

HELLENIC REPUBLIC
GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

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<p>Comments on the Bill titled “Combating Domestic Violence”</p>

The Commission’s Plenary deliberated on the matter, in the light of the recommendations submitted by its President, by the Greek League for Women’s Rights, by the Greek Section of Amnesty International and by the General Secretariat for Equality. Its observations were the following:

(a) The Bill does not deal with the essence of the problem -the violence against women- nor with its root causes i.e. the persisting roles of “man-master” and “woman-servant”;

(b) The acts it purports to penalise are those already covered by the Penal Code, except for the case of rape within marriage. Moreover, confusion will be created as to which acts will continue to be regulated by the Penal Code or by the new law;

(c) The relevant legislation is neutral from the point of view of gender, covering perpetrators and victims of both genders. However, it fails to address the reasons why in practice the perpetrator-husband or partner is left unpunished when the victim is the wife;

(d) The establishment of *ad hoc* institutions to deal with the issue is not provided for;

(e) The institution of mediation in criminal issues, as provided for in the Bill, raises doubts regarding its constitutionality and efficiency;

(f) The police and the Prosecutor remain the main actors of the pre-judicial phase, although they have already been proven to be unsuitable for the task, while the establishment of an *ad hoc* institution to deal with

the problem, such as a special body of family social workers, is not provided for;

(g) The recommendation (23.06.2005) addressed to the General Secretariat for Equality by the Greek League for Women's Rights, has obviously not received the necessary attention. In the Commission's view, a Bill addressing an issue of concern to a considerable number of families should be the product of a participatory process.

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