

P7_TA-PROV(2014)0126

Combating violence against women

European Parliament resolution of 25 February 2014 with recommendations to the Commission on combating Violence Against Women (2013/2004(INL))

The European Parliament,

- having regard to Article 225 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Articles 2 and 3 of the Treaty on European Union (TEU),
- having regard to the Charter of Fundamental Rights of the European Union and namely its Articles 23, 24, and 25,
- having regard to its resolution of 24 March 2009 on combating female genital mutilation in the EU¹, and its resolution of 14 June 2012 on ending female genital mutilation²,
- having regard to its declaration of 22 April 2009 on the ‘Say NO to Violence against Women’ campaign³,
- having regard to its resolution of 26 November 2009 on the elimination of violence against women⁴,
- having regard to its resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women⁵,
- having regard to its resolution of 6 February 2013 on the 57th session on UN CSW: elimination and prevention of all forms of violence against women and girls⁶,
- having regard to its resolution of 11 October 2007 on the murder of women (femicide) in Mexico and Central America and the role of the European Union in fighting the phenomenon⁷,
- having regard to the Commission's Strategy for equality between women and men 2010-2015 which was presented on 21 September 2010,
- having regard to the Commission's Action Plan Implementing the Stockholm Programme (COM(2010)0171),
- having regard to the 2014-2020 Rights, Equality and Citizenship Programme,

¹ OJ C 117 E, 6.5.2010, p. 52.

² OJ C 332 E, 15.11.2013, p. 87.

³ OJ C 184 E, 8.7.2010, p. 131.

⁴ OJ C 285 E, 21.10.2010, p. 53.

⁵ OJ C 296 E, 2.10.2012, p. 26.

⁶ Texts adopted, P7_TA(2013)0045.

⁷ OJ C 227 E, 4.9.2008, p. 140.

- having regard to the EPSCO Council Conclusions of 8 March 2010 on the eradication of violence against women,
- having regard to Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse of children and child pornography and replacing Council Framework Decision 2004/68/JHA¹,
- having regard to the opinion of the European Economic and Social Committee of 18 September 2012 on 'Eradicating domestic violence against women'²,
- having regard to the EU guidelines on violence against women and girls and combating all forms of discrimination against them,
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),
- having regard to Article 11(1)(d) of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the UN General Assembly by Resolution 34/180 of 18 December 1979,
- having regard to the provisions of the UN legal instruments in the sphere of human rights, in particular those concerning women's rights, such as the UN Charter, the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 1951 Convention relating to the Status of Refugees, and the principle of non-refoulement, the United Nations Convention on the rights of persons with disabilities,
- having regard to other UN instruments on violence against women, such as the Vienna Declaration and Programme of Action of 25 June 1993 adopted by the World Conference on Human Rights (A/CONF. 157/23) and the Declaration on the Elimination of Violence against Women of 20 December 1993 (A/RES/48/104),
- having regard to the UN General Assembly resolutions of 12 December 1997 entitled 'Crime prevention and criminal justice measures to eliminate violence against women' (A/RES/52/86), of 18 December 2002 entitled 'Working towards the elimination of crimes against women committed in the name of honour' (A/RES/57/179), and of 22 December 2003 entitled 'Elimination of domestic violence against women' (A/RES/58/147) and of the UN General Assembly resolution of 5 March 2013 entitled "Intensifying global efforts for the elimination of female genital mutilations" (A/RES/67/146),
- having regard to the reports by the UN High Commissioner for Human Rights' Special Rapporteurs on violence against women and to General Recommendation No 19 adopted

¹ OJ L 335, 17.12.2011, p. 1.

² OJ C 351, 15.11.2012, p. 21.

by the Committee on the Elimination of Discrimination Against Women (11th session, 1992),

- having regard to the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995 and to Parliament’s resolutions of 18 May 2000 on the follow-up to the Beijing Action Platform¹ and of 10 March 2005 on the follow-up to the Fourth World Conference on Women - Platform for Action (Beijing+10)² and of 25 February 2010 on Beijing +15 - UN Platform for Action for Gender Equality³,
 - having regard to the UN General Assembly resolution of 19 December 2006 entitled ‘Intensification of efforts to eliminate all forms of violence against women’ (A/RES/61/143), and to UN Security Council Resolutions 1325 and 1820 on women, peace and security,
 - having regard to the Conclusions of the 57th session of the Commission on the Status of Women on the elimination and prevention of all forms of violence against women and girls,
 - having regard to the UN Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, of 16th May 2012,
 - having regard to article 5 of the Madrid International Action Plan on Ageing,
 - having regard to the European Added Value Assessment⁴,
 - having regard to Rules 42 and 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Women’s Rights and Gender Equality and the opinion of the Committee on Civil Liberties, Justice and Home Affairs (A7-0075/2014),
- A. whereas in Directive 2012/29/EU⁵ establishing minimum standards on the rights, support and protection of victims of crime, gender-based violence is defined as violence that is directed against a person because of that person's gender, gender identity or gender expression or that affects persons of a particular gender disproportionately; whereas it may result in physical, sexual, emotional or psychological harm, or economic loss, to the victim and is understood to be a form of discrimination and a violation of the fundamental freedoms of the victim and includes violence in close relationships, sexual violence (including rape, sexual assault and harassment), trafficking in human beings, slavery, and different forms of harmful practices, such as forced marriages, female genital mutilation and so-called ‘honour crimes’;

¹ OJ C 59, 23.2.2001, p. 258.

² OJ C 320 E, 15.12.2005, p. 247.

³ OJ C 348 E, 21.12.2010, p. 11.

⁴ PE 504.467.

⁵ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

- B. whereas gender-based violence involves victims and perpetrators of all ages, educational backgrounds, incomes and social positions and is linked to the unequal distribution of power between women and men and to ideas and behaviours based on stereotypes in our society which need to be combated at the earliest stage with a view to changing attitudes;
- C. whereas women are increasingly being subjected to violence at the hands of husbands, partners, ex-husbands, or former partners; whereas in some countries the number of victims has risen sharply and the consequences that they suffer have shown a tendency to become far more serious, extending even to death and statistics show, the number of women killed is accounting for a growing proportion of the total murders;
- D. whereas statistical surveys in some countries show that although the number of murders has not risen overall, the number of women killed is accounting for a growing proportion of the total, proving that violence against women is increasing;
- E. whereas extreme poverty increases the risk of violence and other forms of exploitation that hamper the full participation of women in all areas of life and the achievement of gender equality;
- F. whereas greater independence and social and economic involvement makes women less vulnerable and reduces gender-based violence;
- G. whereas new stereotypes, and forms of discrimination and violence have arisen recently from the growing use of online social networks, like abusive grooming practices targeting namely teenagers;
- H. whereas sexist attitudes amongst the younger generation about gender roles are persistent; young women who are victims of violence continue to be blamed and stigmatised by their peers and the rest of society;
- I. whereas violence is a traumatic experience for any man, woman or child, but gender-based violence is more often inflicted by men on women and girls, and both reflects and reinforces inequalities between men and women and compromises the health, dignity, security and autonomy of its victims;
- J. whereas children who have witnessed violence to a close relative have to be taken into consideration and cared for from the point of view of the necessary psychological treatment and welfare provisions, furthermore whereas children who have witnessed violence are at great risk of being affected by emotional and relationship problems;
- K. whereas women victims of gender-based violence and their children often require special support and protection because of the high risk of secondary and repeat victimisation, of intimidation and of retaliation connected with such violence;
- L. whereas women and children who experience violence need specific shelters where they would be offered adequate health care services, legal assistance and psychological counselling and therapy; whereas women's shelters should be given adequate funding by the Member States;
- M. whereas male violence against women alters women's place in society and their self-determination in terms of their health, access to employment and education, integration

into social and cultural activities, economic independence, participation in public and political life and decision-making, and relations with men as well as gaining self-respect;

- N. whereas violence against women can leave deep physical and psychological scars, damage the general health of women and girls, including their reproductive and sexual health, and in some instances results in death, also called feminicide;
- O. whereas there is a need for education and training from a very young age to combat violence against women and gender based violence in general as it develops the skills for young people to treat their partners with respect regardless of their gender and to be aware of the principles of equality;
- P. whereas violence against women is assuming ever more unacceptable forms, including membership of women in groups organising the trafficking of women for sexual exploitation;
- Q. whereas studies on violence against women estimate that one-fifth to one-quarter of all women in Europe have experienced physical acts of violence at least once during their adult lives, and more than one-tenth have suffered sexual violence involving the use of force¹;
- R. whereas, according to the European Added Value Assessment, the annual cost to the EU of gender-based violence against women is estimated at EUR 228 billion in 2011 (i.e. 1,8 % of EU GDP), of which EUR 45 billion a year in public and state services and EUR 24 billion of lost economic output;
- S. whereas the Fundamental Rights Agency issued in March 2013 some preliminary results of its European survey on violence against women, showing inter alia that: four in five women did not turn to any service, such as healthcare, social services, or victim support, following the most serious incidents of violence by people other than their partners; women who sought help were most likely to turn to medical services, highlighting the need to ensure that healthcare professionals can address the needs of victims of violence; two in five women were unaware of laws or political initiatives to protect them in cases of domestic violence, and half were unaware of any preventative laws or initiatives;
- T. whereas the Commission stressed in its Strategy for gender equality 2010-2015 that gender-based violence is one of the key problems to be addressed in order to achieve genuine gender equality;
- U. whereas the legal framework defined by the Lisbon Treaty offers new opportunities for increasing cooperation on criminal justice policy at EU level, enabling institutions and Member States to work together, on firm foundations, in establishing a common EU legal culture to combat all types of violence and discrimination against women, in respect of national legal systems and traditions without replacing them;
- V. whereas awareness raising and mobilization, including through media and social media, is an important component of an effective prevention strategy;

¹ Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV), "Final Activity Report", September 2008.

- W. whereas no single intervention will eliminate violence against women, but a combination of infrastructural, legal, judicial, enforcement, cultural, educational, social, health, and other service-related actions can significantly raise awareness and reduce violence and its consequences;
- X. whereas the six inseparable goals underlying any measures to combat violence against women are policy, prevention, protection, prosecution, provision and partnership;
- Y. whereas it is important to step up action against the industry which perceives young girls and women as sexual objects;
- Z. whereas women in the Union are not equally protected against male violence, due to differing policies and legislation across Member States, as regards among other the definition of offenses and the scope of the legislation, and are therefore vulnerable to such violence;
- AA. whereas, due to factors such as race, ethnicity, religion or belief, health, civil status, housing, migration status, age, disability, class, sexual orientation and gender identity, women may have special needs and be more vulnerable to multiple discriminations;
- AB. whereas in many cases women fail to lodge complaints against acts of gender-based violence against them, for reasons that are complex and diverse and include psychological, economic, social and cultural factors, and because they may also lack trust in the ability of the police, the legal system, and social and health services to concretely help them; whereas in some cases the authorities consider gender-based violence to be a family problem and hence one that can be resolved at that level;
- AC. whereas reproductive health policy should be at the heart of this debate;
- AD. whereas it is essential to gather comparable disaggregated qualitative and quantitative data, covering all aspects of the problem, in order to comprehend the real extent of violence against women in the Union and hence produce effective policies;
- AE. whereas the rejection on 12 December 2012 by the European Parliament of the Commission's proposal for a regulation of the European Parliament and of the Council on European statistics on safety from crime¹ reiterates the need for a new proposal for EU legislation which establishes a coherent system for collecting statistics on violence against women in the Member States, and whereas the Council, in its conclusions of December 2012, called for improvements to the collection and dissemination of comparable, reliable and regularly updated data concerning all forms of violence against women at both national and EU level;
- AF. whereas Female Genital Mutilations (FGM) is recognised internationally as a violation of human rights, a form of torture against girls and women, and reflects a deep-rooted inequality between the sexes; whereas FGM constitutes an extreme form of discrimination against women, is nearly always carried out on minors and is a violation of the rights of children;

¹ Texts adopted, P7_TA(2012)0494.

- AG. whereas prostitution may be viewed as a type of violence against women, owing to the effect this has on their physical and mental health, especially in cases of forced prostitution and of trafficking in women for the purpose of prostitution;
- AH. whereas there is an increasing dangerous trend of honour killings within the borders of the Union, a trend which mostly affects young girls;
- AI. whereas elder abuse is recognized internationally as a violation of human rights of older women, as well as the need to prevent and fight elder abuse in all EU countries;
- AJ. whereas the adoption of EU guidelines on Violence against Women and girls and combating all forms of discrimination against them as well as the specific chapter on the protection of women against gender-based violence in the EU Human Rights Strategic Framework and Action Plan are marking the EU's clear political will to treat the subject of women's rights as a priority and to take long-term action in that field; whereas coherence between the internal and external dimensions in policies concerning human rights can sometimes expose a gap between rhetoric and behaviour;
- AK. whereas, according to the Commission and to Amnesty International reports, FGM concern hundreds of thousands of women and girls in Europe and the figure of 500 000 victims is commonly cited; whereas the disparities between legal provisions in Member States are leading to the phenomenon of so-called cross border "FGM tourism" within the EU;
- AL. whereas there is a continuing need for the EU to work with third countries to eradicate the violent practice of FGM; whereas those Member States and third countries with national legislation criminalising FGM should act on this legislation;
1. Requests the Commission to submit, by the end of 2014, on the basis of Article 84 TFEU, a proposal for an act establishing measures to promote and support the action of Member States in the field of prevention of violence against women and girls (VAWG), following the detailed recommendations set out in the Annex hereto;
 2. Calls on the Commission to submit a revised proposal for a Regulation on European statistics that would target violent crimes and include a coherent system for collecting statistics on gender-based violence in the Member States;
 3. Asks the Council to activate the passerelle clause, by adopting a unanimous decision identifying violence against women and girls (and other forms of gender based violence) as an area of crime listed in Article 83(1) TFEU;
 4. Calls on the Commission to promote national ratifications and launch the procedure for the accession of the EU to the Istanbul Convention on violence against women, once it has evaluated the impact and added value the latter would have;
 5. Requests the Commission to present an EU-wide Strategy and an Action Plan to combat all forms of violence against women and girls (VAWG), as foreseen in 2010 in the Action plan implementing the Stockholm programme, with the aim of protecting women's integrity, equality (Article 2 TEU), and well-being (Article 3(1) TEU) tangibly and effectively in an area of freedom, security and justice, focusing in particular on making women aware of their rights and men and boys (from an early age) of the need to respect

women's physical and psychological integrity, in order to help prevent such violence, stressing the need for police and judicial services to be given proper training in dealing with the specific challenges of gender-based violence, and encouraging Member States to make arrangements to help victims rebuild their lives and recover their self-confidence, so as to guard against future vulnerability or dependence; considers that such strategy should devote particular attention to vulnerable groups such as older persons, people with disabilities, immigrants and LGBT (lesbian, gay, bisexual and transgender) persons and that it should also comprise measures to support children who have witnessed violence and recognise them as victims of crime;

6. Calls on the Commission to promote the collaboration between Member States and women NGOs and organisations in order to prepare and implement an efficient strategy to eliminate violence against women;
7. Encourages the Commission to adopt the first steps towards establishing a European Observatory on Violence Against Women and girls, building on existing institutional structures (European Institute for Gender Equality (EIGE)) and directed by a EU Coordinator on VAWG;
8. Urges the Commission to establish in the next three years an EU Year to End Violence against Women and Girls with the aim of raising awareness among citizens and among all politicians of this widespread problem which affects all the Member States, with a view to presenting a clear plan of action to end violence against women;
9. Calls on the Member States to combat honour killings by providing education and shelter for possible victims and to mobilise awareness campaigns of the extreme form of human rights abuses and the numbers of tragic deaths caused by honour killings;
10. Calls on the Member States and stakeholders, working with the Commission, to help disseminate information about EU programmes and the funding available under them to combat violence against women;
11. Confirms that the recommendations respect fundamental rights and the principles of subsidiarity and proportionality;
12. Considers that the financial implications of the requested proposal should be covered by the Union budget, Section III (ensuring full complementarity with existing budget line relating to the subject of the proposal);
13. Instructs its President to forward this resolution and the accompanying detailed recommendations to the Commission and the Council, and to the parliaments and governments of the Member States, to the Council of Europe and to EIGE.

ANNEX TO THE RESOLUTION:

DETAILED RECOMMENDATIONS AS TO THE CONTENT OF THE PROPOSAL REQUESTED

Recommendation 1 on the objective and scope of the Regulation to be adopted

The objective of the Regulation should be to establish measures to promote and support the action of Member States in the field of prevention of gender-based violence.

Gender-based violence should be considered (as already indicated in Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA) as violence that is directed against a person because of that person's gender, gender identity or gender expression or that affects persons of a particular gender disproportionately. It may result in physical, sexual, emotional or psychological harm, or economic loss, to the victim and may include violence in close relationships, sexual violence (including rape, sexual assault and harassment), trafficking in human beings, slavery, and different forms of harmful practices, such as forced marriages, female genital mutilation and so-called 'honour crimes'.

Recommendation 2 on prevention and combat measures

Member States should develop a series of measures in order to prevent and combat gender-based violence against women and girls. They should namely:

- design, implement and evaluate yearly comprehensive strategies and programmes, including public education programmes and training for teachers and professionals in the recreational sector aimed at removing obstacles that prevent women and girls from enjoying their full rights and freedom free from violence and aimed at bringing about a profound change in social and cultural attitudes;
- conduct relevant research on gender-based violence, including on the causes and motives of violence and data collection and analysis, while pursuing efforts to standardise the criteria for registering gender-based violence, so that the data collected are comparable;
- organise training for officials and professionals likely to come into contact with cases of gender-based violence – including law enforcement, social welfare, child welfare (for victims of or witnesses to violence), healthcare and emergency centre staff – in order to detect, identify and properly deal with such cases, with a special focus on the needs and rights of victims;
- exchange expertise, experience, information and best practices through the European Union Crime Prevention Network (EUCPN);
- establish awareness-raising campaigns (including campaigns targeted specifically at men), in consultation and where relevant in cooperation with NGOs, the media and other stakeholders;
- create – if not already existing – and support national help lines free of charge with specialised staff;

- ensure that specialised shelters (conceived both as first contact assistance and as safe and empowering space for women) are available and equip them with facilities and properly trained staff, offering places for at least 1 woman per 10 000 inhabitants;
- ensure support to women's NGOs and civil society working to prevent gender-based violence against women and girls.

Recommendation 3 on national rapporteurs or equivalent mechanisms

Within one year from the entry into force of the Regulation, Member States should take the necessary measures to establish national rapporteurs or equivalent mechanisms. The tasks of such mechanisms should include the carrying out of assessments of trends in gender-based violence, the measuring of results of measures taken to combat it at national and local level, the gathering of statistics and yearly reporting to the Commission and the competent committees of the European Parliament.

Recommendation 4 on coordination of the Union strategy on combating violence against women

In order to contribute to a coordinated and consolidated Union strategy to combat gender-based violence, Member States should transmit to the Commission the information referred to in Recommendation 3.

Recommendation 5 on reporting

The Commission shall, by 31 December every year and starting from the year after the entry into force of this Regulation, submit a report to the European Parliament and the Council, assessing to which extent Member States have taken measures following this Regulation.

The report will list the measures taken and highlight good practices.

Recommendation 6 on the creation of a civil society forum

The Commission shall maintain a close dialogue with relevant civil society organisations and relevant competent bodies operating in the field of fight against gender-based violence at local, regional, national, European or international level and shall set up a Civil Society Forum for this purpose.

The Forum will constitute a mechanism for the exchange of information and pooling of knowledge. It shall ensure there is a close dialogue between the Union Institutions and relevant stakeholders.

The Forum shall be open to relevant stakeholders in accordance with the first paragraph and shall meet at least once a year.

Recommendation 7 on financial support

The Regulation should establish the source of the financial support within the frame of the Union budget (Section III) for the actions listed under Recommendation 3.

