

Best Practices in Protection

An effective legislative approach requires not only the criminalization of all forms of Violence against Women (VAW), but also the prevention of VAW, the empowerment of, support to and protection of survivors, effective implementation and enforcing the accountability of implementing agencies. To achieve these objectives, it is essential that legislation be supported by adequate budgetary allocations for its implementation, links to national plans, and development of protocols to ensure multi-sectoral responses and coordinated delivery of quality services at the ground level.

Most Asian countries include a range of protection orders in their DV laws that are reflective of the causes and consequences of DV. For example, restraint orders are available under 2013 Chinese Civil Procedure Law; in the Philippines, temporary and permanent protection orders can be issued by the courts and certain reliefs can be obtained also at the Barangay or village level for limited periods; Malaysia's DV law provides interim protection orders while investigations are being conducted, and the Thai DV law provides for financial relief/assistance and temporary shelter for victims/survivors. In many countries, the breach of a protection order is treated as an offence.

In order to increase women's access to justice mechanisms and support services, some countries appoint special officers to assist women. For instance, in Malaysia, Enforcement Officers¹⁰ are required to assist women who have filed applications for protection orders to help them access support services and provide information on their rights, enforce protection orders, etc. In Cambodia, Judicial Police Agents provide support to victims/survivors by providing representation and coordinating between the police and civil society. In addition to individual functionaries, most laws in the region recognize and allow multiple agencies and individuals to receive complaints in cases of VAW and provide support to victims/survivors.¹¹

10. Social Welfare Officers and police have common and separate duties as provided in the law.

11. See Viet Nameese and Lao PDR laws.