

# SEXUAL AND GENDER-BASED VIOLENCE

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How to intervene with  
applicants and beneficiaries  
of international protection



## WHAT IS SEXUAL AND GENDER-BASED VIOLENCE (SGBV)?

Sexual and Gender-Based Violence refers to any act that is perpetrated against a person's will and is based on gender norms and unequal power relationships. SGBV is an abuse of power that causes harm to women and girls, men and boys, including LGBTI individuals. It includes threats of violence and coercion.

## WHAT DOES SGBV CONSIST OF?

SGBV includes **physical, sexual, psychological and socio-economic violence** that occurs **in families and within communities**, but also violence **perpetrated, tolerated and/or unopposed by the state and its institutions**.

## WHAT ARE THE MOST COMMON FORMS OF SGBV?

**Rape:** non-consensual penetration of the vagina, anus, mouth or other parts of the body, including with an object.

**Sexual violence:** any form of non-consensual act, attempt or threat (i.e. does not necessarily need to consist in a 'contact') that does not result in, or does not include, penetration. For example, this category includes attempted rape along with being kissed, stroked or touched on the genitals against one's will.

**Physical violence:** any act of physical violence that is not sexual in nature. This category includes being struck, slapped, cut, pushed, burned, shot or attacked with any weapon that causes discomfort or injury.

**Forced marriage:** any marriage entered into against a person's will.

**Denial of resources, opportunities or services:** denial of equal access to resources, economic means of subsistence, education, health or other social services (e.g. widows prevented from receiving an inheritance; people whose earnings are forcibly confiscated by a partner or family member; women prevented from using contraceptives; girls prevented from attending school, etc.).

**Psychological/emotional abuse:** inflicting mental or emotional pain or injury. Examples include threats of physical or sexual violence; intimidation; humiliation; forced isolation; stalking; harassment; unwanted attention; remarks, gestures or written words of a sexual and/or threatening nature; destruction of cherished objects, etc.

### Why is the survivor centered approach important in responding to SGBV?

**Providing timely information and support for SGBV survivors**, while respecting a survivor-centred approach and the *do no harm* principle, **is crucial**. To seek services is not always safe for a survivor and could lead to more harm. Remember that your role is to provide accurate information on the available services and let the survivor make their own choices.

The choice to access services can lead to great benefits but also to unintended risks. For instance, there is a possibility that the survivor's friends, family or community will find out, which can lead to being stigmatized, kicked out of the community and/ or exposed to more violence. On the other hand, timely access to services is beneficial such that it could save a life; prevent HIV or unwanted pregnancy; mitigate the negative impact on the economic and psychosocial well-being of the survivor and/ or offer effective access to international protection.

### What principles should be followed when tackling SGBV?

**Safety:** with each action, ensure that survivors are not at risk of further harm by the perpetrator or other members of the community. The first question to ask is whether the survivor is safe.

**Confidentiality:** share information about a survivor only with those who need to know information in order to provide assistance, and always with the consent of the survivor. If you hear about an incident of SGBV, always get the informed consent of the survivor before taking any action.

**Respect:** when speaking to a survivor, treat them with dignity and empathy. Accept the survivor's decisions even if he/she chooses not to use available services or does not want to disclose what has happened. Survivors may decide to remain silent for crucial and valid reasons, including to protect their own safety. For child survivors, consider the best interest principle.

**Non-discrimination:** survivors should receive equal and fair treatment regardless of their age, gender, race, religion, nationality, sexual orientation, or any other factor. Provide accurate information that takes into account the specific linguistic, cultural, and community background of the survivor.

**Do no harm:** when providing assistance, take care not to cause further harm unintentionally. Maintain an approach based on human rights, the centrality of the person, and the community. Disclose cases of SGBV only if you have the consent of the survivor, the necessary skills and provided that required services are in place.

## CREATE A SAFE SPACE



Set up a suitable space to talk: somewhere reassuring, private, or as separate and secluded as possible.



Choose a discreet space in which both you and the survivor can talk privately and comfortably, ideally with a door.



**Don't** ask questions about SGBV in shared spaces, open places, or spaces with many people passing through.

**Don't** conduct conversations under conditions that may create a sense of instability or danger.

## ENSURE CONFIDENTIALITY AND SAFETY



The survivor's safety comes first. Always protect their privacy by keeping their information and sensitive data confidential.



Keep sensitive documents in a locked cabinet. Use a password to protect electronic files.



**Don't** give out sensitive information.

If other people are present, **don't** mention the survivor's sensitive information out loud and **don't** discuss sensitive topics.

**Don't** leave documents and data unattended.



The things we discuss will stay in this room. Confidentiality is a principle that all professionals have to follow at all times. It's part of our job.



### KEY



What to do



What not to do



Suggestions



What to say

## BE SENSITIVE TO THE ISSUE OF GENDER



Take into account the survivor's gender identity, gender stereotypes, and power imbalances in relationships.

Consider the impact that the professional's gender may have on the survivor's ability to open up.

Give survivors the opportunity to specify the gender of the professional to whom they would like to speak.



If you cannot offer a choice, work on the gender relationship: belonging to the same gender and being of different genders can both help to form an alliance in the relationship between the professional and the survivor in different ways.



**Don't** assume that the professional's gender is irrelevant or interchangeable.

When talking to survivors, **don't** rely on (or impose) your own beliefs and/or prejudices about gender.



Would you prefer to talk to a man or a woman?

**Example:** women generally prefer to talk to a female professional while men also sometimes prefer a female professional.

## BE SENSITIVE TO CULTURAL BACKGROUNDS



Keep in mind the potential implications of the survivors' cultural backgrounds. Where possible, use terms that reflect the specifics of their culture.

Make sure you have a linguistic and cultural mediator where necessary, and be aware of the differences between translation and mediation.



Have a linguistic and cultural mediator present for meetings. Bear in mind the cultural system from which the person originates.

**Example:** when talking about female genital mutilation, don't use this term. Instead, use 'female circumcision', 'excision', or any other term the person uses to refer to the practice.



**Don't** assume a shared understanding of terms or concepts, even those that seem obvious.

**Don't** disregard the impact of a person's cultural system, norms, and beliefs about SGBV.

**Don't** be judgmental about a person's beliefs.

**Don't** underestimate the importance of linguistic and cultural mediation.



If someone mentions evil spirits or receiving the evil eye, don't belittle or deny the existence of these spirits. Instead, ask for details to better understand how this evil eye is usually treated in the person's culture. Work with the person to explore what can be done to address such a situation.

## USE SIMPLE LANGUAGE



Speak clearly, simply and empathetically.  
Use suitable and respectful non-verbal communication.



Use words that refer to familiar and everyday actions and situations. Tap into examples of situations, if possible and adequate.



**Don't** use formal, complicated, or overly technical language, and **don't** use words that carry value judgements.

## ESTABLISH A TRUSTING, SAFE RELATIONSHIP



"Tune into" the survivor's experiences and pay attention to his/her body language. Respond with empathy.  
Let the survivor know that support is available.



Don't make sudden movements or gestures that could be perceived as intimidating. When faced with displays of irritation, anger, rejection, or pain, keep calm and demonstrate patience. Don't rush or force the survivor to speak to you about their experience. The implicit message should be: "even though it's painful, we can face it".



Show that you are patient and can wait for other people's time.



**Don't** downplay the survivor's feelings or the seriousness of the situation for fear of making him/her relive painful emotions, or in a hasty attempt to lift his/her spirits.

**Don't** be emotionally distant and **don't** close yourself off.

**Don't** adopt a judgmental attitude.

**Don't** ask the person to explain why he/she suffered SGBV, as this could make him/her feel responsible or to blame.

# ACCESS TO SERVICES AND REFERRAL PATHWAYS



Know the rights of the SGBV survivor (e.g. access to international protection on grounds of gender-based persecution, access to specialist healthcare pathways, and psychological and social support).

Be aware about the physical and psychological consequences of SGBV (e.g. infectious diseases, gynaecological problems, unwanted pregnancies, somatisation, and post-traumatic stress disorder).

Be familiar with the specific needs of survivors who have suffered a traumatic event.

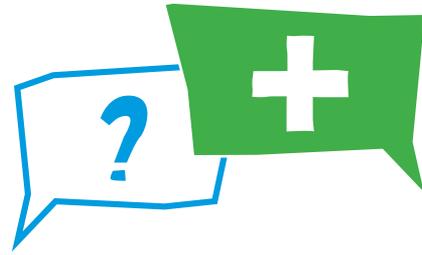
Always give the survivor clear and precise information on what SGBV is, his/her rights, and their options in relation to medical, psychosocial and legal support. With the survivor's consent, provide specific referral(s) to desired services.



It is important to intervene immediately, with the survivor's consent. If the violent incident occurred recently, a medical exam should be conducted within 72 hours.



Sometimes, the survivor is not aware that he/she has suffered a form of SGBV (see FGM, trafficking, etc.).



**Don't** forget to explain what SGBV is and to provide all the most important information.

**Don't** ask questions about SGBV if you are not in a safe and secure environment, if you do not have specific training, and if there are no specific services to which you can refer the case.

**Be aware** that certain psychological or behavioural manifestations may be a consequence of SGBV traumas.

**Don't** forget to give specific information on existing rights and resources, offering an overview of the medical, social, psychological and legal pathways available to tackle the problem.



SGBV can cause feelings of guilt or shame, but this is never the fault of those who have suffered it. The responsibility lies solely with those who have committed it. Being able to talk about it can help.



We now know that SGBV is much more widespread than once believed. SGBV is a violation of human rights and leads to suffering and harmful consequences for a person's physical and psychological health, both in the short and long term.

# PROVIDE INFORMATION ABOUT SERVICES



Have a thorough understanding of the services available locally.

Always give clear information to the person regarding the options available to him/her. Refer the person to a specialist facility for specialist support and reallocation only if he/she has expressed an explicit wish for you to do so.

Provide a brochure mapping out services or other information material (if available).



When a traumatic SGBV event is disclosed, ascertain that adequate services exist (whether internal or external), before making a referral.

**Example:** if an SGBV incident emerges, explain what kind of help the person will receive at the specialist facility and provide examples of the services available: e.g. tests for sexually transmitted infections (STIs); pregnancy tests or vol-



**Don't** forget to give information on the services available or to make the necessary referrals in order to tackle the problem.

**Don't** make decisions or take actions without the person's consent.

**Don't** impose your own choices on the person. In particular, only ask questions about SGBV when there is a real possibility of referring the person to services.



If possible, offer to have a professional or cultural mediator accompany the survivor to provide linguistic, psychological and socio-cultural support.

untary termination of pregnancy (abortion); individual or group psychological support; social assistance for particular vulnerabilities; legal support for the international protection application process; etc.

# OPERATE AS A NETWORK



Ensure that referral links are established with other local services so that the person can be referred.

Try to ensure that the intervention spans multiple sectors, covering the medical, psychological, social and legal aspects of the case.



Make contact with other service providers and establish a network, both within and across sectors. Establish standardised procedures to identify SGBV cases and to refer survivors for support.



**Don't** intervene in isolation or unexpected way.

**Don't** ignore the services available in the area.

**Don't** underestimate the importance of multi-sector response.

# PROVIDE INFORMATION ABOUT SGBV AS A FORM OF “GENDER-BASED PERSECUTION” IN THE ASYLUM REQUEST



Inform the survivor that SGBV may be considered a form of persecution when determining the need for international protection.

Ensure that the survivor is informed about the procedure to determine international protection needs, including the interview that will take place before the competent authority, which could include the use of videotaping.



Inform the person that every professional involved in a multi-sector intervention can draw up a report that describes the case (medical, psychological, social, legal, etc.) and provide it to the National/local competent authority, if useful.



Don't place a survivor of trafficking who is seeking asylum in a local reception facility where he/she can easily be found by traffickers.



SGBV is a violation of a number of human rights enshrined in international law instruments. SGBV may represent a form of gender-based persecution and as result, in specific cases, international protection status can be granted to the survivor.



Don't disregard the impact of sexual orientation and gender identity on the international protection application and the asylum interview hearing.

Don't overlook the impact that SGBV and gender-based persecution can have on the outcome of an application for international protection.



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This document must not be interpreted as an operating manual for the identification of specific needs related to Sexual and Gender-Based Violence in the absence of qualified personnel and a network of appropriate services. In particular, this document is intended to facilitate access to information with a view to subsequent access to services or to the respectful and skilled gathering of information from people claiming to have been victims of SGBV.