

# Between Availability and Accessibility

A Comparative Analysis of Gender-based  
Violence Protection for Migrant Women in  
Belgium and Sweden



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# 1. Introduction

Throughout Europe, women who migrate or seek asylum do so at the juncture between two strong regimes: that of gendered violence and that of migration control. In theory, most states come forward as champions of gender equality and human rights. Sweden is repeatedly represented as a global leader in gender equality, whereas Belgium has established an impressive apparatus of legislation and national plans to tackle GBV. However, when we turn our focus to the concrete practices and everyday realities that migrant women with dependent, temporary, or irregular status face, the following striking question arises: Do these women have equal and effective access to protection, or are they merely included in the language of rights but excluded from their practice?

This report answers that question in the form of a comparative case study between Belgium and Sweden. Both countries have ratified the Istanbul Convention; both align themselves with EU standards such as the Victims' Rights Directive and the proposed Directive on combating violence against women and domestic violence; and both claim to ensure support, protection, and access to justice for all women. Simultaneously, both operate within a European migration regime that creates precarious legal statuses, temporary protection, sponsorship dependence, and the constant possibility of deportation.

Our focus is deliberately narrow and political: we look at GBV not in general, but as experienced by migrant and refugee women, particularly those whose right to stay is insecure or dependent on a partner, an employer, or an asylum procedure. We are interested not only in whether relevant mechanisms exist on paper protection orders, independent residence permits, legal aid, shelters but whether these mechanisms are reachable without exposing women to new risks.

The report proceeds from the following guiding questions:

- How do Belgium and Sweden define, and operationalize protection from GBV for migrant women within their respective legal, policy, and institutional frameworks?
- How does insecure or dependent migration status shape both exposure to violence and access to remedies?
- How, and in what ways, do institutions themselves produce or reinforce harm, which we call institutionalized violence?
- What do these cases indicate for the EU bodies and regional actors in terms of the protection strengthening for migrant women across Europe?

To answer such questions, this report brings together: a theoretical and conceptual framework that, within Section 2, defines GBV, access to justice, intersectionality, institutionalized violence, and the important distinction between availability and accessibility of rights; a methodology and data discussion drawing from desk research, legal and policy analysis, academic literature, and grey literature from NGOs and institutional actors (Section 3); country chapters on Belgium and Sweden (Section 4) where you present and analyze the detailed legislative, policy, and institutional landscapes that you have drafted; a comparative section – Section 5 that identifies convergences, divergences, and transferable practices; findings and recommendations (Sections 6–7) addressed to national authorities and bodies at EU level. The report explicitly adopts a feminist and decolonial perspective. Rather than taking migrant women as a residual category within generic “women’s policies”, it places their lived experiences as the diagnostic lens for the system as a whole. When the system works for the women with the least power—undocumented Roma women in Sweden, asylum-seeking women in remote accommodation centers, dependent spouses in Belgium who face the risk of losing status if the relationship ends—this is likely to work for others too. When it fails them, this failure reveals deep structural flaws in how Europe conceives and organizes protection against gender-based violence.

## 2. Theoretical and Conceptual Framework

### 2.1. Definition of GBV and Access to Justice

This report uses a broad, internationally grounded definition of gender-based violence, or GBV, consistent with both the UN and the Istanbul Convention. GBV is understood to mean: Any act of physical, sexual, psychological or economic violence

That is directed against a woman because she is a woman, or that affects women disproportionately. This would include threats of such acts, coercion, and arbitrary deprivation of liberty whether occurring in public or private life.

Examples include, but are not limited to, the following: Domestic and intimate partner violence, in the form of physical assaults, sexual violence, marital rape, threats and stalking; Coercive control: the course of behaviors by a partner or family member – through isolation, surveillance, financial control, threats to children and threats of deportation – towards micro-managing a woman's life; Violence along migration routes and in institutional settings, including sexual abuse, harassment, exploitation in workplaces and housing, and violence during detention or reception; State and structural violence – the ways in which laws and institutional practices leave women vulnerable to violence or penalize them for trying to be safe.

In this framework, access to justice is understood not as a narrow set of court procedures or the criminal prosecution of an offender, but as a continuum of mechanisms and supports that collectively enable women to disclose violence safely and be believed, obtain protection measures such as barring or restraining orders and access safe housing, pursue legal redress and receive legal assistance including pathways to residence permits independent of violent partners obtain the health, psychosocial, and social support required to recover and rebuild their lives, and interact with institutions without the fear of retaliation through migration control or the loss of legal status. In other words, access to justice is realized only when a woman

can seek help without being forced to choose between her physical safety and her right to remain in the country, her livelihood, or the wellbeing of her children.

It is precisely this tension that structures the core of our analysis of Sweden's Social Services Act, Aliens Act, and Penal Code, as well as Belgium's Immigration Act, its protection-order frameworks, and its pro deo legal-aid system in the sections that follow.

## 2.2 Intersectionality: Gender, Migration and Vulnerability

Our analysis is grounded in an intersectional feminist frame that conceives of experiences of violence and protection for women as produced through multiple, intersecting axes of power. Gender operates never in isolation but intersects with race, class, migration status, disability, age, religion, and sexuality, among others.

Among migrant and refugee women in Europe, numerous dimensions of intersection are highly salient: the immigration status of asylum seeker, temporary protection, dependent spouse, undocumented, or EU mobile citizen in precarious conditions structures access to work, housing, healthcare, and rights. It also becomes a tool of control in abusive relationships, whereby the partner may threaten deportation or the withdrawal of sponsorship.

Racialization and ethnicity for example, Roma women from Eastern Europe, racialized refugees from Iraq or Thailand in Sweden, or women from the Global South in Belgium influence how credibility, "deservingness," and risk are perceived by institutions, as well as violence and discrimination of a racist nature.

Socioeconomic status, in particular, low income, informal work, and homelessness, increases exposure to exploitation and reduces one's ability to leave abusive situations or deal with complicated bureaucracies.



The cultural and linguistic distance, as well as histories of colonialism and anti-migrant discourse, create distrust of institutions and make it more complicated for women to obtain information, interpreters, and culturally safe services.

Intersectionality is not only a descriptive tool but also a normative demand. It shows that a "one-size-fits-all" GBV policy written for the imagined figure of a citizen woman who has a stable income, is fluent in the national language, and is fully recognized by the state will systematically fail women whose lives do not fit that template. The Swedish and Belgian cases you describe later, including the non-registration of victim nationality in Swedish crime data, the exclusion of undocumented women from social insurance systems, and the status-dependent residence protections in Belgium, are concrete examples of how intersectional inequalities materialize in law and practice.

## 2.3 Institutionalized Violence: Systemic Barriers and Policy Gaps

The public and policy debate on GBV persists in framing it as something happening "between individuals": within families, intimate relationships, or communities. In this report, the concept of institutionalized violence is taken up to focus attention on how institutions themselves can produce, amplify, or normalize harm.

Institutionalized violence can manifest in several interconnected ways. Laws and procedures may make women's safety conditional on cooperating with systems they fear, such as when reporting violence exposes them to immigration checks or detention. Administrative rules can further restrict access to essential services by tying support to legal status, leaving undocumented or temporarily protected women without safe options for housing, income, or healthcare. Data practices, including the failure to record victims' nationality or migration status, render entire groups statistically invisible and therefore politically ignorable. At the same time, governance structures often divide responsibilities across multiple levels and sectors without adequate coordination, creating fragmentation, gaps, and unequal

access depending on where a woman lives. These dynamics are compounded when institutional actors reproduce racist, sexist, or xenophobic stereotypes, treating some women as less credible or less “deserving” of protection.

From this perspective, the key issue is not whether Sweden or Belgium have formally “good” GBV laws, but whether their migration, social, and justice systems collectively create environments in which migrant women can safely seek help. The examples you provide such as the EU Directive’s failure to guarantee safe reporting for undocumented women, the evidentiary burden placed on women seeking independent residence under the Belgian Immigration Act, or Sweden’s exclusion of certain EU migrants and undocumented women from affordable healthcare are treated in this report as forms of institutionalized violence, even when they are legally justified under the frameworks of “migration management” or “budgetary constraints.”

## 2.4 Institutional Comparative Lens

Belgium and Sweden were chosen not by accident but because they offer two different institutional models within the same European normative framework.

Sweden is often labelled as a “model country” in regard to gender equality issues: it has a feminist government, one of the highest representations of women in parliament, a long-standing National Strategy for Combating Men’s Violence against Women, and strong municipal responsibilities according to the Social Services Act. The frameworks pertaining to GBV and migration, such as the Aliens Act, and how protected housing is organized by the Migration Agency and municipalities, respectively, are designed within a welfare state logic emphasizing universalist access.

By contrast, Belgium is a federal state in which the competences are divided across federal, regional and community entities. Its GBV response is anchored in a complex mix of criminal law, civil law, the Immigration Act and the Legal Aid Act, complemented by successive National Action Plans. Civil society—including feminist and migrant organizations—has a strong role in service

delivery and monitoring, but institutional fragmentation leads to regional inequalities and gaps in coordination.

While both countries publicly align with the Istanbul Convention and the EU directives, and both participate in GREVIO monitoring, they nonetheless embody different ways of governing the nexus between GBV and migration: Such a model is more centralized and welfare-based, with municipalities at the front line, while shelters and NGOs are strongly engaged in a coordinated policy framework.

The model is more fragmented and law-centric, with a strong formal architecture of rights, but weaker operational coherence and more visible tensions between migration control and GBV protection in Belgium. Our comparative lens, therefore, pays attention to legal design: how GBV, migration status and victim rights are framed in law; governance structure: who is responsible for what and how coordination works—or fails; Implementation practices: how laws are applied in police stations, asylum centers, social services, courts and shelters; knowledge and data: what is counted and what isn't—for example, the absence of ethnicity/nationality markers in Swedish crime statistics, or the lack of status-disaggregated GBV data in Belgium.

This allows us not just to see which country has "better laws", but how institutional design shapes the lived possibility of protection.

## 2.5 Conceptual Difference between Availability and Accessibility

One of the most important analytical tools in this report is the distinction it draws between the availability and accessibility of rights and services.

*Availability* refers to whether a given measure exists in principle: Does the law recognize intimate partner violence as a crime? Does the law allow the victim to obtain an independent residence permit? Are shelters, legal-aid schemes, and protection orders formally part of the system? *Accessibility* reflects the question of whether, in practice, given their status, resources, language skills,

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information, and trust in institutions and in the way services are organized, women can actually make use of these mechanisms. Can an undocumented woman call the police without risking detention or deportation? Can a woman with limited language skills navigate a protection-order procedure requiring written submissions in a national language with no interpreter? Can a Roma EU citizen in Sweden access subsidized healthcare in real life, or will she be charged thousands of euros despite formal entitlements? This distinction is already embedded in your country sections. For example: Clearly available on paper in Belgium is the Immigration Act, protection-order laws, and pro deo legal-aid system, but access to them is conditional and unequal, in particular for women with dependent or irregular status, limited language proficiency, or no documentation. While the Social Services Act, Aliens Act, and Penal Code formally guarantee protection and support in Sweden, a lack of status-disaggregated data, practical exclusion of some EU migrants and undocumented women from welfare systems, and invisibility of migrant women's experiences in statistics all undermine real accessibility. By applying this distinction consistently, the report eschews satisfaction with legal checklists for an assessment of whether rights travel from texts to lives. It also allows a sharper critique of EU-level instruments: a directive or convention may increase availability dramatically without ensuring accessibility, in particular when safe reporting is not provided for, let alone data-sharing with migration authorities, or the needs of women with insecure status. In the next sections, the theoretical concepts introduced here – GBV and access to justice, intersectionality, institutionalized violence, comparative institutional analysis, and availability versus accessibility – will be used to interpret the detailed descriptions of Sweden's and Belgium's laws and policies, and the international frameworks (Istanbul Convention, Victims' Rights Directive, proposed Directive on violence against women) that shape their obligations.

## 3. Methodology

This report employs a qualitative and comparative methodological approach designed to analyze not only the formal legal and policy frameworks in Belgium and Sweden but also their practical accessibility for migrant and refugee women subjected to gender-based violence (GBV). The methodology is structured around four interrelated components: desk research, legal and policy analysis, grey literature review, and the integration of global academic scholarship. Together, these elements allow us to illuminate the gap between the availability of protection mechanisms in law and the accessibility of those mechanisms in women's experiences.

### 3.1 Desk Research

The foundation of the study is extensive desk research drawing on primary and secondary sources produced by national governments, EU institutions, international monitoring bodies, and civil society organizations. This included national legislation, parliamentary debates, governmental strategies, and inter-agency guidelines in both Belgium and Sweden. In addition, key international and regional documents were analyzed, such as GREVIO evaluation reports and shadow reports submitted by feminist and migrant-rights organizations, as well as EU-level instruments including the Istanbul Convention, the Victims' Rights Directive, and the proposed Directive on combating violence against women and domestic violence.

This desk-based work provided a systematic overview of the two countries' legal architectures, institutional arrangements, and self-declared commitments, and created the basis for understanding how GBV protection intersects with migration control across different governance levels.

### 3.2 Legal and Policy Document Analysis

A detailed examination of legal texts and policy frameworks forms the analytical core of the country chapters. In the Belgian case, this involved analyzing the Aliens Act (particularly Articles 10 and 42bis concerning

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independent residence permits for victims), criminal and civil provisions on protection orders, and the Legal Aid Act governing access to pro deo representation. National Action Plans and regional GBV strategies were reviewed to understand how competences are divided across federal, regional and community levels, and how these divisions influence practical implementation.

For Sweden, the analysis centered on the Social Services Act (SoL) and its municipal responsibilities for victim protection, the Aliens Act and its time-limited residence regime for beneficiaries of international protection, and the relevant provisions of the Swedish Penal Code defining domestic and sexual violence. These documents were read alongside Sweden's ten-year National Strategy on men's violence against women and the operational action plans that give the strategy concrete form.

This legal and policy analysis enabled us to map the formal protections available in each country, identify points of convergence and divergence, and assess how institutional design shapes the practical navigation of protection pathways.

### 3.3 Grey Literature Review

Because the experiences of migrant women often remain invisible in official statistics and administrative data, grey literature constitutes a crucial component of the methodology. The study draws on NGO reports, institutional assessments, and civil-society shadow documents that provide nuanced insights into how policies are implemented on the ground and how marginalized groups encounter systems of protection.

The review includes, among others, the ENoMW/HumMingBird briefing paper (*hb-briefing-paper-final-1*), Belgian shadow reports submitted to GREVIO, analyses by national monitoring bodies such as Myria and the Institute for the Equality of Women and Men, and Swedish NGO publications addressing barriers to shelters, social services, and municipal support. These sources illuminate the lived consequences of legal and institutional arrangements, revealing systemic barriers, regional disparities, and informal exclusion

practices that do not appear in legislative texts but fundamentally shape women's safety and choices.

### 3.4 Integration of Global Academic Evidence

To situate the Belgian and Swedish cases within a broader analytical landscape, the report integrates findings from international academic research on violence, migration, and access to justice. This includes a qualitative evidence synthesis on violence experienced by women with insecure migration status (Innes et al., *s12992-024-01085-1*); two studies from the SAHAR project on intimate partner violence and coercive control in refugee settlement contexts (Spangaro et al.; Spence et al.); a global scoping review on intersectional access experiences to GBV supports (Essue et al., *e001405.full*); and a qualitative study on family violence among women with insecure migration status in Australia (Vasil, *10.1177\_10778012231199107*).

These studies are treated not as external or unrelated case material, but as conceptual mirrors that shed light on structural patterns also present in Europe: dependency on perpetrators for legal status, fear of authorities, bureaucratic obstacles, linguistic exclusion, and the pervasive effects of institutionalized violence. Their inclusion strengthens the report's analytical capacity to interpret Swedish and Belgian policy frameworks through internationally recognized patterns of vulnerability and resistance.

### 3.5 Limitations

This report relies entirely on secondary sources and does not include new fieldwork or direct interviews. While this enables a broad comparative overview, it limits the ability to document emerging practices or informal forms of exclusion that remain unrecorded. Data gaps are especially acute regarding undocumented women in both Belgium and Sweden. In Sweden, the systematic non-registration of victim nationality or migration status in police and crime databases renders migrant women statistically invisible; in Belgium, disaggregated data on residence status are limited and fragmented across institutions.

The comparisons developed in the report should therefore be understood as **i**ndicative rather than exhaustive. They do not claim to represent the totality of GBV-migration interactions in either country but instead highlight structural patterns that are essential for EU-level reflection, policy learning, and reform. Despite these limitations, the triangulation of legal analysis, grey literature, and global qualitative evidence provides a robust foundation for assessing how access to justice for migrant women is structured, facilitated, or constrained within the two national systems.

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## 4. Country Contexts and Institutional Frameworks

### 4.1 Belgium

Belgium presents a multifaceted legal and policy landscape addressing gender-based violence (GBV), shaped by the division of competences across federal, regional and community levels. While the country has ratified key international instruments, including the Istanbul Convention and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the protection afforded to immigrant women depends largely on how these commitments are operationalized within domestic systems marked by linguistic diversity, administrative fragmentation and uneven institutional coordination. In this respect, the distinction between availability and accessibility becomes essential: although Belgium's legal instruments are generally available on paper, their practical accessibility is deeply conditioned by residence status, bureaucratic dependency, linguistic capacity, and the ability of institutions to coordinate effectively. Recent NGO reports, especially those produced by feminist and migrant-led organizations, further reveal that these structural tensions are amplified for women who are undocumented, dependent on family reunification permits, or navigating asylum procedures, leaving them legally entitled yet insufficiently protected.

#### 4.1.1 Immigration Act: Residency Dependence, Structural Dependency and the Reproduction of Vulnerability

The Immigration Act of 15 December 1980 (Aliens Act) forms the foundation of Belgium's migration governance and plays a decisive role in shaping migrant women's exposure to gender-based violence. While Articles 10 and 42bis are often cited as evidence of Belgium's compliance with Istanbul Convention Article 59 providing a pathway to an autonomous residence permit for women whose family reunification status becomes precarious due to domestic violence the detailed analyses of NGOs, feminist organizations and academic researchers reveal that these mechanisms, although legally

available, operate within a broader structural context that severely constrains their real-world accessibility.

A central finding across feminist and migrant-led organizations is that residence dependency is not simply a legal condition but a form of structural vulnerability, which can be mobilized by perpetrators as a tool of coercive control. Many women arrive in Belgium under family reunification procedures, entering households in which the partner or spouse—often the perpetrator—controls access to documentation, financial resources, social networks, and administrative communication. The legal framework unintentionally empowers this dynamic: it positions the sponsoring partner as the “anchor” through whom the woman’s stay is legitimized, thus embedding gendered power asymmetries directly into the bureaucracy. In practice, this means that abusers can threaten deportation, withhold the woman’s residence card, intercept mail from the Office des Étrangers, or manipulate registration procedures, creating a form of “bureaucratic captivity” that is documented thoroughly in both NGO reports and the global literature on violence under insecure migration status.

Even when women are aware of Articles 10 and 42bis, the evidentiary requirements constitute a profound barrier. Immigration authorities rely heavily on formal proof—police reports, medical certificates, judicial proceedings even in cases where violence takes non-physical or cumulative forms such as psychological abuse, coercive control, social isolation, or administrative manipulation. Migrant women often lack access to culturally competent health services that could document injuries, or they refrain from seeking medical or police assistance due to fear, language barriers, or previous negative encounters with authorities. As a result, psychological or economic violence although recognized in Belgian law, rarely reaches the threshold of “sufficient evidence” demanded by immigration officials. This evidentiary asymmetry disproportionately harms women from communities where distrust in state authorities is historically grounded and where reporting violence may carry social stigma or risk of retaliation.

Furthermore, the absence of safe-reporting firewalls between police and immigration authorities exacerbates the risks inherent in seeking help.

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Undocumented women or those whose status has become insecure due to relationship breakdown avoid reporting violence because any contact with police may trigger immigration checks or detention procedures. NGOs have documented multiple cases where women physically left abusive homes but returned because shelters demanded administrative documents they could not safely obtain. This dynamic creates a self-reinforcing cycle of violence: women cannot gather evidence without interacting with institutions, but interacting with institutions may endanger their stay in Belgium.

Decolonial analyses of women's migration in Belgium further deepen this critique by highlighting how the Aliens Act often positions migrant women as administratively dependent subjects, whose legitimacy is assessed through the lens of nuclear family stability, integration performance, and bureaucratic compliance. This framework leaves little room for recognizing the structural conditions racism, precarious employment, linguistic exclusion that shape migrant women's vulnerability to GBV and constrain their ability to assert autonomous personhood in the legal system.

In this sense, the Immigration Act does more than regulate residence: it creates conditions of institutionalized vulnerability that shape how violence is experienced, reported and responded to. Although Belgium has made legal provisions to allow women to break out of dependence, the socio-legal ecosystem in which these provisions exist often neutralizes their protective potential. The discrepancy between legal availability and real accessibility is therefore not a matter of individual failure but the predictable outcome of a system that embeds gendered dependency at the structural level.

### 4.1.2 Criminal and Civil Codes: Protection Orders, Juridical Pathways and Structural Barriers in Practice

Belgium's criminal and civil codes offer a wide array of protection mechanisms against intimate-partner and domestic violence. The criminalization of IPV as an aggravating circumstance (1997) and the introduction of the temporary barring order (*mesure d'éviction du domicile*) in 2012 reflect substantial legislative progress. On paper, these tools form a coherent legal arsenal aimed at removing perpetrators from the home,

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preventing further harm, and providing survivors with immediate and long-term protection. Yet extensive NGO analysis indicates that the practical use of these tools remains heavily constrained by systemic barriers, administrative complexity and unequal implementation across linguistic and regional lines.

For migrant and undocumented women, the first and most pervasive barrier is linguistic: protection orders must be requested in Dutch or French, and interpreter availability remains inconsistent, underfunded and often absent in urgent cases. Many women are forced to rely on partners, family members or untrained acquaintances to translate sensitive information—an arrangement that facilitates coercion, distorts testimony, and exposes women to new risks. This linguistic dependency directly undermines the accessibility of protection orders regardless of their legal availability. Shelters, CPAS/OCMW offices and feminist organizations report that women frequently arrive unaware that barring orders exist or believe (incorrectly) that they require the perpetrator’s consent or the initiation of divorce proceedings.

Police practice constitutes a second barrier. Despite the legal definition of domestic violence as a criminal offence, local police services often treat domestic incidents especially involving migrant families as private disputes rather than as violations of bodily integrity. Feminist organizations have documented recurring patterns of minimization, culturalization (“it is normal in their community”), and redirection toward mediation, all of which contradict Belgium’s obligations under the Istanbul Convention and deter women from seeking help. Moreover, in municipalities with limited GBV specialization, police may lack training on coercive control or culturally-informed interviewing, leading to incomplete reports that fail to support later applications for protection orders.

Judicial pathways for obtaining civil protection orders are similarly marked by complexity and variability. Courts differ in their interpretation of “imminent danger” or “continuity of violence,” resulting in divergent outcomes for women with similar experiences. Migrant women are disproportionately affected by these disparities because they often lack legal literacy, financial resources, childcare arrangements, or the ability to attend multiple hearings. In some cases, judges informally expect women to demonstrate linguistic proficiency

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or stable housing criteria that disproportionately disadvantage newly arrived or socially isolated women.

The absence of coordinated institutional pathways further weakens the protective potential of civil and criminal measures. In Sweden, protection orders are embedded within a holistic municipal support network that links police, social services, shelters and legal aid into a unified chain. In Belgium, by contrast, these institutions remain siloed: a police officer may file a report without referring the woman to specialized services; CPAS/OCMW may provide financial assistance without knowledge of an ongoing judicial procedure; a pro deo lawyer may handle a barring order without understanding its implications for residence status; and shelters may lack the legal expertise required to support women through multi-level proceedings. This fragmentation means that legal mechanisms intended to protect survivors often fail to function as an integrated system.

Crucially, protection orders intersect with the migration regime in ways that further constrain accessibility. For women whose residence depends on their spouse, seeking a barring order may provoke retaliatory administrative violence: partners may threaten to withdraw sponsorship, refuse to renew shared addresses, or deliberately sabotage municipal registration. Because Belgian administrative authorities rely heavily on the stability of cohabitation as a proxy for relationship legitimacy, forced separation even when mandated by a barring order can jeopardize immigration procedures. This creates an impossible choice for migrant women: maintain physical safety by separating or maintain legal safety by staying. Even when the law theoretically supports both, the absence of coordinated cross-sector protocols means women bear the burden of reconciling contradictory administrative demands.

Finally, judicial statistics and NGO case data confirm that migrant women are significantly underrepresented among applicants for protection orders, an indication not of lower need but of restricted access. The system thus remains formally inclusive but substantively exclusionary, reinforcing a broader pattern in which legal protections exist yet fail to penetrate the structural,

linguistic, economic and migration-related realities that shape women's experiences of violence.

#### 4.1.3 National and Regional Action Plans: Fragmented Governance, Uneven Implementation, and the Structural Production of Inaccessibility

Belgium's successive National Action Plans (NAPs) to Combat Gender-Based Violence—most recently the 2021–2025 Plan represent one of the country's strongest demonstrations of political commitment to the Istanbul Convention. These plans explicitly identify migrant women as a priority group, acknowledge the compounded vulnerabilities created by insecure migration status, and outline measures aimed at improving accessibility to shelters, legal assistance, and psychosocial support. On paper, the NAP architecture is expansive, reflecting a multi-sectoral approach aligned with the Istanbul Convention's "four pillars": prevention, protection, prosecution, and coordinated policies.

Yet, feminist and decolonial analyses of Belgian governance reveal that the NAPs operate within a structurally fragmented institutional environment that profoundly shapes implementation. Belgium's federal structure divides responsibility for GBV across the federal state (justice, migration, policing), the regions (housing, labor, integration), and the linguistic communities (health, psychosocial services, prevention campaigns). While this multilevel governance model is often celebrated for inclusivity, NGO shadow reports and GREVIO evaluations consistently demonstrate that fragmentation leads to duplication, gaps, and jurisdictional ambiguities that impede migrant women's access to protection.

For example, the federal level may introduce new legal tools such as autonomous residence permits or barring orders, but the actual provision of shelter, interpretation, and social support falls under regional or community competences, resulting in territorial disparities that disproportionately affect migrant women. La Voix des Femmes and other feminist NGOs note that some municipalities provide specialized GBV teams, multilingual staff, and culturally competent outreach, while others rely on general social services with limited

expertise in migration or domestic violence. This creates a “postcode lottery” in which a migrant woman’s access to protection depends on where she happens to live—or where she is administratively registered, a process that itself can be manipulated by abusive partners.

GREVIO’s 2020 evaluation identifies additional gaps: limited monitoring capacity, inconsistent data collection, insufficient coordination between CPAS/OCMW offices and immigration authorities, and under-resourced local shelters. Many of these structural weaknesses emerge directly from Belgium’s governance configuration. The NAP prescribes coordination but lacks enforcement mechanisms to ensure compliance across decentralized institutions. As a result, NGOs often become the default coordinators of protection, filling gaps left by the state but operating with fragile funding and uneven territorial presence.

Moreover, decolonial feminist scholarship on Belgium highlights that policy frameworks still conceptualize “migrant women” as a homogenous category rather than recognizing the differentiated effects of race, class, residency status, and linguistic background. This homogenization at the policy level leads to standardized interventions that fail to address the specific institutional vulnerabilities experienced by undocumented women, women on dependent permits, Roma women, or recent asylum seekers. In practice, this means that the NAP’s measures may exist, but do not always reach the women who need them most.

Ultimately, the NAP framework illustrates a central tension in Belgium’s GBV governance: robust availability of commitments but structurally uneven accessibility of rights. Migrant women do not face gaps because of weak political will, but because the governance structure itself disperses responsibility in a way that obscures accountability and complicates implementation. The result is a system where national strategies speak the language of rights while local realities reproduce inequalities in protection.

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#### 4.1.4 Legal Aid Act (Pro Deo System): Structural Inequalities in Access to Counsel and the Limits of Formal Rights

Belgium's Legal Aid Act establishes a two-tier system of primary (first-line) and secondary (pro deo) legal aid intended to guarantee universal access to justice regardless of financial means. In theory, this framework embodies a strong commitment to equality before the law. However, NGO reports, legal-profession evaluations, and feminist migration research reveal that the pro deo system functions within a wider set of structural constraints that disproportionately disadvantage migrant and undocumented women.

Access to secondary legal aid requires proof of financial hardship, typically through documentation such as residence permits, income statements, and civil registration records. Yet these are precisely the documents that many migrant women cannot safely obtain, either because abusive partners control their administrative papers or because interacting with authorities risks immigration enforcement. Feminist NGOs report frequent cases in which women eligible for pro deo support are turned away because they cannot produce the documents required to prove eligibility. The result is a paradox: the women most in need of legal representation often find themselves structurally excluded from the very system designed to protect them.

Even when administrative barriers are overcome, structural inequalities persist in the quality and relevance of legal aid. Legal-aid lawyers are distributed unevenly across Belgium's linguistic regions, and many lack specialized training in the intersections of gender-based violence, migration law, and coercive control. Myria's evaluations note that lawyers may focus solely on criminal proceedings without understanding the immigration implications, or vice versa, leaving women to navigate complex and interdependent legal processes on their own. Some lawyers advise women to remain with their abusive partners until residence issues are resolved advice that contradicts Belgium's obligations under the Istanbul Convention and directly endangers survivors.

Furthermore, cooperation between legal-aid lawyers, social services, and shelters is largely informal, dependent on personal networks rather than

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institutionalized pathways. In practice, this means that women who enter the system through shelters receive more comprehensive support than those who first approach police or CPAS/OCMW offices. The absence of an integrated support chain reinforces the fragmented nature of Belgium's GBV response: legal aid becomes an isolated tool rather than part of a coordinated protection ecosystem.

Linguistic barriers compound these structural issues. Although interpreter services are formally available, NGOs report chronic shortages, delays, and inconsistent funding. Women often have to recount traumatic experiences without interpretation or rely on bilingual family members, an arrangement incompatible with confidentiality and safety. This undermines their ability to communicate effectively with lawyers, challenge incorrect administrative decisions, or understand procedural rights.

From a decolonial feminist perspective, the *pro deo* system reflects deeper biases within legal institutional culture. Migrant women's narratives may be viewed with suspicion, stereotyped as culturally conditioned or exaggerated, or treated as secondary to procedural considerations. Such epistemic injustices shape how testimonies are heard, how evidence is interpreted, and how credibility is assessed. The outcome is not simply unequal access to representation, but unequal access to legal recognition itself.

Belgium's legal-aid framework therefore illustrates the broader availability–accessibility divide: the right to counsel exists in law, but its practical exercise is mediated by a series of institutional, linguistic, administrative, and epistemic obstacles that systematically disadvantage migrant and undocumented women. While Sweden integrates legal aid within a unified municipal support model, Belgium continues to rely on a structurally fragmented system in which accessibility depends on individual actors, institutional goodwill, and the presence of NGOs capable of filling structural gaps.

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#### 4.1.5 Institutional and Monitoring Reports: Statistical Invisibility, Fragmented Oversight, and the Limits of Institutional Accountability

Belgium's monitoring ecosystem for migration and gender-based violence is anchored primarily in the work of Myria (Federal Migration Centre), Fedasil (federal asylum reception agency), and regional equality bodies such as Unia and IEFH/IGVM. On paper, this ecosystem provides a multi-layered structure capable of monitoring discrimination, identifying policy gaps, and ensuring compliance with Belgium's commitments under the Istanbul Convention and CEDAW. Yet detailed evaluations both institutional and civil-society led demonstrate that the monitoring landscape is marked by fragmentation, uneven capacity, and a persistent failure to produce the kind of intersectional, disaggregated data necessary to understand migrant women's realities.

One of the most prominent structural barriers is statistical invisibility. Belgium does not collect systematic data on gender-based violence disaggregated by migration status, residence status, race/ethnicity, or linguistic background despite repeated recommendations from GREVIO and feminist organizations. This absence of disaggregated data does not simply represent a statistical gap; it constitutes an *epistemic exclusion* that renders migrant women's experiences of violence partially illegible to policymakers. Without accurate data, the scale of violence affecting migrant women cannot be assessed, needs cannot be mapped, and resource allocation remains arbitrary or politically driven. This invisibility is particularly acute for undocumented women, asylum applicants in precarious conditions, and EU-migrant Roma women who face simultaneous racialization, poverty, and administrative exclusion. As shadow reports emphasize, invisibility itself becomes a form of institutional violence: what is not counted cannot be protected.

Institutional fragmentation further weakens oversight. Myria is tasked with monitoring migration-related vulnerabilities, but lacks mandate over policing, legal aid, or regional GBV services. Fedasil oversees asylum centers, yet its gender-sensitive measures are inconsistently implemented across locations and are not systematically reviewed by external feminist organizations. Meanwhile, equality bodies remain constrained by limited resources, linguistic divides, and a mandate that prioritizes discrimination cases over structural

analysis. This multi-actor landscape produces gaps in accountability: when a migrant woman falls through the system because a CPAS denies assistance, a police station dismisses her report, a lawyer provides incorrect immigration advice, or a shelter cannot accept undocumented women, no single body is institutionally responsible.

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Moreover, Belgium's monitoring mechanisms often prioritize legal compliance over lived outcomes. Reports tend to catalogue the existence of legal standards rather than assess whether those standards translate into real protection, safety, or justice for immigrant women. This reinforces the availability–accessibility divide: institutions may report “compliance” because mechanisms exist on paper, even when migrant women cannot practically use them. Civil-society organizations routinely highlight that institutional monitoring remains disconnected from grassroots experiences, failing to incorporate testimonies from women affected by insecure migration status or linguistic marginalization.

A decolonial feminist reading of the monitoring system reveals an additional layer: institutional epistemology in Belgium has been shaped by dominant majority narratives, where violence in migrant communities is sometimes framed as cultural rather than structural. Such framing produces selective attention hypervisibility for “honor-based violence” and invisibility for state-mediated harms such as deportation threats, administrative dependence, or discriminatory treatment in shelters. These biases influence which indicators are developed, which cases are prioritized, and how institutional failure is interpreted.

Ultimately, Belgium's monitoring architecture illustrates the systemic challenge of governing GBV in a federal context: oversight exists but lacks coherence, consistency, and intersectional depth, allowing institutional failures to accumulate unaddressed.

#### 4.1.6 Conclusion: From Legal Availability to Lived Accessibility Structural Constraints in Belgium's GBV Response

The synthesis of Belgium's legal frameworks, policy instruments, and institutional monitoring reveals a persistent structural pattern: despite strong formal alignment with international norms, migrant and undocumented women experience the Belgian GBV protection landscape as fragmented, inconsistent, and mediated by intersecting vulnerabilities tied to residence status, language, race, and administrative dependency. The country has enacted progressive laws, autonomous residence permits, barring orders, and a comprehensive pro deo legal-aid system yet the protective potential of these rights is systematically diluted by linguistic barriers, evidentiary thresholds, regional disparities, and siloed institutional responsibilities. As a result, protection is available but not accessible, particularly for women living with insecure migration status or under conditions of coercive control where bureaucratic dependence becomes a mechanism of domination.

Belgium's governance model compounds this divide. The dispersion of competences across federal, regional, and community levels produces structural fragmentation that undermines coherent implementation of National Action Plans and weakens institutional accountability. Shelters, social services, immigration authorities, and courts operate within separate administrative logics, forcing women to navigate a system that lacks a unified entry point and often contradicts itself. Civil-society organizations, particularly feminist and migrant-led NGOs attempt to bridge these gaps, yet their capacity remains limited by funding instability and uneven regional presence.

The monitoring system, despite its formal strengths, perpetuates invisibility by failing to generate intersectional, disaggregated data. Migrant women's experiences, especially those of undocumented women, victims of administrative violence, and Roma EU migrants remain largely unrecorded, producing institutional blind spots that obscure the true scale and nature of the problem. Without such data, Belgium's GBV response risks reproducing structural inequalities even as it seeks to address them.

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From a comparative standpoint, Belgium illustrates how a fragmented governance structure however normatively progressive can undermine accessibility and produce uneven protection outcomes. The Belgian case underscores the urgent need for integrated, intersectional, and survivor-centered reforms that move beyond legal formalism toward institutional practices that meaningfully account for migrant women's realities. Only through such reforms can Belgium bridge the gap between the rights women hold on paper and the safety they are able to realize in practice.

### 4.2 Sweden

To draw a line and make a comparison between best practices regarding GBV and government accountability procedures, Sweden appears to have one of the strongest frameworks on paper. Sweden stands out as one of the world's most gender-equal societies, in contrast to most countries that retain stronger patriarchal norm <sup>1</sup>. However, how does it work in practice? Do immigrant women who suffer from gender-based discrimination receive adequate help from the authorities in Sweden?

The Swedish Government is currently presenting an action program to prevent and combat violence against women, domestic violence, honor-based violence and oppression, as well as prostitution and human trafficking, for the period 2024–2026.<sup>2</sup> The former Swedish Minister for Gender Equality, Paulina Brandberg, stated that the government is taking active steps to combat men's violence against women, emphasizing that the action program is designed to protect women. She further noted that violence against women remains one of the most pressing challenges in today's society.<sup>3</sup>

<sup>1</sup> Hausman, Tyson, and Zahidi, 2011; Social Watch, 2012

<sup>2</sup> Government Offices of Sweden, <https://www.government.se/press-releases/2024/06/action-programme-against-mens-violence-against-women-intimate-partner-violence-and-honour-based-violence-and-oppression/>

<sup>3</sup> *ibid*

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Over the past decade, Sweden has ranked among the EU countries receiving the highest per capita influx of refugees (UNHCR, 2013).<sup>4</sup> Studies indicate that a significant proportion of these refugees are women, primarily from Iraq and Thailand, who face an elevated risk of interpersonal violence and this increased vulnerability is often linked to factors such as low income, social isolation, language barriers and limited awareness of available support services.

It is evident that migrant women in Sweden experience intersectional discrimination, with violence stemming not only from gender-based inequalities but also from their cultural and socio-economic backgrounds. Thus, even though Swedish law and government policies actively combat violence against women, that is not enough. A crucial question arises: Do migrant women who have suffered violence at the hands of men have the same opportunities to seek help from the authorities, and is their path to recovery comparable to that of Swedish women?

Before addressing this question, it is important to first examine Swedish legislation, which explicitly condemns violence against women and, in certain provisions, makes reference to violence against migrant women.

### 4.2.1 Social Service Act

The social services policy and legal framework are particularly important, as they define and mandate the social responsibilities of the government and public authorities, outlining how they provide services and support to vulnerable groups.<sup>5</sup> The social act is rather broad and aims to provide support and assistance to people who are in vulnerable positions economically or socially. There is a specific legal provision under the Social Services Act (SoL) that establishes a statutory obligation for municipalities to provide support to victims of crime, including women and children who have been subjected to

<sup>4</sup> UNHCR, 2013 (Violence against foreign-born women in Sweden, C. Fernbrant)

<sup>5</sup> <https://www.esn-eu.org/social-services-index/2023/sweden>

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domestic violence.<sup>6</sup> According to Social Services Act<sup>7</sup>, particular consideration must be given to the fact that women who are being, or have been, subjected to violence or other abuse by a person close to them may require support and assistance to change their situation, including different forms of psychological and social support as well as financial and practical help.<sup>8</sup>

A significant contribution to support services is provided by the numerous women's shelters and young women's empowerment centers across Sweden, as nowadays, there are approximately 200 shelters offering protection and assistance to women subjected to violence, most of which are connected to one of the two voluntary umbrella organizations: the National Organization for Women's and Young Women's Shelters in Sweden and Unizon.<sup>9</sup> In addition, just under 80 local crime victim services, many of whose clients are women, are members of the umbrella organization *Victim Support Sweden* and provide support to victims of crime.<sup>10</sup> While some municipalities operate their own sheltered accommodations, in practice most rely on facilities run by the voluntary sector; nonetheless, municipalities retain overall responsibility for all types of services provided under the Social Services Act.<sup>11</sup>

However, Sweden registers the crimes rather differently. In official databases, the ethnicity and/or nationality of crime victims is not recorded, which is particularly concerning given Sweden's high number of refugee women.<sup>12</sup> As a result, official statistics do not allow us to determine the proportion of non-Swedish women who are victims of violence. This presents several problems: First, when crimes against migrant women are not officially recorded, these women are effectively invisible in the data and the scale of the problem

<sup>6</sup> Convention against Torture, Eighth Periodic Report: Sweden's Response to the List of Issues Prior to Reporting (CAT/C/SWE/QPR/8).pg. 11

<sup>7</sup> Chapter 5, Section 11 of the Social Services Act

<sup>8</sup> *ibid*

<sup>9</sup> *ibid*

<sup>10</sup> *ibid*

<sup>11</sup> *ibid*

<sup>12</sup> *ibid*



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cannot be understood comprehensively. Second, as noted earlier in this report, vulnerable groups receive support, care and assistance through shelters, counseling and other services. Without data distinguishing migrant women, it becomes difficult to allocate these resources effectively. And third, migrant women may face language, social and cultural barriers and many are socially isolated, placing them at disproportionate risk of violence. If this risk is not reflected in official statistics, authorities cannot adequately protect this group.

Consequently, despite the fact that the Social Act is broad and aims to provide support and assistance to people in economically or socially vulnerable positions, challenges remain. Not specifically distinguishing violence against migrant women can create significant obstacles for this group. While it is important to acknowledge that the government actively introduces new measures to protect women, the particular vulnerabilities of migrant women must be taken into consideration to ensure they can fully access justice and support.

### 4.2.2 Aliens Act (Utlänningslagen)

International protection in Sweden is regulated by Aliens Act, **(Utlänningslagen)**, which integrates refugee status determination, subsidiary protection and temporary protection into national legislation.<sup>13</sup> An important reform enacted in July 2021 replaced permanent residence permits for beneficiaries of international protection with time-limited ones, typically three years for refugees and shorter durations for those under subsidiary protection – while introducing a pathway to permanent status upon renewal.<sup>14</sup>

It is important to mention that the Aliens Act has different rules for different vulnerable groups. In our case, we will discuss how it protects migrant women in situations of violation and the procedures involved.

<sup>13</sup> UNHCR <https://rimap.unhcr.org/countries/sweden>

<sup>14</sup> *ibid*



In 2024, a total of 3,759 women applied for asylum, a decrease from 4,590 applications in 2023.<sup>15</sup> Additionally, 5,535 women sought protection under the Temporary Protection Directive in 2024, compared to 5,588 in the previous year.<sup>16</sup>

The Swedish Migration Agency is responsible for ensuring a safe environment in all its accommodations; however, reports indicate that not all facilities are perceived as such by residents.<sup>17</sup>

The accommodations provided by the Swedish Migration Agency vary significantly in quality and some are not adequately designed to prevent gender-based violence<sup>18</sup>. Most facilities lack on-site social workers or police officers, relying instead on security arrangements of varying standards and several accommodations are located in remote areas, isolating women from essential services and support networks, while indoor areas are generally well lit, security personnel employed through private companies may be either male or female.<sup>19</sup>

Therefore, it must be mentioned, that The Swedish Migration Agency has established a procedure that sets out guidelines for providing protected housing to asylum seekers who have experienced or are at risk of violence.<sup>20</sup> According to the guidelines, if, following an assessment, an asylum seeker requires additional security in their accommodation, protective measures should be implemented in a prioritized order though they may also be combined based on an individual assessment. These measures include relocating to construction housing if the individual lives in their own housing, moving to a different unit within the same facility (separated from the

<sup>15</sup> Swedish Migration Agency, information provided by e-mail in January 2025 (from country report, May 2025, Sweden)

<sup>16</sup> Swedish Migration Agency, "Asylum" <https://www.migrationsverket.se/Om-Migrationsverket/Statistik/Asyl.html>

<sup>17</sup> Information provided by the Swedish refugee law center (from country report, May 2025, Sweden)

<sup>18</sup> Country Report, May 2025, Sweden, [https://asylumineurope.org/wp-content/uploads/2025/05/AIDA-SE\\_2024Update.pdf](https://asylumineurope.org/wp-content/uploads/2025/05/AIDA-SE_2024Update.pdf)

<sup>19</sup> *ibid*

<sup>20</sup> Migration Agency, Rutin: Skyddat boende/skyddad adress/sekretessmarkering för asylsökande utsatta för våld eller hot om våld. Information provided upon request in January 2023. (from country report, May 2025, Sweden)

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perpetrator, e.g., spouse, partner, or relative), transferring to a different location or reception unit, assigning a privately marked address, or providing sheltered housing through the local municipality and additionally, in cooperation with the police, the Migration Agency can arrange safe houses for individuals at risk, with the municipal social welfare authority also able to participate in these arrangements.<sup>21</sup>

To sum up, Sweden provides legal frameworks and protective measures for women, including migrants, demonstrating active government efforts. However, migrant women still face challenges in accessing safe housing and tailored support, indicating the need for continued attention to their specific vulnerabilities.

### 4.2.3 Swedish Penal Code

The Swedish Penal Code contains provisions that define and prohibit various forms of sexually and physically motivated crimes against individuals.<sup>22</sup> The Swedish Penal Code specifically addresses offences such as domestic violence, sexual violence (including rape, sexual assault, harassment, and stalking), human trafficking, cyber violence and online harassment, as well as harmful practices like forced marriage.<sup>23</sup>

To prevent domestic violence, Sweden has adopted progressive legislation that criminalizes repeated acts such as assault and sexual abuse against family members as a *gross violation of integrity*. When the victim is a female spouse or partner, the offence is classified as a *gross violation of a woman's integrity*. These provisions<sup>24</sup>, require that repeated acts constitute a violation of the victim's personal integrity and are intended to cause severe harm to their self-esteem.

<sup>21</sup> Country Report, May 2025, Sweden, [https://asylumineurope.org/wp-content/uploads/2025/05/AIDA-SE\\_2024Update.pdf](https://asylumineurope.org/wp-content/uploads/2025/05/AIDA-SE_2024Update.pdf)

<sup>22</sup> Cornell law school, [https://www.law.cornell.edu/gender-justice/resource/brottsbalk\\_%28criminal\\_code%29?utm\\_source=chatgpt.com](https://www.law.cornell.edu/gender-justice/resource/brottsbalk_%28criminal_code%29?utm_source=chatgpt.com)

<sup>23</sup> Committee on Women's Rights and Gender Equality, Sweden, pg 16

<sup>24</sup> Chapter 4, Section 4a of the Swedish Penal Code

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Despite Sweden's strong commitment to combating gender-based violence against women, surveys show that many women continue to experience such violence on a daily basis. As a result, the government seeks to provide protection and support to victims through various measures and services. At the moment in Sweden there are three types of crime victim support organizations for abused women: *1. Women's shelters and support centers for young women, 2. Crime victims support groups and 3. municipal crisis center*, each focusing on specific area of support.<sup>25</sup>

Shelters are provided by the National Organization for Women's Shelters and Young Women's Shelters (*Roks*) and the Swedish Association of Women's Shelters and Young Women's Empowerment Centers (*SKR*) and both organizations have a dual mission: they not only offer direct protection and support to women experiencing domestic violence but also engage in political advocacy, working to influence and shape public policy<sup>26</sup>.

Each shelter operates independently and follows its own methods of work; however, they all share a common feature – an emergency helpline that women and young women can contact for support.<sup>27</sup> Callers may choose to remain anonymous and no personal information is recorded.<sup>28</sup>

Over the years, Sweden has expanded the social rights of asylum seekers<sup>29</sup>. In general, most survivors of domestic violence have access to support services regardless of their immigration status, since eligibility for welfare services is determined by residence within a municipality rather than by legal status.<sup>30</sup> Nevertheless, undocumented migrants occupy a grey area, as they are excluded from the benefits system because registration with the Swedish Social Insurance Agency requires a residence permit and a personal

<sup>25</sup> <https://doi.org/10.1080/13691457.2013.847403>

<sup>26</sup> *ibid*

<sup>27</sup> *Rocks*, <https://roks.se/sprak/about-roks>

<sup>28</sup> *ibid*

<sup>29</sup> <https://doi.org/10.1111/j.1468-2435.2009.00586.x>

<sup>30</sup> Committee on Women's Rights and Gender Equality, Sweden, pg 20

identification number.<sup>31</sup> Consequently, many shelters face difficulties accommodating undocumented survivors and the exact number of undocumented migrants in Sweden remains unknown<sup>32</sup>.

#### 4.2.4 Interim Conclusion

Sweden is widely regarded as a model country in promoting women's rights and combating violence against women as the country has a strong tradition of supporting gender equality, exemplified by its feminist-oriented government, high representation of women in parliament and progressive legislation that strengthens women's rights.<sup>33</sup>

As shows above, legislation such as the Social Services Act, the Aliens Act and the Swedish Penal Code formally guarantee support and protection for women facing gender-based and domestic violence, ensuring access to essential services. Sweden is also widely regarded, through surveys and international assessments, as a model for gender equality and the promotion of human rights.

Nevertheless, in practice, challenges remain. Migrant women often encounter gaps in documentation and limited research on their specific experiences, which can hinder access to tailored protection and support. Despite the government's ongoing efforts, migrant women who suffer violence are still not always officially recognized as such, making it harder to provide the targeted assistance they need. This highlights the continuing need to bridge the gap between formal legislation and practical implementation to ensure full protection for this particularly vulnerable group.

<sup>31</sup> *ibid*

<sup>32</sup> *ibid*

<sup>33</sup> Committee on Women's Rights and Gender Equality, Sweden, pg 22

## 4.3 International Frameworks

### 4.3.1 The Istanbul Convention

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) is the first legally binding instrument in Europe that establishes comprehensive standards to prevent gender-based violence, protect victims and hold perpetrators accountable.<sup>34</sup>

The Convention, developed through the Council of Europe's efforts to monitor violence against women and girls, identify legislative gaps and promote best practices, encompasses a wide range of measures, these include obligations related to awareness-raising, data collection and the establishment of legal provisions to criminalize various forms of violence.<sup>35</sup>

Unlike other international treaties addressing gender-based violence, the Istanbul Convention establishes a framework for comprehensive and coordinated policies among national and governmental bodies responsible for prevention, prosecution and victim protection.<sup>36</sup>

To ensure the effective implementation of the Convention, a two-tier monitoring mechanism has been established: the first tier is an independent expert body, GREVIO, which prepares reports on the Convention's thematic areas and the second tier is the Committee of the Parties, which follows up on GREVIO's reports and issues recommendations to the relevant parties<sup>37</sup>.

#### 4.3.1.2 Sweden and Istanbul Convention

Sweden ratified the convention in 2014 and it serves as a key foundation for Sweden's efforts to prevent and combat gender-based violence and forms a

<sup>34</sup> The Istanbul Convention: A toll to tackle violence against women and girls

<sup>35</sup> The Istanbul Convention: A toll to tackle violence against women and girls

<sup>36</sup> *ibid*

<sup>37</sup> *ibid*

central component of the country's ten-year national strategy against men's violence toward women<sup>38</sup>.

A central measure to enhance strategic, cohesive and sustainable governance was the establishment of a National Agency for Gender Equality, which became operational on 1 January 2018.<sup>39</sup> The agency is tasked with monitoring, analyzing, coordinating and providing knowledge and support to advance the national gender equality policy objectives<sup>40</sup>.

Moreover, the government actively engages NGOs and civil society partners in structured dialogues during the development of new policy measures, strategies and action plans. National action plans and mandates also incorporate commissions for government agencies or agreements with local and regional authorities of strategic significance, thereby enhancing coordination and capacity at both local and regional levels.<sup>41</sup>

#### 4.3.1.3 GREVIO's report on Sweden

In 2024, GREVIO published a report welcoming Sweden's continued progress in criminalizing certain behaviors and introducing obligations that often exceed the standards of the Istanbul Convention.

GREVIO has highlighted several additional issues that require ongoing attention to effectively foster trust and ensure the provision of protection, support and justice for women affected by violence<sup>42</sup>. One of them is to ensure that policies maintain a gender-sensitive understanding of violence against women while avoiding any measures that could stigmatize specific migrant communities<sup>43</sup>.

<sup>38</sup> *The Istanbul Convention: The Nordic Way*. Stubberud, E., Hovde, K., & Aarbakke, M. H.

<sup>39</sup> *ibid*

<sup>40</sup> *ibid*

<sup>41</sup>

<sup>42</sup> GREVIO, first thematic evaluation report, 28th November 2024, Sweden

<sup>43</sup> *ibid*

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In the report, an exclusive focus on “honor”-based violence being linked only to certain migrant communities is criticized, while other forms of violence against women appear to be increasingly addressed in a gender-neutral manner.<sup>44</sup> This tends to focus on gender-based violence affecting both men and women, rather than on the specific experiences of women and girls. GREVIO recommends framing such violence primarily as gender-based violence, rather than focusing solely on cultural or ethnic background, to ensure that all forms of violence are adequately addressed<sup>45</sup>.

Essentially, GREVIO acknowledges Sweden’s dedication for migrant women, but advise against focusing exclusively on migrants, emphasizing that all women in society are affected by gender-based violence.

### 4.3.2 The EU Victims’ Rights Directive

The EU’s Victims’ Rights Directive is a relatively recent regulation that primarily focuses on the rights of victims within the EU, aiming to ensure that they can fully benefit from their entitlements. Directive sets minimum standards for the rights, support and protection of crime victims, ensuring that they are acknowledged, treated with respect and provided with appropriate protection, assistance and access to justice<sup>46</sup>.

#### *4.3.2.1 Directive on combating violence against women and domestic violence*

For our report, it is important to mention that on 8 March 2022, the Commission adopted a proposal for a Directive on combating violence against women and domestic violence. The proposal outlines specific measures concerning victims’ access to information, support, protection and compensation,

<sup>44</sup> *ibid*

<sup>45</sup> *ibid*

<sup>46</sup> [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/criminal-justice/protecting-victims-rights/victims-rights-eu\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/criminal-justice/protecting-victims-rights/victims-rights-eu_en)

focusing particularly on victims of violence against women and domestic violence.<sup>47</sup>

The adoption of this Directive represents a significant milestone in advancing the safety and protection of women and girls across all areas of life, including the online sphere<sup>48</sup>. The Directive marks the first time the EU has explicitly recognized that violence against women constitutes an obstacle to achieving gender equality, an obligation that the EU is bound to uphold under its treaties.<sup>49</sup>

However, the directive causes indignation among civil society and human rights NGOs. According to human rights organizations, the draft Directive, does not provide adequate protection for undocumented women from immigration enforcement if they report incidents of violence or abuse to the police.<sup>50</sup> They argue that the Directive prioritizes “national security” over the level of confidentiality needed to protect migrant women. In particular, it fails to include provisions preventing the sharing of their personal data with immigration authorities, thereby increasing their vulnerability<sup>51</sup>. This means that migrant women who have experienced violence or abuse will be at risk of deportation if they officially report the incident. The Directive does not necessarily oblige police officers to refrain from sharing information about migrant women with the migration authorities. As Louise Bonneau, Advocacy Officer at PICUM, said: “Who would report violence and abuse if they risked being locked up and deported instead of getting support and protection?”

To sum up, while the Directive clearly represents the EU’s strongest and most progressive stance on combating violence against women since the Istanbul

<sup>47</sup> *ibid*

<sup>48</sup> European Women’s Lobby, <https://womenlobby.org/our-work/ending-vawg/eu-directive-on-violence-against-women/>

<sup>49</sup> *ibid*

<sup>50</sup> Picum, <https://picum.org/blog/new-eu-directive-on-violence-against-women-leaves-out-migrant-women/>

<sup>51</sup> *An analysis of the EU’s directive on combating violence against women and domestic violence.* Kumbisek, A., Emanuelli, B., Afridi, M., & Keenan, R.



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Convention, it falls short of providing full protection and faces various barriers and challenges, as is common with EU legislation.<sup>52</sup> It should not be seen as offering complete protection and must be supplemented with additional safeguards for migrant women, clearer definitions of crimes such as rape and adaptive measures that evolve alongside the needs of victims and survivors, both preventative and responsive.<sup>53</sup> Despite its limitations, the Directive opens the door for future legislation and offers hope to campaigners, making it an important, though imperfect, step forward.<sup>54</sup>

### 4.3 Grey Literature Review

#### 4.3.1 NGO Reports– Sweden

The global prevalence of violence against women does not necessarily mean that all women experience the same level of violence, or that the dynamics and outcomes are the same.<sup>55</sup> The FRA survey found that women who are not citizens of their country of residence experience slightly higher rates of physical and/or sexual violence from the age of 15, perpetrated by both partners and non-partners.<sup>56</sup> The survivors described intimate partner violence as encompassing physical, sexual and emotional abuse, as well as controlling behaviors by current or former partners, for most of the women interviewed, the abusive partners were permanent residents or citizens of Sweden or the UK.<sup>57</sup> This indicates that the perpetrators typically had a more secure immigration status than the survivors, creating a power imbalance in the context of immigration status, alongside other inequalities, particularly gender.<sup>58</sup>

<sup>52</sup> *An analysis of the EU's directive on combating violence against women and domestic violence.* Kumbisek, A., Emanuelli, B., Afridi, M., & Keenan, R.

<sup>53</sup> *ibid*

<sup>54</sup> *ibid*

<sup>55</sup> "Love is not a passport to Sweden" UN Women

<sup>56</sup> EU FRA 2014

<sup>57</sup> "Love is not a passport to Sweden" UN Women

<sup>58</sup> *ibid*

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The study conducted in Sweden found that migrant women – especially those with low disposable income – face a higher risk of experiencing violence, including intimate partner violence, compared to Swedish-born women and it also revealed that foreign-born women have an elevated risk of mortality resulting from interpersonal violence.<sup>59</sup> The limited data on the prevalence and patterns of intimate partner violence among women with insecure immigration status poses a significant challenge for researchers, advocates and policymakers.<sup>60</sup>

- Amnesty International

Homeless EU migrants from Eastern Europe – many of whom are Roma – living in poverty across Swedish cities and towns often slip through the gaps of Sweden’s healthcare system.<sup>61</sup> Across much of Sweden, many have been denied access to affordable, subsidized healthcare due to discriminatory application of regulations that overlook their vulnerable and precarious circumstances. For instance, in August 2020, a Bulgarian woman was charged over €10,000 for maternity care and childbirth – while Swedish citizens, residents and even undocumented individuals would have paid no more than €400<sup>62</sup>. Roma EU migrants have also been denied contraceptive care and have met difficulties in accessing abortions in Sweden.<sup>63</sup> The Swedish government has maintained that its obligation to protect the rights of individuals within its jurisdiction does not extend to vulnerable EU migrants<sup>64</sup>,

<sup>59</sup> Fernbrandt 2013

<sup>60</sup> “Love is not a passport to Sweden” UN Women

<sup>61</sup> Sweden: A Cold Welcome: Human rights of Roma and Other “Vulnerable EU Citizens” at risk, Amnesty International, 2018

<sup>62</sup> Op Ed Amnesty International Sweden: Why are the poorest and most vulnerable billed with the maximum amount for care? Gefle Dagblad, 9 September 2020

<sup>63</sup> <https://www.ottar.se/r-ttsl-s-i-rulltrappan/>

<sup>64</sup> See, for example, “Response from the Swedish government regarding UPR recommendations”, responding to recommendation 156.257 on

right to health care for vulnerable EU citizens in Sweden, June 2020.

a stance that stands in contrast to international human rights laws and standards.<sup>65</sup>

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<sup>65</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 20, Non-discrimination in economic, social and cultural rights, UN Doc. E/C.12/GC/20, para. 30.

## 5. Comparative Analysis

### 5.1 Overview of Key Dimensions of Comparison

A comparative lens reveals several structural dimensions through which Belgium and Sweden diverge: (1) their legal and policy frameworks, (2) the accessibility and coherence of legal-aid systems, and (3) the procedural and institutional integration of protection orders. Each dimension reflects broader governance logics that either ameliorate or reinforce the vulnerabilities produced by insecure migration status.

#### 5.1.1 Legal Framework and Eligibility

Belgium and Sweden both possess extensive legal provisions for GBV protection, yet they conceptualize *eligibility* through markedly different institutional pathways.

In Belgium, the legal framework is legally dense but practically fragmented. Autonomous residence permits for survivors exist (Articles 10 and 42bis of the Aliens Act), but eligibility hinges on high evidentiary thresholds and bureaucratic cooperation that many women cannot safely navigate. Residency-dependent permits where the abusive partner controls administrative documentation create a condition of bureaucratic captivity, reinforcing coercive control. At the federal level, laws exist in abundance; yet their practical use is contingent on navigating regional and community-level institutions that do not always operate in synchrony.

In Sweden, eligibility for GBV protection is more clearly embedded within a unified welfare architecture. The Social Services Act imposes a statutory duty on municipalities to support survivors regardless of immigration status, and the Aliens Act provides clearer pathways to temporary protection. However, these entitlements are undermined by the state's failure to disaggregate data by migration status, rendering migrant women statistically invisible. Moreover, reforms since 2021 have made permanent residence harder to obtain, placing survivors in prolonged cycles of insecurity. Sweden's framework is thus legally

coherent but strained by welfare retrenchment and the increasing securitization of migration.

Comparatively, Belgium suffers from formalism without accessibility, while Sweden suffers from accessibility without visibility two distinct but equally consequential barriers for migrant women seeking justice.

### 5.1.2 Access to Legal Aid

Belgium and Sweden embody two contrasting models of legal-aid integration.

Belgium's pro deo system is universal in principle and aligned with EU norms, yet it is hampered by administrative requirements (proof of income, residence documents), inconsistent interpreter availability, and a lack of specialized training among legal-aid lawyers on gender-migration intersections. The absence of institutionalized referral pathways between CPAS/OCMW, shelters, and lawyers, forces women to navigate the system independently, an impossible task for survivors facing language barriers, trauma, or immigration insecurity. Legal aid is therefore available but not substantively reachable, particularly for undocumented women who avoid all state contact due to the absence of safe-reporting firewalls.

In Sweden, legal aid is structurally embedded within the welfare state. Many survivors access support through municipal social services rather than through the judiciary. While this approach offers coherent, localized support notably including emergency housing and crisis counselling, legal representation for immigration-related GBV cases remains uneven, especially for undocumented women who fall outside Sweden's social insurance system. Municipalities carry responsibilities but differ in capacity, creating territorial inequalities. The absence of national-level guidelines for supporting undocumented survivors combined with fees charged to some EU-migrant Roma women for essential health services creates a tiered system where legal aid is mediated by both migration status and welfare eligibility.

In comparative terms, Belgium's legal aid is legally robust but structurally fragmented, while Sweden's legal aid is structurally coherent but not universally inclusive. Both systems reveal that the mere presence of legal assistance does not translate into equal accessibility for all survivors.

### 5.1.3 Protection Order Procedures

Protection orders constitute a crucial indicator of state responsiveness to GBV, yet Belgium and Sweden differ significantly in the institutional pathways through which these orders are requested, granted, and enforced.

In Belgium, protection orders are embedded in a judicially dense and procedurally demanding system. Temporary barring orders and civil protection orders exist in law, but women must navigate linguistic requirements, multiple hearings, and fragmented institutional responsibilities. Local police may treat IPV as a "family dispute," reducing the likelihood of initiating protective measures. Courts differ in their interpretation of "imminent danger," and inconsistent interpreter provision further restricts migrant women's ability to articulate risk. Because protection orders intersect with residency procedures sometimes jeopardizing family-reunification files the process itself becomes a site of vulnerability. As such, protection orders are highly formalized but structurally inaccessible.

In Sweden, the process is more streamlined. Municipal social services act as a central node: they can initiate crisis interventions, file for restraining orders, and coordinate with shelters without requiring women to navigate multiple bureaucracies. The existence of more than 200 shelters connected to ROKS and Unizon means survivors often encounter a coherent support chain where legal, social, and psychological assistance intersect. However, Sweden's system is not without gaps: undocumented women face exclusion from welfare services, police responsiveness varies across municipalities, and the lack of official data on migrant survivors means protection orders do not account for migration-specific risks. The emphasis on "honor-based" violence in public discourse can divert attention from other patterns of coercive control affecting migrant women, including those linked to residency dependency.

Overall, Belgium's protection system embodies bureaucratic density, while Sweden's embodies welfare-based coherence yet selective inclusivity. Belgium struggles with *structural over-complexity*, Sweden with *structural invisibility* each limiting migrant women's ability to secure timely and safe protection.

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## 6. Findings and Discussion

The comparative analysis of Belgium and Sweden reveals that both countries, despite their strong formal commitments to gender equality and compliance with the Istanbul Convention, reproduce patterns of institutionalized exclusion that disproportionately affect migrant and undocumented women. The findings show that gender-based violence cannot be understood solely as interpersonal harm but must be situated within the broader architecture of migration governance, welfare eligibility, bureaucratic design, and institutional culture. While the two states differ significantly in their governance models, Belgium's federal fragmentation versus Sweden's unified municipal welfare system both struggle to translate legal availability into lived accessibility, especially for women experiencing precarious or dependent residence status.

### 6.1 Shared Challenges Across Both Countries

Despite structural differences, Belgium and Sweden share several core challenges that hinder migrant women's access to safety and justice.

First, both countries lack systematic, disaggregated data on GBV involving migrant women. The absence of data disaggregated by residence status, race/ethnicity, and migration pathways obscures the scale and specific contours of violence, making migrant women statistically invisible. This invisibility distorts policymaking and weakens accountability mechanisms, resulting in inadequate resource allocation.

Second, both states grapple with institutional blind spots shaped by prevailing narratives of violence. In Belgium, migrant women are often homogenized into a single administrative category, flattening distinctions between asylum seekers, EU migrants, family reunification beneficiaries, and undocumented women. In Sweden, the emphasis on "honor-based violence" can overshadow other forms of coercive control, including those tied to residency dependency, economic precarity, or digital surveillance.



Third, both systems reproduce barriers in frontline encounters. Police, legal-aid lawyers, social workers, and migration officials frequently lack training on the intersections of gender, migration, and coercive control. This results in inconsistent practices, minimizations of risk, cultural stereotyping, and advice that inadvertently exposes women to further harm.

Finally, both countries have policy frameworks that are ambitious on paper yet lack mechanisms to ensure that local institutions implement them coherently. This gap between policy and practice is particularly acute in cases involving undocumented women, who face disproportionate risks of deportation when seeking help.

## 6.2 Country-Specific Barriers and Implementation Gaps

While shared challenges exist, the structural mechanisms that produce inaccessibility differ between Belgium and Sweden.

### Belgium

Belgium's primary barrier is institutional fragmentation. The federal, regional, and community divisions create parallel systems that often do not communicate. This leads to discrepancies in service quality, interpretation availability, shelter capacity, and awareness of legal protections. Migrant women experience these inconsistencies as bureaucratic disorientation, particularly when attempting to navigate simultaneous legal domains (migration, protection orders, welfare, financial assistance).

Moreover, Belgium's residency rules rely heavily on documentation controlled by the abusive partner, and the evidentiary threshold for autonomous residence permits remains prohibitively high. This places women in a position where administrative dependency is weaponized against them.

### Sweden

Sweden's barriers stem from a different source: structural invisibility embedded within a unified welfare system. While municipalities are legally

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obliged to support survivors regardless of status, the welfare system excludes undocumented migrants from key services, including social insurance and subsidized healthcare. The lack of ethnicity or migration-based data collection perpetuates blind spots, making structural inequalities harder to detect.

Additionally, Sweden's heavy institutional focus on honor-related violence, while important, can divert attention from less visible dynamics such as coercive control, digital violence, and administrative manipulation—forms of violence that affect diverse migrant communities.

## 6.3 Impact of Migration Status and Bureaucratic Dependence

Across both contexts, migration status emerges as the single most powerful determinant of access to protection, shaping women's exposure to violence and their ability to seek help.

Women on dependent residence permits experience a specific form of structural vulnerability: their right to stay is conditional on the continuity of the relationship with the perpetrator. This creates an environment in which threats of deportation, withdrawal of sponsorship, and manipulation of administrative procedures become tools of coercive control.

Undocumented women face the starkest barriers. The absence of safe-reporting mechanisms and the risk of data-sharing with immigration authorities means that contacting police can trigger detention or deportation. As a result, undocumented survivors often choose between enduring violence or risking removal from the country. In both Belgium and Sweden, this legal precarity transforms everyday interactions with hospitals, schools, police, or CPAS/OCMW into sites of potential surveillance.

Even refugees and temporary protection beneficiaries encounter bureaucratic vulnerabilities. Delays in asylum decisions, unstable housing, and remote reception centers increase exposure to violence and often isolate women from support networks. In Sweden, asylum accommodation lacking

gender-sensitive design or social workers contributes to insecurity; in Belgium, the reliance on overcrowded or under-resourced reception facilities limits meaningful access to psychosocial support.

Thus, bureaucratic dependence is not a neutral administrative condition; it materially shapes women's safety by structuring their decision-making, limiting mobility, and determining which institutions they can approach without fear.

## 6.4 Interpreting Findings Through Institutionalized Violence Framework

The patterns identified in Belgium and Sweden can be most fully understood through the lens of institutionalized violence, a framework that shifts attention away from individual acts of harm toward the structural processes that reproduce vulnerability and constrain the agency of migrant women. Institutionalized violence emerges when policies, administrative norms, and institutional cultures embed power asymmetries into the very mechanisms intended to offer protection. In both countries, residency rules that tie legal status to intimate partners create a structural dependence that perpetrators can weaponize; evidentiary requirements built on middle-class assumptions of documentation systematically disadvantage women whose lives are shaped by precarity, informal labor, and transnational displacement; and frontline institutional cultures often recast gendered violence as cultural misunderstanding, thereby minimizing its seriousness and obscuring patterns of coercive control. Equally, data practices that fail to collect information by residence status or migration background render migrant women statistically invisible, allowing the state to claim legal compliance while avoiding accountability for outcomes. Territorial governance structures Belgium's fragmented federalism and Sweden's municipality-driven welfare regime further distribute protection unevenly, producing "postcode lotteries" in which safety depends on geography rather than rights. Viewed through this framework, the issue is not simply that GBV systems fall short; rather, they actively reproduce harm through administrative delays, opaque procedures, exclusionary language regimes, and eligibility criteria that mirror social

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hierarchies. Migrant women therefore encounter violence at multiple levels: interpersonally, through abusive partners; institutionally, through systems that fail to recognize or accommodate their realities; and structurally, through governance arrangements that render them perpetually peripheral. Institutionalized violence, in this sense, is not an aberration of the system it is a predictable outcome of systems designed around a normative, documented, culturally dominant subject, leaving those who fall outside that norm to navigate protection structures never intended for them.

### 6.5 The Role of NGOs as Systemic Intermediaries

Across both Belgium and Sweden, NGOs emerge as indispensable actors who sustain the system's protective capacity, often compensating for structural gaps created by the state.

In Belgium, feminist organizations, migrant-led associations, and shelters step into the vacuum created by institutional fragmentation. They provide linguistic mediation, navigate administrative procedures, assist with migration-related claims, and help women piece together incoherent services. Many NGOs function as de facto coordinators in a system where no single state body holds holistic responsibility.

In Sweden, NGOs such as ROKS, Unizon, and Migrant Women's Associations provide specialized services that municipal structures cannot always deliver—especially for undocumented, Roma, or racially minoritized women excluded from welfare eligibility. NGOs also serve as critical watchdogs, highlighting the consequences of data invisibility, honor-based violence framing, and restrictive welfare reforms.

Across both contexts, NGOs do more than assist individual survivors:

- they translate rights into practice,
- bridge institutional silos,
- provide culturally competent care,
- and document harms that the state does not measure.

However, their work is constrained by project-based funding, inconsistent state cooperation, and reliance on unpaid or underpaid labor conditions that reflect the broader undervaluing of feminist and migrant-led expertise.

Ultimately, NGOs function as systemic intermediaries precisely because the system itself is not designed to be navigable by the women who depend on it most.

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## 7. Policy and Practice Recommendations

The comparative findings across Belgium and Sweden reveal that legal availability alone is insufficient to guarantee protection for migrant and undocumented women experiencing gender-based violence. Translating rights into lived accessibility requires structural reform, institutional accountability, and sustained investment in feminist and migrant-led organizations. The following recommendations address the systemic barriers identified in both countries and outline pathways for advancing intersectional, survivor-centered protection mechanisms at national and EU levels.

### 7.1 Recommendations for Belgium

Belgium's central challenge is not the absence of legal instruments, but the fragmentation and uneven accessibility of its protection systems. The following reforms target structural and operational gaps across justice, migration, and social support institutions.

#### Structural Reforms in Legal Aid and Protection Mechanisms

Belgium must strengthen its *pro deo* legal-aid system by removing administrative requirements that exclude women whose abusive partners control their documentation. Eligibility for legal aid should be automatically presumed in GBV cases, with alternative forms of proof (self-declarations, NGO attestations, hospital reports) accepted in lieu of formal documentation. Legal aid lawyers must receive mandatory training on the intersections of migration, coercive control, and residency dependency to ensure that legal advice does not inadvertently endanger women's immigration status. Protection orders should be simplified procedurally, with emergency multilingual forms and expedited pathways for survivors without documentation. A national safe-reporting system must be introduced to ensure that women can seek help from police or social services without risking immigration enforcement.

## Coordination Between Justice, Migration, and Social Services

Belgium requires an integrated, cross-sector coordination mechanism that binds federal, regional, and community actors to shared objectives and shared datasets. This should include a unified GBV referral pathway connecting police, shelters, CPAS/OCMW offices, legal-aid providers, and immigration authorities, with clearly defined responsibilities and time-bound obligations. Immigration authorities should coordinate with GBV services to ensure that autonomous residence permits are assessed through a trauma-informed approach that recognizes psychological violence and coercive control. Municipalities, which currently vary dramatically in capacity and accessibility, must be supported through national guidelines and targeted funding to ensure equal access across linguistic regions.

## Capacity-Building for Frontline Workers

Frontline institutions: police, social workers, legal-aid lawyers, health providers, and CPAS/OCMW staff need comprehensive capacity-building grounded in feminist, trauma-informed, and decolonial approaches. Training should cover coercive control, administrative violence, residence-based abuse, safe interviewing techniques, and the specific risks faced by undocumented women. This training should be mandatory and recurrent, tied to professional accreditation, and evaluated by independent feminist organizations to ensure quality and relevance.

## Cultural and Linguistic Accessibility Measures

Belgium must adopt a rights-based language accessibility framework. Interpreter services should be fully funded, available 24/7, and mandatory in all GBV proceedings. Police stations and courts must provide translated materials and multilingual information about protection measures, residency options, and legal aid. Shelters and support centers must have the capacity to accommodate women with limited linguistic skills or non-Western cultural backgrounds. Outreach should be expanded through migrant women's organizations, community mediators, and trusted networks to reach women who do not engage with mainstream institutions due to distrust or fear.

## 7.2 Recommendations for Sweden

Sweden's unified welfare model provides a solid foundation for GBV protection, but structural gaps persist due to selective inclusivity, municipal variation, and the absence of disaggregated data. The following reforms aim to strengthen the system's consistency and impact.

### Ensure Consistent Municipal-Level Implementation

The Swedish Social Services Act provides a strong legal foundation, but municipalities vary widely in their capacity, linguistic accessibility, and responsiveness to migrant women. National authorities should issue binding guidelines for GBV interventions, ensuring consistency in eligibility assessments, risk evaluations, and provision of sheltered housing. Municipalities should receive dedicated funding and technical support to expand specialized GBV units, particularly in rural or under-resourced regions. Special attention is needed for asylum centers, where safety measures must be standardized and gender-sensitive designs mandated across all facilities.

### Strengthen Monitoring and Data Collection

Sweden's lack of disaggregated data on GBV among migrant women is a critical barrier. National agencies must collect data by residence status, migration pathway, ethnicity, and linguistic background, in compliance with human-rights standards. This data is essential for identifying gaps in municipal practice, addressing unequal outcomes, and ensuring accountability within the national strategy. GREVIO's recommendation to avoid culturizing violence should inform data practices: data should expose structural vulnerabilities, not reinforce stereotypes.

### Expand Long-Term Funding for NGO Partnerships

Sweden's shelter network particularly ROKS, Unizon, and migrant women's organizations plays a central role in ensuring that protection is not merely legal but lived. These organizations require stable, long-term funding to maintain crisis helplines, offer culturally competent support, expand



interpretations services, and provide legal awareness for migrant women. Municipalities should formalize collaboration with specialized NGOs through multi-year agreements that include monitoring and shared training models. Undocumented women, EU-migrant Roma women, and asylum-seekers must be explicitly included in outreach and service design.

## 7.3 Recommendations for the EU and Regional Stakeholders

As GBV intersects directly with EU migration policy, legal harmonisation and cross-border collaboration are essential to ensuring that migrant women experience consistent protection across member states.

### Reinforce Istanbul Convention Monitoring Mechanisms

The EU should strengthen GREVIO's mandate by encouraging member states to implement its recommendations through binding national action plans with measurable indicators. EU institutions should support member states in developing national coordination mechanisms and ensure that EU-funded projects integrate intersectionality, safe-reporting principles, and migrant women's leadership. EU monitoring should focus on the translation of legal availability into practical accessibility, not merely formal compliance.

### Develop EU-Wide Indicators for Effective Access to Justice

Current EU directives including the Victims' Rights Directive and the proposed VAWD Directive must include clear, measurable indicators for migrant women's access to protection. Indicators should cover availability of safe-reporting mechanisms, the issuance of autonomous residence permits, the speed and accessibility of protection orders, quality of interpretation services, and collaboration with feminist and migrant-led NGOs. Harmonized data standards across member states would ensure comparability and promote accountability.

## Foster Transnational Learning on GBV Protection for Migrant Women

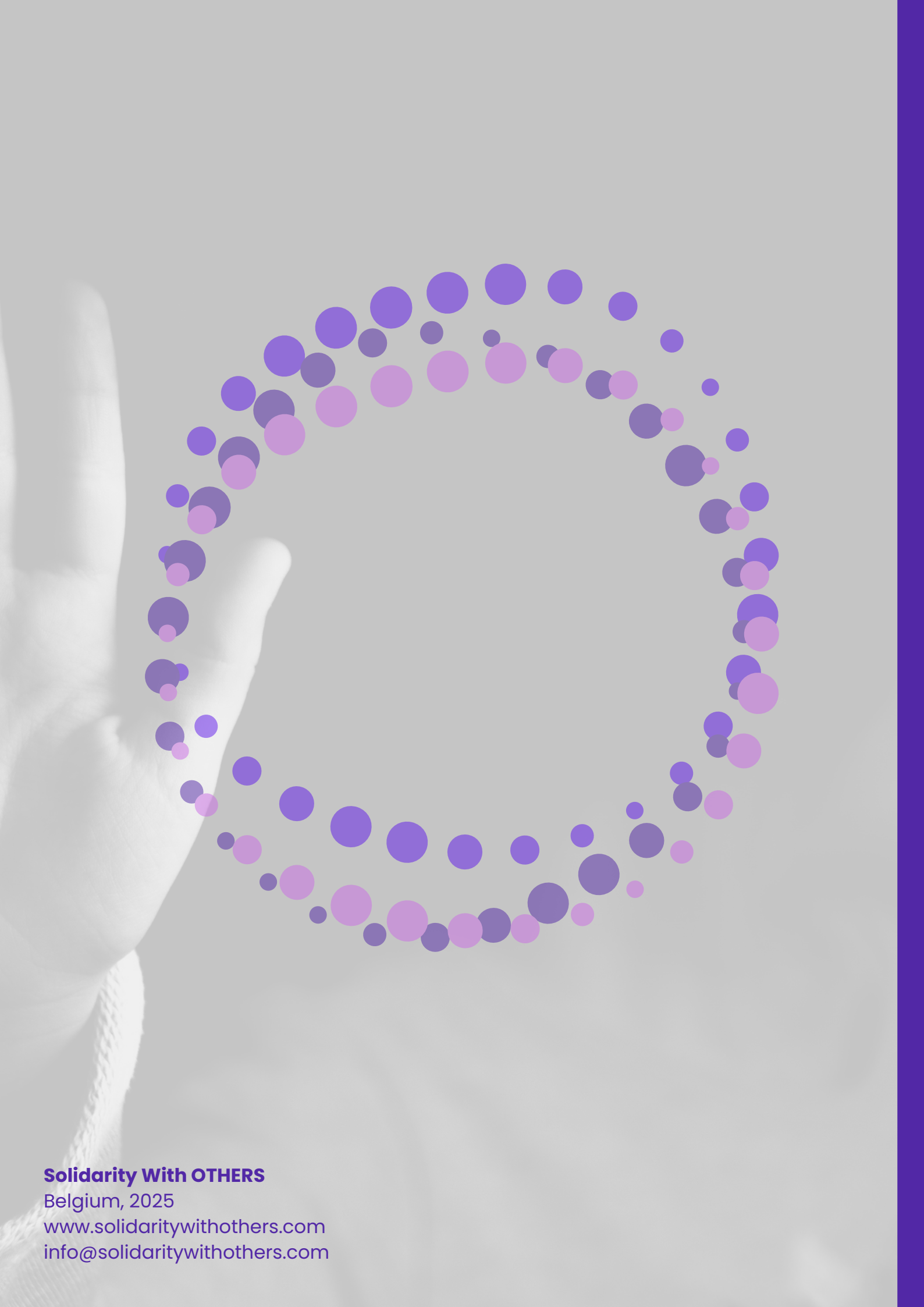
The EU should facilitate systematic exchange between national and municipal authorities, shelters, migrant-women's organizations, and academic researchers. Belgium and Sweden offer complementary lessons: Belgium's experience with legislative density and Sweden's welfare-based integration both contain transferable insights. Transnational learning should prioritise models for safe-reporting, culturally competent outreach, integration of legal aid into social services, and trauma-informed migration governance. EU funding streams AMIF, CERV, ESF+ should support pilot programmes that test new cross-border models of service provision, especially for women who move between member states or experience violence during irregular migration.

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