

BUILDING A SAFETY NET FOR MIGRANT AND REFUGEE WOMEN PROJECT

EMPOWERMENT SEMINARS GUIDE



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1. INTRODUCTION

1.1. Purpose and target group of the Empowerment Seminars Guide

Data and research underline that migrant and refugee women (MRW) continue to be significantly affected by all forms of gender-based discrimination and violence which, in turn, hinder their processes of emancipation and empowerment, and limit the possibilities of social change and redress. Furthermore, the recent adoption of more repressive and restrictive policy and legislation regarding migration, in Europe and worldwide, contributes to worsen the situation of MRW which see their access to fundamental rights and justice curtailed, and their legal status uncertain and increasingly criminalized. This framework has progressively and negatively affected the practice of operators (law enforcement officers, magistrates, social workers, public officers and healthcare staff, etc.) who work with migrants, refugees and asylum seekers, increasing the risk for the latter to suffer multiple violations of their rights.

This Guide is a practical handbook to help frontline operators working with MRW by providing direction, advice and tools for the planning and organization of seminars aimed at the empowerment of MRW. However, it may also be useful to other professionals and CSOs staff focusing on gender equality, women's empowerment and human rights.

The Guide is being launched as part of the Project Building a Safety Net for Migrant and Refugee Women.

2. BUILDING A SAFETY NET FOR MIGRANT AND REFUGEE WOMEN PROJECT

2.1. Project Overview

Building a Safety Net for Migrant and Refugee Women is a project co-funded by the European Commission, aiming to empower migrant and refugee women (MRW) to stand for their rights and be able to enjoy a life free of gender-based violence (GBV).

The project focuses on the current situation in Southern Europe, and specifically in partner countries (Greece, Italy, Spain), where GBV continues to be a significant issue among MRW and its prevalence among them remains high. Specific forms of GBV are more common than others and affect MRW disproportionately in their home country, during their journey and in the host country of arrival, among them: domestic violence, trafficking, FGM, forced marriages, rape, sexual harassment, and honour crimes.

2.2. Main Objectives

The project aims to empower MRW and to improve the availability and quality of services provided to survivors of GBV, including better protection and support, and more effective prevention and response mechanisms. Main objectives:

- To improve access of MRW survivors of GBV to specialised support services able to provide adequate and effective assistance;
- To raise awareness on GBV issues and mainstream a gender-responsive approach among field professionals involved in migrants' reception and assistance, and to build their capacities and skills to provide more adequate and effective services and support to MRW survivors of GBV, and to improve prevention and response mechanisms to GBV against MRW in partner countries;
- To establish a multi-actor coordination system to improve protection of MRW and avoid revictimization;
- To empower MRW to report GBV and stand for their rights;
- To foster MRW's empowerment in all areas, including their economic empowerment, and provide information on the available services in each partner country, e.g. educational opportunities, health care system;
- To foster the discussion on new and old challenges regarding GBV in the public agenda, and urge relevant actors to take action.

2.3. Target Groups

The project beneficiaries are:

- Migrant and refugee women (MRW);

- Frontline professionals, including law enforcement officers, medical practitioners, legal experts, social workers, volunteers, NGO personnel, staff of migrant reception centres and specialised shelters and Anti-Violence Centres for Women survivors of GBV (CAV), policy and decisionmakers.

2.4. Activities

According to the objectives and target beneficiaries of the project, the activities include specialised training workshops and capacity-building seminars to empower MRW, and to improve the competences and skills of professionals engaging with them.

- Country and cross-country context analysis to identify issues and good practices with regard to GBV against MRW, and make policy recommendations;
- Establishment of a multi-actor coordination mechanism to provide more comprehensive and integrated services and support;
- Capacity-building seminars for professionals working in specific GBV services to improve support;
- Inter-agency training workshops to raise awareness on GBV issues and foster a gender-responsive approach in accordance with international, regional and national standards and norms;
- Awareness-raising seminar to sensitize auxiliary staff in migrant reception centers on GBV issues and enhance their competences to communicate with GBV victims;
- Empowerment seminars for MRW to enhance agency, build solidarity networks and relationships, improve knowledge of the country system and local surroundings, and provide information on women's human rights;
- Empowerment workshops focused on job searching and the competency model, to assess and highlight the value of non-formal and non-professional experiences as a competency and skill set for future formal employment opportunities;
- Legal counselling for MRW survivors of GBV to pursue justice and access to their rights;
- A range of dissemination and awareness-raising activities *i.e.* multilingual info material, website, local and transnational public discussion events, etc.

2.5. Partners

The project engages partner organizations and institutions from three different countries: Greece, Italy and Spain.

- *KETHI* is a private entity, under the supervision of the Greek Ministry of Interior, responsible for the scientific and technical supervision of the personnel of the National GBV support system (62 units) *i.e.* counselling centers, shelters and one 24/7 help line.
- *CRWI Diotima* is a women's NGO committed to gender equality, and specialised on GBV issues providing GBV case management services and migrant women's integration and empowerment.
- *Differenza Donna* NGO is a women's organization established in 1989 in Rome, Italy, with the mission of exposing, preventing, combating and eradicating all forms of violence against women and girls.

- *Fundació Surt* is a women's organization established in 1993 in Barcelona, Spain, committed to the values of gender equality, inclusion, solidarity and social change, which works to make the economic, social and cultural rights of women effective and to eradicate all forms of gender-based discrimination and violence.
- The *General Secretariat for Gender Equality* of the Greek Ministry of Interior is the governmental agency responsible for planning, implementing and monitoring gender equality and GBV policies.



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3. EMPOWERMENT SEMINARS

3.1. Purpose and Audience of the Seminars

The seminars are directed at MRW, and aim at enhancing their knowledge of the national system – including education, healthcare, employment opportunities and the legal system, –improving their language skills, and empowering them to stand up for their rights.

Sometime these women have some knowledge of the host country language and/or the system but not enough to protect themselves and exercise their rights, or find specialised organization and institution able to provide support in obtaining legal assistance, accessing the labour market and welfare services.

To facilitate communication and encourage active participation, the seminars employ different learning tools (including non-linguistic ones) and they can involve the support of mediators and/or interpreters. In addition, in- and out-door activities for children may be organised to assist mothers and foster their attendance.

3.2. Methodology

3.2.1 Gender-Responsive Approach

A gender-responsive approach requires empowering women and ensuring that they know their rights, so that they can access the services and claim the rights they are entitled to.

A gender-responsive approach recognises the existing context affected by gender-based inequality, discrimination and violence against women and girls, and seeks to overcome the obstacles (including policy and legislation but also service provision) which impair gender equality, women's human rights and women's empowerment. This approach aims to identify the needs of MRW, to increase their capacities to make their voices heard and address their needs, engaging them as active participants.

3.2.2. Human Rights-Based Approach

A human rights-based approach includes three essential elements: i) laws, policies and programmes must aim to fulfill human rights; ii) rights- holders are empowered to participate in policy formulation and claim their entitlements, and duty-bearers meet their obligations and are held accountable for actions that impact or impede human rights; and iii) international human rights principles and standards guide all policies and programming in all sectors and in all phases of the process.¹

3.2.3. Ludopedagogy

Ludopedagogy is as a tool to promote women's rights and foster participation of both adult and young people. It is based on participatory processes and experiential learning, which seek to engage participants in playful activities and encourage the exchange of ideas, experiences and emotions.

¹ UN Office of the High Commissioner of Human Rights, Human Rights and Climate Change.

Seminars can be divided in several modules including active and creative exercises, individual work and group activities, and plenary sessions. To promote active participation, the topic of each module is selected by MRW according to their interests, among others:

- Life paths (childhood, violence, paths for a life free of violence);
- Legal literacy (key technical words, the legal system and processes in the residing country);
- Tools to recognise and address gender-based violence (GBV);
- Social and family relationships;
- Vocational education, capacity-building training courses;
- Non-linguistic learning tools and activities, *e.g.* participatory photography and visits to local sites;
- Healthcare system for women and their children;
- Sexuality and gender identity and relationship issues;
- Housing, the school system, mobility;
- Long-term planning (how do I see myself in 5 years? How and where can I find support to implement my project?).

This active teaching method fosters interpersonal and communication skills, and promotes the development of self-assessment skills. Different tools can be used during the seminars, which ultimately contribute to the women's empowerment. These includes:

- Sharing with the group their personal experiences;
- Analysing their own actions and emotions, assess situations (professional, personal);
- Analysing and understanding the environment;
- Working in team to find new creative solutions, brainstorming;
- Learning through active playful and creative activities (*e.g.* autobiographical fiction);
- Using other communication tools and overcoming language barriers.

3.3.Content

Seminars can be divided in different modules, each one addressing a specific issue regarding MRW and/or gender-based violence and discrimination. Possible topics are listed below:

- Women's rights and specific instances of GBV: equality; freedom; dignity; right to live a life free of violence and discrimination; right to control one's own body and life; prohibition of slavery, torture and forced labor; others.
- Sex and gender: concept definitions and differences; social constructions and stereotypes; gender roles; rights, roles and boundaries within different context.
- Health care: sexual and reproductive health care; emotions.
- Access to the labour market: challenges, competency model, skill set.
- Access to justice and rights: policy, legal and administrative frameworks.

Modules and content are further explored in the following paragraphs.

3.3.1. Context Analysis

Provide a brief overview of the European and country panorama with regard to migration issues, gender-based violence and discrimination against MRW. If possible, provide data and official statistics.

3.3.2. Conceptual Framework: terminology and definitions of key concepts

Many women might not be aware of key terminology and concepts. In this case, it could be useful to dedicate a module to provide a frame of reference. Below several useful definitions, divided between a gender glossary and key migration terms:

Gender Glossary

Empowerment of Women and Girls

The empowerment of women and girls concerns their gaining power and control over their own lives. It involves awareness-raising, building self-confidence, expansion of choices and increased access to and control over resources and actions to transform the structures and institutions which reinforce and perpetuate gender-based discrimination and inequality. This implies that to be empowered women must not only have equal capabilities (such as education and health) and equal access to resources and opportunities (such as land and employment), but they must also have the agency to use these rights, capabilities, resources and opportunities to make strategic choices and decisions (such as is provided through leadership opportunities and participation in political institutions).²

Gender

Gender refers to the roles, behaviours, activities, and attributes that a given society at a given time considers appropriate for men and women. In addition to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, gender also refers to the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. Gender is part of the broader socio-cultural context, as are other important criteria for socio-cultural analysis including class, race, poverty level, ethnic group, sexual orientation, age, etc.³

² UNICEF, UNFPA, UNDP, UN Women, Gender Equality, UN Coherence and You.

³ UN Office of the Special Adviser on Gender Issues and the Advancement of Women - OSAGI (2011) "Important Concepts Underlying Gender Mainstreaming."

Gender-Based Violence (GBV)

GBV “is an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (gender) differences between females and males.”⁴ In other words, it is a general term used to capture “violence that is perpetrated as a result of gender norms and stereotypes and is enforced by unequal power dynamics [...] Violence based on sexual orientation and gender identity/expression, also referred to as homophobic and transphobic violence, is a form of [...] gender-based violence.”⁵

Gender Equality

This refers to the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men. Gender equality is not a women’s issue but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development.⁶

Gender Mainstreaming

Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.⁷

Violence Against Women and Girls (VAWG)

Violence against women is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.⁸

⁴Inter-Agency Standing Committee Task Force on Gender and Humanitarian Assistance – IASC (2005) *Guidelines for Gender-based Violence Interventions in Humanitarian Emergencies: Focusing on Prevention and Response to Sexual Violence*, Geneva: IASC, p. 7.

⁵UNESCO (2016) *Out in the Open. Education sector responses to violence based on sexual orientation and gender identity/expression*, Paris: UNESCO, pp. 10, 14.

⁶ UN Women, OSAGI Gender Mainstreaming - Concepts and definitions.

⁷ ECOSOC agreed conclusions 1997/2.

⁸The Council of Europe Convention on preventing and combating violence against women and domestic violence, Istanbul Convention.

Key Migration Terms

Asylum

A form of protection given by a State on its territory based on the principle of *non-refoulement* and internationally or nationally recognized refugee rights. It is granted to a person who is unable to seek protection in his or her own country of nationality and/or residence in particular for fear of being persecuted for reasons of race, religion, gender, nationality, membership of a particular social group or political opinion.⁹

Asylum seeker

A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.¹⁰

Complementary protection

Formal permission given by a country under its national law or practice, to reside in the country, extended to persons who are in need of international protection even though they do not qualify for refugee status under the 1951 Convention relating to the Status of Refugees. See *Subsidiary protection*.¹¹

Family reunification

Process whereby family members separated through forced or voluntary migration regroup in a country other than the one of their origin.¹²

Integration

Generally, the process by which migrants become accepted into society, both as individuals and groups. Integration implies consideration of the rights and obligations of migrants and host societies, of access to

⁹IOM (2011) Glossary on Migration, available at https://publications.iom.int/system/files/pdf/iml25_1.pdf (accessed 10/11/2018).

¹⁰Ibid.

¹¹ Inter-governmental Consultations on Migration, Asylum and Refugees (IGC) (2012) *Asylum Procedures. Report on Policies and Practices in IGC Participating States*, available at https://publications.iom.int/system/files/pdf/asylum_procedures_2012_web_may2015_0.pdf (accessed 10/11/2018).

¹² Inter-governmental Consultations on Migration, Asylum and Refugees (IGC) (2012) *Asylum Procedures. Report on Policies and Practices in IGC Participating States*, available at https://publications.iom.int/system/files/pdf/asylum_procedures_2012_web_may2015_0.pdf (accessed 10/11/2018).

different kinds of services and the labour market, and of identification and respect for a core set of values that bind migrants and host communities in a common purpose.¹³

International protection

Legal protection, on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the protection of their own countries.¹⁴

Migrant

IOM defines a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is.¹⁵

Non-refoulement

A core principle laid down in the *1951 Convention relating to the Status of Refugees* according to which “no contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his or her life or freedom would be threatened on account of his or her race, religion, and nationality, membership of a particular social group or political opinion” (Article 33(1) of the *1951 Convention*). The principle of non-refoulement is a part of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Convention.¹⁶

Permanent residence

The right, granted by the authorities of a host country to a non-national, to live and work in the territory on a permanent (unlimited or indefinite) basis.¹⁷

Refugee

A person who, "owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. (Art. 1(A)(2), *Convention relating to the Status of Refugees*, Art. 1A(2), 1951 as modified by the 1967 Protocol). In

¹³ Inter-governmental Consultations on Migration, Asylum and Refugees (IGC) (2012) *Asylum Procedures. Report on Policies and Practices in IGC Participating States*, available at https://publications.iom.int/system/files/pdf/asylum_procedures_2012_web_may2015_0.pdf (accessed 10/11/2018).

¹⁴ Ibid.

¹⁵ IOM, Key Migration Terms, available at <https://www.iom.int/key-migration-terms> (accessed: 10/11/2018).

¹⁶ Inter-governmental Consultations on Migration, Asylum and Refugees (IGC) (2012) *Asylum Procedures. Report on Policies and Practices in IGC Participating States*, available at https://publications.iom.int/system/files/pdf/asylum_procedures_2012_web_may2015_0.pdf (accessed 10/11/2018).

¹⁷ Ibid.

addition to the refugee definition in the *1951 Refugee Convention, Art. 1(2)*, *1969 Organization of African Unity (OAU) Convention* defines a refugee as any person compelled to leave his or her country "owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country or origin or nationality." Similarly, the 1984 *Cartagena Declaration* states that refugees also include persons who flee their country "because their lives, security or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order."¹⁸

Smuggling

"The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident" (Art. 3(a), *UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000*). Smuggling, contrary to trafficking, does not require an element of exploitation, coercion, or violation of human rights.¹⁹

Trafficking in persons

"The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation" (Art. 3(a), *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000*). Trafficking in persons can take place within the borders of one State or may have a transnational character.²⁰

3.3.3. Legal and Policy Framework

Often migrants have little knowledge of the host country legal system which, instead, has a significant impact on their lives and in the determination of their legal status in the host country. MRW are affected disproportionately by this lack of knowledge which limits their access to justice and protection, and in many instances, leaves them exposed and at high risk of suffering GBV both in the public and private spheres. Therefore, it is important to raise awareness and knowledge of the legal and policy systems at the national, regional and international level not only among public officers and CSOs but also among MRW in order to empower them and give them effective tools and knowledge to claim their rights.

Relevant legal and normative instruments to be addressed during the seminars, may include:

- Domestic and EU legislation on migration and GBV;

¹⁸ IOM (2011) Glossary on Migration, available at https://publications.iom.int/system/files/pdf/iml25_1.pdf (accessed 10/11/2018).

¹⁹ Ibid.

²⁰ Ibid.

- Regional Conventions regarding VAWG: The *Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women*, known as the *Convention of Belém do Pará*; The *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa*, known as the *Maputo Protocol*; The *Council of Europe Convention on preventing and combating violence against women and domestic violence*, known as the *Istanbul Convention*;
- The *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), as further elaborated in General Recommendations No. 26 (2008) on women migrant workers, and No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women;
- The *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (ICRMW), as further elaborated in General Comments No. 1 (2011) on migrant domestic workers and No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families;
- The *International Convention on the Elimination of Racial Discrimination* (ICERD), as elaborated in General Recommendation No. 25 (2000) on gender-related dimensions of racial discrimination;
- The *International Covenant on Economic, Social and Cultural Rights* (ICESCR);
- The *International Covenant on Civil and Political Rights* (ICCPR);
- The commitments made by States under international labour standards through the widely ratified ILO conventions of general application as well as those that contain specific provisions on migrant workers including the *Migration for Employment Convention, 1949 (No. 97)*, the *Migrant Workers Convention, 1975 (No. 143)* and, more recently, the *ILO Convention concerning Decent Work for Domestic Workers, 2011 (No. 189)* and the attending Domestic Workers Recommendation, 2011 (No. 201).

3.3.4. Type and Availability of Services

Provide an overview of the type of services available at the local, regional and national level: health care, labour market, counselling and legal advice, specialised services to address VAWG.

4. Concluding Observations and Methodological Tips

4.1. Main DOs

Get the information you need on migration and gender issues!

Collect relevant data and gather updated information. Analyse the particular context and the most significant and recent trends with regard to the issues under consideration. Consider the seminar target group: their background, age, conditions, and the multiple forms of discrimination they may face and/or have faced.

Involve women's organizations and other specialised CSOs!

In order to reach as many MRW as possible, identify women's organization and CSOs with a specialised training or focus on gender and/or migration. Ask for their support in advertising the seminar, and if possible, in its organization. Inquire whether one representative would be interested in taking part in the seminar and provide her expertise.

Listen to MRW and their stories!

MRW's experiences are very complex and diverse. Women come from different backgrounds, have different desires, values, expectations, and life stories. Seminars should take the latter into consideration and promote the creation of a safe space where women are able to build relationships and share their experiences making their own voice heard.

Work ethically and respectfully!

Work in a manner that does not encourage stereotypes, keep track of both direct and indirect messages, voiced and unvoiced conversations, prepare for difficult reactions from the group (e.g. victim blaming, crying, anger), identify cases of GBV on the spot, maintain confidentiality, provide support as needed in a respectful and empowering manner.

4.2. Main DON'Ts

Don't present women as victims

Often, in empowerment seminars and/or capacity-building workshops, MRW are only portrayed as victims of trafficking and other forms of GBV. However, this approach, notwithstanding intentions, may have negative consequences reinforcing and promoting existing patriarchal stereotypes of women and girls as vulnerable, naïve persons, without agency nor power, passive and dependent beings unable to defend themselves, make decisions and, ultimately, take actions. According to this approach, women are characterized as inferior and subject to men by nature and not by the patriarchal values and norms imposed by society. Challenge this view and always promote women's empowerment pointing out their strength, courage, capacities and resourcefulness to overcome obstacles.

Moreover, the approach described above seeks to misconstrue and weaken the just argument which defines women's rights as human rights: women's lack of strength and power determines their need for protection by society whereas the violation of the fundamental rights to which they are entitled as human beings goes completely unremarked.

Don't emphasise only obstacles and limitations for women

Messages which are punitive (something bad will happen to you), blameful (you should have paid more attention), authoritarian (you are unable to assess the risks) and anxiety-raising (there are dangers everywhere), often scare women off and discourage them from following their hopes for a better life, accessing opportunities, planning an independent and empowered way of life, making their own decisions. This way of presenting risks and challenges actually increases the level of stigma and adds new obstacles for women who want to make full use of their capacities and resources and follow an independent and empowered life free of violence.