

**Gender neutrality
and
Women Support Services
(from the Bulgarian prospective)**

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Gender Neutrality in Law

- All the laws related to protection against all forms of violence have always been gender neutral, including
 - Law on Protection against Domestic Violence, and
 - Social Assistance Act

Article 3. (Amended, SG No. 120/2002, SG No. 32/2012, effective 24.04.2012) *The provision of social assistance benefits and social services shall exclude any direct or indirect discrimination of individuals on the basis of sex, race, nationality, ethnic belonging, human genome, citizenship, origin, religion or faith, education, beliefs, political affiliations, personal or public status, disability, age, sexual orientation, marital status, ownership of property, or any other feature established in a law or international treaty that the Republic of Bulgaria is signatory to.*

Gender is not even mentioned in these laws, and cannot be officially introduced in their interpretation and implementation.

Policies within the Gender Neutral Approach:

- While the laws remain gender neutral there are some policies that officially declare some commitments to advancement of the gender equality through:
 - Aims – to achieve equality between women and men
 - Measures – including all spheres and structures of the official bodies and institutions;

BUT

the support services remain out of the scope of such commitments.

- Where the women support services are publicly funded they are also bound with the requirements of the particular project, programme, etc. – as drafted or approved by the respective public body;

Support services for victims of domestic violence and trafficking in human beings

- Specialized women support services have always been operated by NGOs and funded independently by private donors – funding decisions for such services used to be based on need (the vast majority of the victims of high-risk violence and abuse are women);
- Support services for victims of DV and THB that are established in the Social Assistance Act and other official documents and are financially supported by the state, although not explicitly established as such, in practice often operate as women support services;
- This ensures the possibility for some sustainability in the existence of these services for longer periods BUT it also provides for various risks for such services to be misused by male perpetrators (pretending to be victims of violence).

In practice:

- Although the services are established as gender neutral, for obvious reasons, there are no men accommodated in **services of residential type** – as shelters, crisis centres (except children – boys when they are together with their mothers).
 - This results in the constant risk for the service provider to be accused of discriminating men by having refused support to a male victim of violence;
- **Non-residential services** – such as helplines, crisis/intervention centers, etc. – are also established as gender neutral which makes them accessible and available also for men.
 - While there are not many men – victims of DV and THB this still keeps these services open to men intentionally misusing the system, as trying to receive documents, information, etc. that could later use against the real victims in various proceedings;

Conclusions

- The gender neutral approach is a problem both for effectiveness of already existing women support services, and for the establishing of those needed but still missing;
- Gender neutral approach doesn't include also male victims as many men's/fathers' rights advocates might imagine because services are meant to respond to the real needs and the various categories of victims have different needs.
- Gender neutral approach doesn't ensure that all victims are helped equally, irrespective of their gender – which is impossible as it is because of their gender that they are being hurt, abused, ill-treated, etc. - in a different way, and it is because of their gender that they need specific support.
- Gender neutral approach doesn't open more space for the LGBTI victims.
- Gender neutral approach might be dangerous as based on the core denial of the differences that have led to the experienced violence and neglecting the diversity of needs victims have.

Possible solutions

- The key solution has always been to approach women-victims' needs as a gendered problem that should be addressed as part of a wider global campaign to end violence against women and girls;
- When we can't rely on the term "gender" we can still insist on the content instead - to advocate for more specialist services for women to cover their existing needs and more public support for such specialist services;
- Emphasize on the facts (in statistics and not only) – there is no room for comparison with imaginary probabilities (such as "men could also be victims of the same violence...");
- No comparison between women victims' needs and perpetrators' demands presented as needs;

Thank you!

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