) while the vast majority had not completed secondary education (86.66%) (see **Table 2**).

The participants were asked to recall cases of SGBV that occurred any time in their lives prior to the interview. In total, 13 cases were identified (43.33%). Regarding the distribution of reported cases (see **Table 3**) per country of origin, nationals from Syria described the highest number of cases (9 cases/ 30%), while regarding the cases per ethnicity, Kurds reported the highest number of cases (9 cases/ 69.23%) compared to Arabs who corresponded to 13.33% of the reported incidents. Taking into account the family status, PoC's that were married (8 cases/ 61.53%) reported the highest number followed by divorced single parents (4 cases/ 30.76%). The distribution of reported cases per profession showed that housewives (8 cases/ 61.53%) constitute the highest number of survivors. Finally, the distribution of reported cases per educational level revealed that the majority of PoC's were of primary education (46.15%), while those that had not completed secondary education were covering 84.61% of the SGBV cases.

Considering the reported types of violence per SGBV case (see **Table 4**), 46.15% (6/13) of the women reported being threatened with physical or sexual violence, 84.61% (11/13) being physically hurt, 23.07% (3/13) being forced to get married, 15.38% (2/13) being forced to have sex against their will and 15.38% (2/13) being forced to get pregnant. None of them reported being forced to have sex in order to be offered protection or cover basic needs nor being forced to have an abortion.

As to the number of SGBV types reported by each survivor, it was as follows (see **Table 5**): 23.07% (3/13) reported one single type of SGBV, 46.15% (6/13) two types, 15.38% (2/13) three types, 15.38% (2/13) four types of SGBV and only 7.69% (1/13) of residents reported five types, while no woman reported more than 5 types of violence. In sum, from the 13 cases, 11 reported multi-types of violence (84.61%).

In regard to the reported alleged perpetrators (see **Table 6**), they were mostly husbands/ex-husbands, partners/ex partners, members of their family, members of their community, army and others with the majority being members of the army (46.15%) followed by members of the family (38.46%) and husbands/ex-husbands (30.76%). Lastly, the places where the violence occurred (see **Table 7**) were usually the survivor's house-container, their neighborhood/site, outside their neighborhood/site, during their transportation to other location and/or elsewhere, with the vast majority reporting incidents inside their house (76.92%).

### *3.4. Comparison of results between the two camps*

Examining the two camps comparatively, the incidence of SGBV cases was quite similar in the two samples (39.28% in Diavata and 43.33% in Agia Varvara). Considering the reported types of violence per SGBV case, significant differences between the two sample were identified on the percentage of physical violence (45.45% in Diavata and 84.61% in Agia Varvara), of forced marriage (63.63% in Diavata and 23.07% in Agia Varvara), and on threats of violence (63.63% in Diavata and 46.15% in Agia Varvara). As regards the number of SGBV types reported by each survivor, significant differences were also identified between the two samples. Namely, regarding the occurrence of one single type (45.45% in Diavata and 23.07% in Agia Varvara), of 2 types (18.18% in Diavata and 46.15% in Agia Varvara) and of multi-types of violence (54.54% in Diavata and 84.61% in Agia Varvara). Lastly, regarding the reported alleged perpetrators as well as the places where the violence occurred similarities were found between the two samples. Particularly, the majority of the alleged perpetrators were members of the family – parental and/or marital – (72.72% & 36.36% in Diavata camp and 38.46% & 30.76% in Agia Varvara camp) and the reported place where the violence occurred was principally their own house (90.90% in Diavata camp and 76.92% in Agia Varvara camp) in both samples.

### *3.5. Comparison of results with literature*

Our results on the occurrence of SGBV in accommodation sites agree with the studied literature irrespectively of the context or the countries where those studies were conducted. Indicatively, reference is made to the studies of Keygnaert et al. (2015) on SGBV in asylum and reception sectors of Europe, of Bonewit and Shreeves (2016), which is a case study on women refugees conducted in Germany and Brussels, of Kalt, Hossain, Kiss and Zimmerman (2013) – a systematic review on violence against refugees in high-income host countries – of Freedman (2016) on SGBV against female refugees, a multi-country study of Fulu, Jewkes, Roselli and Garcia-Moreno (2013) on prevalence of intimate partner violence in Asia and the Pacific, the meta-analysis of Vu et al., (2014) on the prevalence of sexual violence in humanitarian settings and the study of Oliveira et al. (2018) on sexual and gender-based violence in European asylum reception facilities.

Regarding the place where the violence occurred, there are not many studies specifying this factor. The participants in our study reported a range of contexts where violence

occurred, namely across the survivor's house-container, in their neighborhood/site, outside their neighborhood/site, during their transportation to another location and/or elsewhere. Our findings are in agreement with the study of Wirtz et al. (2013) where it was reported that violence occurred across multiple settings, including the country of origin, during conflict or times of peace; the host country, within the urban or camp setting or within the host community; and during transit to or within the host country. However, in our research, due to the structure of our questionnaire, it was not possible to record the time that the violence occurred or to differentiate between house and site, as in the questionnaire both were stated under the same category. Thus, those results should be considered with reservation. Nevertheless, based on the interview, this respond (in my house/site) mostly referred to the survivors' house in their country of origin.

A high number of combined types of SGBV was reported in our study (54.54% in Diavata and 84.61% in Agia Varvara) in consistency with previous research on refugees, AS and migrants (Basile, 2016; UNHCR, 2015; Wirtz et al., 2013; Vu et al., 2016; Oliveira et al., 2018). In the European context, the findings of a large- scale study (Oliveira et al., 2018) conducted in eight European countries (Belgium, Ireland, Malta, Greece, Hungary, Portugal, Netherland and Spain) concluded that in the EARF context, SGBV is characterized by multi-types of violent acts. The study recorded the following types as reported by women refugees: physical violence (40.6%), singular non-life-threatening (25.6%), multiple non-life-threatening (5.3%), singular life-threatening (6.3%), multiple life-threatening (1%), killing (0.5%), psychological violence (37.6%), verbal violence (17.7%), humiliation (12%), threatening (4.7%), confinement (0.5%), relational violence (3.1%), sexual violence (5.3%), sexual harassment (22.2%), sexual abuse (11.1%), attempt to rape (3.7%), sexual exploitation (7.4%), socio-economic violence (16.5%), discrimination (10.7%), refusal of assistance (21.4%), social exclusion (4.8%). While in a study conducted in Netherlands and Belgium on the types of SGBV experienced by refugees in European sites (Keygnaert et al., 2012) a high incidence of multi-types of violence was reported, including sexual harassment, gang or multiple rapes and sexual exploitation. In a non-European context results are quite similar with the ones in Europe. Particularly, the study of Wirtz et al. (2013) conducted in Ethiopia, also identified a range of violence types (threats of violence, kidnapping, threats of withholding finances or food assistance, coercion for assistance with finances, food assistance or shelter, social stigmatization or isolation on the basis of single marital status, marital choice, FGM choice, social stigmatization or isolation on the basis of sexual violence experience, social stigmatization or isolation due to religious, ethnic, clan differences, general physical violence, intimate partner violence, imprisonment, coerced sex, rape). Another study (Vu et al., 2016) in humanitarian settings in Ethiopia and Colombia identified multi-types of SGBV, including (in Ethiopia): threats of violence (35.7%), physical violence (46.6%), forced sex (20.4%), coercive sex for survival (27.7%), forced pregnancy (15.8%), and forced marriage (19.9 %). In Colombia, participants reported threats of violence (41.5%), physical violence (23.5%), forced sex (36.0%), coercive sex for survival (20.2%), forced pregnancy (1.98%), forced marriage (4.17%), and forced abortion (1.59%). Accordingly, in another study conducted by the same researcher (Vu et al., 2017) on women seeking health care in the clinics of refugee camps in Kenya, women reported several types of violence, namely threat of violence (1.0%), physical (1.4%), forced sex (0.5%), sexual exploitation (0.7%), forced pregnancy (0.3%), forced abortion (0.3%) and forced marriage (0.3%).

Our research revealed the presence of multi-types of perpetrators with the most reported type being members of the family. Particularly, the reports of our study concerned

husbands/ex-husbands, partners/ex partners, members of the family, members of the community, army and others, with the majority of them being members of the family (33.33%) followed by husbands/ex-husbands (20.51%). The findings on the multiplicity of types of perpetrators are quite similar throughout the literature (Lokuge, 2016; Wirtz et al., 2013; Keygnaert et al., 2015; Bonewit and Shreeves, 2016; Spencer et al., 2015) but quite contradictory regarding the types of perpetrators.

Research has demonstrated that perpetrators of SGBV are most often known to the victim. For example, a survey study in camps in Uganda, indicated that “the majority of gender-based violence was inflicted within the home and within familial circles, rather than chance attacks by strangers in the external environment” (Stark & Ager, 2011; Stark et al., 2009; Ager et al. 2018). In agreement with the above is a study on Syrian refugees in Lebanon and North Jordan, which revealed that the main perpetrators of sexual violence were husbands, neighbors and owners of the house where the respondents were residing (Spencer et al., 2015).

However, refugees are equally victimized by strangers, NGO officers, staff, guards, volunteers, employers, persons in authority and those assigned to their protection (Holmes and Slap, 1998; Hynes and Lopes Cardozo, 2000; Keygnaert et al., 2008; Norredam, Crosby, Piwowarczyk and Grodin, 2005; Tavara, 2006; UNHCR, 2003; Ward and Vann, 2002; Wenzel et al., 2006; Wirtz et al., 2013; Lokuge, 2016; Keygnaert et al., 2015; Bonewit and Shreeves, 2016).

Thus, aligned to our findings as per the multi-types of perpetrators is the study of Wirtz et al. (2013) conducted in Ethiopia, where a range of violence perpetrators (i.e., intimate partner, family, family of partner, NGO officer (camp), other male refugee camp resident, refugee community, religious affiliates, employer) was described by participants as having occurred in the host country, urban and camp settings. However, in this study NGO and camp staff were identified to be among the perpetrators of GBV in the refugee camp settings, which is contradictory to our findings. Another study, (Lokuge, 2016) also identified multi-types of perpetrators (i.e., intimate partner, member of family/extended family, known person other than family, unknown person), however, this study also identified non-intimated perpetrators; besides, it was conducted in an urban setting of Papua New Guinea. Studies conducted in European context also agree with our findings regarding multi-types of perpetrators but are also contradictory as per the type of the latter, showing a high incidence of staff, guards or volunteers as perpetrators (Keygnaert et al., 2015; Bonewit and Shreeves, 2016).

## 4. Description of the issue of SGBV cases identified in Greek camps- comparison with other countries facing humanitarian crisis

### 4.1. Overview

Sexual and gender-based violence (SGBV) has received increasing attention in the context of Peace and Conflict Studies as well as Forced Migration and Refugee Studies in recent years.<sup>12</sup> There are growing numbers of women migrating to Europe in search of safety from war and violence in their home countries. Reaching Europe is often perceived as the end of their perilous route; nevertheless, it is largely inconsequential as far as their future is concerned: violence is plaguing refugee camps across Europe. Although this violence that refugees are exposed to in camps affects all of its victims, the primary ones are women. The breadth of this social illness has been exemplified by accounts of sexual violence perpetrated against female refugees in Europe. Although the exact figures vary between studies, as many as 70% of female migrants have been subjected to sexual violence since their entrance into Europe.<sup>13</sup> Sexual violence encompasses actions ranging from sexual harassment to rape.

Despite the high percentage of women surviving SGBV, there is still limited research on their individual experiences.<sup>14</sup> The main data on these women's experiences derives from reports by major human rights organizations and NGOs.<sup>15</sup> According to organizations' reports, women refugees and migrants are susceptible to SGBV both on their journeys and in their countries of resettlement.<sup>16</sup> Moreover, many refugees may be trying to escape different types of GBV in their countries of origin. For example, the Human Rights Watch recorded cases of SGBV against migrants in detention in North Macedonia, as well as transactional sex through which women were offered priority treatment of their cases and quicker release in return for sexual relations with male guards.<sup>17</sup>

The occurrence of SGBV is high in refugee, asylum-seeker (AS) and migrant populations.<sup>18</sup> In high-income host countries, a systematic study on violence and health concerns among AS

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<sup>12</sup> Krause, U. (2015), 'A Continuum of Violence? Linking Sexual and Gender-based Violence during Conflict, Flight, and Encampment', *Refugee Survey Quarterly*, 34(4), pp. 1-19

<sup>13</sup> WomanStats Blog (2017), *Female refugees in Europe*, 4 October 2017, available at <https://womanstats.wordpress.com/2017/10/04/female-refugees-in-europe/>

<sup>14</sup> Freedman, J. (2016), 'Sexual and gender-based violence against refugee women: a hidden aspect of the refugee "crisis"', *Reproductive Health Matters*, 24(47), pp. 18-26

<sup>15</sup> Amnesty International (2016), *Greece: Refugee Women Coping with Fear and Violence in the Camps*, 30 November 2016, available at <https://www.amnesty.ie/greece-refugee-women-coping-fear-violence-camps/> and Nobel Women's Initiative (2016), *New Report: Women Refugees at Risk in Europe*, 15 March 2016, available at <https://nobelwomensinitiative.org/new-report-women-refugees-at-risk-in-europe/>

<sup>16</sup> Freedman, J. (2012), 'Analyzing the Gendered Insecurities of Migration: A Case Study of Female Sub-Saharan Africans Migrants in Morocco', *International Feminist Journal of Politics*, 14(1), pp. 36-55; Marchand, M. (2008), 'The Violence of Development and the Migration/Insecurities Nexus: Labour Migration in a North American Context', *Third World Quarterly*, 29(7), pp. 1375-1388

<sup>17</sup> Freedman, J. (2016)

<sup>18</sup> Inter-Agency Standing Committee (2015), *Guidelines for integrating gender-based violence interventions in humanitarian action: reducing risk, promoting resilience and aiding recovery*, available at [https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines\\_lo-res.pdf](https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines_lo-res.pdf);

Keynaert, I. and Guieu, A. (2015), 'What the eye does not see: a critical interpretive synthesis of European Union policies addressing sexual violence in vulnerable migrants', *Reproductive Health Matters*, 23, pp. 45-55; Bonewit, A. and Shreeves, R. (2016), *Reception of female refugees and asylum seekers in the EU-Case study Germany*, European Parliament, Brussels: Directorate General for International Policies, Policy Department C: Citizens' Rights and Constitutional Affairs, available at [https://www.europarl.europa.eu/RegData/etudes/STUD/2016/536497/IPOL\\_STU\(2016\)536497\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2016/536497/IPOL_STU(2016)536497_EN.pdf);



showed a prevalence of 35.7% in terms of sexual harassment in detention facilities committed by detention officers, 44.2% concerning medical consultation, and four studies documented methods of sexual torture among torture victims.<sup>19</sup> A Research carried out in Belgium and the Netherlands which examined the type of SGBV that refugees, AS and undocumented migrants suffered following their arrival in Europe, recorded a high rate of multi-types of violence such as sexual harassment, group or multiple rapes and sexual exploitation.<sup>20</sup> Considering the conditions and infrastructure of asylum reception centers in Europe, the possibility of SGBV is constant and the occurrence rate is high.<sup>21</sup> Consequently, researches indicate that the vulnerability to SGBV, especially among women and girls, tends to rise due to insufficient living arrangements, overcrowding in reception centers, and lack of gender-sensitive procedures in asylum proceedings.<sup>22</sup> In Europe, there is still no nationwide distribution of the occurrence of SGBV in refugees, AS and migrants.<sup>23</sup> There are, however, data on young adults' sexual aggression. A study of female victimization was conducted and the highest one-year incidence rate was observed in Greece, Germany, Sweden, the Netherlands, Spain and Finland, in comparison to Portugal, Belgium, Malta, and Hungary. Although this study offers an evaluation of existing evidence of SGBV and contrasts researches that include different methodologies, participant composition and definitions of sexual aggression, it provides a clear image of the magnitude of the troubling SGBV in Europe.<sup>24</sup>

#### 4.2. Situation in Greece

Long before the arrivals of refugee during the period 2015-2016, Greece was already facing significant shortcomings in the field of reception of asylum seekers and third country nationals.<sup>25</sup> According to a report drafted by the Committee on Migration, Refugees and

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Lee, B.X., Donnelly, P.D., Cohen, L. and Garg, S. (2016), 'Violence, health, and the 2030 agenda: merging evidence and implementation', *Journal of Public Health Policy*, 37, pp. S1-12;

UNHCR, UNFPA and WRC (2015), *Initial assessment report: protection risks for women and girls in the European refugee and migrant crisis*, available at <https://www.unhcr.org/569f8f419.pdf>;

Dias, S., Fraga, S. and Barros, H. (2013), 'Interpersonal violence among immigrants in Portugal', *Journal of Immigrant and Minority Health*, 15, pp. 119-24;

Blazek, M. (2014), 'Migration, vulnerability and the complexity of violence: experiences of documented non-EU migrants in Slovakia', *Geoforum*, 56, pp. 101-12

<sup>19</sup> Kalt, A., Hossain, M., Kiss, L. and Zimmerman, C. (2013), 'Asylum seekers, violence and health: a systematic review of research in high-income host countries', *American Journal of Public Health*, 103, pp. e30-42

<sup>20</sup> Keygnaert, I., Vettenburg, N. and Temmerman, M. (2012), 'Hidden violence is silent rape: sexual and gender-based violence in refugees, asylum seekers and undocumented migrants in Belgium and the Netherlands', *Cult Health Sex*, 14, pp. 505-20, available at <https://doi.org/10.1080/13691058.2012.671961>

<sup>21</sup> Keygnaert, I. and Guieu, A. (2015); Bonewit, A. and Shreeves, R. (2016); UNHCR, UNFPA & WRC (2015)

<sup>22</sup> Bonewit, A. and Shreeves, R. (2016); UNHCR, UNFPA & WRC (2015); Freedman, J. (2016)

<sup>23</sup> UNHCR (2013) *Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons. Guidelines for Prevention and Response*, UNHCR (SGVB Guidelines), May 2003, available at <https://www.unhcr.org/protection/women/3f696bcc4/sexual-gender-based-violence-against-refugees-returnees-internally-displaced.html>;

Keygnaert, I. and Guieu, A. (2015);

Oliveira, C., Keygnaert, I., Oliveira Martins, M., & Dias, S. (2018), 'Assessing reported cases of sexual and gender-based violence, causes and preventive strategies, in European asylum reception facilities' *Globalization and health*, 14(1), 48, 9 May 2018, available at <https://doi.org/10.1186/s12992-018-0365-6>

<sup>24</sup> Krahé, B., Tomaszewska, P., Kuyper, L. and Vanwesenbeeck, I. (2014), 'Prevalence of sexual aggression among young people in Europe: a review of the evidence from 27 EU countries', *Aggression and Violent Behavior*, 19, pp. 545-58, available at <https://doi.org/10.1016/j.avb.2014.07.005>

<sup>25</sup> Anastasiou, A., Giannoglou, B., Dr. Karadimitriou, A., Kassapi, Z., Mpakas, G., Samartzi, C., Georgia, S., Vlastou-Dimopoulou, F. and Yfantis, A. (2017), *Mapping frontline professionals' methods of detection, management and prevention of gender-based violence within refugee communities*, Center for European Constitutional Law and General Secretariat for family policy and gender equality, pp.1-47, available at [https://empowerref.gr/wp-content/uploads/2019/11/Mapping-Report-EMPOWER\\_REF.pdf](https://empowerref.gr/wp-content/uploads/2019/11/Mapping-Report-EMPOWER_REF.pdf)

Displaced Persons<sup>26</sup>, the closing of the northern border with “the former Yugoslav Republic of Macedonia” and the EU–Turkey Agreement resulted in a huge number of refugees and migrants (46.000) blocked in mainland Greece and 8.500 on the islands. In this report it was stated that Greece was assuming a disproportionate burden in response to the refugee and migration crisis attributed to its position and was incapable of offering basic protection levels. Initially, Greece was regarded as a transit country, but due to the closure of the northern border, the majority of refugees and asylum seekers arriving in Greece in 2016 remained there.<sup>27</sup> In 2017<sup>28</sup>, the estimation on arrivals in Greece was 19.850 people, while the numbers of people staying in the mainland (33 camps) was 35.114 and of those staying in the islands (9 camps) 14.354 – out of a capacity of 8.685.<sup>29</sup> UNHCR reports an even more worrying situation on Lesbos, Chios, Samos and Leros, which endure the main burden upon the arrivals. The same report highlights that the duration of the staying on the islands can variate depending on the location from months (in the hotspots) to years (in other camps or relocation facilities).

The closure of the Balkan road and the implementation of the joint EU-Turkey declaration resulted in an increased need to resolve accommodation issues, which led the Greek state to create refugee shelter structures.<sup>30</sup> However, those structures which were originally designed as transit facilities, ultimately had to accommodate people for long periods at a time. As a consequence, in many instances, reception conditions did not meet required standards, mostly due to the large amount of arrivals, despite the efforts made to improve the structures.<sup>31</sup>

The poor conditions prevailing in many Greek camps were considered to pose a great risk not only to health and welfare (i.e., water shortages and poor hygienic conditions, shortage of blankets, mattresses, sleeping bags and hygiene kits)<sup>32</sup>, but also to the safety of single women or single-parented families against gender-based violence. Examples of poor accommodation conditions related to women’s unsafety are overcrowding; absence of separate and safe housing for single women;<sup>33</sup> inadequate lighting along the sites;<sup>34</sup> inappropriate toilets and showers located in distant areas that are not guarded and without provisions for gender issues, leading women to feel unsafe and exposed to attacks by single men;<sup>35</sup> inadequate presence or total absence of security personnel and police. Particularly, in

<sup>26</sup> Council of Europe: Parliamentary Assembly (2016), *Refugees at risk in Greece*, 7 June 2016, Doc. 14082, pp. 1-14, available at <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=22814&lang=en>

<sup>27</sup> Council of Europe: Parliamentary Assembly (2017a), *Protecting refugee women from gender-based violence*, 7 April 2017, Doc. 14284, pp. 1-17, available at <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23533&lang=en>

<sup>28</sup> UNHCR (2017a), *Mediterranean Situation: Greece*, available at <http://data2.unhcr.org/en/situations/mediterranean/location/5179>

<sup>29</sup> UNHCR (2017b), *Europe Refugee Emergency: Map Indicating Capacity and Occupancy (Governmental Figures)*, available at <https://data2.unhcr.org/en/documents/details/80104>

<sup>30</sup> Anastasiou, A. et al. (2017)

<sup>31</sup> Council of Europe (2017a)

<sup>32</sup> UNHCR (2017c), *UNHCR urges action to ease conditions on Greek islands*, 8 September 2017, available at <https://www.unhcr.org/news/briefing/2017/9/59b24a377/unhcr-urges-action-ease-conditions-greek-islands.html>

<sup>33</sup> IMC, Oxfam, UNFPA and WRC (2016), *A Summary of Assessment Findings and Recommendations: The Situation of Refugee and Migrant Women, Greece 2016*, pp.1-5, available at <https://data2.unhcr.org/fr/documents/download/52747>

<sup>34</sup> Council of Europe (2017a)

<sup>35</sup> Oxfam (2016), *Gender analysis: The situation of refugees and migrants in Greece*, August 2016, pp.1-37, available at [https://oi-files-d8-prod.s3.eu-west-2.amazonaws.com/s3fs-public/file\\_attachments/oxfam\\_gender\\_analysis\\_september2016.pdf](https://oi-files-d8-prod.s3.eu-west-2.amazonaws.com/s3fs-public/file_attachments/oxfam_gender_analysis_september2016.pdf)

2016 UNHCR launched an assessment on “The Protection Of Women And Girls In The Europe Crisis”, reporting that in Greek camps “there is a dearth not only of prevention and response services to SGBV but of all services that specifically respond to the needs of women and girls, such as separate distribution lines for food, separate WASH facilities<sup>36</sup>, separate accommodation for specific groups, including single women and female headed households, and for families. Furthermore, challenges were observed in the availability of dedicated and trained government and humanitarian staff able to promptly identify persons at risk and those in need of special attention and prioritization. Police personnel who are in charge of security and organizing the flow of refugees and migrants into transit centers are not equipped to identify, prioritize and respond to protection risks”.<sup>37</sup> According to the UNHCR reports, the capacity of most reception facilities in Greece is exceeded resulting to overcrowded accommodation conditions that have a negative effect on the protection of women from gender-based violence. Moreover, UNHCR indicates that the reception/transit sites were designed without adequate consideration to the risk of sexual and gender-based violence and that there is an overall sense of a lack of safety.<sup>38</sup> In November 2016, the Refugee Rights Data Project carried out a study according to which the majority of women participating in the study did not have access to important information such as the European asylum and immigration law and their rights as refugees and women.<sup>39</sup> Two years later in 2018 UNHCR voiced significant concerns regarding refugee women being harassed and sexually abused due to the conditions of the reception/transit sites.<sup>40</sup> In August 2016, the organization OXFAM conducted a study on the gender dimension of the refugee and immigration issue in Greece. Their findings conclude that women had fears for their “physical security, modesty and reputation”, accounting as some of the reasons “the type and location of their accommodation and of sanitary facilities (in dark or far corners of the site, or not separated from those for men)”, and the cohabitation with people of different nationalities, within small and confined spaces.

The situation is much more challenging on the Greek islands, where refugees are arriving in massive numbers with few accommodation options accessible to them, forcing most of them to sleep in parks, fields or on the streets.<sup>41</sup> In 2017, UNHCR received reports from 622 survivors of SGBV in the Aegean islands, of whom at least 28% experienced such incidents upon arrival in Greece. Based on these testimonies, the organization stated that the situation is particularly worrying in the Reception and Identification Centers of Moria, Lesbos and Vathi, Samos, where refugee women and children avoid toilets and showers at night, unless accompanied.<sup>42</sup> Freedman, in his 2016 study, characterized living conditions in Kos as insufficient, increasing the vulnerability of women to GBV. According to the study, local authorities provided accommodation for the first refugees to arrive in a dilapidated hotel that

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<sup>36</sup> Council of Europe (2017a)

<sup>37</sup> UNHCR, UNFPA and WRC (2016), *INITIAL ASSESSMENT REPORT: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis Greece and the former Yugoslav Republic of Macedonia*, pp.1-25, available at <https://www.unhcr.org/protection/operations/569f8f419/initial-assessment-report-protection-risks-womengirls-european-refugee.html>

<sup>38</sup> Council of Europe (2017a)

<sup>39</sup> Refugee Rights Europe (2016), ‘Life in Limbo’, available at [https://refugeerights.org.uk/wp-content/uploads/2018/08/RRE\\_LifeInLimbo.pdf](https://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_LifeInLimbo.pdf)

<sup>40</sup> Ahmadi, N. (2018), *Afghan women are among victims of sexual violence in Greek refugee camps*, InfoMigrants. 14 February 2018, available at <https://www.infomigrants.net/en/post/7562/afghan-women-are-among-victims-of-sexual-violence-in-greek-refugee-camps>

<sup>41</sup> Freedman, J. (2016)

<sup>42</sup> Anastasiou, A. et al (2017)

lacked electricity and running water and contained only two toilets that about eight hundred residents had to share. Women and men were obligated to share exterior water taps for washing, and a few mobile showers provided by the NGO Médecins Sans Frontières (MSF). The space inside the hotel was distinctly gendered divided, with women being barricaded upstairs in the bedrooms and men occupying the more public areas downstairs. Those conditions led many women to express that they feel being threatened when sharing space with unknown, especially single, men. This fear of violence forced some of those women as well as families to abandon the hotel and to prefer sleeping outdoors without shelter or facilities.<sup>43</sup> Reports for SGBV were also made by MSF in Lesvos, from January to the end of September 2018 reporting having treated a total of 23 patients in their clinic outside Moria camp who disclosed being sexually abused, including rape, in or around the camp.<sup>44</sup> A similar situation prevailed in all Reception and Identification Centers on the islands, as reported by 19 humanitarian and human rights organizations in their public appeal to the Ministry of Migration Policy in September 2018 for the decongestion of the islands.<sup>45</sup>

All those conditions are related to reports stressing that sexual violence is common at Greek migrant centers. Particularly, UNCHR reported obtaining information from more than 600 survivors of SGBV.<sup>46</sup> Nevertheless, the real numbers of SGBV cases are probably much higher than the reported ones. It appears that it is quite difficult to acquire quantitative data regarding SGBV cases, mainly due to the sensitive and traumatic nature of the subject, as well as the danger of stigmatization.<sup>47</sup> The same conclusion is reached by a study prepared by KETHI with KGME Diotima, which emphasizes on the fact that the small number of recorded cases of GBV is completely inconsistent with the actual extent of the phenomenon, as the actual victims are more than those reported to agencies asking for intervention and assistance.<sup>48</sup>

In light of the above, UNHCR appealed to the Greek Government to minimize overcrowding and ameliorate living conditions in the centers.<sup>49</sup> Moreover, the agency co-operates with the national authorities providing assistance to survivors of violence. Particularly, both UNHCR and the professionals of program PHILOS (where present) carry out upon arrival the identification of vulnerable groups and UNHCR proceeds with their accommodation in appropriate facilities. Survivors of GBV are provided with psychosocial and legal support in reception and identification centers as well as in open temporary accommodation facilities. Finally, UNHCR partners are undertaking preventive actions to increase awareness on the risks of GBV and available assistance programs.<sup>50</sup> However, in terms of response, there is a lack of organizations specialized in the case management of SGBV. Thus, access to services provided specifically for SGBV survivors is limited, especially

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<sup>43</sup> Freedman, J. (2016)

<sup>44</sup> Veizis, A. (2018), *Moria: Clarifying answer of Doctors Without Borders*, MsF.gr, 17 October 2018, available at <https://msf.gr/magazine/moria-dieykrinistiki-apantisi-ton-giatron-horis-synora>

<sup>45</sup> Anastasiou, A. et al (2017)

<sup>46</sup> Ahmadi, N. (2018)

<sup>47</sup> UNHCR (2016), *A Summary of Assessment Findings and Recommendations the Situation of Refugee and Migrant Women*, Greece 2016, available at <https://data2.unhcr.org/documents/download>

<sup>48</sup> Research Centre for Gender Equality, KETHI (2016), *Study to identify the needs of refugee women residing in temporary accommodation facilities (in Greek)*. pp.1-75, available at <https://www.kethi.gr/sites/default/files/wp-content/uploads/2017/07/%CE%9C%CE%95%CE%9B%CE%95%CE%A4%CE%97-%CE%94%CE%99%CE%9F%CE%A4%CE%99%CE%9C%CE%91-%CE%9A%CE%95%CE%98%CE%99-final.pdf>;

Anastasiou, A. et al. (2017)

<sup>49</sup> Ahmadi, N. (2018)

<sup>50</sup> Council of Europe (2017a)

regarding ad-hoc medical assistance and experienced protection officers. In fact, there is an inadequate preparation and assistance to the survivors of SGBV in the procedure of disclosing sensitive information and experiences, leading to insufficient prioritization and response to SGBV cases.<sup>51</sup> More specifically, reports show a lack or an inadequacy in providing effective mechanisms and procedures for reporting and protecting refugee women and girls experiencing gender-based violence, and that most sites fail to deal with GBV in compliance with international guidelines.<sup>52</sup>

#### 4.3. Situation in Germany

Since January 2015, approximately one million asylum-seekers have entered Germany, with the highest number of arrivals peaking the third quarter of the year.<sup>53</sup> During the first wave of arrivals, infrastructure and accommodation provisions did not take under consideration SGBV matters, such as offering separate facilities for women to wash or sleep. Thus, women who travelled to Europe alone where in a particularly difficult and unsafe situation.<sup>54</sup> Moreover, refugees were not examined for traumas or any signs of violence upon their arrival.<sup>55</sup> Since the majority of women do not speak European languages, communication in the reception centers is another significant issue: in view of the fact that not all reception centers have enough interpreters – let alone female interpreters – women become more vulnerable to GBV. These communication barriers naturally lead to difficulties in the interaction with the reception workers, preventing women to inform employees, BAMF<sup>56</sup> officials or medical professionals about issues such as harassment or sensitive medical information.<sup>57</sup> Most female asylum-seekers are coming from regions where women are not eligible of the same rights with men, thus when arriving to European countries (i.e., Germany) they are not aware of their rights. This is a significant aspect that affects the position of women who seek asylum in Germany, as many of them are unaware of their rights in incidents of sexual assault as well as of their right to legal representation.<sup>58</sup> This factor can probably explain why women might not report sexual assaults to the reception center staff or to the police, whereas being unaware of their rights may result to not being able to be recognized as vulnerable and thus eligible for specific aid, including separate living space, therapy or medical assistance.<sup>59</sup> For such reasons, human rights organisations have criticized Germany for not taking appropriate steps to protect women refugees from gender-based violence from the outset.<sup>60</sup> Nevertheless, the authorities prioritized establishing emergency reception centers and offering accommodation and provisions to all those who arrived, while especially, for single women and families, the priority was to resettle them to long-term accommodation facilities. In line with the above policy is also the formation of Support Groups for women.<sup>61</sup> Furthermore, BAMF declared that the asylum status interviewing and decision-making process has been taken over by its specialized officers for sensitive cases – such as victims of gender-based persecution, human trafficking and unaccompanied minors – who are also

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<sup>51</sup> UNHCR (2016)

<sup>52</sup> UNHCR, UNFPA & WRC (2016)

<sup>53</sup> CoE (2017a)

<sup>54</sup> CoE (2017a)

<sup>55</sup> Bonewit, A. and Shreeves, R. (2016)

<sup>56</sup> The Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF)

<sup>57</sup> Bonewit, A. and Shreeves, R. (2016)

<sup>58</sup> Ngari, E. (2015), 'Die Frauen brauchen Schutz!', *EMMA*, No.6 (November-December 2015), p.25, available at [https://www.emma.de/sites/default/files/emma\\_2015\\_06\\_digital\\_di8pa88ht.pdf](https://www.emma.de/sites/default/files/emma_2015_06_digital_di8pa88ht.pdf)

<sup>59</sup> Bonewit, A. and Shreeves, R. (2016)

<sup>60</sup> CoE (2017a)

<sup>61</sup> CoE (2017a)



responsible to assist and offer expertise on such sensitive incidents.<sup>62</sup> In those cases where (medical) reception employees identify signs of trauma or of anyone belonging to a vulnerable group, they alert the reception center staff to provide them with additional medical or psychological care.<sup>63</sup> Moreover, in reception facilities, the police is responsible for interfering in incidences of violence, including domestic violence.<sup>64</sup> According to a report of the Council of Europe<sup>65</sup>, the German government made effort to ensure the presence of women interpreters, security officers and social workers in their reception facilities. Germany has also developed a handbook of definitions and guidelines for gender-based persecution.<sup>66</sup> Regarding asylum procedures, some GBV issues have been taken into consideration, as it has been reported that every asylum applicant is asked whether he/she would prefer a female or male interpreter and asylum officer, and every asylum officer is requested to undergo gender-based violence awareness-raising training.<sup>67</sup>

However, despite these safety measures, women are still at great risk and psychological distress. According to reports, they are still afraid to move around the reception facilities at night and there is an insufficient amount of women-only facilities in Germany. In addition, several participants confirm that there have been incidents of violence by security guards against refugee women.<sup>68</sup> Some of the gaps identified include: the lack of specialized training focused on the prevention of gender-based violence for guards; the lack of an overall review of protection steps undertaken, since reception centers are managed directly by the Länder; the lack of a formal procedure for recognizing victims of violence at the time of registration in refugee facilities;<sup>69</sup> the lack of female interpreters in each site;<sup>70</sup> and the lack of information on their rights in Germany early in the procedure of posing a request for asylum.<sup>71</sup>

#### 4.4. Situation in Sweden

Over the past decades, Sweden has contributed greatly to international refugee protection, through its well-established asylum and reception system, its continuing commitment to refugee resettlement, and its extensive integration initiatives.<sup>72</sup> Sweden is a leading advocate, within the EU, for greater unity, responsibility sharing and equitable EU asylum policies and procedures to guarantee that refugees obtain the protection they deserve in Europe.<sup>73</sup> It has a well-established asylum/reception system that provides due process to asylum seekers in a fair and effective manner, while the determination of the Swedish Migration Agency (SMA) to consistently develop the capacity and effectiveness of the

<sup>62</sup> BAMF, Federal Office for Migration and Refugees (2015), *Germany's Asylum Procedure – in Detail*, October 2015, pp.1-52, available at [https://www.segeberg.de/media/custom/2211\\_794\\_1.PDF?1452769699](https://www.segeberg.de/media/custom/2211_794_1.PDF?1452769699)

<sup>63</sup> Müller, A. (2013), *The Organisation of Reception Facilities for Asylum seekers in Germany*, European Migration Network (EMN), working paper 55, available at <https://www.bamf.de/SharedDocs/Anlagen/EN/EMN/Studien/wp55-emn-organisation-und-aufnahme-asylbewerber.html?nn=282022>;

Bonewit, A. and Shreeves, R. (2016)

<sup>64</sup> CoE (2017a)

<sup>65</sup> CoE (2017)

<sup>66</sup> Freedman, J. (2015), *Gendering the international asylum and refugee debate*, Palgrave Macmillan

<sup>67</sup> CoE (2017a)

<sup>68</sup> CoE (2017a)

<sup>69</sup> CoE (2017a)

<sup>70</sup> Bonewit, A. and Shreeves, R. (2016)

<sup>71</sup> Ngari, E. (2015); Bonewit, A. and Shreeves, R. (2016)

<sup>72</sup> UNHCR (2020), *UNHCR recommendations to Sweden on strengthening refugee protection in Sweden, Europe and globally*, pp.1-13, available at <https://www.unhcr.org/neu/wp-content/uploads/sites/15/2020/06/UNHCR-recommendations-to-Sweden-on-strengthening-protection-of-refugees-May-2020.pdf>

<sup>73</sup> UNHCR (2020)

reception and asylum procedures represents a stellar example of good practice far beyond the Nordic region.<sup>74</sup>

Nevertheless, at the beginning of the European refugee crisis in 2015, around 163.000 asylum applications were registered in Sweden, posing an important challenge for the Swedish society. In mid-2016, the Swedish government decided to limit the number of arrivals of asylum seekers, albeit remaining in line with EU standards. The new legislation decreased the asylum applications to approximately 30.000 and made family reunifications more difficult.<sup>75</sup>

Regarding the procedures followed in Sweden during the arrivals of refugees, the interviews on asylum requests are usually conducted by the man-head of the household, excluding women from sharing personal information privately with the authorities. However, the interviewee is asked if he/she has a preference with regard to the gender of the interviewer. The main problems though – as recognized in one of UNHCR reports – are linked to the externalisation and privatisation of services for asylum seekers and refugees.<sup>76</sup>

Migration Agency's difficulty- in hosting in state-owned and managed facilities the large number of asylum seekers resulted to the decision of externalizing the provision of accommodation to private companies, mostly in apartments. Those contracts that were set up with private firms are committed to ensuring that certain standards are met. Nonetheless, contracts were lacking gender-sensitive information on the protection of women from violence as well as of interpreters professionally trained so as to identify violence in an abstract or vague narrative. According to the relevant UNHCR report, officials of the Swedish Migration Agency acknowledged the need to ameliorate their daily processes in order to establish standards that would allow them to identify potential vulnerabilities and protect survivors of violence among asylum seekers.<sup>77</sup>

In terms of infrastructure, there are no separate reception centers designated to woman asylum seekers in Sweden, which may be traumatic and challenging for single women who have experienced violence in their countries of origin or in transit. In December 2016, after a monitoring visit, UNHCR Sweden observed that single women resided with single men in mixed housing, resulting in a feeling of uneasiness in women. When violence occurs, the perpetrator may be transferred to another reception facility. Moreover, there are no gender-separate bathrooms in every reception center, based on the thought of exposing asylum seekers to the local culture and promoting gender equality.<sup>78</sup> However, it can be said that sharing bathrooms can be challenging for asylum-seeking women, particularly those who have been victims of GBV. Child marriage is another issue identified in Swedish reception centers<sup>79</sup> and although considered as a coping mechanism adopted by the parents to protect and prevent children from suffering violence at the hands of perpetrators, it constitutes a violation of women's and children's rights.

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<sup>74</sup> UNHCR (2020)

<sup>75</sup> CoE (2017a)

<sup>76</sup> CoE (2017a)

<sup>77</sup> CoE (2017a)

<sup>78</sup> CoE (2017a)

<sup>79</sup> CoE (2017a);

Rothchild, N. (2018), *Sweden struggles over child marriage*, POLITICO, 23 July 2018, available at <https://www.politico.eu/article/immigrants-migration-culture-integration-sweden-struggles-over-child-marriage>

In an effort to combat violence against women in all its types, Swedish authorities are dedicated to offering information on support programs for refugees and asylum-seekers in many languages, as well as strategies for their further integration into Swedish society, with the provision of childcare, language courses and access to education for all children. Assistance programs should be made accessible to all victims of gender-based violence, regardless of where the violence occurred, following the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). UNHCR Sweden has voiced its concern in 2017 regarding the threat of SGBV in Swedish reception centers, since women who have been exposed to violence on their journey to Sweden or in their countries of origin are still not offered specific support. Swedish Migration Agency officials also recognize that the protection of female refugee and asylum-seeker from gender-based violence is not aligned to international protection standards, in spite of the steps that have been taken in the last two years in terms of protection measures (i.e., the Migration Agency doubled its staff which received information on gender-based violence in their introductory training programme). Reception centers are under the jurisdiction of municipalities, leading to an inability to have a national control, overview and account of the situation.<sup>80</sup>

#### 4.5. Situation in Austria

Until 2013, Austria was considered being well equipped with facilities that assist women, children and adolescents in situations such as domestic violence, intimate partner violence (IPV) and rape. At that point there were 30 shelters providing accommodation for 766 women and children. Vienna had approximately 175 spots for women<sup>81</sup> and there was a Violence Protection Center / Intervention Center for each federal state. At the time, six regional sexual violence counseling centers were established in Austria to offer support and counseling to victims of rape. Still, there was a substantial difference among urban and rural regions with respect to access to resources.

During years that followed, the State Office for Asylum employed a substantial number of new officers in order to cope with the growing number of claimants. In terms of numbers, according to data provided by the Austrian Ministry of Interior in 2015, the total amount of asylum claims submitted was 88.340, of which 24.478 concerned women (27.7%), whereas the next year this number dropped to 13.866 out of 42.073 applications in total.<sup>82</sup> The gender ratio revealed an analogous imbalance in 2017, with 61.44% of the claimants being male and 39.84% female, whereas the following year the gender ratio of asylum applicants was 60.36% male and 39.64% female.<sup>83</sup>

As far as the management of the sites is concerned, the reception facilities in Austria operate at two levels – federal and provincial –resulting in providing different accommodation conditions.<sup>84</sup> At the federal level, the Site Management is held by the private organisation

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<sup>80</sup> CoE (2017a)

<sup>81</sup> ORF (2013), *Sicherheit als erster Schritt*, available at <https://orf.at/v2/stories/2169157/2169156/>

<sup>82</sup> CoE (2017a)

<sup>83</sup> Erdmann, M., Gassner, B. and Rosenberger, S. (2020), *Country Report Austria A Status Quo*, GBV-MIG 'Violence against women migrants and refugees: Analysing causes and effective policy response', Austrian Science Fund (FWF) and University of Vienna, Department of Political Science, pp. 1-94, available at [https://inex.univie.ac.at/fileadmin/user\\_upload/p\\_inex/offiziell\\_Country\\_Report\\_Austria\\_aktueller\\_stand\\_13.02..2019-2.pdf](https://inex.univie.ac.at/fileadmin/user_upload/p_inex/offiziell_Country_Report_Austria_aktueller_stand_13.02..2019-2.pdf)

<sup>84</sup> CoE (2017a)



ORS. In those sites, security officers are specially trained and capable of providing information on the prevention of gender-based violence. In general, according to the rapporteur of the Council of Europe in 2017, the Ministry of Interior announced that all appropriate measures were taken considering gender issues in the refugee crisis, ensuring that vulnerable groups were considered with caution throughout the determination of their status. Police officers undergo training on GBV during their core curriculum and female victims of violence receive psychological and medical assistance, while women-only German classes are provided in which gender-related themes are addressed. Particularly for women traveling alone to Austria, separate accommodation is provided at the reception center of the city of Traiskirchen. At this site security is a responsibility of women guards, and the shelter is accessible only to women. On paper, access to protection, prevention and support services should be available to every woman; yet, several inequalities were observed, particularly against refugee women.<sup>85</sup> The shift in political power, xenophobic and discriminatory rhetoric have been proven challenging for refugees and migrants in Austria, especially for women.<sup>86</sup> There is an emerging need for “improved facilities of short-term help, such as unrestricted access to emergency shelters and long-term infrastructure concerning education, employment, health, leisure, mobility and social security.”<sup>87</sup>

#### 4.6. Situation in Italy

Migration flows to Italy have been significant for years. Nevertheless, in the three-year period 2014-2016, approximately 500.000 migrants entered Italy, a number higher than the total amount of arrivals during the previous 17 years.<sup>88</sup> In 2016, Italy received 123.000 asylum requests, the majority of which were male (85%). However, the total female population has risen during 2014–2016 accounting for 7.5% in 2014, 12% in 2015 and 15% in 2016.<sup>89</sup>

Italy offers integration facilities for asylum seekers through its specialized second-line reception mechanism named SPRAR (System for Protection of Asylum Seekers and Refugees), which consists of small reception centers where particular integration programs include assistance and integration services. “On the contrary, first-line reception is provided by largescale governmental centers for the accommodation of asylum seekers (CARA), accommodation centers (CDA), first aid and accommodation centers (CPSA) and temporary centers (CAS)”.<sup>90</sup> In addition to the operations performed by the Central Service of the SPRAR, the Civil Liberties Department of the Ministry of Home Affairs performs monitoring and control at both reception facilities through the Prefectures. “To this end, the Prefectures may make use of the municipality’s social services.”<sup>91</sup> Nevertheless, although the SPRAR releases

<sup>85</sup> Erdmann, M., Gassner, B. and Rosenberger, S. (2020)

<sup>86</sup> ECRI (2020), *ECRI REPORT ON AUSTRIA (sixth monitoring cycle)*, European Commission against Racism and Intolerance (ECRI) Council of Europe, pp. 1-45, available at <https://rm.coe.int/report-on-austria-6th-monitoring-cycle-/16809e826f>

<sup>87</sup> Erdmann, M., Gassner, B. and Rosenberger, S. (2020)

<sup>88</sup> European Parliament (2017), *DIRECTORATE-GENERAL FOR INTERNAL POLICIES, POLICY DEPARTMENT A: ECONOMIC AND SCIENTIFIC POLICY, Integration of Refugees in Greece, Hungary and Italy, Annex 3: Country Case Study Italy*, December 2017, IP/A/EMPL/2016-18, PE 614.194, available at [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/614194/IPOL\\_STU\(2017\)614194\(ANN03\)\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/614194/IPOL_STU(2017)614194(ANN03)_EN.pdf)

<sup>89</sup> European Parliament (2017)

<sup>90</sup> European Parliament (2017)

<sup>91</sup> European Union, ESPON (2020), *Impacts of refugee flows to territorial development in Europe, Applied Research, Case study – Milan*, ESPON 2020 Cooperation Programme, partly financed by the European Regional Development Fund, pp. 1-67, available at [https://www.espon.eu/sites/default/files/attachments/Case%20Study\\_Milano\\_Final.pdf](https://www.espon.eu/sites/default/files/attachments/Case%20Study_Milano_Final.pdf)

an annual report on its reception process, no detailed and up-to-date data on reception conditions are available in any other reception centers.<sup>92</sup>

The UNHCR Office for Southern Europe recorded in 2017 disturbing incident rates of SGBV among migrants arriving in Italy. Most women who arrive by sea are subjected to SGBV and sexual assault along their journeys, particularly in Libya, but often during their boat journeys as well.<sup>93</sup> The pre-identification procedure that takes place immediately upon arrival, is also particularly challenging for refugees who are potential victims, as they may never be able to apply for asylum. This is due to the procedure being so fast that possible victims, who are most times unsure of their status, can easily provide the wrong responses regarding their justification for seeking asylum in Italy, claiming economic motives, for example, and end up getting an instant expulsion order. This is exactly what occurred in September 2015, when women from Nigeria were forcefully deported to Nigeria amid the fact that they displayed signs that they were victims of human trafficking.<sup>94</sup> A rise in the number of women, especially from Nigeria, who might have been trafficked and sexually exploited in the past three years has also been recorded by the UNHCR.<sup>95</sup> In line with the above problematic in terms of procedures is the 6th General Report on the activity of GRETA (Group of Experts on Action against Trafficking in Human Beings), which, based on findings made in Pozzallo, indicates that the work of police officers employed in hotspots is centered on registration and fingerprinting, and therefore there is insufficient time to identify potential trafficking victims. Besides, victims may be unwilling to speak out for several weeks.<sup>96</sup>

The absence of a secure disembarkation area and the large communal reception facilities, along with unawareness about SGBV and at-risk populations, pose a critical challenge. Additionally, in Italy, accommodation policies intended to support refugees and applicants for international protection are inadequate at national level, and if examined from a gender perspective are at a rather basic level.<sup>97</sup> UNHCR indicated that the recognition and reaction to SGBV will require enhancement during the procedure and reception period in Italy, and that the current national programs need to be streamlined and improved for victims of gender-based violence, female genital mutilation (FGM) and trafficking.<sup>98</sup> The aforementioned GRETA report indicates that the Territorial Commissions for Recognitions of International Protection will be utilizing guidelines on the detection of GBV and human trafficking victims amongst claimants for international protection. Interviews shall be performed in a gender-sensitive way, where the moderator and the translator are of the same gender as the claimant.<sup>99</sup>

To this end, additional training of those employed on the frontline with asylum seekers is required in order to respond effectively to incidents of gender-based violence. Nonetheless, there is also a range of good practices with respect to Italy, including the existing national

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<sup>92</sup> European Parliament (2017)

<sup>93</sup> CoE (2017a)

<sup>94</sup> Romana Genoviva, F. (2017), *The number of women seeking asylum in Italy and who they are*, Open Migration, available at <https://openmigration.org/en/analyses/the-number-of-women-seeking-asylum-in-italy-and-who-they-are/>

<sup>95</sup> CoE (2017a)

<sup>96</sup> Council of Europe (2017b), *6th GENERAL REPORT ON GRETA'S ACTIVITIES*, Document and Publications Production Department (SPDP), Council of Europe, pp. 1-80, available at <https://rm.coe.int/1680706a42>

<sup>97</sup> Loprieno, D., Elia, A., Di Maio, C. and Fedele, V. (2020), *Gender Dynamics across Reception and Integration in Italy*, GLIMER (Governance and the Local Integration of Migrants and Europe's Refugees), pp. 1-26, available at <https://www.glimer.eu/wp-content/uploads/2020/09/WP6-Report-Italy.pdf>

<sup>98</sup> CoE (2017a)

<sup>99</sup> CoE (2017b)

strategies to combat gender-based violence, FGM and human trafficking; the involvement of health and humanitarian organizations in disembarkation areas; as well as the availability of a web training platform on FGM (project implemented by the Associazione Italiana Donne per lo Sviluppo).<sup>100</sup>

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<sup>100</sup> CoE (2017a)

## **5. Camp characteristics and structure in two camps of Northern Greece (Diavata and Agia Varvara)**

### *5.1. Diavata camp*

The Open Temporary Reception Facility for Asylum Seekers of Diavata is located at the suburban area of west Thessaloniki. It is hosted in a former military camp (Anagnostopolou camp), which has been developed gradually to host a significant number of refugees and asylum seekers. Diavata camp operates as a reception site since March 2016. At the time of the study, several actors were operating in the site – governmental, international and NGO's. The formal management of the camp is appointed to the Ministry of Migration-RIS (first Reception and identification Service of the Ministry of Migration), with the support of the Army, the Ministry of Education-SEP and the ministry of Health-EODY (former KEELPNO). The latter two are tasked with the medical and psychosocial support and the formal education of refugees respectively.

The international actors operating in Diavata was UNHCR and UNICEF. However, at the time of the study, UNHCR was at the final process of withdrawal from the field. During this period, UNHCR staff have been acting remotely, keeping a supervising role on the activities they held before. Those activities were: protection monitoring and providing information to the PoC's on how to access services as well as referrals of the protection cases, capacity building for the personnel of RIS, accommodation referrals and vulnerability assessment. UNICEF, on the other hand, was the focal point for the protection of unaccompanied minors. In addition, a few other NGO's were operating in the site, namely ARSIS, Arbeiter-Samariter-Bund Deutschland (ASB) and Red Cross. ARSIS is in charge of the psychosocial support and educational programs, ASB of the site management support (SMS) and legal case management, while Red Cross of cash and restoring family links.

The camp extends in an area of approximately 50 fenced acres. The main entrance is protected by a tall, ironed gate, on the right inner side of which there is a small police canopy and right next to it a police caravan. The main building of the site's Management is located at the center of the camp. This building is composed of around ten offices for the employees of the Ministry of Migration and one for the Ministry of Defense. Along with the main building of the administration there are four other buildings: a Kindergarten building which is an annex of the 5<sup>th</sup> public kindergarten, building 20 which is used as a school of informal education, building 21 which was used as a Woman Safe Space and building 10 which is out of use.

There are also around 20 containers used as offices from the organizations, either national or international and NGOs, that act in the field. Particularly, there are 8 containers for the Ministry of Education, though most of them unfortunately destroyed by Persons of Concern (PoC's) during population riots. There is one container occupied by ASB functioning as a Help Desk providing support to the management team of the camp as well as maintenance and repair service; it operates daily between 11 and 13 o'clock and receives PoC's requests on different issues, mostly on technical problems relevant to their residence. Three containers are occupied by ARSIS – two of which serving as offices and the other one as a space for the organisation of activities held by the NGO's personnel. Two containers are used by the personnel of EODY, one as an office and the other as a clinic, and two more are used by the personnel of ASB as office spaces. There is one container functioning as a Psycho-Social Support (PSS) space for all PSS actors, one used by UNHCR for the provision of legal services

and one used as offices for the personnel of OAED. Lastly, one container is used as a storage space of NFIs (Non-Food Items).

The site provides 156 containers for the accommodation of refugees and migrants, two of which are designed for people with special needs. All these containers are spread longitudinally at the right side of the site and each one is fully equipped with a WC, a kitchen and bedrooms. However, there are also 3 sets of shared toilets, each one including 4 WC and 4 showers, which are placed one at the left side of the entrance of the site, one behind the building of education and another near the containers. At the point of the study the site hosted around 700 registered and 1250 unregistered PoC's, while its capacity is 932 people.

## *5.2. Agia Varvara camp*

The Open Temporary Reception Facility for Asylum Seekers of Agia Varvara is located at the suburban area of Veroia. It is hosted in a former military camp (Armatolou Kokkinou camp), which has been gradually developed to host refugees and asylum seekers. Agia Varvara operates as a reception camp since July 2016. At the time of the study, a variety of actors – governmental, international and NGO's – were operating in the site. The formal management of the camp was held by the Army with the support of DRC (Danish Refugee Council) for the SMS, while other actors operating in the field were the Ministry of Migration-RIS (first Reception and identification Service of the Ministry of Migration), the Ministry of Education-SEP (Coordinators for education), the ministry of Health-KEELPNO, UNHCR, and the NGO IRC (International Rescue Committee). At the time of the study UNHCR – as an international actor operating in the field – was holding the general supervision for the operation of the other actors, as well an informative role regarding latest news on best practices, international agreements, instruments used in the field and legislation. Regarding the other NGOs operating in the field, DRC was the SMS actor, as well as the focal point for the Protection, including the monitoring of protection cases and their referrals, whereas IRC was holding the program of child protection as well as the legal case management.

The camp extends in an area of approximately 70 fenced acres. The entrance leads to a hill where the main building of the site's Management is located. This building is composed of 4 offices, one for the Army officers, one for RIS, one for the management of EODY and one for the personnel of DRC. Along with the main building of the administration, there is a variety of containers used by the operating organizations, one of which functions as a space for the conduct of PSS sessions and is located near the main building of the management.

The site provides 8 buildings to accommodate refugees and migrants consisting of 120 apartments. These buildings are located relatively close to the offices of the Management. At the point of the study, the site hosted around 339 registered PoC's, while its capacity is 489. Each building is referred to with a capital letter from the alphabet, while each apartment is numbered. Buildings A-D consist of 27, 13, 17 and 27 rooms respectively with shared WC and kitchen (one in each floor). Building E consists of 12 rooms and does not include WC-shower thus its residents are offered external WASH facilities. Buildings F-H consist of 8 apartments each with WC and showers included in each one of them. The small apartments are around 9 square meters each while the bigger ones around 30 square meters.

## **6. Mechanisms and procedures followed for SGBV survivors in the two Greek camps (protective and risk factors)**

### *6.1. Mechanisms and procedures followed in Diavata camp*

Diavata camp is one of the most overpopulated camps in Northern Greece due to its location close to Thessaloniki, the biggest urban center of Northern Greece. It is also considered a transit camp for many refugees who wish to exit Greece and enter legally or illegally other countries of Europe. Because of its characteristics it hosts a plethora of refugees and migrants that exceed the capacity of the site. In most cases, the outnumbered refugees have the status of “unregistered”, meaning that they are not eligible for most of the provisions qualified for the ones officially accommodated in the camp. Particularly, there are no provisions for cash and accommodation for the unregistered population, and they cannot be beneficiaries of the services offered to the rest of the PoC’s, with the exception of primary medical care. This means in practice that there is an important disparity, an imbalance in terms of residence status. Having two “categories” of residents in a camp can create two types of problems regarding SGBV risk factors. The first is the possibility of riots – especially during nighttime – leading to forced evictions of officially registered PoC’s, who abandon their accommodation and the camp in an unruly manner, after being threatened or attacked by the newcomers.<sup>101</sup> In such conditions, registered single women and young girls are at extreme risk of SGBV, both during the time of the uprising as well as during their movement to another place. The second one is the inappropriate living conditions for the unregistered population in terms of safety, hygiene, privacy, etc. This means ending up sleeping in the open inside a tent, under a shed or even entirely in the open, with single women and young girls being extremely vulnerable to harmful conditions including exploitation and any form of violence. Although there is permanent police presence at the gate of the camp, it is not sufficient to prevent or deal with such extreme circumstances.

Apart from those periods where the camp endured a great burden, the infrastructure could be described as quite adequate and in line with the guidelines for the protection of human rights. There were several provisions in place for the prevention and protection of SGBV in specific. All formally registered residents were living in fully-equipped containers and efforts were made so that each container was occupied by one family, while single men and single women were always divided in different containers. Reception and Identification Service (RIS) personnel performed daily outreach to check on the residents and patrolled along the camp to notice any kind of irregularity. The lighting of the site was quite adequate, however, there were some distant areas that could put in danger residents, especially women. For that reason, single women and families were accommodated in more central areas. Interpretation was offered by the specialized NGO Metadrasi, as well as by the organizations acting in the field. Metadrasi, which was engaged to offer its services to the staff of the three Ministries – namely RIS, KEELPNO (EODY) and SEP (Education) – was staffed with interpreters of the most common languages encountered in the Greek camps and, most importantly, with female interpreters. Nevertheless, the presence of female interpreters was not guaranteed neither on a daily basis nor for both Arabic and Farsi languages. Whereas, the only interpreter of KEELPNO was a male Arabic speaker with 3 days attendance in this site and two in the site of Alexandria.

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<sup>101</sup> Similar incidents were indeed observed in Diavata camp at the time of the study.

Furthermore, a team of psychosocial professionals specified for every PoC with protection needs was present at the camp. This team was staffed in majority by female psychologists and social workers, tasked with, among others, the identification and referral of SGBV cases. A referral pathway was available for all organizations and partners operating in the camp, the use of which was explained to all actors by the responsible international organisation. During the first period of the operation of the camp, organizations that were specialized in SGBV offered to the involved actors training sessions, which were focused on the identification, awareness raising and referral of SGBV cases in the site. A building was provided and formed particularly for use as a Women Safe Space.<sup>102</sup> In most cases an organized activity was scheduled and communicated to the female beneficiaries by the responsible organisations, so that most women could participate. However, any woman was free to visit and stay even without participating to an activity. A psychologist or social worker focal point for SGBV case management was constantly present at the WSS, giving women the opportunity to disclose any personal information regarding SGBV at any time during its operation. Moreover, psychologists of different organizations conducted focused group discussions with women in the WSS, as well as individual sessions with women survivors of SGBV committed either in their country of origin or in the camp. Regarding the case management of SGBV cases, different actors were involved following the referral pathway and an interface of external actors in the field of SGBV (shelters, social services, etc.) was activated. Midwives were also present or available in the WSS, so that issues relevant to reproductive health and other women sensitive matters could be addressed. Lastly, informative discussions were carried out during community meetings for the awareness raising of both men and women on this matter.

## *6.2. Mechanisms and procedures followed in Agia Varvara camp*

Agia Varvara camp is one of the smallest camps in Northern Greece accommodating in buildings solely “registered” PoC’s. This offers the advantage of less inequities between the residents and thus less causes for conflicts. However, the infrastructure of the camp and the architecture of the buildings, as described in detail in chapter no.5, are not ideal for the prevention and protection of women from SGBV. Particularly, in most cases there are shared bathrooms, that could increase the risk of SGBV, since privacy is not guaranteed.

In general, there was provision for single men to be accommodated in different buildings, separately from single women and families. That would reduce the possibility of the occurrence of SGBV in the camp committed by single men. Moreover, the provision of bathrooms and toilettes inside the buildings where PoC’s reside –although not ideal – is safer in terms of preventing SGBV committed by perpetrators other than a partner/husband. Additionally, there are also toilettes located in small buildings with adequate lighting inside and outside. In this case though, the risk of SGBV against women who are using those facilities is higher in comparison to hygienic facilities inside the residents’ buildings. Buildings accommodating PoC’s are located relatively close to each other and quite close to the offices of the Management and the Organizations. This can also be considered as a protective factor, since it allows for any case to be known by the neighbors and receive their assistance, as well as for the referral to the organizations by the victim itself to be facilitated. There is also adequate lighting in the wider area of the camp during nighttime as well as guardians – OAED employees – during the day and afternoon. However, this service was provided only for as long as the program of OAED lasted. Interpretation was offered by the specialized NGO

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<sup>102</sup> A Women Safe Space (WSS) is – as the name entails – an open and available to all women space, the entrance to which is forbidden to all male PoC’s, so that women can enjoy being there in a free manner.

Metadrasi as well as by the organizations acting in the field. Metadrasi, which was engaged – as above – to offer its services to the staff of the three Ministries, was staffed with interpreters of the most common languages spoken in the Greek camps and, most importantly, with female interpreters. Nevertheless, the presence of female interpreters was not guaranteed neither on a daily basis nor for both Arabic and Farsi languages, while due to the small size of the site the availability was quite limited. KEELPNO was staffed with a female Arabic (Fusha) speaker with a daily presence in the site, facilitating Arab women to confide sensitive information.

As in Diavata camp, a team of psychosocial professionals specified for every PoC with protection needs was present at the camp of Agia Varvara. This team was staffed exclusively by female psychologists and social workers, tasked with, among others, the identification and referral of SGBV cases. A referral pathway was available for all organizations and partners operating in the camp, the use of which was explained to all actors by the responsible international organisation. During the first period of the operation of the camp organizations that were specialized in SGBV delivered to the involved actors various trainings, which were focused on the identification, awareness raising and referral of SGBV cases. Moreover, the focal point for SGBV cases was a female psychologist of EODY who conducted individual sessions with women survivors of SGBV committed either in their country of origin or in the camp. In the case management of SGBV cases, different actors were involved following the referral pathway and an interface of external actors in the field of SGBV (shelters, social services, etc.) was activated. Lastly, informative discussions were carried out during community meetings for the awareness raising of both men and women on this matter. However, there was no provision for the formation of a WSS, thus depriving women of the opportunity and easiness or even in some cases the possibility to access the relevant information and disclose their experiences.



## 7. I.H.L. regarding SGBV survivors

Gender-Based Violence (GBV) violates principles covered by international and national humanitarian and criminal law, as well as human rights and refugee law at international and national levels. These principles include the protection of civilians in all cases including armed conflicts and occupation, as well as their rights to life, security, equality and equal protection and freedom from torture or any other cruel, inhuman or degrading treatment or punishment.<sup>103</sup> Nevertheless, the protection of women within the framework of international, regional, as well as national law has been going through a long period of development and change. International law experienced a revolution by switching from gender neutrality in human rights context to gender-specific legislations and gender-protective mechanisms targeting the safety and protection of women and girls. Particularly, until the 80s gender issues were incorporated in international law through general provisions, while only thereafter gender equality started being the focus of attention of international law.

For the purposes of this study, we will go through a presentation of the legislative evolution of gender issues in general and of Sexual and Gender-Based Violence (SGBV) against asylum-seekers (AS), migrants and refugees in particular, divided in three levels: universal, regional and national. We will begin with a brief critical introduction to the evolution of the human rights law regarding women. Then we will go on with a brief description of each organization and their main instruments, so that we gain a general understanding of the weight, importance, and amplitude of their instruments. Subsequently, we will proceed to the apposition of their work in a chronological manner, hence showing the development of gender issues at a universal, regional and national level.

### 7.1. An overview

During 2000s new elements in the debate of human rights were introduced, namely human rights and climate change<sup>104</sup>, the rights of people with disabilities<sup>105</sup> and cultural diversity<sup>106</sup>. Regarding the introduction of mechanisms for the protection of gender-specific rights, treaties for the protection of women against discrimination have only been adopted since the late 1970s, while treaties covering the issue of gender-based violence were adopted only recently. Until that point, in both the UN and the EU, treaties prohibited gender discrimination and focused on ensuring equal rights for men and women<sup>107</sup> but since the late

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<sup>103</sup> UN Office for the Coordination of Humanitarian Affairs (OCHA), *OCHA on Message: Humanitarian Principles* (2012), available at [https://www.unocha.org/sites/dms/Documents/OOM\\_HumPrinciple\\_English.pdf](https://www.unocha.org/sites/dms/Documents/OOM_HumPrinciple_English.pdf)

<sup>104</sup> UN General Assembly Resolution 16/11, *Human Rights and the Environment*, A/RES/16/11 (12 April 2011), available at [https://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.11\\_en.pdf](https://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.11_en.pdf)

<sup>105</sup> UN General Assembly Resolution 61/106, *Convention on the Rights of Persons with Disabilities*, A/RES/61/106 (13 December 2006), available at <http://un-documents.net/a61r106.htm>

See also: Organization of American States (OAS), *Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities*, AG/RES. 1608 (XXIX-O/99), 7 June 1999, available at <https://www.oas.org/juridico/english/treaties/a-65.html>

<sup>106</sup> UNESCO, *Universal Declaration on Cultural Diversity*, 2 November 2001, available from [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/5\\_Cultural\\_Diversity\\_EN.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/5_Cultural_Diversity_EN.pdf)

<sup>107</sup> See for instance:

-Art.1 (Non-Discrimination Principle), Art.13 (Mandate of the General Assembly) and Art.55 (Promotion of Universal Human Rights) of the UN Charter

United Nations, *Charter of the United Nations*, 24 October 1945, available at <https://www.un.org/en/about-us/un-charter/full-text>

-Art.2 & 3 of the International Bill of Human Rights

UN General Assembly, *International Bill of Human Rights*, A/RES/217(III)A-E, 10 December 1948, available at <https://www.ohchr.org/documents/publications/factsheet2rev.1en.pdf>

1970s national and international organizations have stepped in and put pressure for the establishment of mechanisms aiming to protect women's rights and to identify the varying gender-specific issues. Apparently, women practically have had unequal access to human rights, rendering gender neutrality in human rights law superficial, as it had to go through gendered state structures and discriminatory national legal systems.<sup>108</sup> Feminist organizations criticized international law for ignoring women's specific issues for a long time, while remaining inattentive to women's difficulties due to law's gender inequality.<sup>109</sup>

Nowadays, there is a significant number of international and regional treaties and conventions, national laws, reports and guidelines governing the protection of women and girls against gender-based violations of their rights. However, these violations continue to exist in practice – as we will further examine in the respective chapter (no.8) – even in countries which have signed and ratified the principal international and regional humanitarian and human rights treaties. Thus, the struggle for actual equality and protection of the vulnerable is an imperative that remains profoundly topical.

## 7.2. Universal level

The main International bodies responsible for the regulation and the implementation of International Law, the preservation of International Security and the protection of Human Rights and Refugees are mainly the United Nations (UN) and the Amnesty International (AI). The UN operates and achieves its goals through several instruments specified for its fundamental issues. Regarding the thematic of the present study, its main relevant instruments are namely, UN's General Assembly (UNGA), UN's Security Council (UNSC) and UN's Economic and Social Council (ECOSOC). The General Assembly constitutes the main conference body of the UN having the right to discuss and make recommendations on various issues included in the UN Charter. Although its recommendations are not binding to the member-states, they are still heavily important since they express international public opinion. On the contrary, the Security Council holds the power to decide on relative matters issuing Resolutions and its decisions are binding and enforceable by all member-states. Lastly,

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-Preamble of the Universal Declaration of Human Rights (Equality Between Men and Women)  
UN General Assembly Resolution 217 A (III), *Universal Declaration of Human Rights*, 10 December 1948, available at <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

-Art.14 (Prohibition of Discrimination) of the European Convention on Human Rights and Fundamental Freedoms Council of Europe, *European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14*, 4 November 1950, available at [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)

-Art.8 (Eliminate Inequalities and Promote Equality Between Men and Women), Art.10 (Combat Discrimination) and Art.157 (former Art.119 EEC, former Art.141EC) of the Treaty on The Functioning of The European Union European Union, *Consolidated version of the Treaty on the Functioning of the European Union*, OJ L. 326/47-326/390, 26 October 2012, available at

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

-Art.2 (Non-Discrimination) and Art.3 (Equality) of the Treaty on The European Union European Union, *Treaty on European Union (Consolidated Version)*, *Treaty of Maastricht*, 7 February 1992, Official Journal of the European Communities C 325/5, 24 December 2002, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT>

-Art.21 (Equality Between Men and Women) and Art.23 (Prohibition of Discrimination) of the Charter of Fundamental Rights of the European Union

European Union, *Charter of Fundamental Rights of the European Union*, 2012/C 326/02, 26 October 2012, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012P%2FTXT>

<sup>108</sup> Dorothy, Thomas & Beasley, Michele. E. (1993), pp.33-43

<sup>109</sup> Freedman, Jane (2007), *Gendering the international asylum and refugee debate*, New York, Palgrave Macmillan

ECOSOC is responsible of making recommendations and suggestions in relation to – among others – human rights and gender equality.

On the other hand, AI focuses on the prevention and suppression of human rights violations by conducting research and campaigns on this field, in order to monitor, record, inform and report such violations. It works through two basic instruments, that is, the Secretary International which supports, enables and implements the work and functioning of the movement, and the International Board which oversees the operation of the Secretary.

### 7.2.1. *Amnesty International*

Amnesty International has always campaigned against human rights violations by the states, such as torture (which includes rape by agents of the state and rape in armed conflict), unlawful killing, and “disappearance”. Specifically, regarding women’s rights and gender-based violence against women, AI has initiated 196 Campaigns, from 1993 to date, with the purpose of raising awareness in the international community, highlighting important issues and gaps and suggesting steps that need to be taken on the field. For example, in 1995, AI launched an international campaign to highlight the issue of women’s human rights in the lead-up to the UN Fourth World Conference on Women. In the same year, through the International Council Meeting, committed itself to making women’s human rights a top priority – whereas in 1998 the organization stressed that “before the UN World Conference on Human Rights, even on the rare occasion when there was attention to women, the gender specific nature of the violations was ignored”.<sup>110</sup> Throughout the years, the organization gained power in its efficacy by building strong partnerships and coalitions with the women’s movement strengthening its own power to put pressure in the international field as well as empowering women’s organizations on their mandate.<sup>111</sup>

Moreover, in recent years, AI has expanded its mandate to oppose severe forms of violence against women carried out by non-state actors, when the state fails to fulfil its obligation to provide effective protection to women. To do so, AI conducts research on the field globally providing guiding principles, discussion on international treaties and their efficacy, concerns and further suggestions, pushing the global community in the direction of fully acknowledging the inequities on gender issues and the violence still committed against women and girls worldwide, demanding for a universal and effective implementation of International law. For example, with the “Memorandum to governments on the revised draft platform for Action of the fourth UN World Conference on Women”, the organization set out ten key points to be incorporated in the Platform.<sup>112</sup> The document they drafted where the commitments asserted by governments in Beijing Conference were highlighted, also suggested recommendations in different areas.<sup>113</sup> In 1998 AI strongly criticized UN on the

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<sup>110</sup> ‘1998: A wonderful year for women’s human rights? The United Nations, Governments and the human rights of women’, AI index: IOR 40/12/97, January 1998, available at <https://www.amnesty.org/download/Documents/160000/ior400121997en.pdf>

<sup>111</sup> For instance, Amnesty International has long worked alongside Women Human Rights Defenders (WHRDs) and is part of the WHRD International Coalition. For further information, see also: ‘Challenging Power, Fighting Discrimination: A Call to Action to Recognise and Protect WHRD’, AI Index: ACT 30/1139/2019, October 2019, available at [https://www.amnesty.de/sites/default/files/2019-11/WHRD%20report%20formatted%20final\\_ENG.pdf](https://www.amnesty.de/sites/default/files/2019-11/WHRD%20report%20formatted%20final_ENG.pdf), as well as <https://www.amnesty.org/en/what-we-do/discrimination/womens-rights/>

<sup>112</sup> ‘Memorandum to governments on the revised draft platform for Action of the fourth UN World Conference on Women’, AI index: IOR 41/005/1995, March 1995, available at <https://www.amnesty.org/en/documents/IOR41/005/1995/en/>

<sup>113</sup> Ibid. 111

implementation of its commitments, particularly UN's two responsible bodies for human rights and for women (The Commission on Human Rights and the Commission on the Status of Women).<sup>114</sup> Entering the 21<sup>st</sup> century, in 2001, the organization produced a document for the promotion of awareness on the ground of the Optional Protocol of UN's Women's Convention, urging in parallel the states that had not yet signed and ratified this important mechanism to do so without further delay.<sup>115</sup> In 2015, in the post-2015 development agenda for human rights, AI strongly advocated for the proposed list of Sustainable Development Goals (SDGs) relating to gender equality to prioritize three areas: "preventing and responding to all forms of gender-related discrimination and violence; guaranteeing sexual and reproductive health and rights for all; and significantly increasing the representation of women in public life".<sup>116</sup>

In relation to the focus of the present study on gender-based violations against women refugees in Greek camps, AI has initiated its research and campaigns "since the closure of the Balkan route and the implementation of the EU Turkey deal in March 2016". At this point AI "paid attention to the impact these European decisions had on refugees and asylum seekers arriving in Greece, whose large majority have no other choice than remaining in the country."<sup>117</sup> "The thousands of national and international appeals made against the intolerable hazards and unsafe conditions of three camps in Athens led to the closure of the sites following a consultation with the people living there about their needs".<sup>118</sup> While during the time of the study, in 2018, AI conducted research in a number of refugee camps in Greece and campaigned "for the rights of people fleeing war, conflict and other difficult situations, who come to Europe hoping to find sanctuary".<sup>119</sup> Particularly, starting their research on the conditions in Greek camps in 2016, AI stressed that "fear, desperation, lack of information and awful conditions are among the underlying causes of the tension and the real risks faced by several interviewees, and thousands of other women, men and children trapped on the Greek islands after EU Turkey agreement" with women and young girls being in a huge risk of SGBV.<sup>120</sup> According to the same report "Greece and its EU partners are responsible for this suffering", criticizing that Europe should be offering protection to asylum seekers instead of dehumanizing those people "desperately seeking safety and a better life".<sup>121</sup> This report was followed right after with another more explicit and severe criticism against EU in general as trustee of human rights and its deal with Turkey in particular as "illegal and immoral".<sup>122</sup> Following this, in 2017 Amnesty International carries out two researches on Greek islands where the majority of refugees are detained in the ground of the EU-Turkey agreement in

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<sup>114</sup> Ibid. 110

<sup>115</sup> 'Claiming women's rights: The Optional Protocol to the UN Women's Convention', AI Index: IOR 51/001/2001, March 2001, available at <https://www.amnesty.org/en/documents/IO51/001/2001/en/>

<sup>116</sup> *Sustainable Development Goals: A practical guide for national action and accountability*, AI index: ACT 10/4699/2016, 2016, available at

<https://www.amnesty.org/download/Documents/ACT1046992016ENGLISH.PDF>

<sup>117</sup> Amnesty International, 'The voices of refugee women need to be heard', 18 October 2018, available at <https://www.amnesty.org/en/latest/campaigns/2018/10/defending-the-rights-of-refugee-and-migrant-women-in-greece/>

See also:

<sup>118</sup> Ibid. 116

<sup>119</sup> Ibid. 116

<sup>120</sup> Amnesty International, 'Nowhere safe: Refugee women on the Greek islands live in constant fear', 8 June 2016, available at <https://www.amnesty.org.uk/blogs/global-voices/nowhere-safe-refugee-women-greek-islands-live-constant-fear>

<sup>121</sup> Ibid. 120

<sup>122</sup> Ibid. 120

conditions that are characterized at least insufficient – not to say inhuman – constituting human rights and gender-based violations. During the first research it was revealed that “women are particularly affected by the lack of security on the Greek islands as they are often forced to live in camps and use the same shower and toilet facilities with men. They have complained, for example, of a lack of female only showers and toilets or, where they exist, of a lack of proper doors and lighting. Several women told Amnesty International that they have either experienced or witnessed verbal or physical violence, sexual harassment or domestic violence” – while it ends up characterizing EU-Turkey agreement “a disaster”.<sup>123</sup> In the same spirit is the second report by which the organization calls for an urgent action in Greek refugee camps, describing “uninhabitable and unsafe conditions in three camps in Elliniko, Athens”, where, specifically, women and girls face the risk of sexual and gender-based violence. Moreover, it urged the authorities to “provide residents with adequate alternative housing, following a genuine consultation, with a view to close the camps”.<sup>124</sup> The following year AI visits four times the Greek region to conduct research on the reception conditions particularly refugee women and girls are facing. In all its reports it is highlighted that women and girls are at increased danger of gender-based violence because of poor protection measures and bad facility conditions, which the officials constantly neglect to deal with.<sup>125</sup> For instance, in its first report it denounces the European governments’ failure to “open safe and legal routes to refugees fleeing war”, thus increasing the risk of “harrowing abuses” towards women and girls, while it demands from the European governments specific provisions to support, protect and welcome refugee women which they are entitled to and deserve.<sup>126</sup> To achieve the above, they also come to suggest “ten clear demands to tackle the violations of human rights experienced by women refugees”.<sup>127</sup> A month later, AI addressing the Greek Prime Minister highlights the need for dealing “with special care the needs of children, women survivors of violence, pregnant women and new mothers, and those who face persecution of their gender identity or sexual orientation, among other groups” urging the government “to listen to their demands and act on their words”.<sup>128</sup> In the same report the organization recognized that “the situation is not the sole responsibility of Greece”, resulting that some European countries endure disproportional burden because of the current EU asylum policy leading to an unfair asylum system throughout Europe and the suffering of those that need protection.<sup>129</sup>

### 7.2.2. United Nations

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<sup>123</sup> Amnesty International, ‘EU: Human rights cost of refugee deal with Turkey too high to be replicated elsewhere’, 14 February 2017, available at <https://www.amnesty.org/en/latest/news/2017/02/eu-human-rights-cost-of-refugee-deal-with-turkey-too-high-to-be-replicated-elsewhere/>

<sup>124</sup> Amnesty International, ‘Greece: refugees at great risk due to unsafe camps’, AI Index: EUR 25/6091/2017, 24 April 2017, available at <https://www.amnesty.org/en/documents/eur25/6091/2017/en/>

<sup>125</sup> Amnesty International, ‘Greece: Refugee women speak out against violence, dangerous conditions and official neglect’, 5 October 2018, available at <https://www.amnesty.org/en/latest/news/2018/10/refugee-women-in-greece-speak-out-against-violence-dangerous-conditions-and-official-neglect/> (a);

Amnesty International, *Ibid.* 117 (b);

Amnesty International, ‘A scar on the conscience of Europe: Letter to Greek Prime Minister on conditions facing refugees in Greece’, 23 November 2018, available at <https://www.amnesty.org/en/latest/news/2018/11/a-scar-on-the-conscience-of-europe-letter-to-greek-prime-minister-on-conditions-facing-refugees-in-greece/> (c);

Amnesty International, ‘Greece and the EU must move asylum seekers to safety’, 6 December 2018, available at <https://www.amnesty.org/en/latest/news/2018/12/greece-and-the-eu-must-move-asylum-seekers-to-safety/> (d)

<sup>126</sup> AI 2018a, *ibid.* 125

<sup>127</sup> AI 2018a, *ibid.* 125

<sup>128</sup> AI 2018c, *ibid.* 125

<sup>129</sup> AI 2018c, *ibid.* 125

In the aftermath of the World War II, the UN Charter of 1945 constitutes the first international document for the recognition and protection of human rights.<sup>130</sup> Following in 1948, the UN General Assembly adopted the Universal Declaration of Human Rights which is considered a milestone document in the history of human rights. It set out for the first-time fundamental rights to be universally protected and it stated, among others, that “all human beings are born free and equal in dignity and rights”, that “everyone is entitled to all rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, birth or other status” and that men and women are “entitled equal rights to marriage...”.<sup>131</sup> It is worth noticing that, although this is the first universal statement on the equality between men and women, it is restricted in the frame of marriage. In a similar restricted view, the International Covenant on Economic, Social and Cultural Rights of 1966 declares that “the States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant”.<sup>132</sup>

Although the historic and humanitarian significance of the above-mentioned documents is uncontestable, one cannot fail but notice the absence of a direct reference to discrimination against women or the issue of gender-based violence. More than a decade would pass until the conditions were ripe enough for the adoption of the 1979 UN Convention on the Elimination of Discrimination against Women (CEDAW) which contains a clear prohibition on that matter. Particularly, CEDAW identified “*that women still did not have equal rights with men, allowing states to take positive action and temporary special measures against gender discrimination*” (Art. 4) and “*recognized the existence of social, cultural and traditional patterns that perpetuate harmful gender stereotypes*” (Art. 5).<sup>133</sup> Additionally, in 1982 a Committee on the Elimination of Discrimination against Women was established under the Convention. At this point, it should be mentioned that even though the CEDAW has had a tremendous impact on women’s lives in the past 20 years, no state has yet realized fully the promises it contains for women. The latter are still particularly vulnerable during wartime to rape and other grave abuses.

Thenceforth, under the political commitment to women’s rights, a variety of international treaties and conventions were signed, conferences were held and specialized committees, bodies and courts were established. The principal intergovernmental instrument “exclusively dedicated to the promotion of gender equality and the empowerment of women” is United Nations Commission on the Status of Women (CSW)<sup>134</sup>, which has launched most of the UN initiatives in the field of women’s rights. Particularly, it has promoted four World Conferences for Women: starting in 1975 in New Mexico City,<sup>135</sup> a Global Action Plan was defined and the years 1975–1985 were planned as the United Nations Decade for Women; following in 1980 in Copenhagen, the Programme of Action called for stronger national measures to ensure women’s ownership and control of poverty, as well as improvements in protecting women’s

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<sup>130</sup> Ibid.107

<sup>131</sup> Ibid. 107, Preamble, Art.1,2 & 16 UDHR

<sup>132</sup> UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, available at [https://treaties.un.org/doc/Treaties/1976/01/19760103%2009-57%20PM/Ch\\_IV\\_03.pdf](https://treaties.un.org/doc/Treaties/1976/01/19760103%2009-57%20PM/Ch_IV_03.pdf)

<sup>133</sup> UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, available at [https://treaties.un.org/doc/Treaties/1981/09/19810903%2005-18%20AM/Ch\\_IV\\_8p.pdf](https://treaties.un.org/doc/Treaties/1981/09/19810903%2005-18%20AM/Ch_IV_8p.pdf)

<sup>134</sup> See also: <https://www.unwomen.org/en/csw>

<sup>135</sup> This year was also declared as “International Women’s Year” by the UN.



rights to inheritance, child custody and nationality; the year 1985 in Nairobi marked a turning point for the struggle, as violence against women emerged from being a hidden topic into one which needed to be addressed; lastly, in 1995 in Beijing, the Conference led to a global platform for action on women's equality, empowerment and justice. In the meantime, a year before, the Cairo International Conference on Population and Development was the first to acknowledge the right to be free from sexual violence and coercion as a health right for all, worldwide, while it launched an Action Plan aimed at improving among others global gender equality and immigration of women.<sup>136</sup> This was the starting point for the recognition of migrants' vulnerability to sexual victimization and subsequent poor sexual health. Yet, it took about a decade before the UN issued specific guidelines on sexual violence against refugees and asylum seekers – however, limiting the understanding of sexual violence in this group to a form of violence experienced by women in conflict or as a weapon of war.<sup>137</sup> Following up Beijing, every five years a review and appraisal is conducted on the implementation of the Beijing Platform for Action, containing also considerations for future actions and directives. In parallel, the World Conference on Human Rights that took place in Vienna in 1993, resulted to new steps towards promoting and protecting the rights of women: a new mechanism, a Special Rapporteur on Violence Against Women, is created and appointed one year later.

All these developments led to a general expansion of studies and policies on women's rights, further resulting to the integration of the gender dimension into an internationally recognized strategy for accomplishing gender equality<sup>138</sup>, whereas some international instruments addressed the rights of specific groups of women, such as the elderly, women from ethnic minorities or women with disabilities.<sup>139</sup> Apparently, for immigrant women, the formal identification of gender-specific requirements in international legal systems started in

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<sup>136</sup> UN Population Fund (UNFPA), 'Report of the International Conference on Population and Development', A/CONF.171/13/Rev.1, Cairo, 5-13 September 1994, 1995, available at <https://www.unfpa.org/resources/cairo-declaration-population-development>

<sup>137</sup> UN High Commissioner for Refugees (UNHCR), *Guidelines on International Protection: Gender-Related Persecution Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/02/01 (7 May 2002), available at <https://www.unhcr.org/publications/legal/3d58ddef4/guidelines-international-protection-1-gender-related-persecution-context.html>

UNHCR, *Sexual and Gender-Based Violence Against Refugees, Returnees and Internally Displaced Persons Guidelines for Prevention and Response*, May 2003, available at <https://www.unhcr.org/protection/women/3f696bcc4/sexual-gender-based-violence-against-refugees-returnees-internally-displaced.html>

<sup>138</sup> Inter-Agency Standing Committee, *Women, Girls, Boys and Men: Different Needs - Equal Opportunities*. IASC Gender Handbook in Humanitarian Action, 21 December 2006, available at [https://interagencystandingcommittee.org/system/files/legacy\\_files/women\\_girls\\_boys\\_men\\_different\\_needs\\_equal\\_opportunities\\_iasc\\_gender\\_handbook\\_for\\_humanitarian\\_action\\_english\\_language.pdf](https://interagencystandingcommittee.org/system/files/legacy_files/women_girls_boys_men_different_needs_equal_opportunities_iasc_gender_handbook_for_humanitarian_action_english_language.pdf)

The Inter-Agency Standing Committee (IASC) is the primary mechanism for inter-agency coordination of humanitarian assistance, involving key UN and non-UN humanitarian partners. It was established in June 1992 in response to UNGA Resolution 46/182 on the strengthening of humanitarian assistance. See also: <https://interagencystandingcommittee.org/>

<sup>139</sup> See for instance:

United Nations, *Report of the World Assembly on Aging*, A/CONF.113/31, Vienna, 26 July-6 August 1982, available at <https://www.un.org/esa/socdev/ageing/documents/Resources/VIPEE-English.pdf>

United Nations, *Political Declaration and Madrid International Plan of Action on Ageing*, Madrid, 8-12 April 2002, available at [https://www.un.org/en/events/pastevents/pdfs/Madrid\\_plan.pdf](https://www.un.org/en/events/pastevents/pdfs/Madrid_plan.pdf)

United Nations, *Durban Declaration and Plan of Action, Adopted at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Violence*, 8 September 2001, available at [https://www.un.org/en/durbanreview2009/pdf/DDPA\\_full\\_text.pdf](https://www.un.org/en/durbanreview2009/pdf/DDPA_full_text.pdf)

UN General Assembly Resolution 37/53, *Implementation of the World Programme of Action concerning Disabled Persons*, A/RES/37/53 (3 December 1982), available at <http://www.un-documents.net/a37r53.htm>

the 1980s. Until then, there was limited research on the field of forced migration specifically focused on gender issues.<sup>140</sup> For a long period, gender issues were not included in the international discussion for refugee and asylum law, probably because such thematic has been governed by the 1951 Refugee Convention and its 1967 Protocol,<sup>141</sup> where the term “refugee” was defined and the rights of refugees were outlined, along with the legal obligations of States to protect them. In fact, this Convention remains up to date the main International Convention regulating the protection of refugees, although it was mainly focused on migrants coming from the Soviet bloc countries to the West, at a time when gender issues and women's rights were far outside the political focus of interest, especially in international politics.<sup>142</sup> On the other hand, identifying rape as part of male-female power relations was incorporated by the UNHCR Executive Committee on Refugee Protection and Sexual Violence in the 1995 Guidelines on the Prevention and Response to Sexual Violence Against Refugees.<sup>143</sup> But it was as far as in 2008 that UNSC recognised sexual violence as a war crime, calling for protection from violence in refugee camps.<sup>144</sup>

Entering 21st century, women's rights are maintained as a major subject in the agenda and continue to gain the attention of the global community. The 2006 Convention on The Rights of Persons with Disabilities, recognized in its Preamble that “women and girls with disabilities are often at greater risk, both within and outside their home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation”, while in Art. 3 that “equality between men and women” figures among the general principles of the present Convention.<sup>145</sup> Moreover, the UN in the same year established the Human Rights Council which is responsible for the promotion and protection of all human rights around the globe, organizing regularly special panels and issuing resolutions on women's rights, on the consolidation of gender issues and on human rights of migrants.<sup>146</sup> While in 2015, UN initiated

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<sup>140</sup> Martin, S.F. (2010), pp. 104-121,

<sup>141</sup> The 1951 Convention is the only universal treaty that provides for the protection of refugees; in those countries in which the convention has not been ratified and adopted into national legislation as the basis of asylum law, UNHCR uses the convention as the basis for deciding refugee claims. The Organization of African Unity (OAU) with its *Convention on the Specific Aspects of Refugee Problems in Africa* (Addis Ababa, September 1969) and the Organization of American States (OAS) with its *Cartagena Declaration on Refugees* (Cartagena, 1984) provide some elements of regional refugee definition that are applicable to situations in Africa and South America, respectively.

UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, United Nations, Treaty Series, vol.189, p.137, available at <https://www.unhcr.org/3b66c2aa10>

See also: UNHCR, *Guidelines on International Protection: Gender-Related Persecution Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/02/01 (7 May 2002), available at <https://www.unhcr.org/publications/legal/3d58ddef4/guidelines-international-protection-1-gender-related-persecution-context.html>

<sup>142</sup> Freedman, J. (2011), pp. 589-607, p.589

<sup>143</sup> UNHCR, *Sexual Violence Against Refugees: Guidelines on Prevention and Response*, 8 March 1995, available at <https://www.unhcr.org/publications/operations/3b9cc26c4/sexual-violence-against-refugees-guidelines-prevention-response-unhcr.html>

<sup>144</sup> UN Security Council Resolution 1820 (2008), *On acts of sexual violence against civilians in armed conflicts*, S/RES/1820 (19 June 2008), available at <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20S%20RES%201820.pdf>

<sup>145</sup> UN General Assembly, *Convention on the Rights of Persons with Disabilities and Optional Protocol*, A/RES/61/106 (13 December 2006), available at [https://www.un.org/disabilities/documents/convention/convention\\_accessible\\_pdf.pdf](https://www.un.org/disabilities/documents/convention/convention_accessible_pdf.pdf)

<sup>146</sup> See for instance:

Human Rights Council (HRC) Resolution 32/19, *Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls*, A/HRC/32/19 (1 July 2016), available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/158/00/PDF/G1615800.pdf?OpenElement>;



the Sustainable Development Goals, incorporating a goal for gender equality as well as for ending violence against women and ensuring equal participation.<sup>147</sup>

Nevertheless, the main legislative body of the UN having the power to issue binding resolutions is – as mentioned above – the UN Security Council, which has adopted ten landmark Resolutions on Women, Peace, and Security (WPS). Through those, it aims to strengthen women's participation, protection and rights across the conflict cycle, from conflict prevention to post-conflict reconstruction, addressing the disproportionate impact of armed conflict on women and children, including those displaced. For the purpose of this paper, a brief presentation of the aforementioned resolutions is deemed necessary:

- **UNSCR 1325 (2000)** is the first of the series of resolutions on Women, Peace and Security. It stresses the important role of women in the prevention and resolution of conflicts, in peace-building and the significance of women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security. It also encourages states to increase women's participation in decision-making regarding peace and conflict and in preventing conflicts and violence against women and girls, in order to enhance protection of women, girls and their rights, and to integrate a gender perspective in relief and recovery activities.<sup>148</sup>
- **UNSCR 1820 (2008)** focuses on sexual violence in armed conflict. It states that rape and other forms of sexual violence are sometimes used as a tactic of war, and that this constitutes a matter of international peace and security that necessitates a security response. Moreover, it recognizes these atrocities as a possible war crime, a crime against humanity or a constitutive act of genocide.<sup>149</sup>
- **UNSCR 1888 (2009)** delves into the subject of sexual violence in armed conflict and reinforces UNSCR 1820. It calls for the UN Secretary General to appoint a Special Representative on Sexual Violence in Conflict and a team of experts on rule of law and sexual violence in conflict, deploying expertise and improving coordination among stakeholders involved in addressing conflict-related sexual violence. It specifically deals with the role of women in post-conflict situations, while also urging actors on

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HRC Resolution 7/24, *Elimination of violence against women*, A/HRC/RES/7/24 (28 March 2008), available at [https://ap.ohchr.org/Documents/E/HRC/resolutions/A\\_HRC\\_RES\\_7\\_24.pdf](https://ap.ohchr.org/Documents/E/HRC/resolutions/A_HRC_RES_7_24.pdf);

HRC Resolution 16/7, *Mandate of the Special Rapporteur on violence against women, its causes and consequences*, A/HRC/RES/16/7 (8 April 2011), available at <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/125/20/PDF/G1112520.pdf?OpenElement>;

HRC Resolution 45/29, *Promoting and respecting women's and girls' full enjoyment of human rights in humanitarian situations*, A/HRC/RES/45/29 (13 October 2020), available at <https://undocs.org/pdf?symbol=en/A/HRC/RES/45/29>;

HRC Resolution 36/8, *'The full enjoyment of human rights by all women and girls and the systematic mainstreaming of a gender perspective into the implementation of the 2030 Agenda for Sustainable Development'*, A/HRC/RES/36/8 (5 October 2017), available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/292/34/PDF/G1729234.pdf?OpenElement> ;

HRC Resolution 11/9, *'The human rights of migrants in detention centres'*, A/HRC/RES/11/9 (18 June 2009), available at [https://ap.ohchr.org/Documents/E/HRC/resolutions/A\\_HRC\\_RES\\_11\\_9.pdf](https://ap.ohchr.org/Documents/E/HRC/resolutions/A_HRC_RES_11_9.pdf) ;

HRC Resolution 45/28, *'Promoting and respecting the human rights of women and girls in conflict and post-conflict situations on the occasion of the 20<sup>th</sup> anniversary of the Security Council Resolution 1325 (2000)'*, A/HRC/RES/45/28 (12 October 2020), available at <https://undocs.org/en/A/HRC/RES/45/28>.

<sup>147</sup> UNHCR, *Sustainable Development Goal 4 and Refugee Education*, July 2015, available at <https://www.unhcr.org/publications/education/5a1ecd067/education-brief-8-sustainable-development-goal-4-refugee-education.html>

<sup>148</sup> UN Security Council Resolution 1325 (2000), *On Women and Peace and Security*, S/RES/1325 (13 October 2000), available at <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES1325%20.pdf>

<sup>149</sup> Ibid.144

different levels to ensure women are better represented in conflict resolution and peace processes.<sup>150</sup>

- **UNSCR 1960 (2010)** further concentrates on sexual violence in armed conflict and expresses concern about the lack of progress on this issue. It argues that sexual violence should be seen as a criterion for targeted sanctions against guilty parties.<sup>151</sup>
- **UNSCR 2106 (2013)** focuses on combating sexual violence in the context of armed conflict, calling on all parties to do more to combat these crimes. It puts emphasis on the accountability for perpetrators of sexual violence in conflict, while also stressing women's political and economic empowerment. It further notes that the risk of arms being used to perpetrate gender-based violence is a criterion that exporting states shall consider, according to the new Arms Trade Treaty.<sup>152</sup>
- **UNSCR 2122 (2013)** reiterates the commitments made in Resolution 1325. It focuses on women's access to justice in transitional and post-conflict periods, including reparations to victims. It further emphasizes women's empowerment and participation in all aspects of decision-making regarding conflict.<sup>153</sup>
- **UNSCR 2242 (2015)** encourages the assessment of strategies and resources in regard to the implementation of the WPS Agenda. It also highlights the importance of collaboration with civil society, calls for increased funding for gender-responsive training, analysis and programmes and focuses on greater integration of the agendas on WPS and counter-terrorism and countering violent extremism (CT/CVE). It indicates gender as a cross-cutting issue within the CVE/CT Agendas and recognises the importance of integrating WPS across all country situations.<sup>154</sup>
- **UNSCR 2331 (2016)** establishes the nexus between trafficking, sexual violence, terrorism and transnational organised crime. It accentuates sexual violence as a tactic used in the shadow economy of conflict and terrorism, often forcing populations to flee contested territory, allowing aggressors to seize control of the assets left behind. It also specifies that sexual violence is perpetrated in the course of forced evictions and raids, which are rife with abductions for the purpose of ransoming or trafficking.<sup>155</sup>
- **UNHCR 2467 (2019)** stresses the need for accountability and implementation of sanctions against perpetrators of SGBV in armed conflict and post-conflict situations, identifying the need for national authorities to strengthen legislation of this regard. It notes "the need to integrate the prevention, response and elimination of sexual violence in conflict and post-conflict situations", while also recognizing the efforts of

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<sup>150</sup> UN Security Council Resolution 1888 (2009), *On Women and Peace and Security*, S/RES/1888 (30 September 2009), available at <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES%201888.pdf>

<sup>151</sup> UN Security Council Resolution 1960 (2010), *On Women and Peace and Security*, S/RES/1960 (16 December 2010), available at <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES%201960.pdf>

<sup>152</sup> UN Security Council Resolution 2106 (2013), *On Women and Peace and Security*, S/RES/2106 (24 June 2013), available at [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2106.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2106.pdf)

<sup>153</sup> UN Security Council Resolution 2122 (2013), *On Women and Peace and Security*, S/RES/2122 (18 October 2013), available at [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2122.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2122.pdf)

<sup>154</sup> UN Security Council Resolution 2242 (2015), *On Women and Peace and Security*, S/RES/2242 (13 October 2015), available at [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2242.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2242.pdf)

<sup>155</sup> UN Security Council Resolution 2331 (2016), *On Trafficking of Persons in Armed Conflict*, S/RES/2331 (20 December 2016), available at [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2331.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2331.pdf)

the Informal Experts Group on Women, Peace and Security at the international level, as well as those of non-governmental organizations at the local level “to enhance informal community-level protection mechanisms against sexual violence in conflict and post-conflict situations...”<sup>156</sup>

- **UNHCR 2493 (2019)** which reached to a consensus after a long debate, stresses the need for further effort of all member states in regard to the “full implementation of all previous Security Council Resolutions pertaining to the Women, Peace and Security agenda”, while it takes note “of the work of the Informal Experts Group on Women, Peace and Security as expressed in resolution 2242 (2015) to facilitate a more systematic approach to WPS within its own work...”<sup>157</sup>

It is worth noting that – among the above resolutions – three<sup>158</sup> concern women, peace and security in the broadest sense (i.e., women's specific experiences of conflict and their contribution to conflict prevention, peacekeeping, conflict resolution and peacebuilding). The rest also enhance women's participation but focus more specifically on conflict-related sexual violence, while UNSC Resolution 2106<sup>159</sup> is the first to explicitly refer to men and boys as survivors of violence. The Security Council agenda also includes 'Children and Armed Conflict (CFA)', through which it established in 2005 a monitoring and reporting mechanism (SAM) for six serious violations of children's rights during armed conflict, including rape and sexual violence against children. “*These resolutions signal a change in the way the international community views and deals with conflict-related sexual violence*”.<sup>160</sup> It is no longer seen as an inevitable byproduct of war, but rather a crime that is preventable and punishable under International Human Rights Law and International Criminal Law.

### 7.3. Regional level

The European Union historically has shown a great interest on gender issues, initially by supporting gender equality in terms of employment and gradually evolving from discrimination issues to the recognition of violence against women. In this regard, the EU has been considered as “one of the world’s most advanced political systems..., with its policies aiming to combat gender inequality often being considered “exceptional””.<sup>161</sup> In the early 60s EUs legal framework, the two Fundamental Treaties (TEU & TFEU) and the Charter of Fundamental Rights<sup>162</sup>, established gender equality as one of the core values and aims of the EU, which has committed to eliminate inequalities and promote gender equality “in all its

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<sup>156</sup> UN Security Council Resolution 2467 (2019), *On Sexual Violence in Conflict*, S/RES/2467 (23 April 2019), available at [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2467.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2467.pdf)

<sup>157</sup> UN Security Council Resolution 2493 (2019), *On Further Information on the Progress and Setbacks in the WPS agenda and Recommendations to Address New and Emerging Challenges*, S/RES/2493 (29 October 2019), available at [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2493.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2493.pdf)

<sup>158</sup> S/RES/1325 (2000), S/RES/1888 (2009) and S/RES/2122 (2013)

<sup>159</sup> Ibid.152

<sup>160</sup> Un.int. n.d. *Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG/SVC)/ Permanent Missions*, available at <https://www.un.int/pm/special-representative-secretary-general-sexual-violence-conflict-srsgsvc>

<sup>161</sup> Jacquot, S. (2020), ‘European Union Gender Equality Policies Since 1957’, *Encyclopédie pour une histoire numérique de l'Europe*, ISSN 2677-6588, 22 June 2020, available at <https://ehne.fr/en/node/12435>

<sup>162</sup> Ibid.107

activities”.<sup>163</sup> In 1957, the Treaty of Rome<sup>164</sup> by initiating gender equality in its Art.119, constitutes an innovation in the context of an economic, at that time, Community.<sup>165</sup> The above Article, although limited in the field of labor, “was the sole foundation for European activity in the area of gender equality until 1997”.<sup>166</sup> Since then, European gender equality legislation has developed and evolved through successive treaties, resolutions and directives. Namely, in 1999 the Treaty of Amsterdam promoted “throughout the Community a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, equality between men and women” (Art. 2), and aimed “to eliminate inequalities, and to promote equality, between men and women” (Art. 3).<sup>167</sup> At that point, treaties were focused mainly on gender equality in general<sup>168</sup> and on gender equality in employment in particular<sup>169</sup>. It is only in 2009 that the Treaty of Lisbon<sup>170</sup> initiated provisions specifically referring to domestic violence<sup>171</sup>, trafficking<sup>172</sup> and sexual exploitation of women<sup>173</sup>, recognized the existence of inequalities between men and women that need to be eliminated<sup>174</sup> and set out general provisions on gender equality and employment<sup>175</sup>.

The European Parliament proceeded in 2009<sup>176</sup> and in 2012<sup>177</sup> to issuing two more resolutions on combating and ending female genital mutilation in EU, acknowledging in this way this form of gender-based violence against women. Nevertheless, the first resolution explicitly recognizing violence against women and the need to fight it in priority through its policies was issued in 2011.<sup>178</sup> Since then, a plethora of resolutions have been passed by the European Parliament hence rendering this matter a priority issue for Europe.

More specifically, in a 2014 resolution<sup>179</sup>, the Parliament calls on the European Commission to submit a proposal for a legal act establishing measures to aid the actions of

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<sup>163</sup> Prpic, M. and Shreeves, R. (2019), *Promoting Equality Between Women and Men*, European Parliament Research Service (EPRS), PE 628.272, European Union, 2019

<sup>164</sup> European Union, *Treaty Establishing the European Community (Consolidated Version)*, Rome Treaty, 25 March 1957, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Axy0023>

<sup>165</sup> Ibid.161

<sup>166</sup> Ibid. 161

<sup>167</sup> EU, Council of the European Union, *Treaty of Amsterdam Amending the Treaty on European Union, The Treaties Establishing the European Communities and Related Acts*, 10 November 1997, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A11997D%2FTXT>

<sup>168</sup> i.e., the Treaty of Amsterdam, art.3

<sup>169</sup> i.e., the Treaty of Amsterdam, art.2

<sup>170</sup> European Union, *Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*, 2007/C/306/01, 13 December 2007, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12007L%2FTXT>

<sup>171</sup> Declaration of Art.8 TFEU

<sup>172</sup> Art.79

<sup>173</sup> Art.83

<sup>174</sup> Ibid.170

<sup>175</sup> Art.2 & 157 respectively

<sup>176</sup> EP (2009), *European Parliament resolution of 24 March 2009 on combating female genital mutilation in the EU*, 2008/2071(INI), available at <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0161+0+DOC+XML+V0//EN>

<sup>177</sup> EP (2012), *European Parliament resolution of 14 June 2012 on ending female genital mutilation*, 2012/2684(RSP), available at [https://www.europarl.europa.eu/doceo/document/TA-7-2012-0261\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-7-2012-0261_EN.html)

<sup>178</sup> EP (2011), *European Parliament resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women*, 2010/2209(INI), available at [https://www.europarl.europa.eu/doceo/document/TA-7-2011-0127\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-7-2011-0127_EN.html?redirect)

<sup>179</sup> EP (2014), *European Parliament resolution of 25 February 2014 with recommendations to the Commission on combating Violence Against Women*, (2013/2004(INL), available at [https://www.europarl.europa.eu/doceo/document/TA-7-2014-0126\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-7-2014-0126_EN.html)

Member States for the prevention of violence against women and girls and to initiate the EU accession process to the Istanbul Convention<sup>180</sup>. In addition, the EP proposed a combination of other measures, such as a unanimous Council decision to add gender-based violence to the crimes referred to in Art. 83 par.1 TFEU; the establishment of a coherent system for collecting statistics on gender-based violence in the Member States; the establishment of a European Observatory on Violence against Women and Girls; the adoption of an EU-wide strategy and action plan to combat violence against women; and an EU year to end violence against women and girls over the next three years.

In its follow-up to the eighth term, with a number of resolutions<sup>181</sup>, the EP persisted in its pressure for progress on these recommendations, including its call for new EU legislation containing binding measures to protect women from violence. For example, it highlighted the need to address emerging forms of gender-based violence, such as cyber harassment, and to take precautionary measures to address the special needs of vulnerable groups such as child victims, women with disabilities, refugees and LBTI women.<sup>182</sup> It also called for an evaluation and rationalization of existing EU legislation on victims' rights and identified specific ways of improving the protection provided to survivors of gender-based violence.<sup>183</sup> Lastly, in 2019 the EP issued two resolutions<sup>184</sup> condemning all forms of violence against women, calling on the Member States that have not yet ratified the Istanbul Convention to do so immediately and expressing concerns about the intensification of certain forms of violence against women and the insufficient funding of protection measures.

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<sup>180</sup> Council of Europe, *The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)*, 11 May 2011, Council of Europe, Treaty Series, no.210, available at <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008482e>

<sup>181</sup> EP (2015), *European Parliament resolution of 9 June 2015 on the EU Strategy for equality between women and men post 2015*, 2014/2152(INI), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2015-0218\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2015-0218_EN.html?redirect)

EP (2016), *European Parliament resolution of 24 November 2016 on the EU accession to the Istanbul Convention on preventing and combating violence against women*, 2016/2966(RSP), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2016-0451\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-8-2016-0451_EN.html)

EP (2017), *European Parliament resolution of 14 March 2017 on equality between women and men in the European Union in 2014-2015*, 2016/2249 (INI), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2017-0073\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-8-2017-0073_EN.html)

EP (2017), *European Parliament resolution of 12 September 2017 on the proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence*, COM(2016)0109 – 2016/0062(NLE), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2017-0329\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2017-0329_EN.html?redirect)

EP (2018), *European Parliament resolution of 19 April 2018 on the implementation of Directive 2011/99/EU on the European Protection Order*, 2016/2329(INI), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2018-0189\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2018-0189_EN.html?redirect)

EP (2018), *European Parliament resolution of 30 May 2018 on the implementation of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime*, 2016/2328(INI), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2018-0229\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2018-0229_EN.html?redirect)

EP (2018), *European Parliament resolution of 11 September 2018 on measures to prevent and combat mobbing and sexual harassment at workplace, in public spaces, and political life in the EU*, 2018/2055(INI), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2018-0331\\_EN.pdf?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2018-0331_EN.pdf?redirect)

<sup>182</sup> EP COM(2016)0109 – 2016/0062(NLE), 12 September 2017

<sup>183</sup> EP 2016/2328(INI), 30 May 2018 & EP 2018/2055(INI), 11 September 2018

<sup>184</sup> EP (2019), *European Parliament resolution of 16 January 2019 on the situation of fundamental rights in the European Union in 2017*, 2018/2103(INI), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2019-0032\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2019-0032_EN.html?redirect)

EP (2019), *European Parliament resolution of 13 February 2019 on experiencing a backlash in women's rights and gender equality in the EU*, 2018/2684(RSP), available at [https://www.europarl.europa.eu/doceo/document/TA-8-2019-0111\\_EN.pdf?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2019-0111_EN.pdf?redirect)

EU has also introduced several Directives on gender equality, primarily in the field of employment, covering equal opportunities and treatment in salaries, social security, working conditions and harassment<sup>185</sup>; self-employment<sup>186</sup> and guaranteed rights to maternity and parental leave<sup>187</sup>. Furthermore, the EU framework includes legislation on equal access to goods and services<sup>188</sup>. In the following years, the legal framework of the EU evolved to include more sensitive issues such as the prevention of trafficking and protection for its victims<sup>189</sup>, the protection and support of victims of crime<sup>190</sup> and the fight against sexual abuse and exploitation of children<sup>191</sup>. Subsequently, the legal framework of the EU has gone through advancements to provide a broader recognition of gender-related issues in immigration and asylum, by setting the standards for the reception of applicants of international protection<sup>192</sup> and establishing common procedures for granting and withdrawing international protection<sup>193</sup>; It is also worth mentioning the significance of the Qualification Directive 2011/95/EU, whose Articles 9 and 10 stipulate respectively that prosecutions can take various forms, including "*acts of a gender-specific nature*" and that "gender-related aspects, including gender identity, shall be given due consideration for the purposes of determining membership of a particular social group or identifying a characteristic of such a group".<sup>194</sup> In addition, the use of rape as a war weapon has been recorded in a variety of armed conflicts, such as the former Yugoslavia, Rwanda, Bangladesh, Uganda, Myanmar and Somalia, victimizing unequally women.<sup>195</sup> The above Directives constitute EUs binding law which "prohibits direct and indirect discrimination, victimization and harassment and allows for affirmative action";

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<sup>185</sup> Council directive 2006/54/EC '*On the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)*', 5 June 2006, Official Journal of the European Union, L204, p. 23-36.

<sup>186</sup> Directive of the European Parliament and of the Council 2010/41/EU '*On the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC*', 7 July 2010, Official Journal of the European Union, L180, p.1-6

<sup>187</sup> Council directive 92/85/EEC '*On the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)*', 19 October 1992, Official Journal of the European Union, L348, p. 1-7

Directive of the European Parliament and of the Council 2010/18/EU '*Implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC*', 8 March 2010, Official Journal of the European Union, L68, p. 276-283

<sup>188</sup> Council directive 2004/113/EC '*Implementing the principle of equal treatment between men and women in the access to and supply of goods and services*', 13 December 2004, Official Journal of the European Union, L373, p. 37-43

<sup>189</sup> Directive of the European Parliament and of the Council 2011/36/EU '*On preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA*', 5 April 2011, Official Journal of the European Union, L101, p. 1-11

<sup>190</sup> Directive of the European Parliament and of the Council 2012/29/EU '*Establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA*', 25 October 2012, Official Journal of the European Union, L315, p. 57-73

<sup>191</sup> Directive of the European Parliament and of the Council 2011/93/EU '*Combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA*', 13 December 2011, Official Journal of the European Union, L335, p.1-14

<sup>192</sup> Directive of the European Parliament and of the Council 2013/33/EU '*On laying down standards for the reception of applicants for international protection (recast)*', 26 June 2013, Official Journal L180, p. 96-116

<sup>193</sup> Directive of the European Parliament and of the Council 2013/32/EU '*On common procedures for granting and withdrawing international protection*', 26 June 2013, Official Journal L180, p. 60-95

<sup>194</sup> Directive of the European Parliament and of the Council 2011/95/EU '*On standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast)*', 13 December 2011, Official Journal L337, p. 9-26

<sup>195</sup> Shanks, L. and Schull, M. (2000), p.1152



as such, it offers an important ground for gender discrimination law in the Member States creating legally enforceable rights for individuals.<sup>196</sup>

Regarding the Council of Europe framework, two Conventions prevail on gender equality and gender-based violence, namely the European Convention on Human Rights and its Protocols (ECHR)<sup>197</sup> and the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)<sup>198</sup>. In 1953 the ECHR entered into force, prohibiting discrimination based on sex, among potentially unlimited number of grounds<sup>199</sup> and providing for equality between spouses<sup>200</sup>. ECHR is considered the most effective international treaty for human rights protection and it is EUs legal obligation to accede to it, for the establishment of an “additional basis for policies conducive to substantive gender equality”.<sup>201</sup>

Furthermore, the Istanbul Convention of 2011, which entered into force three years later, is “the first legally binding international instrument on preventing and combating violence against women and girls”.<sup>202</sup> It addressed the issue of GBV in migration postulating that women should be protected without facing any kind of discrimination, including “immigration or gender aspects of migration and asylum in the EU refugee status or other status”.<sup>203</sup> This landmark treaty opened the way for the formation of a legal framework in Europe to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women, including domestic violence. The convention also established a specific monitoring mechanism (“GREVIO”) in order to ensure effective implementation of its provisions by the Parties. “Ratification by the EU could help to provide more equal protection for women across Europe against all forms of violence”.<sup>204</sup>

Today, persecution based on gender inequality is entirely part of the human rights discourse and is incorporated in the legislation on asylum protection of many international as well as national bodies<sup>205</sup>, highlighting the structural nature of power inequality between women and men.

#### 7.4. National Level

##### 7.4.1. Overview

In line with the progress of universal and regional legislation on gender matters, Greece went through an evolution beginning with general provisions on equal rights between men

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<sup>196</sup> Ibid.163

<sup>197</sup> Council of Europe, *European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14*, ETS 5, 4 November 1950, available at [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)

<sup>198</sup> Ibid.180

<sup>199</sup> Art.14 & Protocol 12 ECHR

<sup>200</sup> Protocol 7 ECHR

<sup>201</sup> European Convention on Human Rights Guide for the Civil & Public Service (2012), Irish Human Rights and Equality Commission, available at [https://issuu.com/irishhumanrightscommission/docs/echr\\_guide\\_2](https://issuu.com/irishhumanrightscommission/docs/echr_guide_2)  
Helfer, Lawrence R. (1993), ‘Consensus, Coherence and the European Convention on Human Rights’, *Cornell International Law Journal*, 26: 133

<sup>202</sup> Ibid.163

<sup>203</sup> Particularly, Art.60 confirmed that: “(1) parties to the Convention must provide the legislative framework to recognize gender-based violence as grounds for persecution within the meaning of Article 1 of the Refugee Convention; (2) parties must give a gender-sensitive interpretation to all the other grounds of Article 1; and (3) parties must provide gender-sensitive reception conditions, support services and asylum procedures”.

<sup>204</sup> Ibid. 163

<sup>205</sup> Alfredson, L. (2009), p.97

and women guaranteed by its Constitution<sup>206</sup>, equality laws in the context of employment, as well as family law (80s-90s), to proceed years later with specific legislation on violations against women (2006) and against specific vulnerable groups of women such as migrants. During this process Greece has also incorporated international law to state law or bounded through ratification of international Conventions. Additionally, Greece made its first attempts to implement gender mainstreaming during the 2000s, when the General Secretariat for Gender Equality (GSGE) was actively involved in the formulation of Greece's development programme<sup>207</sup>, financed by the EU's European Structural Funds (ESF).<sup>208</sup> This effort was successfully followed by two other Programmes, namely CSF 2007–2013 that presented gender mainstreaming as an improvement factor for the quality of public policies in the National Strategic Reference Framework (NSRF) and the National Programme for Substantive Gender Equality 2010–2013 that launched a national integrated gender mainstreaming strategy within its framework.<sup>209</sup> Finally, the National Action Plan (NAP) on Gender Equality 2016–2020 incorporates the most recent principles and objectives to improve gender equality in Greece, that was introduced in 2017 based on the recommendation of the Committee on the Elimination of Discrimination against Women to Greece in 2013. Its Actions to abolish gender discrimination include: “social inclusion of women facing multiple discrimination; combating violence against women; labour market, reconciliation of professional and family life; education, training, stereotypes, media, culture, sports; health; equal participation in decision-making”.<sup>210</sup>

#### 7.4.2. Gender equality

##### *Principle of Equality and Gender Mainstreaming*

The Greek Constitution – as the supreme trustee of basic values and principles of the State and its peoples – guarantees the principle of equality. Particularly Article 4 states that there are “equal rights and obligations between men and women”, while Article 116 recognizes that “inequality does exist in practice against women”, that “the State is responsible for guarantying its removal” and that “positive measures are taken to promote equality between men and women”, ensuring therefore “the absence of discrimination on grounds of gender”. Decades later (March 2019) a new law on substantive gender equality and gender mainstreaming has been adopted in Greece, namely Law 4604/2019 “on promoting substantive gender equality, preventing and combating gender-based violence”, which is “the first attempt in Greece of drafting a horizontal bill aiming at the creation of all those circumstances that could lead to the achievement of substantive gender equality and the elimination of gender inequalities in all sectors of public, social and economic life contributing to the promotion of gender mainstreaming”.<sup>211</sup> This is the first time that gender mainstreaming is incorporated into Greek legislation, while the variety of the measures set out point the gap that existed in this field.<sup>212</sup> Nevertheless, “the impact of the Law will depend

<sup>206</sup> That of 1975 and its revisions in 1986, 2001, 2008 and 2019

<sup>207</sup> The 3rd Community Support Framework (CSF), 2000–2006

<sup>208</sup> European Institution of Gender Equality (EIGE), Gender Mainstreaming Approach, Greece, 2019

See also: <https://eige.europa.eu/>

<sup>209</sup> Ibid. 208

<sup>210</sup> Ibid. 208

<sup>211</sup> Ministry of Labour and Social Affairs, General Secretariat for Family Policy and Gender Equality (2020),

‘GREECE: Comprehensive national review report Beijing+25’, available at

[https://unece.org/fileadmin/DAM/Gender/Beijing\\_20/Greece.pdf](https://unece.org/fileadmin/DAM/Gender/Beijing_20/Greece.pdf)

<sup>212</sup> Indicatively are mentioned the following: use of gender-neutral language in official documents of the public administration (Art 12); provisions against gender stereotypes and discrimination in mass media and



on the implementation of these policies, with little information to date on how (and when) these policies will be put into practice”.<sup>213</sup>

### *Family Law*

The year 1983 was a landmark in the evolution of Greek family law concerning gender issues in relation to parental responsibilities and the social protection of the family. The reform of the Greek Civil Code “constituted a very advanced for the Greek context piece of legislation and was one of the most ‘woman-friendly’ ones in the EC”.<sup>214</sup> While only a year before dowry had been abolished as a legal institution<sup>215</sup>, until that point paternal responsibility was equal to parental responsibility, meaning that the care of the child, the administration of its property, and its legal representation was up to the father’s responsibility<sup>216</sup>, and the mother’s role was solely restricted to cases where paternal authority had terminated<sup>217</sup>. Law 1329/1983 comes to substitute the term “paternal authority” for “parental care” and thus significantly reforms the concept, aligning it with the constitutional imperatives for equality between men and women (Art. 4 par. 2) and the protection of childhood (Art. 4, par.2 and Art. 21, par. 1 of the Greek Constitution respectively).<sup>218</sup> Moreover, the new law gives to women the right to “keep their maiden name after marriage, and even pass it on to their children and abolishes the Civil Code provision that the legal residence of women is that of their spouses”.<sup>219</sup> Lastly, it introduces divorce by mutual consent and states that alimony lies upon the responsibility of both parents. In the following year, Law 1469/1984 comes to provide health insurance to divorced wives and widows through their husband – while, the care of the children, in the case of divorce, is “assigned to one of the two parents without sex or other discrimination”.<sup>220</sup>

The latest major legislative development on family law is Law 4491/2017<sup>221</sup>, which recognizes “gender identity as a protected aspect of an individual’s personality and, therefore, allows the selection of one’s legal gender”, by explicitly stating “that gender identity is the “internal and personal” way in which a person experiences their gender, regardless of the gender attributed at birth based on physical characteristics”.<sup>222</sup>

### *Employment*

The Greek Constitution enshrines the principle of gender equality in the labour sector, including positive measures in favour of women, where necessary. Article 22 in particular

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advertisements; a quota system (minimum 40 % women candidates) for each electoral district in parliamentary and European elections (Art. 15); the promotion of gender equality through education (Art. 17); the establishment of an Autonomous Equality Office in each of the 13 regions of the country (Article 7); the establishment of an Autonomous Gender Equality Offices in each Ministry (Article 8); the establishment of the National Council for Gender Equality (Article 9), etc.

<sup>213</sup> Ibid. 208

<sup>214</sup> Davaki, K. (2013), *The Policy on Gender Equality in Greece* (European Parliament's Committee on Women's Rights and Gender Equality), EU Publications, PE 493.028

<sup>215</sup> L.1250/1982

<sup>216</sup> Art. 1500-1501 Greek CC/1940

<sup>217</sup> Art. 1590 Greek CC/1940

<sup>218</sup> Agallopoulou, P., in: Georgiadis, A. and Stathopoulos, M. (eds.), 2003, *Civil Code commentary, Vol. VIII, Family Law (Arts. 1505-1694)*, 2nd Edition, Athens: Law & Economy, P.N. Sakkoulas 2003, Art. 1510 Greek CC, p. 173-174, No. 4 -5 [in Greek]; Koutsouradis, Achilles G. (2005), p.173-174

<sup>219</sup> Ibid.214

<sup>220</sup> Ibid. 214

<sup>221</sup> L.4491/2017 on “Legal Recognition of Gender Identity, National Mechanism for Devising, Monitoring and Evaluation of Action Plans for the Children’s Rights and other provisions”

<sup>222</sup> Konstantinidou, H. (2017), 257-310

notes that “all employees, regardless of gender or other discrimination, are entitled to equal pay for work of equal value”. Since then, several laws have been set to protect women from inequalities in the work environment.

The beginning was made with Law 1414/1984 where the principle of sex equality in employment relations was applied and all forms of discrimination against women and differentiation between male and female jobs were abolished. It promoted women’s integration in the labour market through participation in training programmes, while protecting them against displacement for maternity reasons.<sup>223</sup> More recently, Law 3488/2006<sup>224</sup> contributed to a greater length<sup>225</sup>, as it promoted equal treatment between men and women in access to employment and in employment relations, defined and tackled sexual harassment in the workplace. Following, Law 3896/2010<sup>226</sup> prohibited gender discrimination in employment by covering issues such as equal pay, equal treatment by social security and equal access to employment and opportunities for professional development between men and women. Law 3996/2011 with its Article 36<sup>227</sup> follows on the protection and layoff because of maternity, while Law 4097/2012 on the other hand “targets the application of equal treatment of women and men in self-employment in harmonisation with the 2010/41/EU Directive”.<sup>228</sup>

Lastly, Law 4604/2019 also includes articles “promoting the principle of equal treatment and the fight against discrimination based on sex, gender identity and sexual orientation in the field of employment and occupation”. A chapter is dedicated to “gender mainstreaming in private life and labor” with articles<sup>229</sup> “concerning provisions on behalf of the employer for the substantive gender equality in labor, social dialogue, establishment of Equality Signs and Gender Awards for enterprises adopting gender equality corporate policies”.<sup>230</sup> Whereas a special mention on violence against women is made by defining what constitutes work violence<sup>231</sup> and by taking measures that contribute to the “prevention and discouragement of violence against women and sexism”<sup>232</sup>.

#### 7.4.3. Violence against women

Although in Greece there is no specific law governing the issue of violence against women on the basis of gender, some distinct forms of this type of violence are covered by the Penal Code<sup>233</sup> as well as by Law 3500/2006. “Domestic violence” is defined in the latter as “the commission of criminal act against a family member according to Articles 6,7,8 & 9 of the present Law as well as Articles 299 and 311 of the Penal Code”. Such acts include domestic

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<sup>223</sup> Ibid. 214

<sup>224</sup> L.3488/2006 on “Sexual Harassment and Equality in Access to Goods and Services”, along with the harmonisation of legislation with Directives 2000/78 and 2004/113

<sup>225</sup> Stratigaki, M. (2006), ‘Gender equality in Greece: European orientation or national practices?’, *European Integration and Greece*, Economy, Society, Policies

<sup>226</sup> modifying L.3488/2006

<sup>227</sup> as an amendment to previous L.1483/1984 concerning the reform of the Employment Inspectors Body and provisions of Social Security

<sup>228</sup> Ibid. 214

<sup>229</sup> i.e., Art.21 & 22

<sup>230</sup> Ibid.211

<sup>231</sup> Art.2

<sup>232</sup> Art.21

The official translation of the Law in English can be found in the GSFPGE website <http://www.isotita.gr/en/law-4604-2019-substantive-gender-equality-preventing-combating-genderbased-violence>

<sup>233</sup> European Institute for Gender Equality (EIGE), Combating Violence Against Women, Greece, 2016

physical injury, domestic illegal violence and threat, rape and abuse in lewdness (lechery) and sexual abuse, as well as manslaughter by intention and fatal injury respectively. There is also a lack of specific legislation on stalking, forced marriage and female genital mutilation, nevertheless these forms of violence are punishable under provisions of the Penal code.<sup>234</sup> The aforementioned Law 4604/2019 can also be included in the legislation for combating gender-based violence as it defines and thus recognizes the existence of violence in the workplace<sup>235</sup>, establishes A National Council for Gender Equality with subjects relating to gender equality and gender-based violence<sup>236</sup> and rewards companies for developing actions in a way that “help prevent gender-based violence and discourages violence against women and sexism”<sup>237</sup>.

However, the most important action of Greece in the legislative battle of violence against women took place in 2018, when Greece ratified by national Law the Istanbul Convention on preventing and combating violence against women and domestic violence.<sup>238</sup> Law 4531/2018 “is so far the most far-reaching legal instrument to prevent and combat violence against women and domestic violence as a violation of human rights”. It underlines the obligation of the state to fully address gender-based violence in all its forms and to take measures to prevent violence against women, protect its victims and prosecute the perpetrators”.<sup>239</sup>

#### 7.4.4. Migration

The protection of refugee women and their children under the umbrella of human rights is considered a key priority for Greece and a strategic goal of the National Action Plan for Gender Equality (NAPGE), as well as a priority for the GSFPGE.<sup>240</sup>

At the legislative level, provisions for vulnerable groups of migrants and asylum seekers are quite recent, following the refugee crisis in Greece. Law 4636/2019 on International Protection and Other Provisions is the sole legislative measure in Greece that includes provisions, although quite general, on the protection of vulnerable groups among refugees. The law is in line with European Directives incorporating relevant articles, as it states that “the law takes into account the special situation of vulnerable persons, such as... pregnant women, single-parent families with minors, victims of trafficking and people who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of genital mutilation”.<sup>241</sup> At the same chapter there are also provisions on medical care for “beneficiaries of international protection with special needs, especially pregnant women,... persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence..” for whom “adequate medical care is provided,

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<sup>234</sup> Ibid.232

<sup>235</sup> Ibid.231

<sup>236</sup> Art.9

<sup>237</sup> Ibid. 232

<sup>238</sup> L.4531/2018

The Law may be found in the GSFPGE website in Greek

<http://www.isotita.gr/wpcontent/uploads/2018/04/4531-2018.IstanbulConvention.pdf>

<sup>239</sup> Ibid.211

<sup>240</sup> Ibid. 211

<sup>241</sup> Directive of the European Parliament and of the Council 2011/95/EU ‘On standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), 13 December 2011, Official Journal of the European Union, L337, p.9-26, Chapter VII (Contents of International Protection), Art.20

including treatment for mental and emotional disability where required, under the conditions applicable to Greek citizens”.<sup>242</sup>

Incorporating another EU Directive<sup>243</sup> the law also includes provisions on detention of vulnerable persons and applicants with special reception needs, and specifically requires for “detained single women to be housed separately from men”. It lies under the competence of the authorities to ensure that “women are not detained during pregnancy and for three (3) months after giving birth, and that their transfer and accommodation in appropriate accommodation structures are sought”.<sup>244</sup>

The special reception needs of vulnerable people are also taken into account in the provisions of the law, on the ground of general principles and medical care. Thus, it is noted that the state, in applying its provisions, should consider “the special situation of vulnerable persons, such as... pregnant women, single parents, victims of trafficking and people who have suffered torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of genital mutilation,<sup>245</sup> as well as that “victims of torture, rape or other serious acts of violence” are entitled to be “certified with a medical certificate by a public hospital, military hospital or suitably trained public health service providers, including medical examiners, and shall receive the necessary care for access to the injury caused, medical and psychological treatment or care”.<sup>246</sup>

Beyond the level of law, at GSFPGE level, a collaboration between state and NGOs has been established to assist on the needs of refugee women. This partnership is sealed with a Protocol of Cooperation “aiming at the coordination of all competent entities for the identification, referral, accommodation and provision of counseling services to refugee women, victims or potential victims of violence and their children, with regard their special needs”.<sup>247</sup>

Despite the presence of adequate provisions for vulnerable groups, including women and victims of violence, there is no reference to the notion of gender and the vulnerability that derives from that, nor to violence against women in particular. In line with the above we identify gaps in the field of accommodation, since there are no provisions for Women Safe Spaces inside the camps as well as for women interpreters at any stage of their accommodation. Those gaps need to be addressed in legislation and in practice as soon as possible as they constitute grounds for further suffering, enhanced vulnerability and deteriorating living conditions of refugee women and are opposed to the current international spirit of gender equality and the combat of gender-based violence.

### *7.5. Protocols for the operation of refugee accommodation sites*

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<sup>242</sup> Art.30

<sup>243</sup> Directive of the European Parliament and of the Council 2013/33/EU ‘On the requirements for the reception of applicants of international protection (recast)’, 26 June 2013, Official Journal of the European Union, L180, p.96-116

<sup>244</sup> Art.48 L.4636/2019 (Art. 13 of Directive 2013/33/EU)

<sup>245</sup> Art.58 L.4636/2019 (Art.21 & 22 of Directive 2013/33/EU)

<sup>246</sup> Art.61 L.4636/2019 (Article 25 of Directive 2013/33/EU)

<sup>247</sup> Ibid. 211

See also the English version of the Protocol here <http://www.isotita.gr/wpcontent/uploads/2017/12/Protocol-on-Cooperation-for-Refugee-Women.pdf>

### 7.5.1. *Prior to the study*

The establishment of detention centers, reception and identification centers, open temporary reception sites and open temporary accommodation sites, was made in 2016 under the adaptation of Greek Legislation to the provisions of Directive 2013/32/EU.<sup>248</sup> Particularly, Art. 10 of the Law 4375/2016 establishes RICs in border areas of Greece (par. 1) and in inland areas (par. 2); open sites (par. 4); and separate spaces within the aforementioned types of sites “with the appropriate specifications for the stay of third country citizens or stateless persons belonging to the vulnerable groups of par. 8 of article 14” (par. 6).<sup>249</sup> Two important though quite vague provisions of this law are that of private areas in the Reception and Identification Centers for persons belonging to vulnerable groups and of decent living conditions<sup>250</sup>; access to emergency health care and any necessary treatment or psychosocial support; and of appropriate treatment, in case of vulnerability.<sup>251</sup> The lack of specific provisions in terms of gender issues is evident yet expected due to the early stage of the refugee crisis. At that point the state, same as the European Union, was unprepared to deal with the huge refugee flows, and probably this could be a reason for focusing primarily to provide legislation and structures in a basic level.

### 7.5.2. *During the time of the study*

There is no relevant legislation issued at the time of the study. Nevertheless, a brief reference to Law 4540/2018 will be made to underline once more the absence of specific regulations for gender related issues in the field.<sup>252</sup> The law makes reference to detention centers and not to open accommodation sites that are of our interest, yet it incorporates special provisions for vulnerable people.

Concerning vulnerable persons, the Law specifies that in cases of detention, single women are entitled to be housed separately from men; will be excluded of detainment during pregnancy and for three (3) months after delivery; and will be transferred and accommodated in appropriate accommodation structures.<sup>253</sup> While for victims of torture and violence it entitles them to be “certified with a medical certificate by a public hospital, military hospital or suitably trained public health service providers, including medical examiners, and shall receive the necessary medical care for access to the injury medical and psychological treatment or care”.<sup>254</sup>

### 7.5.3. *Currently*

Under a Ministerial Decision<sup>255</sup> the “General Regulations for the Operation of Temporary Reception Sites and Temporary Accommodation Sites for third country nationals or stateless

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<sup>248</sup> Ibid.193

<sup>249</sup> In par.8 of the same Art.10, it is stated that “Vulnerable groups mean for the needs of the present: d) women in pregnancy or childbirth; e) single-parent families with minor children, (f) victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, persons with post-traumatic stress disorder, in particular survivors and relatives of shipwreck victims; and g) victims of trafficking in human beings”.

<sup>250</sup> Art.14, par.8

<sup>251</sup> Art.14, par.5

<sup>252</sup> L.4540/2018 ‘Adaptation of Greek legislation to the provisions of Directive 2013/33/EU and others provisions/ Amendment of Law 4251/2014 (A '80) on the adaptation of Greek legislation to Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the context of intra-corporate transfer/ Modification of asylum procedures and other provisions

<sup>253</sup> Art. 10 L. 4540/2018

<sup>254</sup> Art. 23 L. 4540/2018

<sup>255</sup> No. 23/13532, published in the Government Gazette (5272/B/30-11-2020)

persons, operating under the auspices of the Reception and Identification Service” are set out. For the purposes of the present study, we will outline the staff obligations, sites’ operation principles, peoples’ rights, and the establishment of safe zones in light of the protection of women refugees – as described in the text of the aforementioned Decision.

The staff employed in the various sites is under specific obligations in terms of codes of conduct on the ground of equal treatment and against any kind of discrimination, with specific mention to the notion of gender<sup>256</sup>; the use of violence and exploitation (i.e. sexual) against survivors is clearly prohibited<sup>257</sup>, while there is also special mention to the confidentiality of personal data.<sup>258</sup> As far as the sites’ operation principles are concerned, people with “special reception needs” including “pregnant women, single-parent families, victims of trafficking, and people who have suffered torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of genital mutilation”, are entitled of special care.<sup>259</sup> Provisions for the promotion of gender equality can also be seen in the article regarding “the use of the services” where there is an additional special note for residents with special needs (such as gender).<sup>260</sup> The most important provision though is that of Art. 9, par. 6 where for the first time the notion of gender-based violence is recorded and refers to the structures that accommodate mixed populations of men and women. In this article it is clearly stated that “the safety and protection of those living in them from incidents of sexual and gender-based violence that may occur between those living” should be ensured. The above imperative is followed by a conclusion for the need for “precautionary measures..., such as informing all stakeholders, appropriate staff training, explicit reference to operating regulations, and separate and secure housing”. Particular reference is also made in the designation of peoples’ rights regarding housing (in decent living conditions and in a protected environment) to file a complaint or report, in case of violation of their rights, of “any form of violence or exploitation against them”.<sup>261</sup> Lastly, we also encounter provisions for the establishment and operation of Safe Zones<sup>262</sup> with the appropriate specifications for vulnerable groups<sup>263</sup>. Nevertheless, this last provision mainly concerns unaccompanied minors. Provisions specifically for the establishment of Women Safe Spaces are still absent in the ground of legislation.

A year before the aforementioned Ministerial Decision, the Greek State had legislated on reception conditions where provisions were set out on the forms of accommodation, ensuring standards of living for the general population, appropriate measures and specific standards for vulnerable people with issues relating to the sex “to prevent violence and gender-based violence, including gender identity, sexual abuse and harassment within reception centers”, as well as provisions on appropriate training, code of conduct and confidentiality issues of the staff.<sup>264</sup>

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<sup>256</sup> Art.6, par.1

<sup>257</sup> Art.6, par.2

<sup>258</sup> Art.8

<sup>259</sup> Art.9, par.2

<sup>260</sup> Art.9, par.5

<sup>261</sup> Art.16

<sup>262</sup> Art.22 (within the meaning of Art.10, par.7 L.4375/2016)

<sup>263</sup> Art.22, par.9 (as defined in Art.39, par.5 & Art.58, par.1 L.4636/2019)

<sup>264</sup> Art.56, par.1,2 & 3 L.4636/2019 (Art.18 of Directive 2013/33/EU)

## 8. Investigation for possible violations of I.H.L. regarding SGBV survivors in the two Greek camps

### 8.1. Introduction

To identify possible violations of I.H.L. on SGBV survivors' rights in the two Greek camps, we first need to define what constitutes a binding Law in principle. This is going to be accomplished through a brief presentation of the various forms of legislation in UN and EU level, designating them in terms of their binding (or non-binding) force.

#### 8.1.1. At the International (UN) level

The sources of international law applied by the community of nations are listed under Article 38 of the Statute of the International Court of Justice<sup>265</sup>, which is considered authoritative in this regard: international treaties and conventions; international custom as derived from the "general practice" of states; and general legal principles "recognized by civilized nations". Additionally, judicial decisions and the teachings of prominent international law scholars may be applied as "subsidiary means for the determination of rules of law". For the purposes of our study, we are going to focus on International Treaties and their Protocols, as well as International Conventions.

Treaties are among the earliest manifestations of international relations and are today recognized as a primary source of international law.<sup>266</sup> The Vienna Convention on the Law of Treaties provides us with a definition of a treaty, while setting the "rules and procedures for creating, amending, and interpreting treaties, as well as for resolving disputes and alleged breaches".<sup>267</sup> According to its definition, a "treaty" signifies an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation.<sup>268</sup> Another definition is that of a formal legally binding written agreement between actors in international law. It is usually entered into by, among others, sovereign states and international organizations.<sup>269</sup> Alternative terminology used instead of "treaty" is – among others – "international agreement", "convention", "covenant", "protocol" or "pact". Regardless of the terminology, only those instruments that are legally binding upon the parties can be considered as "treaties" in the sense of international law.<sup>270</sup> A protocol, on the other hand, is considered itself as a treaty that supplements a previous one, through

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<sup>265</sup> United Nations, *Statute of the International Court of Justice*, 18 April 1946, available at <https://www.icj-cij.org/en/statute>

Art. 38: "1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply: a) international conventions, whether general or particular, establishing rules expressly recognized by the contesting states; b) international custom, as evidence of a general practice accepted as law; c) the general principles of law recognized by civilized nations; d) subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law. 2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto."

<sup>266</sup> Dörr, O. and Schmalenbach, K. (2012)

<sup>267</sup> Malgosia, F. (2010)

<sup>268</sup> Vienna Convention on the Law of Treaties, Art. 2, 1(a)

United Nations, *Vienna Convention on the Law of Treaties*, 23 May 1969, United Nations, Treaty Series, vol. 1155, p. 331, available at <https://treaties.un.org/untc/Pages/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>

<sup>269</sup> "Treaty international relations", Encyclopedia Britannica

<sup>270</sup> In the context of the United States Constitutional Law, the term "treaty" has a special meaning which is more restricted than its meaning in international law.

amendments or additional provisions. Nevertheless, the parties of the earlier agreement are not required to adopt the protocol, which is often called for that reason "optional protocol", especially when there are parties that do not support it.

Treaties establishing international institutions often serve as the constitution thereof, such as the Rome Statute of the International Criminal Court and the Charter of the United Nations. However, most treaties have internal procedures and mechanisms governing potential disagreements. Under the UN Charter, which is itself a treaty, treaties must be registered with the UN to be invoked before it, or enforced in its judiciary organ, the International Court of Justice. After their adoption, treaties, as well as their amendments, must follow the official legal procedures of the United Nations, as applied by the Office of Legal Affairs, including signature, ratification, and entry into force.

### 8.1.2. *In the EU level*

The European Union is based on the rule of law. This means that every action taken by the EU is founded on treaties that have been approved voluntarily and democratically by all EU member countries.<sup>271</sup> The aims set out in the EU treaties are achieved by several types of legal acts, such as regulations, directives, decisions, recommendations and opinions. Those various types of legal acts will be described comprehensively, as there are differentiations among them in terms of their binding force and the magnitude of their applicability.<sup>272</sup>

As defined in the formal websites of the EU, "a treaty is a binding agreement between EU member countries". It sets out EU objectives, rules for EU institutions, how decisions are made and the relationship between the EU and its member countries".<sup>273</sup> Every action taken by the EU is thus founded on the provisions of treaties. Treaties are often amended to make the EU more efficient and transparent, prepare for new member countries and introduce new areas of cooperation<sup>274</sup>, whereas under the guidance of treaties, EU institutions can adopt legislation, which the member countries then implement.<sup>275</sup>

A "regulation" is also a binding legislative act, adopted by the Council of Europe, that applies automatically and uniformly to all EU countries as soon as it enters into force, without needing to be transposed into national law. Regulations are binding in their entirety on all EU countries.<sup>276</sup> A "decision" is also binding but only on those to whom it is addressed<sup>277</sup> and is directly applicable. Decisions are issued by the European Commission.<sup>278</sup> A "directive" is a legislative act that sets out a goal that all EU countries must achieve. However, it is up to the individual countries to devise their own laws on how to reach these goals.<sup>279</sup> On the other hand, a "recommendation" is not binding, but it allows the institutions to make their views

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<sup>271</sup> For example, if a policy area is not cited in a treaty, the European Commission cannot propose a law in that area.

European Union, EU Treaties, [https://europa.eu/european-union/law/treaties\\_en](https://europa.eu/european-union/law/treaties_en)

<sup>272</sup> e.g., whether they concern all EU countries or a few of them

<sup>273</sup> European Union, EU Treaties, *ibid.* 271

<sup>274</sup> European Union, Treaties currently in force, <https://eur-lex.europa.eu/collection/eu-law/treaties/treaties-force.html>

<sup>275</sup> European Union, EU Treaties, *ibid.* 271

<sup>276</sup> European Union, Regulations, Directives and other acts, [https://europa.eu/european-union/law/legal-acts\\_en](https://europa.eu/european-union/law/legal-acts_en)

<sup>277</sup> e.g., an EU country or an individual company;

For example, the Commission issued a decision on the [EU participating in the work of various counter-terrorism organisations](#). The decision related to these organisations only.

<sup>278</sup> European Union, Regulations, Directives and other acts, *ibid.* 276

<sup>279</sup> European Union, Regulations, Directives and other acts, *ibid.* 276



known and to suggest a line of action without imposing any legal obligation on those to whom it is addressed.<sup>280</sup> Nevertheless, they do have the power to influence the decisions and acts of the stakeholders, as they express the public opinion. An "opinion" is not binding either. It is an instrument that allows the institutions to make a statement in a non-binding fashion, in other words without imposing any legal obligation on those to whom it concerns. It can be issued by the main EU institutions (Commission, Council, Parliament), the Committee of the Regions and the European Economic and Social Committee. While laws are being made, the committees give opinions from their specific regional or economic and social viewpoint.<sup>281</sup>

The following part constitutes a basic part of the present study as it focuses on the identification of those acts and/or omissions committed by the Greek state in the organization and function of the two camps under study. The presentation above, on what constitutes binding law in a regional and international level, will be the ground on which we will support our findings.

## *8.2. Violations and gaps identified in the two Greek camps (Diavata and Agia Varvara)*

Camp Coordination and Camp Management Guidance describes the essential actions that must be undertaken from the earliest stages of emergency preparedness to guarantee the safety and maximize the protection of PoC's.<sup>282</sup> These actions, necessary in every humanitarian crisis, focus on three goals, the reduction of GBV risk "by implementing GBV prevention and mitigation strategies within the CCCM sector from pre-emergency through to recovery stages"; the promotion of resilience "by strengthening national and community-based systems that prevent and mitigate GBV, and by enabling survivors and those at risk of GBV to access care and support"; the aid to "recovery of communities and societies by supporting local and national capacity to create lasting solutions to the problem of GBV".<sup>283</sup>

### *8.2.1. Diavata Site*

As already mentioned in the Introduction, Diavata camp was, at the time of the study, the only officially established facility for the accommodation of refugees, AS and migrants in Northern Greece. Thus – in relation to other sites – procedures and mechanisms were most probably set following formal instructions on the grounds of state, regional and international law.

After juxtaposing the mechanisms and procedures followed in Diavata site with the relevant legislation, no direct violations were found under international, regional or state law. Moreover, it was understood that Greece is in line with the 2017 Parliamentary Assembly's Report which called on Council of Europe member and observer States to take concrete

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<sup>280</sup> European Union, Regulations, Directives and other acts, *ibid.* 276

<sup>281</sup> European Union, Regulations, Directives and other acts, *ibid.* 276

<sup>282</sup> The Comprehensive Guidelines include guidance for thirteen areas of humanitarian operations, including camp coordination and camp management (CCCM); child protection; education; food security and agriculture (FSA); health; housing, land and property (HLP); humanitarian mine action (HMA); livelihoods; nutrition; protection; shelter, settlement and reconstruction (SS&R); water, sanitation and hygiene (WASH); and humanitarian operations support sectors (e.g., logistics and telecommunications) Inter-Agency Standing Committee (IASC), 2015, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery*, available at [https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines\\_lo-res.pdf](https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines_lo-res.pdf)

<sup>283</sup> IASC (2015)

measures to address protection gaps and mitigate risks of violence against refugee women.<sup>284</sup> Particularly, the above Report called for the States which have not yet done so, to sign and ratify without further delay the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). However, Greece ratified the Convention on 18 June 2018, which entered into force on 1 October 2018, that is, during the time of the study. Moreover, the European states were asked to engage in a number of acts which are in line with the ratification of legal documents by Greece and with what was recorded in Diavata site. Namely, the States were asked to ensure the full implementation of the Convention, which includes the recognition of gender-based violence as a form of persecution within the meaning of the 1951 UN Convention relating to the Status of Refugees<sup>285</sup>, as well as the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197)<sup>286</sup>, in order to ensure (with regard to women's safety in transit and reception facilities) the presence of female social workers, interpreters, police officers and guards in these facilities; to provide separate sleeping areas for single women with or without children, and separate well-lit bathrooms for women; to create safe spaces in every transit and reception facility; to ensure, when needed, access of refugee and asylum-seeker women to shelters for women victims of gender-based violence; to organise training on identifying and assisting victims of gender-based violence for social workers, police officers and guards working in the facilities; to provide information material in languages of the countries of origin on assistance services for victims of gender-based violence, including on reporting and complaint mechanisms; and to provide, in transit and reception facilities, counselling, psychological support and health care, including sexual and reproductive health care and specific post-rape care, for victims of gender-based violence in their countries of origin and in transit or destination countries.<sup>287</sup>

Lastly, the 2003 European Directive on minimum standards for reception of asylum seekers, stipulated that victims of sexual violence (notably sexual torture or rape) should receive treatment,<sup>288</sup> while its 2013 recast goes a step further, requesting EU Member States to take “appropriate measures that prevent gender-based violence including sexual assault and harassment” within reception centers and accommodation facilities, and to ensure “access to appropriate medical and psychological treatment or care for vulnerable groups”, which now include victims of a range of sexual violence forms.<sup>289</sup> Member States had until July 2015 to translate those provisions into national law;<sup>290</sup> however, the adaptation of Greek legislation to the provisions of the above Directive took place three years after (Law 4540/2018), right at the time of the present study.

### 8.2.2. *Agia Varvara Site*

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<sup>284</sup> Council of Europe Report Doc.14284/2017 on ‘Protecting refugee women from gender-based violence’, Committee on Equality and Non-Discrimination, 7 April 2017, available at <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23533&lang=en>

<sup>285</sup> Greece signed the Convention on 10 April 1952, ratified it on 5 April 1960 and accessed its Protocol on 7 August 1968.

<sup>286</sup> Greece signed it on 17 November 2005, ratified it on 11 April 2014 and entered it into force on 1 August 2014.

<sup>287</sup> Council of Europe (2017a)

<sup>288</sup> Council Directive 2003/9/EC ‘On laying down minimum standards for the reception of asylum seekers’, *Official Journal* L31, p. 18-25

<sup>289</sup> Directive of the European Parliament and of the Council 2013/33/EU ‘On laying down standards for the reception of applicants for international protection (recast)’, 26 June 2013, *Official Journal* L180, p. 96-116

<sup>290</sup> Keygnaert, I. and Guieu, A. (2015)

Contrary to the official establishment of Diavata Site, the Site of Agia Varvara in Veroia was, at the time of the study, under the management of the NGO Danish Refugee Council (DRC), with the State – through the Ministry of Defense and the Ministry of Migration – having a limited role and an unsubstantial presence. Nevertheless, since this site operates in Greek territory, it falls under the responsibility of the State. In this regard, Greece is considered responsible of any violations of human taking place in the site. After juxtaposing the mechanisms and procedures followed in Agia Varvara site with the relevant legislation, the following three violations were identified in relation to SGBV.

To begin with, in Agia Varvara camp there was no provision for a Women Safe Space at the time of the study, which could be seen – yet with reservation – as a violation of Law 4531/2018 (ratifying Istanbul Convention) which underlines, as mentioned in the previous chapter, “the obligation of the state to fully address gender-based violence in all its forms and to take measures to prevent violence against women, protect its victims and prosecute the perpetrators”<sup>291</sup>. This can be interpreted in a way that may include the provision of WSS in accommodation sites. However, it could be argued that there was no specific law, at the time of the study, requiring the establishment of WSS in sites. Accordingly, the lack of separate well-lit bathrooms for women, as well as the lack of guarding and patrolling, can be seen as violations of the aforementioned law, sharing the same problematic in its interpretation and leading to the same gaps. Those gaps shall be discussed in the last part of the current study.

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<sup>291</sup> Ibid.211

## 9. Discussion

The present study investigated the incidence of sexual and gender-based violence in two Open Accommodation Facilities for Asylum Seekers, Refugees and Migrants in the area of Northern Greece, namely Diavata and Agia Varvara camps. It also recorded the standard operational procedures (SOPs) followed in the two aforementioned camps for the protection of SGBV cases, as well as their structure and organization in relation to the potential incidence of SGBV. Those two parameters were juxtaposed with the current legislation in a local and a wider frame in order to identify violations in the protection of SGBV cases and highlight possible gaps either in the law or in its application.

For the conduct of the present field study a mixed retrospective methodology was chosen, along with the use of structured interviews based on open-ended and close-ended questionnaires, while an informed consent was elicited from each participant. The adoption of this methodology was deemed appropriate following the example of prior studies in the field (Oliveira, 2018; Keygnaert, 2014; Freedman, 2016; Wirtz, 2013; Wirtz, 2014; Vu, 2016; Glass, 2018; Umubyeyi, 2016; Vu, 2017) and the resources available to the researcher (access to the field and approval for formal use of the questionnaires). The literature review showed that other studies used open-ended questionnaires for the identification of causality in the incidence of SGBV (Oliveira, 2018; Freedman, 2016), or the identification of the different forms of gender-based violence (sexual, psychological, economical, educational, etc), nevertheless, such research would be outside the scope of the present study.

The comparison of the two camps revealed both similarities and differences on the reported cases. Specifically, the results showed similar data regarding the incidence of SGBV in our sample, which was high in both camps (39.28% in Diavata camp and 43.33% in Agia Varvara camp), the place where the reported violence occurred – which in the vast majority of the cases was the survivor's own house (90.90% in Diavata and 76.92% in Agia Varvara), and the alleged perpetrators who were principally members of the family – parental or marital (72.72% & 36.36% in Diavata and 38.46% & 30.76% in Agia Varvara). On the other hand, differences were detected solely in terms of the number and types of violence. This ratio of differences and similarities within our sample was not anticipated, based on the assumption that the camps' structure and characteristics are considered as risk or protective factors for the incidence of SGBV in refugee population. This assumption is supported by research findings demonstrating that women and girls are more vulnerable to SGBV due to inadequate accommodation conditions, overcrowding at reception facilities, lack of gender-sensitive procedures in asylum and reception facilities (Bonewit and Shreeves, 2016; UNHCR, 2015; Freedman, 2016).

We also expected that the lack of a women safe space (WSS), the absence of security guards, as well as the inadequate provision of bathrooms and WCs in each apartment that were observed in Agia Varvara camp – a fact constituting a violation of human rights as presented in the previous chapter no.7 – would increase SGBV incidents in comparison to Diavata and would highlight differences between the two camps as regards the types of perpetrators and the places where violence occurred. Particularly, the first factor (absence of WSS) would be expected to contribute to high incidence of sgbv committed inside their house by members of the family/intimated partner, while the other two factors (the absence of security guards and the inadequate provision of bathrooms and WCs in each apartment) would be expected to contribute to high incidence of sgbv in the neighborhood by other

refugees- members of the community. Thus, it was expected that members of the community would be the main perpetrators or identified in a high percentage, and that the neighborhood/site would be indicated as the usual place of the incidents. In agreement to that assumption is the study of Freedman (2016) which highlighted the ways in which conditions for reception of refugees created new forms of violence. However, in the same study it was also found that accommodation conditions could also exacerbate existing violence, such as domestic/intimate partner violence. Unexpectedly in our study, the differences in accommodation conditions identified between the two camps on the aforementioned factors (WSS, security guards and provision of bathrooms and WCs in each apartment) was not followed by significant discrepancies on the incidence of SGBV, the places where the violence occurred or the perpetrators. Thus, we cannot draw conclusions nor proceed to correlations on the differences in structure and characteristics of those camps. Most importantly, the results do not allow us to make any attributions of causality to the identified violations regarding the incidence of SGBV, the reported place where the violence occurred and the alleged perpetrators in Agia Varvara camp. On the contrary, the recorded variations in the number and types of violence could be attributed to differences in demographics of the two samples (i.e., nationality), however, such analysis would go beyond the focus of our study.

From the beginning of the European refugee crisis, a lot of research has been made in the field of gender-based violence in different settings (in armed- conflict areas and in refugee camps, in countries of origin, in transit countries and in countries of destination). Studies conducted in European settings mostly focus on the incidence and forms of SGBV, possible risk factors (with an emphasis on the accommodation conditions), efficacy of interventions, and presence of policies, whereas their findings are discouraging on the capability of European countries to deal with the refugee crisis and especially their alertness to respond to vulnerability. Particularly for the case of Greece that shouldered disproportionately the refugee flows and continues to be one of the main transit countries on the refugee's journey to Europe, the difficulty to adequately respond to such a crisis became more than evident. It is worth pointing out that the majority of available studies on the issue derive from research conducted by NGO's (Freedman, 2016) as well as different bodies of the European Union and International organizations, while the studies conducted by independent researchers are quite few.

The focus of the present study lies mostly on the incidence of SGBV in relation to accommodation conditions. Relevant to this, a study on the protection of women refugees in Europe (Yazid and Natania, 2017) underlines that women refugees are unprotected, unsafe and without assistance in European camps – with specific references to the conditions in camps in Germany, Greece and Italy – and points out especially the overcrowded accommodation facilities along with shortages in terms of food, sanity, and quality of water. Another study (Freedman, 2016) which was carried out in Greece (Kos), Serbia (Belgrade) and France (Paris and Calais area) focuses on the multiplicity of SGBV forms that refugee women are at risk of when entering Europe, and how accommodation conditions created new forms of violence or exacerbated the existing ones. Consistent with the above are the findings of Oliveira et al. (2018), which also call for urgent integrative prevention strategies. While a study conducted in Germany (Schwarz and Schlöglmann, 2017) illustrates some of the reasons attributing to the survivors' inability to access services or make use of their rights in the event of GBV, also concluding that "shelters and refugee's reception centers are most frequently confronted with violence against refugee women". The same study identifies three contexts

of violence: “violence in the family; violence against women, mostly single or those who traveled on their own; and violence in the immediate social environment” (Schwarz-Schlöglmann, 2017), a finding which is in agreement with the findings of the present study on the types of perpetrators. A large-scale report of the Council of Europe in 2017<sup>292</sup> emphasizes on the common problems women refugees face in transit and destination countries, pointing among others “the lack of safety, the absence of separate bathrooms, little information on assistance services available, the absence of female interpreters”. Studies focusing on Greece, are almost solely conducted by relevant bodies of the European Union as well as NGO’s and international organizations, while most of them concentrate on the Insular Greece.<sup>293</sup> Nevertheless, there is a consistency in most of their findings. In their majority they highlight the poor accommodation conditions and lack of security<sup>294</sup> and the underreporting of SGBV incidence.<sup>295</sup>

What has been noted is that all reviewed documents mention the fact that the available evidence and statistics on SGBV completely fail to cover the actual magnitude of the problem. Both UNHCR data as well as a significant number of NGOs operating in the field claim that the actual number is significantly higher, mostly due to the fact that many SGBV incidents are not being reported and/or not dealt with promptly.<sup>296</sup> Various studies and research on the subject reach the same conclusion, claiming that the actual number of SGBV incidents, particularly regarding the reception facilities in Greece, is much, much higher than estimated.<sup>297</sup>

On the subject of the current legal framework on the handling of SGBV and the protection of refugees in general, the present study highlighted – after a brief presentation of the evolution of these legal fields – the slow reflexes of the global system on issuing and implementing legislation on the protection of women in different frames (domestic, war-conflict, refugee) as well as monitoring its implementation. Namely, it is worth mentioning that the Istanbul Convention is still not ratified by the European Union and thus cannot be considered as a legal instrument at the EU level. While, in 2017 the Council of Europe urged the member States to *“take concrete measures to ensure the protection of refugee women from violence, by for example providing separate secure sleeping areas and well-lit bathrooms reserved for women in transit and reception facilities, creating safe spaces, ensuring the presence of a sufficient number of female staff members among security personnel and social workers, as well as providing information on rights and assistance services in an understandable language. Specific training on detecting and preventing gender-based violence for staff working in transit and reception facilities, including guards, should also be provided. Resettlement and relocation programmes, which represent the safest way for asylum seekers and refugees to come to Europe, also need to be supported.”*<sup>298</sup>

Respectively, Greek state law on the protection of women and refugees, also underwent a slow evolution (as presented in the previous chapter no. 7). It is worth noting that the notion

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<sup>292</sup> Council of Europe Report Doc.14284/2017 on ‘Protecting refugee women from gender-based violence’, Committee on Equality and Non-Discrimination, 7 April 2017, available at <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23533&lang=en>

<sup>293</sup> Ahmadi, N. (2018)

<sup>294</sup> Ahmadi, N. (2018); Amnesty International (2017); Human Rights Watch (2019); KETHI with KGME Diotima (2016)

<sup>295</sup> Human Rights Watch (2019); Ahmadi, N. (2018); Human Rights Watch (2017); KETHI with KGME Diotima, 2016).

<sup>296</sup> Empower, p.1; Diotima 2016, p.4

<sup>297</sup> Empower, p.8

<sup>298</sup> Council of Europe (2017a), *ibid.*292

of Gender-Based Violence and its identification as a violation of human rights was not explicitly included in a formal legal document until 2018 (Law 4531/2018). It is even more recently, in 2019, that Greece legislates on provisions for vulnerable groups of migrants and asylum seekers as a consequence of the outbreak of the refugee crisis (Law 4636/2019). While it was not until 2020 that Greece (with the Ministerial Decision No. 23/13532) set out “General Regulations for the Operation of Temporary Reception Sites and Temporary Accommodation Sites for third country nationals or stateless persons”.

In the light of those gaps, Amnesty International from the beginning of the refugee crisis noted Greece’s “legal obligation to provide women and girls living in the country with protection, ensuring dignified and safe reception conditions, fair access to asylum as well as integration opportunities for those who remain” (Amnesty international, 2018 campaign). The organization has also made a great effort to pressure the Greek government to harmonize state law with international legislation and ameliorate the accommodation conditions of refugee camps by stressing the existence of human rights violations. But also recognized that the responsibility for the accommodation conditions in Greece lies on the rest of Europe as well, making a direct reference as causing factors to the deal between the EU and Turkey and the European asylum rules (Amnesty international, 2018 campaign). Similar efforts were also made by NGOs acting in the field. Yet, such research is mostly targeted on the conditions prevailing in the Greek islands, while there is a lack of similar efforts as regard to the mainland, especially in the area of northern Greece. Apparently, the protection of refugee women from violence has not been considered a priority in the management of the refugee crisis, while their protection from gender-based violence, should be made a priority, in line with the provisions of the Istanbul Convention.<sup>299</sup>

One final remark is the fact that from the identified incidences of sgbv in the present study, only few (3) requested to be provided with shelter for women, while none of them chose to go to the police and file a complaint against the perpetrator. Meaning that the circle felony- legal process- conviction/ penalty doesn’t close. Thus, in the end there is impunity for the perpetrator. In its essence this is a continuum of what those women endured in their countries of origin where law for the protection of women is either absent or not applied and even in the rare occasions that it does apply, when the perpetrator completes his sentence, the women is in extreme danger and unprotected. The above recognition underlines the differences on the legal framework between Europe and those countries while it also and most importantly signifies that European Union doesn’t follow the institutional process for the protection of its people and their rights.

### *Contribution*

Although there is a vast literature on the issue of SGBV focusing on a plethora of aspects, yet there is a lack of independent research on violations of current law, international and state, specifically concerning the incidence of SGBV in relation to accommodation conditions. International organizations and NGO’s as well as bodies of the European Union have shed some light on such violations; however, as mentioned above, most of their research focused on insular Greece, where conditions were deemed at least inadequate. Our study focused on recording the incidence of SGBV in two camps in the mainland of northern Greece, with different characteristics, identifying in parallel any possible violations of international, regional and state law on the subject, trying to induce any correlations between the

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<sup>299</sup> Council of Europe (2017a), *ibid.* 292

prevalence of SGBV cases and the accommodation conditions. The induction of any correlations of course cannot be generalized to other camps, since there are vast disparities in their characteristics. Nevertheless, it offers a view on possible factors to which the prevalence of sexual and gender-based violence in regard to camp structure could be attributed.

#### *Identified Gaps and Further suggestions*

Although legislation on the obligation of Greece to provide safe spaces in reception facilities does exist, there is a gap on the type of safe spaces, as those are specifically described only for unaccompanied minors. There is no direct and explicit reference to women safe spaces in camps, although the wider legal framework incorporates such provisions for vulnerable people in general. Yet, in practice it is observed that in many camps there are still no safe spaces for women (i.e., Alexandria camp, Agia Varvara camp). Since the legislation on that matter remains vague, it restricts humanitarian actors to amplify their pressure on Camp Management in this regard. Thus, an important step on refugee law in Greece could be the recast of the current law, so that it includes specific provisions on gender issues and women safety (i.e., the establishment of women safe spaces in each camp).

Undocumented refugees and asylum seekers, as well as spontaneous arrivals, as discussed previously in this paper, constitute another factor that could potentially increase the risk of SGBV. Camps that are accepting such mass arrivals consequently become unsound, creating conditions of poor accommodation, unsafety and thus aggravating the risk of SGBV. The procedures for the registration of those people are quite slow and inadequate, as they do not take into grave consideration vulnerability factors. It can be said that there is in fact a legislative gap regarding those procedures leading to a high risk of SGBV incidence. In this regard, we recognize the difficulties resulting from the EU- Turkey agreement on the overgrown burden which rests on Greece to accommodate the plethora of AS and migrants entering Europe. Thus, we identify the need for the European community to be more actively and collectively involved in tackling the refugee crisis, so that countries bearing unequally this burden can be facilitated in accomplishing better provisions for the vulnerable populations.

In terms of preventive measures to mitigate SGBV, the need for improving communication between staff and residents in the reception facilities is deemed essential, as well as the need to establish more effective gender-sensitive mechanisms for the identification and case management of SGBV. According to the aforementioned study of Oliveira et al. (2018) the majority of residents have that they were not aware of existing preventive measures neither at the level of the reception facilities nor country-level. As suggested by the study of Tappis et al. (2016) as well as by the one of KETHI and Diotima (2016) – a suggestion applauded by the author of the present study too – the emphasis of preventive measures should be placed on: transforming socio-cultural norms, with an emphasis on empowering women and girls; rebuilding family and community structures and support systems; creating conditions to improve accountability systems; designing effective services and facilities; working with formal and traditional legal systems; assessment, monitoring, and documentation of GBV; and engaging men and boys in GBV prevention and response. These seven types of programming also reflect recommendations made by the global humanitarian community, and are all examples of primary prevention efforts, that is efforts to reduce the number of new incidents of violence by intervening before any violence occurs.

#### *Limitations of the study*



The findings of the present study should be viewed in the light of several limitations.

Research was conducted among female refugees residing in two camp-based settings in Northern Greece. To overcome any potential bias in our sample, we used randomly sampling methods to recruit and interview participants without prior knowledge on SGBV matters. By including the general refugee population for interviews, we probably “missed” those women that were not allowed by their husbands or out of fear of the latter to participate, thus we did not establish estimations for the prevalence of GBV in actual current cases.

The questionnaire on the reporting of SGBV cases does not include the factor of the time when the incidence occurred, thus the results cannot differentiate between past and present violence. Hence, they may (most probably) refer to cases occurred in the country of origin and to a lesser extent in the camp. This is an important limitation innate to the structure of the instrument. Yet, the results still underline the presence of SGBV in refugee population, mostly women and girls, accommodated in camps as well as their special needs for identification, assistance, care and treatment. Besides, those women surviving SGBV in their countries of origin are still at great risk as the gender inequality and patriarchy norms are very strong in the populations of interest. Particularly, those women and girls have disclosed information that they receive threats by their parents and/or husbands/ex-husbands that they are going to find them by contacting people of their nationality throughout refugee camps. We have also witnessed leaders of the (i.e., Kurdish) community approaching young girls to offer them protection and spreading threats and accusations in case they do not comply with the gender and/or national norms (i.e., in case a woman maintains a relationship with a foreigner).

Another limitation is that of the sample size and thus, in generalization, of the results. As mentioned before, each camp has different management, structure and characteristics – factors that are important, as they directly affect the living conditions of the refugees and can thus constitute possible components attributing to SGBV. Hence, the results extracted from our study cannot be generalized to other Greek camps due to the differences presented above. Besides, with time those conditions may change even within the same camp (i.e., in case of mass unruly arrivals). Nevertheless, they offer us a general view on the issue of sexual and gender-based violence in Greek accommodation facilities in the mainland.

An additional limitation could be attributed to the low educational status of the sample – a factor which could lead to difficulties in women understanding what was asked or to barriers in communicating their experiences (i.e., in many cases the notion of threat of violence was not realized at first as they responded negatively, while previously or afterwards they made such insinuations). Moreover, a difficulty in identifying physical violence as an actual form of violence was recorded on the basis of viewing it as a natural and normal part of family relationships reflecting gender aspects.

Lastly, our research was focused almost exclusively on the investigation of sexual and physical violence. However, as mentioned before, GBV consists of many other types of violence. If all those types were included in our research the incidence would be much higher and would probably reflect the actual number of cases. This is congruent with our every-day practice in the two camps, where we observed for instance that many women were very rarely seen in the site, others were not coming at the door of their caravan without the presence of their husband, while others were asking for NFI’s because their husbands were spending the cash for their own needs, letting their children and wives in need. What can be assumed is that many of those women, even if they stop being victims of sexual and physical violence,

due to the presence of organizations in the camps, they are still victims of other forms, less obvious, of violence.

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