



Background

Background information for the seminar on "Violence against Women"

Parliament has a long-standing tradition of speaking out for gender equality and strengthening women's rights through legislation and resolutions. This year, the seminar celebrating the International Women's Day coincides with an EU presidency which has made combating violence against women one of its priorities.

In its resolution on the "Elimination of violence against women", adopted on 26 November 2009, Parliament stated that men's violence against women is not only a public health problem, but also an aspect of inequality between women and men. The EU should guarantee the right to assistance and support for all victims of violence, regardless of the victim's nationality, states the resolution. Furthermore, Parliament urged all Member States to recognize sexual violence and rape, including within marriage and intimate informal relationships and/or committed by male relatives, as a crime and to ensure that such offences result in automatic prosecution. The resolution also called for a clear legal basis to be established for combating all forms of violence against women, it added.

On 22 April 2009 Parliament adopted a declaration (22 April 2009) on the "Say NO to Violence against Women" campaign, and asked the Commission to declare, within the next 5 years, a "European Year on Zero Tolerance of Violence against Women". As long ago as 16 September 1997 Parliament had adopted a resolution on the need to establish an EU-wide campaign for zero tolerance of violence against women. It noted that violence against women and girls is a universal problem, of pandemic proportions. MEPs called on Member States to support the UN Development Fund for Women (UNIFEM) campaign "Say NO to Violence against Women" by signing its petition.

On 2 February 2006 Parliament adopted a resolution which called for a policy of "zero-tolerance" of all forms of violence against women. The resolution on the "Current situation in combating violence against women and any future actions" called on the Member States to take appropriate measures to stop female genital mutilation. Preventing and banning female genital mutilation and prosecuting perpetrators must become a priority in all relevant EU policies and programmes. The resolution also noted that the types of violence affecting women can vary according to cultural tradition, ethnic origin and social background. Female genital mutilations, so-called "crimes of honour" and forced marriages are a reality in the EU. There is not enough data available on men's violence against women as women are ashamed and afraid of reporting such violence against them. So the report called for a harmonised methodology and the appointment of national rapporteurs to gather information, the establishment of a single system under which all competent authorities would record instances of assault, and appropriate education and training for professionals responsible for recording incidents.

The European Parliament has consistently called for a European Year of combating violence against women, pointing out that almost one in four women in the EU suffer physical violence and more than 10% sexual violence. However, the situation is likely to be more alarming as there is a lack of comprehensive, reliable and comparable data in the EU.

The Stockholm Programme (2010-2014), adopted by the European Council on 10 and 11 December 2009, also devotes particular attention to the rights of victims and their protection. This programme regarding the area of freedom, security and justice also recommends that the full use of the existing instruments and measures to tackle violence against women

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should be vigorously pursued and applied. Parliament called on the following presidencies to make progress during their terms of office on the European Protection Order, so as to ensure that victims of such crimes enjoy the same level of protection in all EU Member States. Parliament has also called on the Commission to bring forward a directive for combating violence against women and a European action plan on violence against women, aimed at preventing violence, protecting victims and prosecuting perpetrators.

[1] The Council of Europe in its recommendation (2002) defined violence against women as "any act of gender-based violence that results in, or is likely result in, physical, sexual or psychological or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life".

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The Daphne Programmes

Actions to prevent and combat violence against women were promoted by European Union programmes at the end of the 1990s with the launch of the Daphne initiative - subsequently the Daphne Programmes. Daphne came about as a result of a European Parliament resolution on the need to establish an EU-wide campaign for zero tolerance of violence against women.

On 24 January 2000, the European Parliament and the EU Council adopted the first Daphne programme (2000-2003), based on the Daphne initiative, to prevent and combat violence against children, young people and women. As a consequence of its success, the programme was renewed twice, in 2004 and 2007. In between its budget increased from the equivalent of €20 million to almost €120 million for Daphne III.

The aim of this programme is to support organisations (administrations, local municipalities, NGOs, research centres and other related bodies from all the Member States, candidate countries, EFTA states and the countries of the Western Balkans) that develop measures and actions to prevent or to combat all types of violence against women and children.

In April 2005, the Commission proposed establishing a general "Fundamental rights and Justice Framework Programme" comprising four special programmes including one which combined the fight against violence (Daphne) with drug prevention and information measures. Parliament rejected this idea, arguing that this combination could have the effect of undermining the impact and the efficiency of the Daphne programme.

On 20 June 2007, the European Parliament and the Council decided to establish the Daphne II Programme (2007-2013) to prevent and combat violence against children, young people and women and to protect victims and groups at risk as part of the General Programme "Fundamental Rights and Justice".

Since it was launched, the Daphne programme had helped to finance more than 500 projects.

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Human trafficking

On 10 February 2010 Parliament adopted a resolution on preventing trafficking in human beings, stressing that this must stay high on the EU agenda during times of economic and financial crisis. Currently there are no precise data on this phenomenon and the available figures appear to underestimate its real scope, as it is a form of crime that takes place underground and is often undetected or wrongly identified. According to Europol's assessment for 2009, trafficking of women for sexual exploitation has not decreased and trafficking for forced labour is increasing. It is said that 79% of the identified victims of trafficking are women and girls. The resolution also demands an entitlement to free legal aid for victims, that penalties for traffickers should be rethought and ways be found to discourage demand for services supplied by the victims.

EU legislation on trafficking in human beings is currently based on Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings, which aims to ensure a minimum degree of harmonisation of national legislation and on Directive 2004/81/EC of 29 April 2004 on "residence permits issued to third-country nationals who are victims of trafficking or who have been the subject of an action to facilitate illegal immigration, and who co-operate with the competent authorities". A proposal from the new Commission for a new legal instrument under the Lisbon Treaty legal framework is likely to be tabled in the near future.

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European Protection Order

In a resolution of 25 November 2009 on the multi-annual programme 2010-2014 regarding the area of freedom, security and justice (Stockholm programme), the European Parliament called on "the Spanish Presidency and the following presidencies to make progress during their terms of office on the European protection order so as to ensure that victims of such crimes enjoy the same level of protection in all the Member States". The Spanish Government has heeded this call and has proposed a European protection order for victims of violence and a common EU-wide telephone helpline for victims.

In January 2010, draft legislation for the European protection order was presented, on which the Parliament will decide later in the year.

The aim of this draft legislation is to facilitate co-operation between judicial or equivalent authorities of the Member States in relation to proceedings in criminal matters; the protection which a Member State affords to crime victims should therefore not be confined to its territory but should apply to victims wherever they go.

The proposed text has been sent to the European Parliament and the Civil Liberties, Justice and Home Affairs Committee, for consideration under the ordinary legislative procedure. Carmen Romero López has been appointed rapporteur. An opinion report will be drafted by Women's Rights Committee MEP Teresa Jiménez-Becerril Barrio. The proposal is currently scheduled for a plenary vote on 15 June 2010.