



The European dimension of combating violence against women and domestic violence: Proposed for a Directive

Why the proposal?

- Violence against women and domestic violence are matters of **criminal law**, **violations of human rights** and the ultimate form of **discrimination** of women
- **Prevalence** of VaW remains high across the EU. **Combating VaW** is a political **priority** for the European Commission
- Current **EU legal framework is insufficient**. Rules on victim's rights in general do not take specific needs of VaW victims into account.
- EU accession to **the Istanbul Convention** requires implementing measures to ensure the EU fulfils its obligations.

What is in the proposal?

- First **EU legal instrument** targeting **specific needs of VaW victims** in a **comprehensive** manner.
- **EU-wide criminalisation** of certain forms of violence against women: Rape (based on consent), female genital mutilation & forms of cyberviolence
- Minimum rules on **victims' protection**: e.g. individual risk assessment; emergency barring, restraining and protection orders
- **Better access to justice**: e.g. easier ways to report; rules on the removal of illegal online content and preservation of evidence

What is in the proposal ctd.

- **Improving victim support:** specialist support for VaW/DV; easily accessible; shelters & interim accommodation; support for children
- **Prevention:** awareness raising, education programmes, training and information to professionals, perpetrator programmes
- Improving **coordination and cooperation** among relevant actors at national and EU level & better **data collection** (e.g. regular EU-wide surveys)

Who is covered by the proposal?

Victims of

- **Violence against women**, which is violence
 - directed against a woman or a girl because she is a woman or a girl, or
 - that affects women or girls disproportionately (but can also affect men/non-binary people)
- **Domestic violence**, which is any act of violence that occurs:
 - within the family or domestic unit, irrespective of biological or legal family ties, or
 - between former or current spouses or partners, whether or not the offender shares or has shared a residence with the victim

Does the EU have the right to legislate?

Proposed measures covered by legal bases in the Treaty on the Functioning of the EU (TFEU):

- Article 83(1) TFEU – sexual exploitation of women and computer crime
- Article 82(2) TFEU – minimum rules concerning the rights of victims of crime

Where do we stand in the adoption process?

Proposal is under negotiation in the European Parliament and the Council

- **EP** very supportive; wantw to strengthen ambition further.
- EP Report to be voted before the summer break – basis for negotiations with the Council;
- **Council of Ministers**: mixed picture. Some Member States are supportive but many are reluctant. Swedish Council Presidency aims at political agreement in June 2023 – basis for negotiations with EP
- If negotiations EP-Council go well, directive could be adopted under Belgian Presidency (first half of 2024)

Thank you!