

## Violence against women in the EU

### State of play

#### SUMMARY

Violence against women is a violation of human rights and a form of gender-based discrimination. Rooted in inequalities between men and women, it takes many forms. Estimates about the scale of the problem are alarming. Such violence has a major impact on victims and imposes a significant cost burden on society.

The instruments put in place by the United Nations and Council of Europe are benchmarks in efforts to combat violence against women.

The EU is tackling the problem in various ways, but has no binding instrument designed specifically to protect women from violence.

Although there are similarities between national policies to combat violence against women, the Member States have adopted different approaches to the problem.

Parliament's efforts have focused on strengthening EU policy in the area. Parliament has repeatedly called for a European Union strategy to counter violence against women, including a legally binding instrument.

Stakeholders have expressed a range of concerns, such as the impact of the economic crisis, and have highlighted the need for a comprehensive EU political framework on eliminating violence against women.

*This briefing is an update of an [earlier one](#) of February 2014.*



#### In this briefing:

- The problem
- International context
- What is the EU doing?
- Member States
- European Parliament
- Stakeholders' views
- Further information

### Glossary

**Violence against women:** ‘all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life’.

**Gender-based violence against women:** ‘violence that is directed against a woman because she is a woman or that affects women disproportionately’.

**Domestic violence:** ‘all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim’.

Source: [Convention on preventing and combating violence against women and domestic violence](#), Council of Europe, 2011.

## The problem

Violence against women violates human rights and is a form of gender-based discrimination. It constitutes a major obstacle to gender equality. Despite increased attention, the problem still affects all levels of society and all Member States.

### Causes and forms

Violence against women is rooted in social inequalities between men and women. Traditional and religious values are sometimes invoked to justify it. Factors including a lack of economic independence increase women's vulnerability.<sup>1</sup>

Violence takes many forms, including psychological violence, harassment, physical and sexual violence, female genital mutilation (FGM), forced marriage, forced abortion and sterilisation, sexual harassment, and 'honour' crimes. Some specific groups, such as migrant or disabled women, or women living in institutions, are more likely to experience violence.<sup>2</sup>

### Scale of the problem not known

Reliable and comparable data are still [lacking](#) at national and EU level. It is difficult to collect data because, for various reasons (including fear and shame), victims often fail to report acts of violence committed against them. According to the [Agency for Fundamental Rights](#) (FRA), four in five women did not turn to any service after suffering violence at the hands of persons other than their partner. Lack of a common definition of violence against women at EU level is another obstacle to collecting comparable data.<sup>3</sup>

Current estimates are alarming. The Council of Europe [considers](#) that 20% to 25% of women in Europe experience physical violence at least once during their adult lives and that more than 10% have suffered sexual violence involving the use of force. As many as 45% of women have suffered some form of violence. According to estimates, 12% to 15% of women in Europe over the age of 16 are victims of domestic violence – the most common form of violence. According to a scientific study, there are approximately 3 500 domestic-violence-related deaths in the EU every year. In other words, there are more than nine victims, as many as seven of them women, every day.<sup>4</sup>

### Consequences

Violence has serious immediate and long-term consequences for the physical and mental health of the women who are victims. It can also have harmful consequences for children who witness it.

Besides the human suffering it causes and its impact on health, violence against women imposes a significant economic burden on society as a whole, in the form of healthcare costs, policing and legal costs, lost productivity and social costs. According to a scientific report, domestic violence alone costs the EU a total of €16 billion a year. The cost of preventing this violence in Europe amounts to tens of millions of euros every year.<sup>5</sup> According to a study by the European Parliamentary Research Service, the total annual cost of violence against women in the EU amounted to more than €228 billion in 2011.<sup>6</sup>

### Impact of conflict and migration

Conflict and displacement exacerbate violence against [vulnerable](#) groups, including women. A draft [report](#) being discussed in the Committee on Women's Rights and Gender Equality on the situation of women refugees and asylum-seekers in the EU (rapporteur: Mary Honeyball, S&D, UK) of 16 November 2015 gives an overview of issues refugee women must face. It emphasises that times of crisis exacerbate gender inequalities, and lists forms of gender-based violence that this group of women is potentially subject to, including: trafficking for sexual or labour exploitation, forced marriage, sex as currency to pay smugglers, and maternity-related deaths. It also gives recommendations for gender-sensitive asylum and immigration policies at all stages: refugee status determination, asylum procedures, reception and detention, and social integration. This recognition of the special status of migrant women is not new to the European Parliament: its [resolution](#) on violence against women from 2011 emphasises that migrant women and women asylum-seekers are categories of women particularly vulnerable to gender-based violence.

Migrant women also carry with them the added burden of being victims of forms of gender-based abuse which have not been recognised as occurring in the EU until recently, such as [FGM](#) and 'honour' crimes. As a consequence, the understanding of the special nature of these crimes and reasons behind them may not have been adequate to deal with the issue effectively.

## International context

### United Nations

The [Convention on the Elimination of All Forms of Discrimination against Women](#) (1979)<sup>7</sup> and the [Declaration on the Elimination of Violence against Women](#) (1993) are benchmark documents in the field. Although not binding, the declaration is the first international text that deals exclusively with violence against women.

Violence against women is one of the critical areas of concern identified in the [Beijing Platform for Action](#), which was adopted at the Fourth World Conference on Women in 1995. The platform lists the measures that states, and international and non-governmental organisations should take to prevent and tackle this form of violence.

### Daphne programme

Launched in 1997, the Daphne programme seeks to prevent and put an end to violence against women, young people and children. The EU uses the programme to finance measures taken by NGOs, local authorities and research centres, among others, to combat this kind of violence. The [Daphne III Programme](#) (2007-2013) had a budget of €116.85 million. The Commission [proposed](#) incorporating the programme into the Rights and Citizenship Programme 2014-2020. This programme was adopted by the European Parliament and Council on 17 December 2013, and has a maximum budget of €439.5 million for the 2014-2020 period. In its [resolution of 2 February 2012](#) the European Parliament stressed that funding for the programme must be at an appropriate level and that its profile should be enhanced.

Eliminating and preventing violence against women was the priority theme of the [57th session of the Commission on the Status of Women](#) in 2013. The [conclusions](#) adopted at that meeting will be reviewed at the Commission's [60th session](#), to be held in New York in March 2016.

The [Sustainable Development Goals](#) (SDGs) adopted within the United Nations in 2015 include a gender-equality goal, which incorporates targets aimed at ending violence and discrimination against women and girls, including a specific target on eliminating female genital mutilation (FGM) and child, early and forced marriage (CEFM), both of which have an irreversible and lifelong impact.

### **Council of Europe**

In 2002, the Committee of Ministers adopted a [Recommendation on the protection of women against violence](#) in which it called on the member states to draw up action plans to prevent violence and protect victims.

The [Convention on preventing and combating violence against women and domestic violence](#) ('Istanbul Convention') was opened for signature in May 2011 and entered into force in August 2014. It is Europe's first legally binding convention in the field, and creates a [comprehensive framework](#) for preventing violence, protecting victims and prosecuting perpetrators. As of 18 November 2015, 25 EU Member States have [signed](#) the convention, and 12, (AT, DK, FI, FR, IT, MT, NL, PL, PT, SL, ES, SE) have so far ratified it. Three EU Member States (BG, CZ, LV) have neither signed nor ratified the Convention. In October 2015, the European Commission issued an [indicative roadmap](#) for a possible EU accession to the Convention.

### **What is the EU doing?**

The [Treaty on European Union](#) (TEU) affirms the principle of gender equality and non-discrimination (Article 2). The [Charter of Fundamental Rights](#) guarantees people's right to dignity (Title I) and equality (Title III). It also includes specific provisions on people's right to physical and mental integrity, and bans any form of discrimination on the grounds of sex. Although it has no legal force, Declaration 19 on Article 8 of the [Treaty on the Functioning of the European Union](#) (TFEU) affirms the political commitment of Member States to combat all forms of domestic violence.

### **Political commitments**

The [Stockholm Programme](#) (2010-2014) stressed that women who are victims of violence are a vulnerable group in need of greater protection, including legal protection, and strengthened the EU's commitment to tackle gender-based violence more effectively. The [Women's Charter](#) adopted by the Commission in March 2010 declares that a comprehensive action plan will be established to tackle violence against women.

Tackling violence is one of the major areas covered in the [Strategy for equality between women and men](#) (2010-2015). One priority action was the adoption of an EU-wide strategy to combat violence against women, a proposal also supported by the Council in its conclusions of [8 March 2010](#) and [6 December 2012](#). The evaluation of the 2010-2015 Gender Equality Strategy [notes](#) that the adoption of an EU-wide strategy on combating violence against women was not achieved, but adoption of the [Victims' Directive](#) during that period is considered an important result. A new [Post-2015 EU Strategy for Equality between Women and Men](#) is now under consideration, following a public [consultation](#). The European Parliament has [called](#) for the strategy to take the form of an action plan and for combating all forms of violence against women to be maintained as a priority.

### Legislative measures

The EU does not currently have a specific binding instrument designed to protect women from violence.<sup>8</sup> However, legal instruments have been established in different areas in which women can be victims of violence.

These instruments concern, among other things, equal treatment and non-discrimination ([Directive 2002/73/EC](#) concerning equal treatment as regards access to employment and working conditions (recast of [Directive 2006/54/EC](#)) and [Directive 2004/113/EC](#) on equal treatment in the access to and supply of goods and services<sup>9</sup>); trafficking in human beings ([Directive 2011/36/EU](#) on combating trafficking and [Directive 2004/81/EC](#) on the residence permit issued to third-country nationals who are victims of trafficking); and protecting victims ([Directive 2012/29/EU](#) on the rights and protection of victims of crime, and [Directive 2011/99/EU](#) on the European protection order in criminal matters, and [Regulation \(EU\) No 606/2013](#) on mutual recognition of protection measures in civil matters<sup>10</sup>).

In the field of Union [external action](#), the [EU guidelines on violence against women](#) adopted in 2008 affirm the EU's commitment to promote and protect the rights of women in third countries. The Union addresses the problem of violence against women in its specific dialogues on human rights and supports projects to combat violence against women by means of the [European Instrument for Democracy and Human Rights](#). The European Commission and EEAS recently adopted a [Gender Action Plan](#) for external relations for 2016-2020, which prioritises violence against women and girls.

### Member States

Although there are similarities between national policies to combat violence against women, the Member States have adopted different approaches to the problem.

As far as legislation is concerned, domestic physical violence and sexual violence are the main types of violence punishable by law. Domestic psychological violence, forced marriage, sexual harassment and FGM are punishable in different ways depending on the country.<sup>11</sup> In some cases, victims must submit a formal complaint before legal proceedings can begin.<sup>12</sup> The low prosecution and conviction rates for crimes of domestic violence and rape appear to be a problem common to a number of Member States. In order to address this problem, Spain and the United Kingdom have established [specialised courts](#) to deal with cases of violence against women.

**Spain:** in 2004, a far-reaching piece of [legislation](#) was adopted concerning comprehensive protection measures to tackle gender-based violence. This is the first law of its kind in Europe.  
**Sweden:** prostitution is treated as an act of gender-based violence and is seen as an obstacle to gender equality. In 1999, [legislation](#) was introduced to criminalise the purchase of sexual services. Similar legislation is currently under [consideration](#) in **France**.

Besides legislative provisions, in recent years the Member States have adopted policy strategies to combat violence against women, either in the form of national action plans (NAP) on all kinds of violence, or by means of action plans targeting specific forms of violence, or have incorporated measures into other action plans aimed for example at promoting gender equality and social inclusion.<sup>13</sup>

Domestic violence and people trafficking are the most common areas addressed by the NAPs, although there is an increase in concern for sexual violence, especially sexual harassment and more attention to female genital mutilation/cutting. More and more emphasis is being placed in these plans on prevention measures (e.g. awareness

campaigns, training for professionals working with victims, treatment programmes for perpetrators) and on support (shelters for women victims, telephone helplines). Meanwhile, reinsertion programmes focused on the needs of women who have been victims of violence (access to affordable housing, employment, training and income support) are less common.<sup>14</sup>

### European Parliament

The European Parliament first sounded the alarm about the problem of violence against women in a [resolution of 11 June 1986](#). Since then, Parliament has played a particularly important role in the field, including through the work of its [Committee on Women's Rights and Gender Equality](#) (FEMM). Many texts have been adopted by MEPs in order to address trafficking and forced prostitution of women, FGM,<sup>15</sup> gender-based violence in general and, more broadly, issues relating to gender equality.<sup>16</sup>

In its [resolution of 26 November 2009](#) Parliament called on the Commission to draw up a comprehensive proposal for a directive on preventing and combating all forms of violence against women. It urged Member States to recognise sexual violence and rape, including within marriage and intimate informal relationships and/or where committed by male relatives, as offences resulting in automatic prosecution. The text also referred to the idea of having a European year for the elimination of violence against women.

Parliament reiterated its call for a directive in its [resolution of 5 April 2011](#). It stated that not all women in the EU have the same level of protection from male violence. MEPs welcomed the Commission's commitment to draw up a strategy in the field and proposed adopting a comprehensive approach to combating gender-based violence.

More recently, in its [resolution of 6 February 2013](#), Parliament called once again on the Commission to devise an EU strategy for tackling violence against women, which would include the drafting of a directive laying down minimum standards. It also called on the EU and the Member States to sign and ratify the Council of Europe Convention on preventing and combating violence against women.

Parliament reiterated its call for the Commission to present a European strategy and an action plan in its [resolution of 2 February 2014](#). The resolution also called on the Council to add violence against women to the areas of particularly serious crime listed in Article 83(1) [TFEU](#) and urged the Commission to prepare, by the end of 2014, on the basis of Article 84 TFEU, a legislative proposal for measures to encourage and support Member States' actions in the field of preventing violence against women. The Commission was also invited to declare a European year for the ending of violence against women within the next three years. The FEMM Committee [report](#) (rapporteur Antonia Parvanova, ALDE, Bulgaria), was accompanied by a [European Added Value Assessment](#).

Finally, during the current legislature, in June 2015 the European Parliament adopted a [resolution](#) on the EU Strategy for equality between women and men post-2015, in which it reiterated that the Member States need to strengthen actions combating violence against women and girls. It also again called on the Commission to present a comprehensive strategy on violence against women and girls including a binding legislative act, to enshrine 'zero tolerance' campaigns to raise awareness of the problem and to assess the possibility of the EU acceding to the Istanbul Convention. It called on the Council to add gender-based violence to the crimes listed in Article 83(1) TFEU.

## Stakeholders' views

The European Economic and Social Committee (EESC) [has expressed concern](#) that the economic crisis is seriously undermining social policies in many Member States and that shelters for women victims of violence are being shut down, prevention projects are being discontinued and national equality budgets are being slashed. The EESC stresses that the crisis and austerity are leading to greater inequality, which exacerbates the conditions that give rise to violence.

The [European Women's Lobby](#) (EWL) has drafted an evaluation [report](#) of the NAPs designed to combat violence against women. It concludes, inter alia, that most NGOs working on women's issues are disappointed by the way in which they are consulted by national authorities when the latter draw up and implement action plans. The EWL also [demands](#) that 2016 be established as the EU year to end violence against women, with substantial resources for awareness-raising projects. It also calls for adoption and implementation of a comprehensive EU strategy to end all forms of violence against women in Europe, adoption of EU legislation to end prostitution and sex trafficking through the criminalisation of the purchase of sex and the ratification of the Istanbul Convention by the EU and its Member States.

The [Women against Violence Europe](#) (WAVE) network [stresses](#) that few EU Member States have created a free national helpline available 24/7 (only eight Member States of the EU-28). The number of spaces available in shelters for women who are victims of violence is not enough; at EU level less than half the number of places recommended are available. The availability of shelters across Member States is also uneven: the majority of shelters are in Member States which joined the EU before 2004. The number of centres for victims of sexual violence is also insufficient.

## Further information

[Combating violence against women: European Added Value Assessment](#), Directorate-General for Parliamentary Research Services, European Parliament, 2013, 33 p.

[Sexual exploitation and prostitution and its impact on gender equality](#), Directorate-General for Internal Policies, Policy Department C Citizens' Rights and Constitutional Affairs, European Parliament, 2014, 89 p.

[Violence against women - Victim Support: Review of the Implementation of the Beijing Platform for Action in the EU Member States](#), European Institute for Gender Equality, 2012, 142 p.

[The issue of violence against women](#), Directorate-General for Internal Policies, Policy Department C Citizens' Rights and Constitutional Affairs, European Parliament, 2010, 38 p.

[Violence against women and the role of gender equality, social inclusion and health strategies: synthesis report](#), European Commission, 2010, 207 p.

[Feasibility study to assess the possibilities, opportunities and needs to standardise national legislation on violence against women, violence against children and sexual orientated violence](#), European Commission, 2010, 210 p.

## Endnotes

<sup>1</sup> [Eliminating all forms of gender-based violence: background note](#), Conference on 'Equality between women and men', European Commission, DG Justice, September 2011, p. 6; [The issue of violence against women in the EU](#), Directorate-General for Internal Policies, European Parliament, March 2010, p. 11.

<sup>2</sup> [Violence against women and the role of gender equality, social inclusion and health strategies: synthesis report](#), European Commission, 2010, pp. 81-85.

<sup>3</sup> For an overview of national definitions, see: [Violence against women and the role of gender equality, social inclusion and health strategies: synthesis report](#), *Ibid.*, p. 37.

- <sup>4</sup> Figures for 2006. See: *Estimated mortality related to domestic violence in Europe, summary of scientific report*, Psytel, June 2010, p. 5. The scientific report and summary are available at: <http://www.psytel.eu/en/>. For information concerning male victims of domestic violence, see: [Les hommes aussi sont victimes de violence conjugale](#), Le Figaro, August 2010. and [The invisible domestic violence – against men](#). Nicola Graham-Kevan, The Guardian, Nicola Gr 7 June.
- <sup>5</sup> Figures for 2006. See: *Estimated cost of domestic violence in Europe, summary of scientific report*, Psytel, June 2009. The report shows that increasing the budget for prevention policies by €1 would generate overall savings of €87, including €30 in direct costs, pp. 3-4. The report and summary are available at: <http://www.psytel.eu/en/>. The issue of the cost of violence is also addressed in [Combating violence against women: stocktaking study on the measures and actions taken in Council of Europe member States](#), Council of Europe, 2006, pp. 8-12.
- <sup>6</sup> [Combating violence against women: European Added Value Assessment](#), Directorate-General for Parliamentary Research Services, European Parliament, 2013, p. 24.
- <sup>7</sup> The Committee on the Elimination of Discrimination against Women, in [General Recommendation No 19 \(1992\)](#), contributed to having violence against women recognised as a form of discrimination within the meaning of the Convention.
- <sup>8</sup> Under the Daphne Programme the Commission has financed a feasibility [study](#) to assess the possibilities and needs to standardise national legislation on violence against women, violence against children and sexual-orientation violence. It concludes that it would be difficult to find a suitable legal basis in EU law for a number of the proposed minimum standards, and that the EU should use the open method of coordination (OMC) to encourage greater convergence between Member States. See: pp. 188-190.
- <sup>9</sup> These directives prohibit both harassment on grounds of gender and sexual harassment, and consider them to be a form of gender-based discrimination.
- <sup>10</sup> The Regulation, which has applied from 11 January 2015, is of importance for women [victims of domestic violence](#) who wish to make use of their right to free movement within the EU.
- <sup>11</sup> [Protecting women against violence: analytical study of the results of the third round of monitoring the implementation of Recommendation Rec \(2002\) 5 on the protection of women against violence](#), Council of Europe, 2010. The following [Analytical study of the results of the 4th round of monitoring the implementation of Recommendation Rec\(2002\)5 on the protection of women against violence in Council of Europe member states](#) issued in 2014 showed continued disparity at national level.
- <sup>12</sup> *Ibid.*, pp. 14-15.
- <sup>13</sup> [Violence against women - victim support: review of the Implementation of the Beijing Platform for Action in the EU Member States](#), European Institute for Gender Equality (EIGE), 2012, pp. 21-22; [Violence against women and the role of gender equality, social inclusion and health strategies](#), *Op.cit.*, pp. 107-113.
- <sup>14</sup> *Ibid.*, pp. 113-131; pp.138-164; [Analytical study of the results of the 4th round of monitoring the implementation of Recommendation Rec\(2002\)5 on the protection of women against violence in Council of Europe member states](#), Council of Europe, 2014.
- <sup>15</sup> In its resolutions of [2009](#), [2012](#), and [2014](#), Parliament stated that hundreds of thousands of women in Europe are affected by FGM and called on the Commission and the Member States to take measures to eliminate the practice. The Commission organised a [public consultation](#) on the topic in May 2013. This consultation, as well as a [report](#) of the European Institute for Gender Equality, were used by the Commission in drawing up a series of actions, see: [Towards the elimination of female genital mutilation](#), COM(2013)833 final of 25 November 2013.
- <sup>16</sup> [The issue of violence against women in the EU](#), *Op. cit.*, p. 38.

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