**UNDP TURKEY POLICY SHEET 1**

**Legal Aid Practices and Access to Justice**

**Global Trends**

Violence against women (VAW) is a significant priority area mainly regulated by the Istanbul Convention, [[1]](#footnote-1) where legal aid practices and access to justice gains particular importance as areas of UNDP expertise and comparative advantage. Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) Evaluation Report on Turkey, published in October 2018, provides a comprehensive picture of areas that need further measures in the current context in Turkey in relation to combatting VAW and women’s right to live free from violence, where UNDP can play a significant role in the next CP building on its comprehensive experience in legal aid and access to justice, as well as its commitment to inform macro-level policies, and ability to convene a wide-range of actors.

Accordingly, one of the first elements underlined concerns the **lack of a systematic and thorough assessment of general policies in terms of their potential impact on equality** between women and men and VAW. Secondly, the consistent tendency to emphasize **women’s traditional roles** as mothers and care-givers undermines efforts to promote gender equality and combat VAW, as they serve to sustain discriminatory stereotypes on gender roles prevailing in society. In particular, more integrated efforts to promote the economic empowerment of women are currently required. Third, a multi-stakeholder approach to combatting VAW is needed, involving close cooperation with civil society organizations (CSOs), but the increasingly **restrictive conditions** experienced by the latter, especially independent women’s organizations, is a matter of concern. Fourth, there are important problems in terms of **collection and sharing of administrative data**. Finally, more efforts are needed to fully align Turkish legislation with Istanbul Convention.

A crucial element in reaching policy aims for this purpose, as underlined by the Report, is that these services and measures should be provided based on a **strong gendered understanding of VAW, focus on the human rights and safety of victims**, and aim to encourage the development of alternative, specialist support services giving victims the choice to decide whether or not to press charges. A **multi-agency response** is needed in this respect, based on the human rights and needs of the victims, coordinating safety and support, and ensuring that risk factors are reviewed on a case-by-case basis.

In line with these considerations, priority issues requiring further action to comply fully with the provisions of the Istanbul Convention include the following:

* + strengthen the coordinated response to VAW by comprehensively addressing all forms of violence covered by the Istanbul Convention, with a particular emphasis on sexual violence against women and girls, forced marriage and crimes in the name of “honour”;
	+ dedicate appropriate human and financial resources to preventing and combating VAW at both the central and local levels, including to support NGOs;
	+ improve the coordination, monitoring and evaluation of policies, namely by strengthening the national coordinating body and by intensifying the participation of CSOs, including in particular women’s NGOs;
	+ systematize data collection in the health-care sector and ensure the collection of all administrative and judicial data complying with standards on data protection;
	+ step-up awareness-raising efforts on the different manifestations of VAW covered by the Convention;
	+ pursue measures to provide all professionals concerned with appropriate compulsory initial and in-service training, by involving the expertise of women’s NGOs in designing and implementing training;
	+ facilitate victims’ access to compensation, as well as legal aid and protection measures during legal proceedings;
	+ take additional measures to ensure that victims exercise their free will in agreeing to take part in criminal mediation;
	+ develop, in cooperation with specialist women’s NGOs, gender-sensitive procedures, guidelines and support services for women asylum seekers.

The Report has also identified additional areas in which improvement is required in order to comply fully with the obligations of the Convention, including measures to prevent and combat violence which affects women who are or might be exposed to intersectional discrimination (including women in rural areas, women belonging to certain ethnic groups, women with disabilities, lesbian women, migrant and refugee women) and to measures to support and protect children, including child witnesses, particularly when settling issues of custody and visitation rights.

In the same vein, the Committee on the Elimination of Discrimination against Women (CEDAW) recommendations for Turkey issued in 2016 highlight concerns about increasingly restrictive and oppressive measures towards CSOs and women’s organizations, and underline the importance of providing an enabling and conducive environment for the establishment and active involvement of women’s and human rights organizations in promoting the implementation of the Istanbul Convention. CEDAW Committee also points to the precarious and insecure living conditions of female refugees, who are often deprived of basic services and essential goods, education, economic opportunities, health care, clothing, food, heating and hygiene articles, and are at higher risk of sexual and other forms of violence. It gives priority to measures to improve the security of female refugees and asylum seekers, increase their access to basic services and essential goods, and ensure that they are not compelled into sexual or labour exploitation. In particular, it recommends to ensure the access of refugee women and girls to education, training and livelihood opportunities and healthcare; to provide capacity-building programmes for law-enforcement authorities on the strict application of national international standards to GBV cases; and to ensure the access of women refugees and asylum seekers to the formal justice mechanism.

The CEDAW Committee also specifically underlines problems concerning women’s access to justice and recommends capacity-building and awareness-raising programmes for all justice personnel to eliminate gender stereotyping and incorporate a gender perspective into all aspects of the judicial system. This includes increasing women’s awareness of their rights and their means of enforcing them; and ensuring that free legal aid is made available to women without sufficient means, including through the establishment of legal aid clinics in rural or remote areas.

The importance of taking measures against gender-based violence (GBV) has become even more acute during the COVID-19 pandemic, which has led to increasing cases around the world and in Turkey, particularly through the lockdown and movement restriction policies of governments. UN Secretary-General’s Policy Brief ‘The Impact of COVID-19 on Women’ reports that GBV cases have increased 25% in countries with reporting systems in place and around 50% elsewhere, and describes this as the ‘invisible pandemic’. The Policy Brief on ‘GBV and COVID-19’ by CARE International underlines that gender inequalities are exacerbated by emergencies, exposing women and girls to unique risks and vulnerabilities, and stresses that it is essential to enable the voices and meaningful participation of women and girls to the response interventions. The report also underlines the unique aspects of GBV in times of COVID-19, including its frequent occurrence in the form of ‘household violence’, that is, committed by a known individual such as an intimate partner or family member; its interaction with wider socio-economic factors such as widespread job losses, economic strain, disruption of normal routines and ongoing stress associated with actual or potential illness; as well as the severe restrictions faced by victims or those at risk to seek safety or other forms of support, and their increased exposure to infection. In light of these discussions, UN Secretary-General Antonio Guterres advocated on 5 April 2020 for all governments “to put women’s safety first as they respond to the pandemic.” CARE International, therefore, stresses that a first action for policy-makers and implementing organizations should be to prioritize GBV prevention, response and risk mitigation as essential parts of COVID-19-related programming, with adequate funding allocated for this issue. In this respect, GBV is one of the most important issues in the global discussions about the socio-economic and political impacts of the pandemic, requiring effective response services such as case management, temporary shelter, urgent medical care and other forms of support to meet the needs of survivors; as well as prevention services to address the root causes of violence and discrimination, including engaging with men and boys, initiatives to promote women’s economic empowerment, and other efforts to change harmful social norms, while using a careful approach to adapt interventions using remote means or other strategies to ensure that they can be safely conducted. In a similar vein, UN Agencies, particularly UNDP and UN Women, have also issued statements and briefs on the issue, urging governments to take immediate action against increasing cases of GBV by putting in place stronger measures such as designating shelters and hotlines as emergency services and supporting police and the justice sector during the lockdowns.[[2]](#footnote-2) UNDP Brief Gender-Based Violence and COVID-19 also recommends the development of new protocols to provide support via phone or online platforms, expansion of immediate response services and taking steps to prevent GBV in COVID-19 response plans and budgets. An Inter-Agency Statement on VAW,[[3]](#footnote-3) issued on June 24, 2020, outlines six critical areas for action as follows:

1. Make urgent and flexible funding available for women’s rights organizations and recognize their role as first responders.
2. Support health and social services to continue their duty of care to VAW survivors and to remain accessible, especially to those most likely to be left behind.
3. Ensure that services for VAW survivors are regarded as essential, remain open and are resourced and made accessible especially to those most likely to be left behind.
4. Place a high priority on police and justice responses.
5. Put preventive measures in place.
6. Collect data only if it is clear that it is needed, it will be used to improve services/programmes and ethical and safety standards can be met.

**Experience in Turkey**

A major step forward in Turkey in relation to combatting VAW has been the enactment of Law No. 6284 on the Protection of Family and Prevention of Violence against Women in 2012. A series of measures were taken in order to facilitate the implementation of the Law, including three consecutive national action plans between 2007 to 2020, to tackle VAW issues by measures promoting gender equality, which is also a core requirement of Istanbul Convention. Data collection on VAW on the basis of Law No. 6284 has also improved, as underlined by the GREVIO Report, and efforts are ongoing to conduct research with the aim to develop evidence-based policies in this respect.

The General Directorate on the Status of Women (GDSW) has been assigned as the coordinating body of the work conducted in relation to Istanbul Convention, and has been providing important leadership, but there is still need to obtain and share available administrative data with relevant stakeholders, particularly judicial data on investigation, prosecution and sentencing of perpetrators of criminal offences. This is found to be essential for effectively monitoring conviction rates and the implementation of the law; as well as for assessing the degree to which authorities fulfill their duty of due diligence in line with Article 5 of the Convention. Regular collection and sharing of data and the development of smart indicators to measure progress is a particular need in this respect, and serious challenges are encountered particularly in relation to data on VAW due to its sensitive nature and the mandate of state institutions on data collection. This appears as a priority in order to ensure the quality and effectiveness of monitoring and evaluation (M&E) practices.

Important steps have been taken in terms of developing the infrastructure of support services required by Law No. 6284, consisting of Violence Prevention and Monitoring Centres (ŞÖNİMs), first admission stations, women’s shelters, etc. However, according to the GREVIO Report, in order for these services to reach their aim fully, more efforts are needed to empower women economically so that they live an independent life, by providing them with financial aid, access to education and employment, free child care and affordable housing, as well as other means of economic empowerment. Moreover, the ŞÖNİMs should be expanded across all the provinces, along with further development of specialist services to address the needs of victims of VAW, including shelters, telephone helplines and support.

In terms of aligning the Turkish criminal legislation with Istanbul Convention, progress has been made through legislative reforms, including the definition of sexual violence against adults as an offence based on the absence of freely given consent without requiring the use of force. However, there are still important steps to take in order to put the requirements of the Convention in practice fully, including the offences of stalking, forced marriages and sexual violence against girls in 15-18 age group. Also, there is still need for improving the implementation of legal mechanisms to bring courts’ practices in line with the Convention, particularly regarding the prohibition of ‘honour’ justifications for acts of VAW, and the need to ensure the dissuasive function of criminal sanctions. A particular concern relates to extremely low levels of reporting, which should be addressed through targeted policies aiming to address the underlying causes of underreporting, as well as to raise victims’s trust in the institutional response to violence.

Another important development concerns the establishment of specialist offices within law-enforcement agencies and prosecution services to deal with cases of VAW, which ensure the handling of cases by trained staff and grant them the authority to immediately issue direct orders to arrest the perpetrator and enforce protection orders. While these offices play an important role in protecting and supporting victims, these measures tend to be seen as a replacement for criminal persecution, which runs counter to the need to uphold the criminal accountability of the perpetrator in line with the Convention.

In November 2019, A Protocol on Increasing Institutional Cooperation and Coordination in Combatting VAW was signed among Ministries of Justice, Family, Labour and Social Services, Interior, National Education, Health and Directorate General of Religious Affairs. The Protocol defines the respective tasks and responsibilities of each party in combatting VAW, while also containing measures to implement the Coordination Plan on Combatting VAW 2020-2021, which was annexed to it. The Protocol also identifies the joint responsibilities as (1) taking the necessary legal, administrative and financial measures along with the principle of ‘zero tolerance’ against VAW; (2) to conduct all work necessary at central and local levels to implement the Coordination Plan; (3) to collaborate with all stakeholders in efforts to combat VAW; (4) to conduct regular M&E studies of the implementation of the Plan, to analyze and report the outcomes of the implementation; and (5) to regularly participate in coordination meetings to be organized by MoFLSS.

**Recommendations for UNDP’s Role**

One of the key areas where the UNDP has comparative advantage in Turkey concerns legal aid practices and access to justice, where important interventions have been carried out, particularly through the ‘Support to the Improvement of Legal Aid Practices for Access to Justice for All in Turkey’ (SILA) Project, through its Phases I and II. The Phase I of the Project consisted of actions to facilitate the access of vulnerable groups to justice, develop coordinated efforts for enhancing the quality of the legal aid services and the capacity of the attorneys, particularly addressing the needs of disadvantaged groups including the Syrian population at five southern border provinces of Turkey, namely, Gaziantep, Hatay, Kilis, Şanlıurfa and Kahramanmaraş. In addition, the Project aimed to address the institutional needs of bar associations for an effectively coordinated and monitored legal aid system.

On the basis of the findings of Phase I, Phase II (ILAP) has been designed as a GEN 3 Project directly aiming at promoting gender equality, with the objective to provide legal aid support services designed through a gender-sensitive system and to develop mechanisms for the provision of more and faster services for women. Phase II specifically aims to collaborate with women’s CSOs in order to establish centers offering legal aid and counselling services within bar associations across seven provinces, namely, Samsun, Nevşehir, Denizli, Balıkesir, Mardin, Antalya and Rize, as the extension of the Gelincik Project of the Union of Turkish Bar Associations (UTBA). The Project also provides support for bar associations to collect gender disaggregated data in order to address the legal aid applications received from vulnerable groups.

Through its various interventions, UNDP has therefore been active in promoting legal aid and access to justice for victims of VAW, involving many elements from training of justice sector actors to provision of particular support to refugees, from efforts to improve data collection to awareness raising activities. In the upcoming programming phase, UNDP can deploy this experience across three major pillars: (1) possible ways to expand the scope and scale of its existing interventions; (2) new openings for action; and (3) areas of further analysis / assessment.

1. On the basis of what is pointed as priorities of action in this field in the above-mentioned documents, as well as the socio-economic impact of COVID-19 pandemic, it appears that there is significant ground for expansion of the scope and scale of existing UNDP interventions concerning legal aid and access to justice. An urgent need appears as the development of a comprehensive and integrated nation-wide mechanism to promote gender equality, systematically assessing the impact of policies and measures on inequalities and VAW, where the UNDP can play a significant role. This would also be significant in terms of alleviating the negative impact of COVID-19 on women, which clearly established the importance of addressing the root causes of violence and discrimination. This new initiative could therefore also involve awareness-raising campaigns to engage men and boys in the issue, reinforce measures to promote women’s economic empowerment outlined in the other two Policy Sheets in an integrated perspective and cross-portfolio collaboration, and promote effective social media campaigns and efforts to change harmful social norms.

It would be important to promote and consolidate the existing collaboration with SRR Programme, as women refugees/migrants constitute a particular target group underlined by GREVIO Report, and their empowerment constitutes a priority. UNDP has already been implementing a joint intervention with UNHCR on ‘Enhancing Access to Justice and Legal Aid for Refugees in Turkey’, aiming to improve the justice system through training justice sector actors about the rights of refugees and how to approach them. Another significant target is to inform refugees about their rights, obligations and responsibilities inside of Turkey, helping them learn about where they could go when they are in a vulnerable situation. Related to this, current SRR interventions involve multi-purpose programmes and centers which also accommodate legal aid and awareness raising services, including collaboration with companies, municipalities and many other actors at the local level, promotion of business development, and provision of language and vocational training in the region. While particular attention is paid for the gender-sensitivity in these interventions, the most structured step for refugee women would be to enable their access to legal aid, involving awareness-raising on rights, access to justice directly targeting women, as well as efforts for the capacity-development of translators working in legal services. This latter point carries utmost significance, as translation appears as a major problem in refugees’ access to legal aid, particularly in terms of effectively communicating with women and children subject to violence and correctly diagnosing the problems. UNDP can also initiate action on this issue, by developing modules of online training and blended learning methodologies for capacity-development of translators, which would even have important job creation implications for Syrian nationals in Turkey. Therefore, UNDP can play a key role in expanding legal aid to refugees, and more particularly focusing on refugee women’s empowerment, as part of the development of an intersectional perspective in dealing with GEWE issues.

Another significant area of expansion would be the adoption of a perspective prioritizing the wellbeing of children in all these interventions. It would be crucial to develop an integrated and inclusive approach towards children exposed to violence, those witnessing GBV, and/or those accompanying women subject to GBV throughout all efforts to strengthen services and mechanisms to fight GBV. The emphasis on children would be important to be mainstreamed into the considerations of the physical infrastructure of these centers as well as the recruitment and training of social services staff in these centers.

Finally, the expansion of Gelincik project is important in that it involves experienced lawyers with significant knowhow on the issue to take part in the process on a voluntary basis. The institutionalization of this practice, making this a significant part of the nation-wide mechanism in a more tangible fashion, would address a significant gap in the existing picture. UNDP can now deploy this experience to the institutionalization and expansion of these centers all throughout Turkey, with the aim to integrate this into the national policy system as part of the nation-wide mechanism for promoting GEWE and combat against VAW. It would also be important to promote coordination and collaboration amongst law enforcement officers, bar associations, municipalities, NGOs and ŞÖNİMs in this respect, as the current picture involves an uneven and fragmented structure across some of the Project provinces. It would therefore be useful to consider ways to strengthen and standardize coordination in the upcoming stage.

An important consideration here would be to establish links between the Violence Prevention Centres (ŞÖMs) established as part of the ongoing project and existing ŞÖNİMs. As legal aid services concerning GBV should be provided in a single ‘one-stop-shop’ mentality, careful strategies should be pursued so as not to risk promoting a dual structure, where ŞÖMs would assume the function attributed to ŞÖNİMs, which would also pose significant challenges in terms of the relationship with the MoFLSS. It is no doubt crucial that effective centers remain in place to provide quick and quality services to GBV survivors, especially in the context of the pandemic, and ŞÖMs are vital where ŞÖNİMs do not or cannot function as needed. On the other hand, UNDP should also consider ways to develop a partnership with the MoFLSS in order to promote a clear division of responsibilities and referral mechanisms between these centers and their ways of collaboration (i.e., ŞÖMs to remain exclusively focused on providing legal aid, promoting the referral mechanisms amongst the centers, etc., to be decided strategically on the basis of existing risks and possibilities). UNDP can thus play a key role in developing ways to promote coordination and referral mechanisms between ŞÖMs and ŞÖNİMs together with the MoLSS.

In relation to this, and in terms of clarifying the role and function of the ŞÖMs, a crucial step would be to expand the scope of legal aid services in the next CP. While UNDP interventions in legal aid and access to justice have so far primarily focused on GBV, it is equally important to focus on legal aid practices in a wider scope and an integrated perspective to promote GEWE at large, including civil rights and economic empowerment as implied by, for instance, inheritance, divorce, work and land ownership issues. Considering that the UNDP has particular strength and experience in legal aid, as highlighted by many of its stakeholders, it is key for UNDP success to deploy this know-how to other areas to empower women in an integrated perspective, as pointed out by the GREVIO Report, in a way as not to remain limited to GBV and to have also a distinct focus on rural women and migrant/refugee women, who might also have been disproportionately affected by the pandemic, in an intersectional perspective. This can either be considered as the Phase III of the current project, or better as a stand-alone programme such as ‘Legal Aid for Gender Equality,’ which would crucially benefit from the expansion of the existing collaboration with bar associations, and consideration of new ways to collaborate with civil society organizations. Considering the Agency’s close relations with the government, it would be equally important to bring the MoFLSS into this mechanism in order to ensure commitment to the issue.

1. There are also new and related areas which provide significant openings for UNDP to consolidate its efforts in legal aid and access to justice. A key area in this respect concerns the need to speed-up efforts in data collection, which has already been addressed throughout previous UNDP interventions. It is essential to continue on institutional capacity-development for data collection on the application of Law No. 6284 and, more particularly, for the accurate and regular collection and analysis of administrative data on related issues (i.e., judicial data), in order to enable an effective M&E mechanism for the Law by law-enforcement agencies, prosecution services and courts. The establishment of a collaborative data collection platform would be a crucial step for the next programming period, where the UNDP could play a lead role in bringing relevant stakeholders, including Ministries of Justice and Interior, law enforcement officers, bar associations and municipalities, for the development of a joint system of comparable data collection. The system could be based on individual protocols to be signed with partner institutions, with the aim to set up a common digital infrastructure to pool data from each partner, concerning, i.e., types of GBV, places of occurrence, where the application was placed, what kind of services were received, regional distribution maps, etc., in addition to data on legal aid currently provided by partner bar associations. It would be important to establish this system in a platform mentality and participatory approach, enabling the relevant stakeholders to take part in the development of standard and measurable indicators through participatory workshops, to be then integrated into the individual administrative recording system of each partner institution. A possible collaboration would be considered with Hacettepe University Institute of Population Studies to support the development of this initiative, which is involved in monitoring and mapping studies of VAW and gender equality. The establishment of a common platform for data collection would also address an important gap in the monitoring processes of CEDAW and Istanbul Convention, and therefore would constitute an international best practice for UNDP Turkey. It would thus be a major step for the upcoming CP period that UNDP initiates a data collection platform to collect data on GBV, possibly starting with pilot provinces, with a view to expanding it all across Turkey in the medium-term.

In relation to the COVID-19 pandemic, and considering that (1) its implications may last long time, and (2) there is the risk that pandemics will be a recurring problem of the 21st century, effective and quick response services against GBV gain increasing significance. In this respect, it is important that the existing UNDP interventions consider ways to develop mechanisms for quick and remote (i.e., online) case management, urgent medical care and other forms of support for survivors of GBV, in collaboration with local bar associations, municipalities and CSOs, as advised by many international organizations and platforms. The IDG Portfolio has already been engaged in a study in collaboration with UTBA to find solutions in lockdown conditions to increased GBV incidents and to develop cooperation and coordination. Interviews were conducted with 30 CSOs across the 6 provinces of the ILAP project in order to identify the problems concerning VAW and measures developed in response. Municipalities will also be involved in these efforts in the upcoming stage.

Furthermore, it appears crucial to consider measures to promote digital governance, development of e-consultancy, e-participation platforms or applications, which would be of great significance in terms of promoting legal aid coordination practices in times of the pandemic. Support can be sought from the Accelerator Labs in this respect. Measures to increase the capacity of existing shelters, to strengthen their IT infrastructure to provide online guidance and consultancy, as well as the provision of protective equipment and healthy working conditions to increase the safety of service providers and ensure the continuity of their work is of utmost significance in the context of COVID-19.

The establishment of temporary shelters, by using existing spaces such as closed schools and empty hotels in neighbourhoods, would be another emergency measure to be considered in the pandemic context. The establishment of a National Hotline and local hotlines specifically aimed to address GBV cases would also be crucial, and UNDP can promote collaboration between municipalities, bar associations and CSOs for this purpose. The existing platform provided by Council of Europe to monitor human rights in its member countries to exchange information on domestic violence can also provide an important ground in this respect, where knowledge transfer, mutual learning and exchange of best practices enables an international collaboration among governments, CSOs and international organizations on the issue. UNDP can take the initiative to operationalize this platform in Turkey to trigger a mutual learning process in the context of the new risks and needs emerging from the pandemic, and to disseminate it in collaboration with local NGOs. UNDP can also engage in intensified online media campaigns to raise awareness, including short spot films, hashtags, posters, online manuals and guidance on access to legal aid in times of pandemic and to promote solidarity at the neighbourhood level.

1. Another important pillar of action concerns studies of assessment and further analysis that can be explored in the next CP. A key aspect in this regard concerns the development of relations with CSO partners, in particular local and independent women’s organizations, which is a pressing need in Turkey’s current context where they face important challenges concerning freedom of expression. As pointed by the above-mentioned documents, there is an urgent need to provide an enabling and conducive environment for CSOs, particularly independent women’s organizations, to cooperate with the authorities in the development and M&E of policies, as well as to build their technical and financial capacity to run women’s centers and shelters, which would be crucial to reach out and provide support to the most vulnerable groups of women. For UNDP, difficulties concerning the involvement of CSOs imposes challenges across all of its areas of work. A key first step in this respect should be an assessment study on the international standards of public-CSO partnership, as a key aspect of governance, involving best practices of successful partnerships from other national contexts. This should involve a focus on identifying the conditions under which this partnership successfully flourishes, as well as measures to enable these conditions in the context of Turkey. In order to identify the conditions, methods could include consultations with relevant stakeholders, qualitative fieldwork, structural and qualitative analysis of best practices. The general assessment study could also identify certain fields of rights, where partnerships and relations with CSOs can be organized as platforms of action with the collaboration of all portfolios and programmes, such as human rights organizations, women’s organizations, youth organizations, disability organizations, environmental organizations, etc. There are already numerous examples of successful CSO-local government cooperation in Turkey, particularly aiming to prevent and respond to GBV. UNDP can search for ways to scale up existing innovative partnership models at the national level. It would be important for UNDP to take the lead in this respect, and in a way as not to remain limited to gender issues, as this is a crucial aspect of governance and a pressing need in Turkey’s current context.

A further important initiative would be to support the CEDAW reporting process, to which previous UNDP interventions concerning access to legal aid and justice have provided significant inputs. This could be also crucial to increase the visibility of UNDP action concerning GBV and gender equality, supported by the knowhow and experience already gained by bar associations throughout the interventions. A key priority, related to development of CSO partnerships pointed out above, could be to support existing efforts to improve the monitoring capacities of CSOs for compliance with CEDAW requirements and GREVIO recommendations by activating peer learning processes and mutual exchange of ideas throughout the CSO platform outlined above. This could also address a pressing need in the shadow reporting process, namely the lack of a strong legal perspective, with the involvement of bar associations. This would also mutually empower CEDAW civil society committee and Istanbul Convention monitoring group, as well as bar associations.

Further studies could entail analysis of the legal aid services offered to refugee women in terms of their quality and accessibility; as well as visibility activities against the reproduction of gender stereotypes amongst justice staff, to be supported by posters, leaflets and other publicity material. In addition, it would be important to conduct a structural monitoring study concerning the compatibility of the Turkish penal law with Istanbul Convention in partnership with civil society, particularly with organizations specialized in monitoring and indicator development such as CEİD, İHOP and İHD.

**Best Practices**

In terms of identifying the general standards of government-civil society partnerships, a UNFPA 2016 study[[4]](#footnote-4) can provide a useful tool, outlining key definitions, the reasons why governments need to collaborate with CSOs, types of government support to CSO-led initiatives, and good civil society practices for partnering with government. The initiative is based on a global mapping study of government supported CSO initiatives, specifically focused on gender equality and SRHR. It highlights key entry points to gain, strengthen and maintain government support for CSO-implemented projects and programmes at each stage of the programme cycle, and identifies entry points where UNFPA can serve as a bridge-builder to support the development of such partnerships. The study also provides case study examples of how CSOs have worked with government to carry out successful programmes and useful tools and resources, in order to provide guidance and information on the issue.

A Care International study from 2015-2016[[5]](#footnote-5) looks at CSOs experience in GBV policy influencing in Cambodia, Lao PDR, Myanmar, Thailand and Vietnam, and finds out that there are two main requirements for successful CSO influencing of GBV policies, namely, (1) a long-term commitment to policy advocacy, and (2) use of a combination of advocacy strategies, including ‘evidence-building,’ ‘involving leaders,’ ‘building partnerships,’ ‘capacity-building,’ and ‘working with the media.’ On the other hand, the legal environment, funding and organizational capacity are the main challenges that are faced by CSOs in all countries. The study also contains several recommendations, for development partners and donors to (1) continue to monitor and advocate for national policies to promote an open process for CSO engagement; (2) provide funding to support CSO advocacy efforts, particularly for targeted advocacy strategies that meet the needs of GBV survivors, in partnership with governments; for CSOs to (1) develop their advocacy priorities based on evidence, by mapping the environment to identify what strategies will work, as there is no ‘one-size-fits-all’ advocacy strategy; (2) build relationships with government authorities responsible for the development of laws and policies; (3) establish networks and partnerships with other CSOs, national and international organizations, trade unions etc.; (4) monitor the implementation of current laws more systematically to build the evidence base for advocacy and to develop formal systems of data collection in collaboration with other CSOs; and (5) promote rights-based policies and protect specifically women’s rights.

Global Partnership for Effective Development Co-operation announced a ‘Civil Society Continuing Campaign for Effective Development’ in 2014, as a three-year programme to enable CSOs to claim their rights in multi-stakeholder development effectiveness policy arenas, as well as working on their own effectiveness to influence global development policies.[[6]](#footnote-6) Good practices from the initiative include a ‘Training of Trainers’ workshop in Johannesburg, South Africa, which brought together 45 trainers from around the world to develop regional plans and advance development effectiveness in their region. The initiative included workshops to strengthen human rights-based approaches to development cooperation, promoting gender equality as an essential condition for CSO development effectiveness, and developing tools to strengthen understanding of development relationships that reflect equitable partnerships. The initiatives as part of the campaign led to results in several countries. In Cameroon, grassroots communities participated in local development plans, and helped to establish five citizens’ councils across the country to give people a voice in local governance. In Georgia, a Memorandum of Understanding was signed between the Parliament and CSOs to institutionalize policy dialogue based on mutual respect, trust and fair co-operation between legislative bodies and CSOs. CSOs in Cambodia developed their own Code of Ethical Principles and Minimum Standards for NGOs to support their work in their own organizational practices and develop their own self-regulation system to practice transparency and accountability.

In terms of promoting women’s access to legal aid in a general perspective, so as not to remain limited to GBV, Council of Europe Report *Towards Guaranteeing Equal Access to Justice for Women* [[7]](#footnote-7)provides many good practices, including a framework for measuring women’s access to justice developed by UN Women and Council of Europe, containing measurable indicators on access to justice such as disaggregated data (by sex, age, residence etc.), geographic and economic accessibility of courts (including issues related to childcare), and existence of in-service gender training for legal and justice personnel. In Switzerland, for example, three databases have been created to make court judgements more accessible to the general public, so that they can learn about court decisions regarding gender-based discrimination claims. It is argued that this publicity also aims to encourage private companies to take proactive measures against discrimination. The Women’s Human Rights Training Institute (WHRTI) is considered as another good practice, and a first-of-its-kind programme, aiming to build and develop the capacity of young lawyers from Central and Eastern Europe and Newly Independent States to litigate in cases of VAW, reproductive rights, and employment discrimination. The training has an additional focus on intersectional issues and gender stereotypes, practical skills and the development of strategic litigation.

The recent publication by Open Government Partnership, entitled *A Guide to Open Government and the Coronavirus: Inclusion and Gender*,[[8]](#footnote-8) contains a series of examples of recent gender-related initiatives in response to COVID-19, some of which can be useful to consider in the next programming period, and would also provide good practices of government-CSO partnership. In Croatia, for instance the Ministry of Interior has initiated the ‘Behind Closed Doors’ campaign in collaboration with civil society with the aim to increase reporting of domestic violence cases during the quarantine. The campaign contains advertising film spots warning the public to remain attentive in their neighbourhood to ‘symptoms’ such as shouting, crying, breaking noises etc. in times of the pandemic, when most institutions are shut down, and report to authorities through a hotline number specifically allocated for this purpose.

The French government announced in March that it would pay for the hotel rooms of victims of domestic violence, and open pop-up counselling centres when the numbers of abuse surged in the first week of the lockdown.[[9]](#footnote-9) The Gender Equality Ministry launched an initiative to open around 20 centres in stores around the country so that women could drop in for help while getting groceries. The initiative aims to multiply points of contact with women, and to bring support systems to women, as it is difficult for them to go out. The government also announced an extra 1 million Euro for organizations fighting against domestic abuse to support them in responding to increased demand for services.

In Argentina, several legal CSOs and universities have created a website[[10]](#footnote-10) that provides legal resources in the context of the pandemic to vulnerable groups, including information on reproductive legal rights. The initiative aims to disseminate regulations related to the emergency in diverse environments, in particular those that affect the lives of the most vulnerable groups, to collect and translate legal information in clear and accessible formats, to identify necessary regulations and/or problems of understanding and application in existing regulations and take them to institutions in charge of their application. The initiative particularly focuses on GBV, children, adolescents, persons with disabilities, and reproductive health issues.

In the UK, Global Health 50/50, which is an independent initiative to advance action and accountability for gender equality in global health, has compiled a COVID-19 sex-disaggregated data tracker that includes country-level data related to cases, deaths, hospitalizations and cases among health workers.[[11]](#footnote-11) In France, a civic network created a solidarity website[[12]](#footnote-12) in March 2020 in response to the COVID-19 crisis, in order to connect employees who are working in ‘vital sectors for the nation’ to fight against the virus (i.e., emergency, medical, nutrition, care services, etc.), as well as people living alone in need, to their childcare and groceries needs. The network so far achieved around 85.000 volunteers to provide the needs of frontline workers and isolated people living in the same geographical area.

1. The Council of Europe Convention on preventing and combating violence against women and domestic violence [↑](#footnote-ref-1)
2. See <https://www.undp.org/content/undp/en/home/news-centre/news/2020/COVID19_UNDP_urges_swift_action_to_address_violence_against_women_and_girls_during_pandemic.html> [↑](#footnote-ref-2)
3. See <https://www.undp.org/content/undp/en/home/news-centre/news/2020/-inter-agency-statement-on-violence-against-women-and-girls-in-t.html> [↑](#footnote-ref-3)
4. Promundo and UNFPA (2016) Strengthening CSO-Government Partnerships to Scale Up Approaches Engaging Men and Boys for Gender Equality and SRHR: A Tool for Action. Washington D.C.: Promundo-US and New York City, NY: UNFPA. Available at <https://www.unfpa.org/sites/default/files/pub-pdf/50694_-_Scaling_up_Men_and_Boys_-_revised.pdf> [↑](#footnote-ref-4)
5. More information available at <https://gender.careinternationalwikis.org/_media/cso_influencing_on_gbv_brief.pdf> [↑](#footnote-ref-5)
6. For details see <http://effectivecooperation.org/tag/cso/> [↑](#footnote-ref-6)
7. Available at <https://rm.coe.int/16806a0df8> [↑](#footnote-ref-7)
8. For details, see <https://www.opengovpartnership.org/documents/a-guide-to-open-government-and-the-coronavirus-inclusion-and-gender/> [↑](#footnote-ref-8)
9. For more information, see <https://www.france24.com/en/20200330-france-to-put-domestic-violence-victims-in-hotels-as-numbers-soar-under-coronavirus-lockdown> [↑](#footnote-ref-9)
10. For details, see <https://acij.org.ar/covid19yderechos/> [↑](#footnote-ref-10)
11. For more information, see <https://globalhealth5050.org/covid19/#1586248980572-3839d9fe-3b88> [↑](#footnote-ref-11)
12. For details, see <https://enpremiereligne.fr> [↑](#footnote-ref-12)