

# 3. ENCOURAGING DISCLOSURES AND RESPONDING TO SEXUAL AND GENDER – BASED VIOLENCE IN SCHOOLS

## 3.1 Providing counselling and support

### 3.1.1. Building trust between teachers and students

#### Why is it important to have trust between teachers and students?

It is often pointed out that the **relationship** between teachers and students is key and that it defines all other relations in the school. It is said that teachers not only lead students through the process of learning, but they are **role-models** of behaviour and acts as **support** in the development of students' personalities. Therefore, the appropriate support to teachers, and other school staff, can have significant positive effects on the development of students, especially if they are exposed to negative circumstances and experiences. However, it is also pointed out that the school is also the **place of misunderstanding** between three main stakeholders – students, teachers and parents. Most frequent criticism of teachers by students is regarding their *lack of interest* in children and *insufficient human contact* between teachers and students.<sup>33</sup>

#### Why is trust important when students are exposed to violence?

Teachers and professional support staff in education institutions can have a key role in raising students' awareness on the equality of female and male students and on the unacceptability of gender-based violence, including (digital) sexual and gender-based violence in youth intimate partner relationships. However, the *necessary assumption* here is that they themselves **do not have** attitudes reflecting prejudice and discrimination or justify gender-based violence. Without trust in teachers and professional support staff, students will not show readiness to seek help from, confide in them or report violence.

<sup>33</sup> Polovina, N., 2014. Vršnjačko nasilje u školi: porodični faktori uticaja u ekosistemske perspektivi. *Nastava i vaspitanje*, 63(4), 717-732;  
Zotović-Kostić, M., Beara, M. 2016. Mentalno zdravlje mladih u AP Vojvodini – stanje i perspektive. Centra za proizvodnju znanja i veština, Novi Sad. Available at: [http://cpzv.org/cpzv\\_uploads/Mentalno-zdravlje-mladih-u-APV.pdf](http://cpzv.org/cpzv_uploads/Mentalno-zdravlje-mladih-u-APV.pdf)

► **Important:** *Trust is necessary because it creates the experience of safety and certainty, the feeling that the person we trust is there for us when we need it, that they will help us and protect us if necessary.*

## How is trust between teachers and students developed?

In order for the school to be a **safe and encouraging place** for the development of children and youth, it is necessary to ensure an environment of trust where female and male students can *openly and honestly* speak about different problems and different aspects of their safety, as well as take *responsibility* for their behaviour. This includes encouraging their *participation* in providing suggestions and creating different activities, the readiness of teachers, professional support staff and school management to *hear and respect* students' proposals, as well as to *integrate* them into the curricula and activities.

The role of teachers as **models** of non-discriminatory and non-violent behaviour is especially important in adolescence. Teachers should clearly show, by what they are saying and doing, that they respect diversity, promote equality and fairness in schools, so that students have a sense that their personality is respected, and they can build a sense of belonging to a group and the school context. By showing *interest* in students, teachers build a relationship of trust with them and show their readiness to support and help their students).

## Who are teachers that students confide in?

In every school there are teachers that students (parents, colleagues) **confide** in the most. We often call them "persons of trust", and describe them as persons who:

- know how to listen (to hear and recognize non-verbal signs of the person they are talking to) - *I hear your problem,*
- who try to understand what the other person is trying to say or how they feel - *I understand how you feel,*
- they are clearly showing that they are ready to help find a solution to the problem - *I will help you think about the problem, we will try to find a solution.*

We call this skill **active listening**. Active listeners find the time and space where they can focus their attention to the person they are talking to, without interference, they pay attention to the privacy of the person they are talking to, they show that they are sincere and that they care about them.<sup>34</sup>

### *Useful advice for building trust*

- *Affirm positive values and relations, as well as respect of common and clear rules.*
- *Encourage students to gain knowledge, express their thoughts and feelings, recognize their needs, identify their problems, acquire positive goals and behaviour.*
- *Create opportunities for students to learn and practice positive behaviour and orientation towards problem solving.*
- *Encourage your students to develop self-respect.*
- *Show patience, compassion and readiness to help students deal with their problems and solve them.*
- *Stop all forms of violence! React – stop, report, ask for information – each time violence occurs, when there is information or suspicion of it happening!*
- *Ensure support of adults and peers for students exposed to violence, including support of experts.*

<sup>34</sup>

Vranješnjić i sar. 2020. Ka sigurnom i podsticajnom školskom okruženju – Vodič za škole. Beograd Ka сигурном и подстицајном школском окружењу – Водич за школе. Ministarstvo prosvete, nauke i tehnološkog razvoja Republike Srbije. Available at: <https://uni.cf/3aLcqEj>

## 3.1.2. Recognizing signs of victimization in the school context

### Information on and/or suspicion of violence affecting students

How can you find out about and/or suspect that a student is exposed to violence, specifically (cyber) sexual and gender-based violence (in an intimate partner relationship)?

- **By directly observing violence acts or statements**

It is easiest to get information about a case of violence if the acts are **occurring** directly and can be **observed** in a school context (during a school recess, in class, during extracurricular activities, etc.). However, sometimes, some teachers and school staff **do not recognize** certain behaviour or statements as violence (more frequently when it comes to psychological violence). Sometimes, teachers can believe **it is not** a “serious” problem that requires a reaction (that it is a “minor thing”). Some teachers, sometimes even professional support staff (pedagogues, psychologists), believe it is a case of a “private” relationship that should **not be interfered with**. The latter is common for violence occurring in intimate partner relationships (of youth).

**Important:** Violence **cannot be** a “private matter”. Violence is unacceptable, it is a crime, it must be stopped and its repetition must be prevented, as well as help and support provided to the person who was exposed to violence. All school staff has an **obligation** to recognize and respond accordingly to all violence affecting or perpetrated by students of the school.

- **Through disclosure by students who were exposed to violence**

Teachers, as well as other school services are in a unique position to be “persons of trust” who students can turn to and confide in in case they have a problem and look for support, information and concrete help. **A necessary precondition** for this is the existence of **trust** of the pupil in the teacher, trust that the teacher is interested, reliable and competent, ready to listen without prejudice, to believe the experience of the person who survived the violence, at the same time, paying attention to the safety and confidentiality of information gained, respecting the boundaries of the student who survived the violence and ready to provide support and participate in the solution of the problem.

- **Through peers and parents as sources of information on violence affecting students**

Peers are the **dominant source** of information and support for youth, which increases the significance for achieving a high level of their awareness and knowledge of different forms of violence, as well as positive beliefs and attitudes, and readiness to support the victim, instead of being passive bystanders, and to condemn violence rather than deny it, minimize, normalize or even justify and support it. Therefore, education of youth must include accurate information on risks of violence, ways of recognition, response skills and available resources for (professional) support.

Parents can also be a **source of information** about their children being exposed to some form of violence. When there is good cooperation between parents and the school, if parents believe teachers care about the children, when there is trust between parents, teachers, professional support services in the school and the school management, parents are more ready to speak about problems of their child and ask for information and support to solve them.

## • Recognizing signs of violence

Violence does not always occur in school premises or in a way that is easily noticed and recognized. Still, there are some **changes** in the behaviour of students in different aspects of their activities that can arouse suspicion of signs of victimization by violence, including (cyber) sexual and gender-based violence in intimate partner relationships.

## Signs of victimization of students by different types of violence

There are no direct (sure) signs in behaviour, emotions, social relations, school activities and achievements that definitely indicate (unequivocally) a student being exposed to some form of violence. However, changes in behaviour, expressing emotions, social relations, school activities and achievement, could be a warning sign that the student has a problem. Relevant literature<sup>35</sup> discusses some of the signs indicating that students is exposed to violence that teachers or professional staff could recognize, such as:

- **Changes in behaviour**, involving a wide range of reactions, such as loss of interest in or abandoning of activities that were previously important to the students, but also tension, confusion, “secrecy”, avoiding eye contact, psycho-physical difficulties (such as headaches, stomach pain, insomnia, fatigue, appetite loss), presence of injuries (bruises, scars),
- **Changes in mood and expression of emotions**, also includes a wide range of reactions from loss of cheerfulness to a gloomy attitude, nervousness, withdrawal, apathy, fear, caution, guilt, shame, ambivalent feelings, helplessness, distrust, anxiety, depression, suicidal thoughts, irritability and bursts of emotional reactions (sudden, inappropriate burst of anger, crying),
- **Changes in social relations**, loss of interest in socializing with peers, increased distancing, avoiding common school activities, withdrawal and distancing even from the closest friends, to a complete cessation of relations with friends and (self)isolation,
- **Changes in school interests and achievements**, loss of interest in and abandoning school activities, withdrawing from participation in school activities, missing out classes, trouble concentrating, learning problems, drop in school achievements (school results can even get better, as a result of additional efforts invested, especially when the violence comes from someone outside the school, most often in the family),
- **Changes in the use of computers and mobile phones**, such as decreased to complete stop in use, to increased use (obsessive following of content or messages, closing of pages/chats as someone approaches), avoiding answering questions related to time spent using devices, to person they are communicating with, what they follow online, deletion of accounts and opening (completely) new ones,
- **Jealous and possessive behaviour of a partner**, leaving the impression that they never leave their partner’s side, that they are trying to control (all their) relations, movement, behaviour, constantly checking up on them, demanding the partner to report on their activities, contacts and movement (to send them “proof” of who they are with and what they are doing), no decisions can be made without the partner’s agreement (one decides on behalf of the other), changes of decisions if the partner does not agree about them,
- **Bad self-image** (which is different from an earlier period, low self-respect, emotional and/or economic independence from their partner, being blackmailed, forced to acts they would not agree to before.

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Tsirigoti, A., Petroulaki, K. & Ntinapogias, A. (2015). Master Package “GEAR against IPV”. Booklet III: Teacher’s Manual. (Rev. ed.). Athens: European Anti-Violence Network.  
#HerNetHerRights – Mapping the state of online violence against women & girls in Europe. 2017. European Women’s Lobby (EWL) - Observatory on violence against women. Available at: <https://bit.ly/3eYbYpv>  
Ramljak, T. (ur.). 2018. Upoznajmo i prepoznajmo e-nasilje. Centar za nestalu i zlostavljanu djecu, Osijek. Available at: [http://netica.hr/materijali/Digitalni\\_prirucnik.pdf](http://netica.hr/materijali/Digitalni_prirucnik.pdf)

**Important:** Presence of **one** of the listed behaviours does not necessarily indicate the presence of abuse in an intimate partner relationship, but if a greater number of signs is observed, it should be checked what is going on. Sometimes the presence of a single sign is a (certain) indicator of high risk, that is, the possibility for the violence to escalate (such sign is, for example, the existence of jealousy in an intimate partner relationship).

Not everyone reacts the same way in situation of violence and abuse in intimate partner relationships, or they don't react with the same intensity, and some changes in the victim's behaviour are not necessarily negative. **Therefore, there are no typical signs and no typical victims.**

The consequences of digital violence are similar to those of real-life harassment or stalking occurring offline and can present a serious security risk due to the fast and uncontrollable dissemination of personal data, lack of protection and the possibility of the violence being broadcast live.

## How to check the safety and wellbeing of students

When teachers, professional support staff suspect, receive information or observe that students are exposed to violence, they **can check** concerns for the students' safety, protection and wellbeing in different ways:

- **directly** – by asking/talking to the student showing changes in behaviour and reactions (always in private, in a safe environment),
- **indirectly** – by talking to their school friends or parents (also in confidence and in a safe space),
- **indirectly** – through activities with all students, focusing on various topics, from recognizing violence to differentiating healthy and unhealthy partner relationships, recognizing warning signs of (cyber) sexual and gender-based violence in youth intimate partner relationships (through which the teacher shows he/she is open to listen to problems related to this field and help in their solution).

### 3.1.3. 3 Effective response to suspicion or disclosure of sexual and gender-based violence

#### What is common to all response in case of suspicion and/or information about violence?

Though response to suspicion and/or information that students are exposed to violence, including (cyber) sexual and gender-based violence in youth partner relationships, depends on the specificities of the situation, there is agreement that teachers' response should focus on the fulfilment of **general principles** of response and protection of persons exposed to violence (Ignjatović, 2018<sup>36</sup>):

- the **safety** of the victim is a priority in the response of all in the school and all other institutions beside the school,
- the **perpetrator is solely responsible** for the violent behaviour,
- all interventions need to take into consideration **inequality of power** between the victim/survivor and perpetrator of violence,
- it is necessary to **respect** the needs, rights and dignity of the victim of violence,
- the **urgency** of procedures to take should be adjusted to the assessment of the gravity of the situation and possible jeopardization of victim/survivor,
- the school and all relevant institutions are responsible **for stopping violence**, and **for taking necessary** measures for the protection of and support to the violence survivor,

<sup>36</sup> Ignjatović, T. (2018). Rodno zasnovano nasilje u partnerskim vezama mladih: uloga obrazovno-vaspitnih ustanova, in: Ignjatović, T and Ilić, M. (ed.): Odgovor obrazovno-vaspitnih institucija na rodno zasnovano nasilje i nasilje u porodici, Autonomni ženski centar Available at: [https://www.womenngo.org.rs/images/publikacije-dp/2018/Odgovor\\_obrazovno\\_vaspitnih\\_institucija.pdf](https://www.womenngo.org.rs/images/publikacije-dp/2018/Odgovor_obrazovno_vaspitnih_institucija.pdf)

## Response in case of suspicion or disclosure of violence

**It is important not to ignore signals** that can indicate that there is some type of violence in the students' intimate partner relationship. Suspicion can lead to questions, dilemmas, insecurity and confusion in teachers, even worry – will the response be appropriate.<sup>37</sup>

This is why it is **crucial** to have specific knowledge, absence of prejudice, listening and communication skills, good knowledge of school rules and procedures, consultations with experts in the school, information about responsible institutions, contacts of professionals in relevant services, phone numbers of specialized organizations providing support to violence victims/survivors. Not all teachers can have all the listed knowledge and information, but it is important that there are persons in the school who have such knowledge or know where useful information may be obtained. These persons represent support not only to teachers and the school management, but also to parents and students when violence occurs or is suspected.

**Support, understanding, consideration, respect of boundaries and dignity** – these are all common needs of persons who have faced harm, such as violence in an intimate partner relationship, but also reactions/characteristics constituting sensitive and responsible behaviour of persons in their environment. This is why it is important for teachers, professional support staff and school management to continuously implement:

- work on the creation of an environment that understands, helps, support and empowers people who have survived violence,
- clearly express the unacceptability of violence, as well as the attitude of the exclusive responsibility of the perpetrator for the violence occurred,
- clearly inform about the acceptable, unacceptable and prohibited forms of behaviour of students – it should not be assumed that students know what they should say or do in such situations.

## General rules of communication with a person who has survived violence<sup>38</sup>

- **Respect and praise the decision to disclose violence:** It is not easy to admit/disclose the existence of violence – this takes a lot of courage that should be respected. The student should be praised for their decision to confide in someone that they have a problem. Disclosure of violence should always be taken seriously – compassion, understanding and readiness to help are of key importance at that moment.
- **Believe the person and provide support:** Be ready to listen and accept what you are hearing. Make sure the student disclosing violence has a supportive environment. Don't put pressure for more details to be revealed (encourage the person who confided in you to come back and continue the conversation, when they are ready; tell them they can have a person of trust present, if this makes it easier for them; make sure that the person of trust does not speak instead of the student exposed to violence).
- **Don't judge or blame:** There is no justification for violence! Clearly state to the person disclosing the violence that they did nothing bad or wrong, that they are not to blame for the violence. Violence is always a choice and responsibility of the person perpetrating it. Repeat this message to the victim/survivor of violence. Be careful - some questions may (unintentionally) sound as if we were blaming the survivor. Questions beginning with "WHY..." should not be used, because victims can perceive them as judging or blaming ("Why did you send your photos ... or Why didn't you...").

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Master Package "GEAR against IPV". Booklet III: Teacher's Manual. (Rev. ed.). 2015. Athens: European Anti-Violence Network.  
Master Package "GEAR against IPV". Booklet III: Teacher's Manual. (Rev. ed.). 2015. Athens: European Anti-Violence Network.  
Ignjatović, T. 2018. Rodno zasnovano nasilje u partnerskim vezama mladih: uloga obrazovno-vaspitnih ustanova

- **Make sure there is a safe and confidential space:** Find time and space where you can listen to the person disclosing violence in a safe and confidential environment (never talk in the presence of others, unless this is a trusted person chosen by the victim/survivor), or in common spaces (where other people pass or stay)).
- **Don't ask too many questions:** Teachers and school staff do not determine or need to prove what happened (they do not investigate the case). This means that, if the conversation is confidential, you will not check with (talk to) the person identified as the perpetrator of the violence what had happened and the statements of the victim/survivor of violence– you believe the experience of the person confiding in you and you are there to help. However, bear in mind the obligation of reporting every suspicion and/or information of violence to those responsible in the school (professional support service, school team for protection against violence), so if the conversation cannot remain confidential – you must inform the student about this.
- **Listen actively:** listen carefully, try to understand what the student is telling you, notice non-verbal communication, emotions, check that you understood them correctly.
- **Don't give advice:** Teachers do not have (specific) knowledge and skills for counselling and therapeutic work. They need to respect the experience of the student and provide students who confide in them with support. There are no “ready-made” solutions so do not try to think in advance about what you are going to say, to advise. Do not give general remarks about the situation of the student, neither good nor bad.
- **Control your reactions.** It is important to remain calm, not to show disgust, anger, fear. Overreacting can scare students (and cause them to choose not to talk about their experience). On the other hand, the absence of a reaction can have the impression that you don't think it is important that the student is confiding in you, that what they're saying is not important. Be aware of your non-verbal communication (facial expression, eyes, gestures, movements, tone of voice).
- **Don't talk to others about the topic of your conversation.** Unless you are obliged to report any suspicion and/or information about violence, don't talk to colleagues, other students, parents... about what you were told. Consultative conversations should be held only with experts in the school (professional support service, pedagogues, psychologists). Even then, it is good to have the informed consent of the pupil. In your consultative conversations with experts you do not need to provide the students' personal information.
- **Provide appropriate information:** Teachers should provide appropriate, simple and correct information about what they can and can't do, to clearly inform about their obligation to respect possible restrictions in the confidentiality of conversations with teachers. The school must respect the prescribed procedures, and each teacher should know who to turn to in the school in case he/she received information about violence occurring. Do not promise to do what you cannot fulfil. It is useful for the school to have an updated list addresses, telephone number, e-mails, website addresses of all relevant institutions, organizations and persons for consultations, support and help (important contacts have been listed in the annex of this guidebook).
- **Contact the appropriate institutions.** When it comes to violence you are obliged to report to the competent bodies in the school or to the responsible institutions outside the school, the student who disclosed the violence should be informed about this, and support of a “person of trust” should be ensured.

## Responding to violence in an intimate partner relationship that OCCURS in school

In cases when (cyber) sexual and gender-based violence **occurs** in school, towards a student by their intimate partner, **steps** are taken by teachers, as well as other expert staff and the management, following prescribed procedures.

All undertaken steps should ensure the following:<sup>39</sup>

- **safety of the person that has experienced violence:** physical and emotional safety is a priority in all procedures and involves the following steps: immediately separate the violence perpetrator from the victim – immediately and continuously until all envisaged school procedures and procedures before other institutions are completed, as well as prevent contact (regardless of the fact that such contact may not necessarily be negative, e.g. the perpetrator may send love messages or try to apologize) and possible influence on the victim (in the form of pressure to withdraw from reporting the violence or from participating in procedures, threats, intimidation, blackmailing, publicly sharing intimate content about the victim, etc.);
- **unconditional support to the victim/survivor** – the school’s support to and empowerment to the victim must not, in any way, depend on her participation or lack of participation in procedures initiated in the school or by other institutions;
- **respecting the needs and rights of the victim** – along with the issue of safety, this can be the right to be informed, right to psychological support and empowerment, referring to legal support, health protection if required, etc. The school cannot fulfil all needs, but it is obliged to provide appropriate, complete and correct information and provide information on or refer the student to other services available in the community;
- **consider the improvement of response of the school** – in cooperation with the survivors of the violence, check whether undertaken activities were appropriate, effective and efficient. Consider which activities could be implemented (discussions, informing, workshops or other activities with students/peers, parents, teachers, school management) in order to improve the school’s steps regarding response and prevention.

## Specific forms of protection from cyber sexual and gender-based violence

Here are several important information about what should be done in cases of disclosure of cyber sexual and gender-based violence, regardless of whether it is happening in an intimate partner relationship or some other type of relationship<sup>40</sup>:

- **refrain from** suggesting the victim to “turn off” the Internet and social networks as this does not stop violence, while the victim may get even more isolated,
- **ignore messages** that are not important, not jeopardizing and that do not affect one’s reputation (most perpetrators expect a reaction and are ready to continue and increase their harassment and violence once they see they have achieved) – instead,
- use the option of **blocking** those that send violence messages (on different platforms, such as Facebook, Instagram and Twitter),

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Ignjatović, T. 2018. Rodno zasnovano nasilje u partnerskim vezama mladih: uloga obrazovno-vaspitnih ustanova.

#HerNetHerRights – Mapping the state of online violence against women & girls in Europe. 2017.

Ileš, M. 2018. Digitalno nasilje protiv žena i devojčica, u: Ignjatović, T., Ileš, M. Ignjatović, T., Ileš, M. (ur.): Odgovor obrazovno-vaspitnih institucija na rodno zasnovano nasilje i nasilje u porodici. Autonomni ženski centra.

Available at: [https://www.womenngo.org.rs/images/publikacije-dp/2018/Odgovor\\_obrazovno\\_vaspitnih\\_institucija.pdf](https://www.womenngo.org.rs/images/publikacije-dp/2018/Odgovor_obrazovno_vaspitnih_institucija.pdf)  
STOP Cyber Violence – Toolkit for Trainers. 2017. Stowarzyszenie Instytut Nowych Technologii (Poland), Crystal Clear Soft (Greece), CSP - Innovazione nelle ict S.C.A.R.L. (Italy), Asociația Direct (Romania).

- **unfollow, untag** yourself from the post (Facebook) or photograph (Facebook and Instagram), unfriend the persons with whom you don't have safety and comfort in sharing content;
- **report content** (Facebook and Instagram) that violates community standards/guidelines (provide a clear description of where such content was found);
- **collect evidence** through screenshots and keeping messages (evidence of abuse is important for undertaking legal measures);
- turn for information and support to **specialized** organizations that deal with digital rights and organizations for the protection of children's and women's rights,
- report to **responsible institutions** – agencies fighting against high technology crime in the police or specialized departments of the public prosecutor's office,
- **remind** children and youth to **keep** their passwords safe from everyone, and that it is important to seek help – if violence cannot be prevented from happening, it is important to **stop it as soon as possible**.

### 3.1.4. Creating a safe and supportive school environment

#### Encourage students to seek help

How to encourage students – below are several suggestions that can be of use<sup>41</sup>:

- **Be clear:** Tell your students that abuse is unacceptable and that you consider it a very serious issue.
- **Talk to your students:** Ask your students what they think about violence in intimate partner relations and encourage them to critically think about the negative impact of such emotional relationships.
- **Listen:** Pay attention, listen to what students are telling you, let them know you are interested, that you are there for them.
- **Encourage, support, help:** Be careful not to minimize the significance of their problems on account of their age, lack of experience or length of their emotional relationships. Be their support and point out that you are on the side of the student that was exposed to violence. Bear in mind your students themselves must decide about ending/leaving the unhealthy relationship. Don't judge! Support and help!
- **Be ready:** Familiarize yourself with these topics, about ways of providing support, steps and procedures. Provide information without prejudice and judging. Be aware of the risk of violence escalation at the moment of leaving/ending an unhealthy and violence partner relationship. Be aware of the responsibility of reporting violence that students were exposed to.

#### Obligations of the school in encouraging students to seek help

Below we will list (repeat) the responsibilities of the school in creating a safe and encouraging environment for the development of students, which implies good, complete and clear information about steps and procedures in reporting violence and in seeking/receiving help to solve the problem.

- **Information on steps:** Students should be provided an explanation, in a simple and clear way, of school (internal) steps and procedures in cases of suspicion of or information in any form of violence, including (cyber) sexual and gender-based violence in youth intimate partner relationships. It is important for all students to know what the first step is, where they start from.

<sup>41</sup> Healthy relationship high school educators toolkit. 2016. [The National Domestic Violence Hotline and Break the Cycle (pg .8). Available at: <http://www.loveisrespect.org/wp-content/uploads/2016/08/highschool-educators-toolkit.pdf>

- **Trust and confidentiality:** The school is obliged to create an atmosphere of trust – for students to know who they can confide in, and confidentiality of data – for students to know that information revealed to school representatives will be treated carefully, as well as to create a general “zero tolerance” environment for any type of violence towards children/students. This environment (culture) is developed with all activities and steps of all school stakeholders.
- **Support:** The school is obliged to provide support to a student whenever there is suspicion of violence, to support them to report violence, as well as to provide support during all steps taken by school and responsible institutions outside the school.
- **Safety:** School representatives must take care of the safety of students once the violence is disclosed, especially if this information is forwarded to those competent in the school and institutions outside the school.
- **Prevent harm:** If procedures are initiated in the school (e.g. disciplinary procedure) or in other institutions (police, prosecutor’s office, social welfare center), students must not be exposed to (secondary) traumatization (through conversations about the event a great number of times in inappropriate circumstances or in front of persons without specialized knowledge and/or license for work with children/youth or confronting the perpetrator) or (secondary) victimization (inappropriate, unprofessional, degrading or violent treatment by adults participating in procedures).
- **Cooperation relations:** It is important for the school to develop good cooperation with responsible institutions that constitute the “external support network” and to know resources of stakeholders in the community.

**Important:** Youth should learn through action and change! Adults also have something to learn from youth! Active meetings of youth and adults concerning topics relevant to youth, with acceptance and respect of different positions and perspectives, are of crucial importance for the development of a relationship of trust.

- **Supporting expertise development:** The school should ensure that its employees, especially representatives of professional support services and teams for protection of students from violence, abuse and neglect possess an appropriate level of sensitivity and knowledge on different forms of violence youth are exposed to, including specific knowledge on (cyber) sexual and gender-based violence in intimate partner relationships of youth.

## What should teachers know about the prevention of digital violence?

Guidelines for teachers (similarly for parents)<sup>42</sup> generally point out that it is not necessary for them to know all achievement in the field of digital technologies, but that it is **very important** for them to show interest in what students do online and on social networks (the experience with the SARS-cov 2 virus pandemic has directed many adults, including teachers, to shift communication to digital space, which can help that this type of communication – its advantages and risks – to be better understood and used more).

It is important to **talk** to students about the advantages of digital technologies, but also about risks. Talking about this topic sends the message that students are important, that teachers accept and respect them, that they are ready to exchange information and knowledge with them and to cooperate on the improvement of their and the teacher’s own knowledge. Therefore:

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Vranješević, J. i sar. 2020. Ka sigurnom i podsticajnom školskom okruženju – Vodič za škole.  
Kuzmanović, D. i sar. 2016. Digitalno nasilje – prevencija i reagovanje. Ministarstvo prosvete, nauke i tehnološkog razvoja i UNICEF. (str. 38-39) Available at: <http://www.mpn.gov.rs/wp-content/uploads/2015/08/priru%C4%8Dnik-interaktivni.pdf>

- **ask for help** from students about new technologies – this is a sure way to establish and strengthen contact based on respect and trust,
- **talk** to students about **potential risks** on the Internet and social networks – listen to what they have to say about it, encourage them to explore protection strategies, to prepare a presentation on guidelines for protection from digital violence for their peers, teachers and parents; encourage them to define rules of safe Internet and social networks use (participation in the establishment of rules improved probability of them being respected); you probably already know that bans, orders, intimidations, threats or punishment are not satisfactory solutions,
- **talk** to students about the effects of **peer pressure** on their behaviour, about ways and strategies of dealing with social pressure to accept gender stereotypes and prejudice, sexist language and jokes, not only in real life but also in online reality; encourage them not to share or like such comments, to recognize them as violence against girls/women, as a form of their discrediting, degradation; talk to them about the importance of **solidarity, support and empowerment** of a person exposed to violence, as well as the importance of expressing a clear attitude and behaviour that does not justify the perpetrated violence,
- **control** your fear or anger, as these emotions **obstruct** constructive thinking and problem solving; **be consistent** – we want to teach youth responsibility by behaving responsibly; remember – the quality of relations established with teachers is of crucial important for trust and decision of students experiencing violence to confide in us and seek help.

## Useful advice about messages to encourage students

Teachers (the same refers to parents) should provide students (children) with messages of support, interest, trust and respect, and some of them are<sup>43</sup>:

- **Support:** *I would like you to know that you can count on me. I am glad you turned to me for help, we will work together on finding a solution.*
- **Showing interest:** *What I heard yesterday about insulting messages that you are exchanging on Facebook really worries me, would you like to talk about it? Did you manage to make a decision? Are you safe? How do you feel?*
- **Trust:** *Thank you for sharing this experience with me. You can always tell me if something is troubling you. What we talked about stays between us.*
- **Respect:** *I would like to talk about new applications, it means a lot to me to learn from you. I am proud of your skills and that you can find so many useful information online.*
- **Add your own words:**

<sup>43</sup> Kuzmanović, D. i sar. 2016. Digitalno nasilje – prevencija i reagovanje (pg. 40).

### 3.1.5. Roles and responsibilities of teachers and school in responding to (cyber) sexual and gender-based violence

#### Two complementary activities of teachers and schools

Teachers, professional support staff (pedagogues and psychologists), administrative and managerial school staff, education institutions as a whole, have two complementary tasks:

1. **preventing** violence towards students from happening;
2. provision of appropriate **protection and support** to students that have experienced violence<sup>44</sup>.

#### Preventing violence towards students is key

**Prevention** of any type of violence, including (cyber) sexual and gender-based violence towards children/youth must be a basic task of education institutions, as well as society as a whole, and it is also a formal (legal) obligation of teachers and the school. This implies **informing and teaching children** about these topics within the education system – at all levels, in the curricula and syllabi of mandatory and elective subjects, free activities and activities implemented in cooperation with the community. Prevention also implies **empowerment** of students to recognize risks, seek help and report any harassment and violence.

**Important:** Prevention activities implemented by the education institution should be **systematic** and **continuous** and include all stakeholders in the school, primarily students, as well as parents,

**There are numerous ways** to organize school activities regarding the prevention of (cyber) sexual and gender-based violence towards students, including in their intimate partner relationships, below we list some of the key points:

- **„Situation mapping“:** At the beginning, it would be good to know what situation is – what youth think and know about the topic, how widespread different types of violence are – as part of their experience of victims/survivors or perpetrators or as bystanders/witnesses – what needs there are in terms of information and knowledge. The collection of this information, that is “situation mapping” is usually conducted in the form of anonymous surveying of as many as possible of students from all grades, or in other forms that allow students the freely express their views, attitudes, questions and express their experiences. Results of other research can also be used (such as ours) as a basis for the planning prevention activities, or as help in drawing up a list of relevant questions.

<sup>44</sup> Ignjatović, T. 2018. Rodno zasnovano nasilje u partnerskim vezama mladih: uloga obrazovno-vaspitnih ustanova. Ignjatović, T. 2018. Seksualno nasilje i uznemiravanje: uloga obrazovno-vaspitnih ustanova u prevenciji i zaštiti učenika i učenika, u: Ignjatović, T., Ileš, M. Ignjatović, T., Ileš, M. (ur.): Odgovor obrazovno-vaspitnih institucija na rodno zasnovano nasilje i nasilje u porodici. Autonomni ženski centra. Available at: [https://www.womenngo.org.rs/images/publikacije-dp/2018/Odgovor\\_obrazovno\\_vaspitnih\\_institucija.pdf](https://www.womenngo.org.rs/images/publikacije-dp/2018/Odgovor_obrazovno_vaspitnih_institucija.pdf)  
Dalla Pozza, et al. 2016. Cyberbullying Among Young People – Study for the Libe Committee. Policy Department for Citizens' Rights and Constitutional Affairs, European Union. Available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2016/571367/IPOL\\_STU\(2016\)571367\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2016/571367/IPOL_STU(2016)571367_EN.pdf)  
STOP Cyber Violence – Toolkit for Trainers. 2017.  
Popadić, D., Kuzmanović, D. 2013. Korišćenje digitalne tehnologije, rizici i zastupljenost digitalnog nasilja među učenicima u Srbiji (str. 133). Institut za psihologiju Filozofskog fakulteta Univerziteta u Beogradu. Available at: <http://sbn.rs/clientpub/uploads/Digitalno%20nasilje-lzvestaj%202013.pdf>

**Important:** It is of crucial importance that students **actively participate** in these activities, in all phases, in cooperation with a greater number of teachers (with different fields of expertise – sociology, psychology, mathematics, informatics, art...) and could represent a model of inter-subject cooperation contributing to a greater number of goals and results of education, as well as competencies necessary for the solution of different developmental and life tasks and problem solving.

- **Joint planning:** Collected data should be presented to students, but also to other stakeholders in the school – teachers, parents, school management, in order to encourage a discussion on needs and possible activities, as well as to recommend and develop a program of prevention activities that is in accordance with the specific situation in the school and needs of students.
- **Activity plan** – contains a list of activities and measures the school needs to implement to prevent any type of violence from happening, to create a safe and encouraging environment for youth development, to nurture respect and trust among students and school employees and tolerance of differences, to question stereotypes and prejudice, gain knowledge and skills for establishing health intimate partner relationships, recognize risks of violence, to increase knowledge of rules and procedures, develop readiness to react to all violence, as well as to increase readiness of supporting persons who are exposed to/survived violence.
- **Implementation of activities and monitoring effects:** The existence of a prevention activity plan is necessary, but it is important for the activities from school plans to be implemented. In addition to this, it is important to also plan ahead a way to collect information on the effects of implemented activities, as well reactions to them by participants. Processed data can help in the planning of future activities, in directing towards the selection of those best assessed, that encourage most positive changes, reaching the most people...
- **Informing all:** The school is obliged to organize the informing of all employees, teachers and parents about the ban of all types of violence, about legal solutions, obligatory steps and procedures for reporting suspicion of or knowledge of acts of violence. Information should be clear, accessible and in written form, which means that they should be found on posters, bulletin boards, school papers, webpages and similar spaces. It is good if the information is placed in places where students can easily access and read them in a confidential way (e.g. on the inside of the door in the school washroom). It is important for the information to be discussed in class, in head teacher's class, workshops, professional meetings, pedagogues' association meetings, during panel discussions, student parliament meetings, etc.
- **Gaining knowledge:** The school is obliged to organize and or ensure that teachers, head teachers and professional support staff gain appropriate knowledge and skills to be able to fulfil the tasks they are required to. This includes attending training (seminars, workshops) or consulting educational materials.
- **Role of peers:** Secondary school students most frequently confide in their peers about their experience of violence, including (cyber) sexual and gender-based violence in their intimate partner relationships. That is why informing and knowledge of students on (cyber) sexual and gender-based violence, but also other forms of violence and all here mentioned topics is of key importance for prevention, but also for support to persons who survived violence.

## If violence still occurs – appropriate protection and support should be provided

Response of teachers and the education institution in a situation when there is suspicion or knowledge of or the violence is currently happening, is **obligatory** – and is **regulated** in each country by specific laws and by-laws. Below, we list the **common** characteristics of these procedures<sup>45</sup>.

- Firstly, it is important for all stakeholders to respect **general principles of protection** of the person who was exposed to violence.
- It is necessary to respect specific **general rules in communication** with the person who was exposed to violence.
- If the violence **occurs in school**, the first reaction includes **stopping violence** and ensuring **the victim's safety**.

All **rules** (regulations) for response (regardless of national specificities) contain the following steps teachers, professional support staff, administrative and managerial staff should implement:

- **Interviewing** the student who was (suspected there were or there is information they were) exposed to violence – always **first** with the victim of violence and never in the presence of the **perpetrator – immediately** upon receiving information about the violence;
- **Interviewing** the student who perpetrated (suspected or there is information on this) the violence – **never** in the presence of the person who survived the violence - **immediately** upon receiving information about the violence;
- **Interviewing** students who have (or may have) information about the violence happening (bystanders and witnesses of violence) - **immediately** upon receiving information about the violence;
- **Inviting parents** of children who participated in the event (or have information about it) to individual interviews, in accordance with relevant rules and procedures – **as soon as possible** (according to the law);
- **In-school consultations**, organization of meeting with the professional support service of the school, team for protection of students from violence (or other competent school body, in accordance with rules of procedure), for **assessment** of the situation and **deciding** about taking appropriate (legally defined) measures and procedures – as soon as possible (according to the law);
- **Initiation of appropriate procedure in school**, in accordance with the law and by-laws regulating this field – within the **legally prescribed** timeframe;
- **Reporting the event to responsible institutions** (police, prosecutor's office, social welfare center), in accordance with the law and by-laws regulating this field – within the **legally prescribed** timeframe;
- **Developing individual support plan** for the student who was exposed to/survived violence, that includes clear and concrete activities for the recovery and empowerment of the victim/survivor, responsible parties for concrete implementation, deadlines, method of monitoring and assessment of effects and deadline for review and revision of the plan; the person who survived the violence **actively participates** (in all phases) – **as soon as possible**;
- **Developing individual plan** of action for/towards the student perpetrating the violence, including clear and concrete, measures, responsible parties for concrete implementation of activities, deadlines, method of monitoring and assessment of effects and deadline for review and revision of the plan; organization of specialized work with the perpetrator in the school or referral to institutions that implement psycho-social treatment for perpetrators of violence cannot by no means be a replacement for measures representing sanctions for the committed act – **as soon as possible**;

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Ignjatović, T. 2018. Rodno zasnovano nasilje u partnerskim vezama mladih: uloga obrazovno-vaspitnih ustanova. Ilaš, M. 2028. Digitalno nasilje protiv žena i djevojčica. Kuzmanović, D. i sar. 2016. Digitalno nasilje – prevencija i reagovanje (pp. 44-50). Ramljak, T. (ur.). 2018. Upoznajmo i prepoznamo e-nasilje (pp. 35).

- **Implementing measures, monitoring of effects, revision** of planned measures and activities, in case planned measures do not yield anticipated effects or changes in circumstances occur – **continuously** (according to deadlines in the individual plan);
- **Informing** teachers and professional groups in the school on measures taken and their effects, **analysis** of causes and consequences, analysis of the appropriateness of the school's response, recommendation of plan for lowering risk factors and strengthening protection factors, initiation of obligatory **prevention** activities in order to prevent violence from happening and/or repeating, improve level of awareness, knowledge and skills of all stakeholders on all important topics and issues - **continuously**;
- **Developing regular cooperation** between key stakeholders in the school and all relevant representatives in the community in order to join efforts in preventing violent behaviour and encouraging prosocial behaviour in the school and the community – **continuously**;
- **Keeping appropriate records** about the event and all planned and implemented steps – **continuously**.

## Once again - what should we pay special attention to?

The school should not make “typical mistakes” in the discussed procedures, such as<sup>46</sup>:

- minimize, evade, cover up, hide, misrepresent, deny, blame the victim/survivor of the violence, or in any other way directly or indirectly contribute to avoiding responsibility by the perpetrators, nor suggest the victim/survivor to withdraw, forgive, reconcile with the perpetrator of the violence;
- organize mediation or reconciliation of the victim and perpetrator of gender-based violence, because the basis of (cyber) sexual and gender-based violence is the abuse of power and control of one intimate partner over the other, setting the basis for future behaviour in partner relationships for both girls and boys;
- disrespect all rules concerning confidentiality and personal data and especially sensitive data protection;
- omit to provide information during procedures initiated in the school, as well as help the person who was exposed to violence (their parents/carers) to get adequate information;
- have a compassionate attitude towards the perpetrators, which means it must not negate, minimize, justify (that it was a “joke”, “children’s game”, “private matter”), hide, feel sorry for, forgive the unacceptable attitudes and behaviour of the student perpetrating (cyber) sexual and gender-based violence, because it is not helping this way, to the contrary; if holding the perpetrator responsible is avoided, they will learn that such behaviour is acceptable, that they are “right”, that they can disrespect their partner, disrespect rules and restrictions, manipulate other people, which means they will learn to be irresponsible towards their own behaviour and probably repeat violence in future partner relationships.

<sup>46</sup> Ignjatović, T. 2018[], pp. 15 Rodno zasnovano nasilje u partnerskim vezama mladih: uloga obrazovno-vaspitnih ustanova (pp. 15).

## Useful ideas for prevention activities in school

There is a practically endless list of ideas for prevention activities in schools, below is a list of a few (the list is not final)<sup>47</sup>:

- special pages on the school website dedicated to online safety and digital violence, including sexual and gender-based violence,
- finding appropriate content (see: True 2 You -Youth Magazine, project website and other recommended sources), analysis and discussion on the content, development of different presentations (school bulletin boards, posters, school newspaper, graphs...),
- finding and/or preparing interactive content for learning (quizzes, tests, solving problem situations...) (see: Youth Magazine, project website...),
- watching video clips, films on discussed topics and organization of discussions,
- developing and dissemination educational materials, especially online (with obligatory respect of data and photo privacy),
- preparing scenarios and implementing plays, with discussions with viewers on different aspects of the situation, consequences, possible solutions,
- organizing different peer trainings (see: Youth Magazine and project website), organizing training for younger students (e.g. in elementary schools),
- involvement of students who have attended courses to provide direct support to their peers (brothers, sisters) in adjusting their security setting on devices used,
- inviting representatives of relevant institutions and organizations to the school to speak about different aspects of relevant topics,
- organizing knowledge quizzes on relevant topics that can include both students and teachers or parents (mixed teams can comprise of youth and adults),
- organizing discussions about books or movies on relevant topics, in which both students, teachers but also professional support staff and parent can participate,
- implementing actions in the school or local community, marking international and national day (e.g. security, digital learning, protection of children from violence, 16 days of activism against gender-based violence .....),
- increasing the visibility of platforms helping teachers, where information can be disseminated, as well as experiences, dilemmas; forums where teachers can communicate with colleagues, have access to experts to answer their questions and referral of teachers to use them,
- **(continue the list):**
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### 3.1.6. Youth sensitive and confidential reporting mechanisms

#### School mechanisms for reporting violence

Each school should consider, based on information, knowledge of, research, personal experience, what the school mechanism for reporting suspicion of, information on and experience of violence. This is a basis for initiating positive changes. These could be the positive characteristics of this mechanisms:

**Easily accessible** – the mechanisms exists in reality, not only “on paper” (rulebook or other school document); everyone knows what the mechanism is: everyone knows who the involved persons are; reporting/informing on violence lead to positive changes (the violence was stopped, its repetition was prevented, the person who reported/informed about the violence was supported, empowered), encouraging all students to seek help in the future;

**Sensitive to youth needs** – all those involved should have sufficient knowledge on *characteristics of the developmental stage* of students and that their needs, attitudes and opinions are respected and addressed (proactive approach); that topics relevant for students are followed, including digital technologies, communications and social networks, with awareness on *basic needs* (safety, trust, love, support, self-confirmation...), *developmentally specific needs and changes* (increased physical growth, abstract/formal though, development of moral opinion, focus on possible and future situations and time, independence, rebellion, conflicts with adults and peers, peer friendship, emotional relations and sexuality...), as well as bearing in mind the *context and different characteristics* (sex, sexual orientation, disability, specific culture, social, economic/class and many other factors);

**Confidential** – there is clear information that each conversation is completely confidential, which means that its content will not be considered **without the consent** of the student who sought help; students have information about **restrictions of confidentiality**, and can make **informed decisions** about what to do; everyone in the school, especially the school mechanism, know what the confidentiality of information means, and are ready to respect the rules; all information about violence that students of the school are exposed to and their personal data are treated carefully in communication (in the school and with other institutions), in all procedures, including record keeping and documentation.

## 3.2 Legal framework

### Introduction

In order to fully understand the notions and correlations of cyber violence, sexual and gender-based violence, specifically in the context of intimate partner relationships, including those of youth, it is important to be familiarized with the content of relevant documents, both international, as well as national. These are especially important for implementing responsibilities of education institutions in preventing and responding to sexual and gender-based violence affecting their pupils, including that occurring in cyber space and among pupils in a partner relationship. Below is a brief overview of the **most relevant international documents**, as well as **national legislative** framework of Hungary, Croatia, Serbia and Spain relevant for combating cyber and gender-based violence, especially documents regulating the concrete response of education institutions and education professionals (teachers, school pedagogues, psychologists, specialized school teams, school management). In addition to this, the relevant **institutional framework** for each of the above-named countries will be briefly presented, with special focus on stakeholders outside the education system responsible for protection from violence, that schools cooperate with or may rely on for further support. Finally, the step-by-step response of education institutions is presented for each country, based on the existing legislation and protocols of actions, as well as cooperation with and concrete responsibilities and actions of other relevant agencies.

### 3.2.1 International framework – brief overview

#### **Convention on the Rights of the Child (CRC) (1989)**

<http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

While the document does not specifically address cyber violence Articles 19, 34 and 39 are relevant as they refer to the protection of children from all forms of violence and abuse, including sexual abuse.

- Article 19 defines that such protective measures should include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment.
- Article 34 refers to protection of children from all forms exploitation and sexual abuse, and is stated here that „State Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent: (a) The inducement or coercion of a child to engage in any unlawful sexual activity; (b) The exploitative use of children in prostitution or other unlawful sexual practices; (c) The exploitative use of children in pornographic performances and materials“.
- Article 39 defines States Parties’ obligation to take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim.

#### **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2017) (“Lanzarote Convention“)**

<https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0900001680084822>

The Lanzarote Convention is aimed – through a holistic approach – at the protection of children against sexual violence. It covers:

- preventive measures such as the recruitment, training and awareness raising of persons working in contact with children (article 5), education for children (article 6), preventive intervention programmes and measures (article 7), measures for the general public (article 8) and the participation of children, the private sector, media and civil society (article 9);
- protective measures and assistance to victims, including reporting suspicion of sexual exploitation or sexual abuse (article 12), helplines (article 13), assistance to victims (article 14);
- intervention programmes or measures;
- substantive criminal law, including - sexual abuse (article 18), - child prostitution (article 19), - child pornography (article 20), - participation of a child in pornographic performances (article 21), - corruption of children (article 22), - solicitation of children for sexual purposes (article 23);
- investigation, prosecution and procedural law, including measures to protect and respect the rights, interests and special needs of children during investigations and criminal proceedings;
- international cooperation. The Convention establishes a monitoring mechanism which is in place since 2011 in the form of the “Lanzarote Committee”.<sup>48</sup>

### **Committee on the Elimination of Discrimination against Women General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 (2017)**

[https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1\\_Global/CEDAW\\_C\\_GC\\_35\\_8267\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_35_8267_E.pdf)

- In Article 20 of the document it is acknowledged that gender-based violence against women occurs in all spaces and spheres of human interaction, including violence occurring in the Internet and digital spaces.
- When it comes to prevention of gender-based violence, it is pointed out (in Article 34) that these should address the “underlying causes of gender-based violence against women, including patriarchal attitudes and stereotypes, inequality in the family and the neglect or denial of women’s civil, political, economic, social and cultural rights, as well as to promote women’s empowerment, agency and voice”.
- Article 35 explains that integration of gender equality content into curricula at all levels of education both public and private from the early childhood on and in education programs should have a human rights approach, and that it should “target stereotyped gender roles and promote values of gender equality and non-discrimination, including non-violent masculinities”.

### **Council of Europe Convention on preventing and combating violence against women and domestic violence (2011) (“Istanbul Convention”)<sup>49</sup>**

<https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008482e>

In its Article 3, the Convention defines violence “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.”

Some of the relevant articles of the document include:

- Article 33 – Psychological violence - Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of seriously impairing a person’s psychological integrity through coercion or threats is criminalized.

<sup>48</sup> Ibid pg. 21-23.  
<sup>49</sup> Ibid, pg. 23-24.

- Article 34 – Stalking -Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of repeatedly engaging in threatening conduct directed at another person, causing her or him to fear for her or his safety, is criminalized.
- Article 40 – Sexual harassment - Parties shall take the necessary legislative or other measures to ensure that any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, is subject to criminal or other legal sanction.

None of these articles explicitly mentions ICTs, but the Explanatory Report, with regard to article 34, takes into consideration that the threatening behaviour may consist of repeatedly following the victim in the virtual world (chat rooms, social networking sites, instant messaging, etc.). Engaging in unwanted communication entails the pursuit of any active contact with the victim through any available means of communication, including modern communication tools and ICTs. GREVIO is the independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

### **Council of Europe Convention on Cybercrime (2001) (“Budapest Convention”)**

<https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0900001680081561>

The Budapest Convention, through a number of substantive criminal law provisions, addresses directly some types of cyberviolence. Articles with direct connection to cybercrime include:

- Article 4 – Data interference in a critical system may cause death or physical or psychological injury.
- Article 5 – System interference in a critical system may cause death or physical or psychological injury.
- Article 9 – Child pornography. Article 9 (1) (a) criminalizes producing child pornography for electronic distribution. Production of child pornography may cause death and necessarily entails physical and/or psychological violence.

Other provisions address acts facilitating cyberviolence. The procedural powers and the provisions on international cooperation of the Convention on Cybercrime will help investigate cyberviolence and secure electronic evidence. The Budapest Convention and treaties such as the Istanbul and Lanzarote Conventions complement each other<sup>50</sup>.

For a full list of international and European binding and non-binding documents related to the field of topic, please consult the Council of Europe Mapping Study on Cyberviolence (pages 50-53), available in English at: <https://rm.coe.int/t-cy-2017-10-cbg-study-provisional/16808c4914>.

<sup>50</sup> Short description adapted from COE Mapping study on cyberviolence, pg.36, available in English at: <https://rm.coe.int/t-cy-2017-10-cbg-study-provisional/16808c4914>