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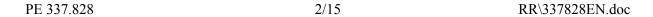
on Women in South-East Europe (2003/2128(INI))

Committee on Women's Rights and Equal Opportunities

Rapporteur: Anna Karamanou

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PROCEDURAL PAGE

At the sitting of 4 September 2003 the President of Parliament announced that the Committee on Women's Rights and Equal Opportunities had been authorised to draw up an own-initiative report under Rule 163 on Women in South-East Europe

The committee appointed Anna Karamanou rapporteur at its meeting of 11 June 2003.

It considered the draft report at its meetings of 27 November 2003, 19 February 2004 and 16 March 2004

At the last meeting it adopted the motion for a resolution unanimously.

The following were present for the vote: Anna Karamanou (chairperson, rapporteur), Marianne Eriksson (vice-chairperson, Olga Zrihen Zaari (vice-chairperson, María Antonia Avilés Perea, Regina Bastos, Rodi Kratsa-Tsagaropoulou, Maria Martens, Amalia Sartori, Miet Smet, Lissy Gröner, Joke Swiebel, Feleknas Uca, Patsy Sörensen, Marie-Hélène Gillig, Anne E.M. Van Lancker. The report was tabled on 24 March 2004.

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on Women in South-East Europe (2003/2128(INI))

The European Parliament,

- having regard to Articles 6 and 49 of the Treaty on European Union,
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the UN General Assembly in 1979,
- having regard to the work of the Vienna Conference on Human Rights (1993), which affirmed human rights and condemned the violation of these rights in the name of culture or tradition,
- having regard to the Brussels Declaration on Preventing and Combating Trafficking in Human Beings adopted on 20 September 2002,
- having regard to the Conclusions of the EU Thessaloniki European Council of 19 and 20 June 2003 and the Joint Declaration of the EU-Western Balkans Summit of 21 June 2003,
- having regard to the Commission 2003 regular reports on progress towards accession by Bulgaria, Romania and Turkey,
- having regard to its resolution of 7 November 2002 on the report from the Commission: The Stabilisation and Association Process for South-East Europe: First Annual Report¹,
- having regard to the report from the Commission: The Stabilisation and Association Process for South-East Europe Second annual report (COM(2003) 139),
- having regard to its resolution of 20 November 2003 on that report ²,
- having regard to the activities and the progress report of the Gender Task Force operational under the Stability Pact for South-East Europe (May 2003),
- having regard to the study on Women's Situation in the Balkan Countries: comparative perspective, undertaken by Ms Marina Blagojević on behalf of the European Parliament (Belgrade, February 2003),— having regard to Rule 163 of its Rules of Procedure,
- having regard to the report by the Committee on Women's Rights and Equal Opportunities (A5-0182/2004),

General

1. Considers it essential for the countries of South-East Europe to ensure the incorporation of

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¹ OJ C 16 E, 22.1.2004, p. 98.

² P5 TA(2003)0523.

gender mainstreaming into their stabilisation, democratisation and negotiation strategies in all areas of economic, political and social life, as well as the adoption of measures to combat discrimination against women in all fields within the public and private domains;

- 2. Stresses the importance of legal provisions for gender equality and of ensuring conditions and mechanisms for their implementation (institutional, financial, human resources and knowledge base for gender policy);
 - 3. In view of the importance of respecting human rights and minorities in this vulnerable region of the Balkans, calls on the countries of the region and potential applicants for membership of the EU to sign and ratify the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms and the 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); 4. Notes with concern that many NGOs and international organisations report a significant increase in trafficking in human beings in South-East Europe and stresses the need to fully implement the commitments given by the Ministers of Interior and Ministers of Justice of the countries of South-East Europe meeting in Sofia in December 2003 for the 4TH Regional Ministerial Forum of the Stability Pact Task Force on Trafficking in Human Beings, whereby they undertook to work together in establishing and implementing special mechanisms and measures to protect victims of trafficking;
 - 5. Notes with anxiety that domestic violence and abusive talk directed against women in the media remain matters of particular concern in all the countries of South-East Europe, and that different national reports show that the countries in the region are still at an early stage in the organisation of their struggle against various forms of violence against women (ranging from verbal to physical violence) and discrimination based on sex;
 - 6. Stresses that reproductive and sexual rights are seriously threatened by nationalistic policies, which tend to treat women as 'birth-giving machines', while the health of women, especially those in minority groups and rural communities, has been seriously jeopardised by stressful conditions due to wars and difficult transitions, the 'economy of survival', which relies on intensive use of women's human resources, increasing violence against women and the fact that the health system in many countries in the region has collapsed; draws attention to the generally bad situation of health-care intitutions and infrastructures, with decreasing public investment in health care systems;
 - 7. Is satisfied that women's life expectancy has improved significantly, but deplores the fact that Turkey, Bulgaria and Romania continue to spend the smallest proportion (between 2.9% and 5%) of their budgets on expenditure in the area of health care;
 - 8. With a view to the participation of the applicant countries, in the context of the preaccession strategy, calls on the Commission to encourage the participation of the countries of South-East Europe in Community programmes to promote equality between women and men and in particular the Community action programmes on: (1) gender equality (2001-2005), (2) combating discrimination (2001-2006) and (3) preventive measures to fight violence against children, young persons and women (DAPHNE);9. Notes with concern that in most of the countries in South-East Europe women's participation in political life is currently below 20%, which, in comparison with other regions of Europe,

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- represents the highest level of exclusion of women from political decision-making positions; calls on governments and political parties to adopt specific measures (campaigns, quotas, laws etc.) to achieve a gender balance in democratic institutions;
- 10. Notes with concern that the economic decline of the region has a greater negative impact on women than on men and that the feminisation of poverty is growing rapidly; stresses the fact that poverty and unemployment, combined with a strong patriarchal tradition, are the root causes of the high levels of prostitution and trafficking in women, as well as violence against women;
- 11. Stresses that women's human resources, which are relatively plentiful due to the widespread education of women, are under-utilised for the economic, social and cultural development of the region because of discriminatory practices and prejudices;
- 12. Invites the governments of South-East Europe, in the light of increasing religious fundamentalism and the re-patriarchalisation of societies, to guarantee fundamental freedoms and respect for human rights, freedom of thought, freedom of conscience and religion, and to ensure that tradition does not erode personal autonomy or violate women's rights and the principle of gender equality;
- 13.Calls on the countries of South-East Europe to ensure by all appropriate means that educational materials, the media and advertising do not promote the model of a patriarchal society that offends women's rights but, on the contrary, help to promote a positive image of women, based on respect for their dignity and the principle of equality between women and men;
- 14. Taking into account the highly important role played by women in the prevention and resolution of conflicts, in maintaining respect for differences, in building peace and in building bridges in citizen awareness in order to create a climate of reconciliation, respect for differences, the peaceful coexistence of different races and a common vision, calls on the countries of the region to mainstream a gender perspective into negotiations for conflict prevention and resolution, peacekeeping operations, rehabilitation and reconstruction efforts;
- 15. Calls for support for regional women's networks and cooperation with similar EU networks;
- 16. Notes with concern the lack of statistical information and research-based knowledge necessary for policy making, monitoring and proper evaluation of the situation of women in all the countries concerned; suggests the establishment of permanent contacts, through the Commission's delegations, with the relevant local, national and international institutions and NGOs working in the region in order to collect all available and useful data on issues relating to gender and the situation of women;

17. Acknowledges and supports the work of women's NGOs and of the Gender Task Force operating under the Stabilisation Agreement for South-East Europe, especially in the field of combating trafficking in human beings and increasing the participation of women in political and economic decision-making;

Albania

- 18. Deplores the fact that Albania has long been identified as a source and transit country for trafficking in women and children through well-organised criminal networks boosted by a high level of corruption; calls on the government of Albania to address more vigorously the issues of corruption and the sexual exploitation of women and children;
- 19. Stresses that no reliable data exist on the issue of domestic violence and sexual harassment of women in Albania, which is attributable in part to a lack of awareness that violence against women is an abuse of their rights; calls on the government of Albania to collect and comprehensively analyse relevant data;
- 20. Notes with anxiety the revival of customary law in Northern Albania and the consequent deterioration of conditions for girls and young women;

Bulgaria

- 21. Welcomes the establishment of the Consultative Commission on Equal Opportunities for women and men and the Commission on Prevention of Discrimination under the new anti-discrimination Act, but recalls that Bulgaria is the only accession country with no implementation mechanisms in the field of gender equality, these being conditions sine qua non for the proper transposition of the EU acquis;
- 22. Points out that Bulgaria has the lowest level of employment by comparison with the other accession countries (46,1% for women and 55% for men); calls on its government to adopt policies and measures to eliminate income differences between men and women and increase women's participation in the labour market, as well as in decision-making and governance;

Bosnia and Herzegovina

- 23. Deplores the fact that trafficking in, and the sexual exploitation of, women and children is increasing, especially since the arrival of peace-keeping forces in the country; calls on the country to negotiate and conclude as soon as possible the necessary agreements with Europol for practical and effective co-operation between police authorities;
- Regrets the increasing tolerance of violence against women, which is also due to the prevalence of negative patriarchal traditions and practices; welcomes the efforts made to adopt a law which will punish domestic violence;
- 25. Calls on the Commission to develop specific actions and projects to combat trafficking in, and violence against, women, and to insist on involving local women's organisations and initiatives;

Croatia

- 26. Notes with concern that national courts are still slow and inefficient in prosecuting all forms of violence against women, and calls on Croatia's government to remedy this judicial inefficiency and to duly prosecute crimes of violence against women;
- 27. Calls on Croatia to raise awareness amongst law enforcement agencies of the existence of criminal gangs trafficking in drugs and human beings, given that the level of such awareness remains very low despite the fact that, according to recent experience, Croatia is an important transit and destination country;

Greece

28. Notes with concern that the representation of women in elected bodies, government, trade unions and political parties remains low and that its poor record in this regard places Greece last among the 25 Member States of the enlarged Europe; urges the Greek Government, the political parties and related authorities to increase their efforts to ensure a gender balance in the political and economic decision-making process;

FYROM

- 29. Notes that, in practice, there are no adequate mechanisms for full implementation of legal provisions on gender equality; that, whilst the existing legislation is not in itself discriminatory, it does not address the problem of discrimination in a way which would ensure direct and effective protection of women; observes that this is due to gender-determined stereotyping, which is deeply rooted in the traditional differentiation between the roles of the sexes;
- 30. Deplores the fact that sexual abuse of girls within the family is not perceived as a problem in FYROM even though the centres for social work indicate a widespread occurrence of this type of violence, especially in village communities and among people of Albanian and Roma nationality;
- 31. Stresses that the legislation of FYROM has no provisions on the crime of trafficking in women, which seriously hampers the effective prosecution of this phenomenon; calls on its government to draw up legislation and standards in this field;

Romania

- 32. Notes with concern that Romania remains seriously affected by trafficking in human beings as a country of origin, transit and destination despite the 2001 Law for Combating Trafficking; notes the lack of sufficient resources within the judicial system and calls on the authorities to conduct, in co-operation with the Commission and NGOs, more information campaigns focused on prevention and on potential victims of trafficking;33.
 - Regrets that many ethnically motivated crimes against Roma women still take place in Romania; demands that the Romanian authorities adopt all necessary measures to prevent these crimes and urges the Commission to insist on this in the negotiations for EU membership;
- 34. Regrets that women remain under-represented in political life but over-represented in terms of unemployment and poverty, especially among minorities such as the Roma and persons over the age of 45; calls on the Romanian Government to make use of the financial

possibilities the EU offers to reduce the number of unemployed women and to promote female employment;35. Points out that a number of specific problems remain to be tackled by the government, such as the lack of knowledge about, and the unavailability of, contraceptives, high levels of domestic violence against women, the plight of women from minorities and forced marriages of underage girls; calls on the Romanian Government to take the measures necessary to speed up the process of complying with the body of existing European law; *Serbia and Montenegro*

- 36. Condemns the collapse of the trial against the Montenegro deputy state prosecutor and three other men for their involvement in sex slavery after the Prosecutor's Office halted criminal proceedings despite the existence of detailed evidence and the testimony of the victim;
- 37. Demands that the government of Serbia and Montenegro comply with the minimum standards for the elimination of the sex trade and adopt measures against widespread corruption;
- 38. Demands explanations for the apparent increase in trafficking in women since the arrival in Kosovo of troops of the KFOR and the involvement of international police in trafficking; requests that the individuals involved be duly prosecuted and convicted;

Turkey

- 39. Notes with concern that domestic violence and other forms of violence against women are still widespread; urges Turkey to provide full legal protection, judicial assistance and economic aid to victims, as well as shelters and similar facilities that, at present, are virtually non-existent; calls on the Commission to continue closely to monitor developments in this field;
- 40. Calls on Turkey to adopt gender equality as part of the sixth reform package of the Penal Code Article 51 of the general provisions relating to crimes committed under extreme provocation, applicable for offences traditionally viewed as being against virtue; calls for the discontinuation of the practice of reducing sentences in cases of "honour crimes" on grounds of customs and tradition (Article 462), taking the view that such crimes should be considered as first-degree murder, and for the deletion of the term "virginity" from the provisions of the Penal Code relating to the crime of rape;
- 41. Considers forced marriages still performed in Turkey as a violation of fundamental rights and a form of violence against women; calls upon Turkey to strive to stop this widespread practice;

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42. Instructs its President to forward this resolution to the Council and the Commission, the Governments and the Parliaments of the Member State concerned, the candidate countries and the SAP countries, and the Special Co-ordinator for the Stability Pact.

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EXPLANATORY STATEMENT

In the last decade and a half the region of South-East Europe has been marked by profound, in some cases even tragic, social, economic and political changes in the context of political and economic transition, crisis and wars. This affected some of the countries in different ways, i.e. legal and illegal migrations, decreased growth and development, organised crime etc. At present, it seams that the most difficult period is over but many problems still have to be resolved. Despite the fact that several different reports and processes exist regarding the relations between South-East Europe countries and the EU and the progress of those countries in the field of women's rights and equal opportunities the problems all these countries are confronted with are very much alike and persistent.

The basis of the report is a recent study undertaken on behalf of the European Parliament, which closely analyses the situation in all the countries of Western Balkans (Albania, Bosnia and Herzegovina, Croatia, Macedonia, Serbia and Montenegro), the three candidate countries (Bulgaria, Romania and Turkey), as well as Greece¹.

Countries of South-East Europe have heterogeneous ethnic structures. In some countries this heterogeneity is decreasing while in others it is increasing. It is important to note that different ethnic groups and minorities are still not everywhere statistically recorded and that there are many open methodological problems with implications for women's rights.

Gender is still defined through differences rather than through similarities. The roles of genders are very clearly divided. An unbalanced gender model of success is promoted². In this respect religions still play a very strong role in the division of genders.

While changes favouring women are slowly gaining ground, they are often faced with resistance coming from traditional cultural codes, customary law and old cultural practices³. The practice still existing in Turkey for example is the so-called "honor crime". The term is used to describe a murder of a woman suspected of having transgressed the limits of sexual behaviour as imposed by tradition and taboos on woman's sexuality by engaging in a premarital relationship with the opposite sex or in a suspected extramarital affair.

Trafficking in women

Trafficking in human beings is currently one of the most urgent and complex human rights issue with broad implications for stability, democratization and the rule of law in South-East Europe. Being a part of international organised crime this "sex business" has been expanding dramatically in recent years. The region has repeatedly been identified as an area very much exposed to and affected by the wide spread prostitution and sex trade of women and children.

¹ M. Blagojević, "Women's Situtation in the Balkan Countries: comparative perspective", Belgrade, February 2003 ² Romanian national study on the impact of Curricula reforms in education showed for example that in science schoolbooks for primary cyctle out of 26 names of personalities only 2 were women, in history out of 116 names again only 2 were women.

³ Under Turkish civil code the consent of a man and a woman is a precondition for marriage, yet women living in the South-East of Turky often have no influence over the choice of their partner and are frequently married against their will. Even in cases in which women are consulted about the choice of a husband they cannot exercise their right of consent to the full because of a high degree of social control over woman's sexuality maintained by the taboo on premarital sex, the practice of endogamy, or the threat of violence against women who do not comply with the choice of the family.

An updated research and report¹ offer a regional overview as well as separate chapters on countries in the region. The problem itself has often gained some dramatic changes like in the recent political scandal in Montenegro when a Moldavian woman victim of trafficking has identified some of the key political figures as clients and/or those who actually were involved in the "business".

One of the most striking features of trafficking in women is that it is hardly hidden. In Bosnia and Herzegovina women are being sold and bought on big black market near Brcko. Main trafficking centres in Serbia are located in the border areas, in Southern Serbia (near the Kosovo administrative border), Eastern Serbia and Northern Vojvodina. Trafficking in underage girls is increasing. Women and girls are sold for approximately \$250-500. Often entire families living along the borders are involved in trafficking networks (similar evidence is provided by IOM Mission in Macedonia, 2001). Women from Romania and Moldavia testified that they had been sold from one brothel owner to another, placed in debt bondage, beaten, taken to a brothel in Kosovo and forced to take 10-15 clients per night (NGOs CEDAW, Serbia).

There is estimation that 90% of foreign migrant sex workers in the Balkan countries are victims of trafficking². The sex market is growing almost everywhere but the risks for the "business" are lowered where corruption is high, like in the Balkan countries and this is why they are experiencing such a boom in sex industry. This low risk and high profit are combined with a large demand for sexual services, partly created also by the international community based in the Balkans. The important consequence of trafficking is the decrease of public trust in the institutions and the creation of climate favourable for "marketisation of women", which has long lasting negative effects on general status of women in the society.

The major trafficking routes run from Moldavia, Ukraine and other former Soviet Republics via Romania and Bulgaria through former Yugoslav states and Albania to Greece, Italy and Western Europe. They often follow the arms and drug smuggling routes. Croatia for example is a transit country only. Bosnia and Herzegovina and Kosovo on the other hand are very exposed to the problem of trafficking, particularly since the presence of peacekeeping forces³.

The lack of coordination and cohesion around the number of responses taking place to confront trafficking and its tragic consequences led to the establishment of the Task Force on Trafficking in Human Beings on 18 September 2000. The Task Force was created under the Stability Pact for South-East Europe⁴.

¹ http://www.unhchr.ch/women/trafficking.pdf

² See supra 1.

³ FRY Ministry of Interior repeatedly claims that "Kosovo has become a paradise for traffickers", blaming the UN Mission in Kosovo (UNMIK) for this situation. The US Department of Justice, Immigration and Naturalisation (2002) provided evidence on 85 identified brothels in Kosovo. The UNMIK imposed severe penalties for traffickers - up to 20 years imprisonment. On the other hand, Human Rights Watch (2001) reported that implementation of this regulation came slowly, and only a handful of prosecutions went forward. In addition, the UN disciplined four civilian police officers for alleged involvement in trafficking. Compelling evidence of international police complicity was obtained in Bosnia as well (Human Rights Watch, 2001; FOW, 2001).

⁴ Due to its strong human rights component, the activities of the Task Force are also closely connected with those of Working Table I (Democratization and Human Rights) and take into account the social and economic causes of trafficking in human beings. In order to address the complexity of this issue, the Task Force co-ordinates closely with other relevant regional Stability Pact initiatives, such as the SP Gender Task Force, the SP Initiative against Organized Crime (SPOC) and the SP Anti-Corruption Initiative (SPAI).

Violence against women

Violence against women and misogyny are closely connected with social tolerance of violence in general in the countries that have recently experienced wars, dependence and poverty. Violence, war and poverty make a closed circle for many women and children victims, as well as for many men perpetrators.

Traditional cultures in the countries of South-East Europe often support violent behaviour towards women (and children) and the whole issue is still covered with shame, which inhibits women from speaking-up and demanding their basic human rights. Public sensitivity towards the issues of violence is still low. There is lack or absence of real and adequate institutional support.

Domestic violence is often dramatic but mostly an inadequately approached and treated problem. The scope of the problem is even more serious since it concerns a much larger number of persons with epidemic features.

The obvious problem, which diminishes the fight against violence against women, is high acceptance of violence against women and lack of institutional reaction and protection of victims. The role of media in creation and perpetuation of "culture of violence" is not yet adequately acknowledged and treated.

Health

In general, surprisingly little is documented about the nature of the resulting health problems, the policy responses they have attracted and the results that have been achieved by the international assistance given so far.

Negative trends in reproductive health are striking and they require international attention. There are many indicators that minority women and a large proportion of rural women are the most exposed to health risks.

The main problems are general bad situation of health premises and infrastructure hardly accessible to women. Although many agencies remain active in the region and the government reform processes are proceeding the investment in public health and health-care systems is decreasing.

Economic life

Women represent a minority among the employed and in most of the countries the majority among the unemployed. This is partly due to general bad economic situation but on the other hand also to traditional unacceptance and exclusion of women from the economic life.

Whereas there are good trends concerning the involvement and participation of women in education - teaching professions at primary and secondary level are highly feminised - there is sill strong gender imbalance at the university level and even more so latter in the employment after obtaining education. Women are usually found at lower university and employment positions.

It is also observed that sectors with high concentration of female workers usually have lower wages. The high level of feminisation of poverty leads women to accept very unfavourable economic conditions often in the "gray" economic activity (flexible and unregistered work).

Women working are on the other hand often faced with harassment and they are victims of open and hidden discrimination at work place or, if they are self-employed, in predominantly male business environment.

Women still have the primary responsibility for the family, encouraged by traditional norms, although legal provisions in most of the countries provide for higher participation of men in family life. In all of the countries concerned child-care facilities are inadequate.

Political life

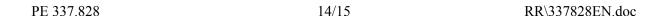
The countries of South-East Europe have a consistently high level of exclusion of women from political decision making in general, be it in the parliament, government, trade unions or political parties. This renders the real inclusion into political decision-making rather depressive for most of the countries in the region. Almost all the countries of South-East Europe were held elections in 2000 and 2001 in which the outcome was barely 7% average representation of women in legislative bodies. Nevertheless, there are some good examples like Bulgaria, Bosnia and Herzegovina and Kosovo with a percentage of women parliamentarians around 30%.

The important aspect of changes taking place in the political life of the countries of South-East Europe is the growing of so-called "critical mass" of people involved, especially women are getting more and more involved and they do have more and more political pressure at their disposal, both internally and externally at the EU and international level. It is obvious from different data that the international focus on the region is providing conditions for higher participation of women in political and wider public life but mentality patterns, local patriarchies and traditions remain strong obstacles to this development.

At the same time women participating in public life are often targets of chauvinistic attacks and heavy criticising for not being traditionally obedient for the sake of their families i.e. the attack on the representative of DEHAP in Istanbul, Ms Gülbahar Gündüz, of 14 June 2003, who was abducted, blindfolded, raped and tortured by individuals claiming to be police officers.

A very welcome trend in all of the countries under consideration is the fast-growing number of women's NGOs but they are often struggling financially and in professional staffing. Most of these organisations are not genuinely autonomous but largely dependent on decreasing donors and different international funds which increases the competition between NGOs. In this context it is worth mentioning the activities of the Gender Task Force under the Stability Pact in the Western Balkans.

Conclusion



Even though the countries under consideration differ greatly in certain aspects they still share considerable similarities. The progressive integration into the EU structures is and remains the main short or longer term goal for political aspiration of all South-East European countries. There is a clear official policy in favour of EU integration, which is frequently presented as a reform facilitator. This is often reflected in the attitudes of the political and administrative "elite". Close contacts between the Community and this "elite" have favoured the development in the region. However, dialogue and good understanding are not sufficient to ensure proper legislative reform and its implementation. The EU should continue to insist on the respect of women's rights, which have long been neglected by the majority of these countries. Women's rights need special attention and efforts for recognition precisely because of their denial rooted in long standing patriarchial attitudes, old traditions and cultures in the area

A full recognition of the interaction between many different factors influencing the situation of women in South-East Europe is crucial which must be subject of wide campaigns for awareness rising and bringing gender perspective into the education. Crucial enough is to build up a new normative system, a change of legislation and its necessary popularisation in the society. Equality of genders in the public sphere certainly helps achieve equality in the private sphere in the most direct way.

Additionally, women's NGOs are very important and the institutions should assume them more responsibility. Instead of the reactive approach more should be done in the proactive direction to combat phenomena like trafficking in human beings and domestic violence as a social disease. While the role of NGOs is essential in dealing with the consequences, only strong institutions can manage real macro societal change focusing on prevention.