



2022/0066(COD)

2.3.2023

OPINION

of the Committee on Budgets

for the Committee on Civil Liberties, Justice and Home Affairs and of the
Committee on Women's Rights and Gender Equality

on the proposal for a directive of the European Parliament and of the Council
combating violence against women and domestic violence
(COM(2022)0105 – C9-0058/2022 – 2022/0066(COD))

Rapporteur for opinion: Alexandra Geese

PA_Legam

SHORT JUSTIFICATION

The European Institute of Gender Equality estimates the costs of gender-based violence against women in the EU at € 290 billion for the year 2019.¹ They include, for example, the costs of lost economic output due to gender-based violence, health services, criminal and civil justice systems, social welfare and personal costs. That is why the Directive of the European Parliament and of the Council on combating violence against women and domestic violence has a great impact on the budgets of the EU and its Member States. This draft opinion for the Committee on Budgets focuses in particular on the financing of victim support and of the relevant EU agencies as well as on reporting and data collection.

The Rapporteur welcomes the Commission proposal, which aims at improving current EU legal instruments for combating gender-based violence, strengthening the rights of victims (protection, access to justice, support, prevention and coordination and cooperation) and aligning EU law with international standards (e.g. “Istanbul Convention”).

To guarantee specialised support for victims of all forms of gender-based violence, the Rapporteur proposes that all services should comply with at least the minimum standards for support services stemming from international obligations and in particular the “Istanbul Convention” (including minimum standards for shelters, counselling, rape crisis and sexual violence referral centres as well as helplines). National authorities, public organisations and non-governmental organisations, which address different target groups and are connected with the region and the communities, should provide these services. As a decentralised support system with a broad range of support services can meet individual needs of victims in a more targeted and effective manner. Due to an increase of cyber violence, the Rapporteur also suggests additional victim support measures specifically for combating cyber violence which would be provided in particular by non-governmental organisations.

In order to support these measures, the EU should provide sufficient financial and human resources for victim support and prevention programmes and should specifically budget resources for the implementation of the Directive under the next Multiannual Financial Framework.

To ensure the best possible victim support and prevention of gender-based violence, it is important to collect the relevant data to determine the exact demand and supply of victim support and prevention measures. Based on this database, the EU and the Member States should determine the financial resources for victim support and prevention of gender-based violence for their future budgets. Therefore, the Rapporteur recommends that the Member States should collect detailed data in the context of gender-based violence and support measures. The Commission (Eurostat and the European Institute of Gender Equality) should coordinate the collection of data in the Member States in a standardised and machine-readable format based on guidance published by the Commission.

Finally, the Rapporteur suggest that the relevant agencies (the European Institute of Gender Equality and Eurostat) should be provided with the necessary human and financial resources to execute these additional tasks and responsibilities.

¹ EIGE (2019): Gender-based violence; The costs of gender-based violence in the European Union, Vilnius.

AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs and on the Committee on Women's Rights and Gender Equality, as the committees responsible, to take into account the following amendments:

Amendment 1 **Proposal for a directive** **Recital 11**

Text proposed by the Commission

(11) Violence against women and domestic violence can be exacerbated where it intersects with discrimination based on **sex** and other grounds of discrimination prohibited by Union law, namely nationality, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. Member States should therefore pay due regard to victims affected by such intersectional discrimination, through providing specific measures where intersecting forms of discrimination are present. In particular, lesbian, bisexual, trans, non-binary, intersex and queer (LBTIQ) women, women with disabilities and women with a minority racial or ethnic background are at a heightened risk of experiencing gender-based violence.

Amendment 2 **Proposal for a directive** **Recital 17**

Text proposed by the Commission

(17) It is necessary to provide for harmonised definitions of offences and penalties regarding certain forms of cyber violence. Cyber violence particularly targets and impacts women politicians,

Amendment

(11) Violence against women and domestic violence can be exacerbated where it intersects with discrimination based on **gender** and other grounds of discrimination prohibited by Union law, namely nationality, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. Member States should therefore pay due regard to victims affected by such intersectional discrimination, through providing specific measures where intersecting forms of discrimination are present. In particular, lesbian, bisexual, trans, non-binary, intersex and queer (LBTIQ) women, women with disabilities and women with a minority racial or ethnic background are at a heightened risk of experiencing gender-based violence.

Amendment

(17) It is necessary to provide for harmonised definitions of offences and penalties regarding certain forms of cyber violence. Cyber violence particularly targets and impacts women politicians,

journalists and human rights defenders. It can have the effect of silencing women and hindering their societal participation on an equal footing with men. Cyber violence also disproportionately affects women and girls in educational settings, such as schools and universities, with detrimental consequences to their further education and to their mental health, which may, in extreme cases, *lead* to suicide.

journalists and human rights defenders. It can have the effect of silencing women and hindering their societal participation on an equal footing with men. Cyber violence also disproportionately affects women and girls in educational settings, such as schools and universities, with detrimental consequences to their further education and to their mental health, which may *lead to an increased incidence of depression and anxiety disorder and*, in extreme cases, to suicide.

Amendment 3
Proposal for a directive
Recital 19

Text proposed by the Commission

(19) Especially due to its tendency for easy, swift and broad distribution and perpetration, as well as its intimate nature, the non-consensual making accessible of intimate images or videos and material that depict sexual activities, to a multitude of end-users, by means of information and communication technologies, can be very harmful for the victims. The offence provided for in this Directive should cover all types of such material, such as images, photographs and videos, including sexualized images, audio clips and video clips. It should relate to situations where the making accessible of the material to a multitude of end-users, through information and communication technologies, occurs without the victim's consent, irrespective of whether the victim consented to the generation of such material or may have transmitted it to a particular person. The offence should also include the non-consensual production or manipulation, for instance by image editing, of material that makes it appear as though another person is engaged in sexual activities, insofar as the material is subsequently made accessible to a multitude of end-users, through

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information and communication technologies, without the consent of that person. Such production or manipulation should include the fabrication of ‘deepfakes’, where the material appreciably resembles an existing person, objects, places or other entities or events, depicting sexual activities of another person, and would falsely appear to others to be authentic or truthful. In the interest of effectively protecting victims of such conduct, threatening to engage in such conduct should be covered as well.

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Amendment 4
Proposal for a directive
Recital 21

Text proposed by the Commission

(21) Minimum rules concerning the offence of cyber harassment should be laid down to counter initiating an attack with third parties or participating in such an attack directed at another person, by making threatening or insulting material accessible to a multitude of end-users. Such broad attacks, including coordinated online mob attacks, may morph into offline assault or cause significant psychological injury and in extreme cases lead to suicide of the victim. They often target prominent (female) politicians, journalists or otherwise well-known persons, but they can also occur in different contexts, for instance on campuses or in schools. Such online violence should be addressed especially where the attacks occur on a wide-scale, for example in the form of pile-on harassment by a significant amount of people.

Amendment

(21) Minimum rules concerning the offence of cyber harassment should be laid down to counter initiating an attack with third parties or participating in such an attack directed at another person, by making threatening or insulting material accessible to a multitude of end-users. Such broad attacks, including coordinated online mob attacks, may morph into offline assault or cause significant psychological injury and in extreme cases lead to suicide of the victim. They often target prominent (female) politicians, journalists **and human right defenders** or otherwise well-known persons, but they can also occur in different contexts, for instance on campuses or in schools. Such online violence should be addressed especially where the attacks occur on a wide-scale, for example in the form of pile-on harassment by a significant amount of people.

Amendment 5
Proposal for a directive
Recital 30

Text proposed by the Commission

(30) In order to ensure comprehensive support and protection to victims, all competent authorities and relevant bodies, not limited to law enforcement and judicial authorities, should be involved in assessing the risks for victims and appropriate support measures on the basis of clear guidelines issued by the Member States. Such guidelines should include factors to be taken into consideration when assessing the risk emanating from the offender or suspect, including the consideration that suspects charged with minor offences are as likely to be dangerous as those charged with more severe offences, especially in cases of domestic violence and stalking.

Amendment 6
Proposal for a directive
Recital 46

Text proposed by the Commission

(46) Specialised support services should provide support to victims of all forms of violence against women and domestic violence, including sexual violence, female genital mutilation, forced marriage, forced abortion and sterilisation, sexual harassment and of *various forms of* cyber violence.

Amendment 7
Proposal for a directive
Recital 47

Amendment

(30) In order to ensure comprehensive support and protection to victims, all competent authorities and relevant bodies, not limited to law enforcement and judicial authorities ***in consultation with relevant civil society organisations***, should be involved in assessing the risks for victims and appropriate support measures on the basis of clear guidelines issued by the Member States. Such guidelines should include factors to be taken into consideration when assessing the risk emanating from the offender or suspect, including the consideration that suspects charged with minor offences are as likely to be dangerous as those charged with more severe offences, especially in cases of domestic violence and stalking.

Amendment

(46) Specialised support services should provide support to victims of all forms of violence against women and domestic violence, including sexual violence, female genital mutilation, forced marriage, forced abortion and sterilisation, sexual harassment and of cyber violence. ***The services should comply with the minimum standards for support services as set out in the “Istanbul Convention”, in particular for shelters, counselling, rape crisis and sexual violence referral centres as well as helplines.***

Text proposed by the Commission

(47) Specialist support should offer victims support tailored to their specific needs, and irrespective of any official complaint. Such services could be provided in addition to, or as an integrated part of, general victim support services, which may call on existing entities providing specialist support. Specialist support may be provided by national authorities, victims' support organisations, or other non-governmental organisations. They should be granted sufficient human and financial resources and, where the services are provided by non-governmental organisations, Member States should **ensure** that they receive appropriate funds.

Amendment

(47) Specialist support should offer victims support tailored to their specific needs, and irrespective of any official complaint. Such services could be provided in addition to, or as an integrated part of, general victim support services, which may call on existing entities providing specialist support. Specialist support may be provided by national authorities, victims' support organisations, or other non-governmental organisations. They should be granted sufficient human and financial resources and, where the services are provided by non-governmental organisations, Member States **and the Union, for instance through the Rights and Values programme and its DAPHNE strand, should be responsible for ensuring** that they receive appropriate funds **while the Union provides complementary funding where necessary. Member States should ensure that all victims belonging to vulnerable groups or communities receive tailor-made support based on their needs, with special attention to linguistic needs and potential past or present discrimination experiences of certain communities. Support should be provided in the form of offline and online services according to specific needs.**

Amendment 8
Proposal for a directive
Recital 47 a (new)

Text proposed by the Commission

Amendment

(47a) Stresses that it is the responsibility of the Member State to ensure sufficient human and financial resources to provide specialist support services for victims of acts of violence covered by this Directive; additionally, highlights the synergies with existing Union policy provisions in the policy and notably the work done under the DAPHNE strand in preventing and

combating gender-based violence through the Union budget.

Amendment 9
Proposal for a directive
Recital 47 b (new)

Text proposed by the Commission

Amendment

(47b) The Union budget should provide complementary funding to ensure a high level of protection for victims of violence, including through sufficient resources in dedicated funding programs, as for instance through the Rights and Values programme and its DAPHNE strand, and through the promotion of innovative solutions to improve the quality and accessibility of the needed services; the relevant program(s) under the next Multiannual Financial Framework should contain sufficient financial and human resources to ensure sufficient funding for an adequate Union contribution to the proper implementation, in particular of preventive and victim support measures; in the context of the Cohesion policy programmes, national programming should pay particular attention to projects contributing to the objectives of the Directive by complementing Member States investments for that purpose.

Amendment 10
Proposal for a directive
Recital 60

Text proposed by the Commission

Amendment

(60) In order to ensure victims of violence *against women and* domestic violence are identified and receive appropriate support, Member States should ensure that professionals likely to come into contact with victims receive training and targeted information. Trainings should

(60) In order to ensure victims of *gender-based* violence, domestic *violence and cyber* violence are identified and receive appropriate support, Member States should ensure that professionals likely to come into contact with victims, *including law enforcement authorities*, receive

cover the risk and prevention of intimidation, repeat and secondary victimisation and the availability of protection and support measures for victims. To prevent and appropriately address instances of sexual harassment at work, persons with supervisory functions should also receive training. These trainings should also cover assessments regarding sexual harassment at work and associated psychosocial safety and health risks as referred to under Directive 89/391/EEC of the European Parliament and of the Council⁴⁵. Training activities should also cover the risk of third party violence. Third party violence refers to violence which staff may suffer at the workplace, not at the hands of a co-worker, and includes cases, such as nurses sexually harassed by a patient.

training and targeted information. ***The appropriate training for law enforcement authorities handling victims' judicial complaint is crucial since they may be the first authorities to whom the victim is reaching out.*** Trainings should cover ***the dynamics and impacts of sexual assault victimisation***, the risk and prevention of intimidation, repeat and secondary victimisation and the availability of protection and support measures for victims ***taking into account the risks of each victim's specific situations.*** ***Trainings should also cover how to interview in a gender-sensitive and respectful manner that does not lead to re-victimisation, and how to assist a victim who wishes to lodge a complaint.*** To prevent and appropriately address instances of sexual harassment at work, persons with supervisory functions should also receive training. These trainings should also cover assessments regarding sexual harassment at work and associated psychosocial safety and health risks as referred to under Directive 89/391/EEC of the European Parliament and of the Council⁴⁵. Training activities should also cover the risk of third party violence. Third party violence refers to violence which staff may suffer at the workplace, not at the hands of a co-worker, and includes cases, such as nurses sexually harassed by a patient. ***Trainings should be developed in conjunction with victims' organisations, experts, educational institutions, civil society and other relevant stakeholders.***

⁴⁵ Council Directive 89/391/EEC of the European Parliament and of the Council of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

⁴⁵ Council Directive 89/391/EEC of the European Parliament and of the Council of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

Amendment 11

Proposal for a directive

Recital 61

Text proposed by the Commission

(61) In order to counteract underreporting, Member States should also liaise with law enforcement authorities in the development of trainings in particular regarding harmful gender stereotypes, but also in the prevention of offences, given their typical close contact with groups at risk of violence and victims.

Amendment

(61) In order to counteract ***and better understand the causes of*** underreporting, Member States should also liaise with law enforcement authorities in the development of trainings in particular regarding harmful gender stereotypes, ***assisting in the filing of complaints, assessing the risk of the victim's situation*** but also in the prevention of offences, given their typical close contact with groups at risk of violence and victims.

Amendment 12 Proposal for a directive Recital 63

Text proposed by the Commission

(63) In order to ensure that victims of the offences of cyber violence contained in this Directive can effectively realise their rights to have illegal material relating to such offences removed, Member States should encourage the cooperation between providers of intermediary services. To ensure that such material is detected early on and tackled effectively and that victims of those offences are adequately assisted and supported, Member States should also facilitate the establishment or use of existing self-regulatory measures of a voluntary nature, such as codes of conduct, including on the detection of systematic risks in relation to such cyber violence and the training of the providers' employees concerned by preventing such violence and assisting victims.

Amendment

(63) In order to ensure that victims of the offences of cyber violence contained in this Directive can effectively realise their rights to have illegal material relating to such offences removed, Member States should encourage the cooperation between providers of intermediary services ***as well as authorities and civil society organisations, such as through the establishment of trusted flaggers pursuant to Article 22 of the Regulation (EU) 2022/2065 of the European Parliament and of the Council^{1a}***. To ensure that such material is detected early on and tackled effectively and that victims of those offences are adequately assisted and supported, Member States should also facilitate the establishment or use of existing self-regulatory measures of a voluntary nature, such as codes of conduct, including on the detection of systematic risks in relation to such cyber violence and the training of the providers' employees, ***including psychological support***, concerned by preventing such violence and assisting victims. ***Any support provided by***

the Commission, and in particular by the relevant Agencies to the Member States in that regard should be adequately resourced.

^{1a} Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1).

Amendment 13
Proposal for a directive
Recital 63 a (new)

Text proposed by the Commission

Amendment

(63a) Members States should also encourage cooperation between providers of intermediary services as well as authorities and civil society organisations to ensure that victims of cyber violence are adequately assisted and supported. As cyber violence encompasses not only threats of violence but also the use of intrusions into a device to obtain, steal, reveal or manipulate intimate data, to broadcast personal data (“doxing”), or to stalk an individual, assistance and support should include training, technical assistance and resources to perform hardware checks to detect installed stalker software or apps, give advice to victims on how to use technology in a safe manner and provide guidance to technology companies to define the types of application behaviours that qualifies apps to be flagged as stalkerware.

Amendment 14
Proposal for a directive
Recital 64

Text proposed by the Commission

Amendment

(64) Policies to adequately tackle violence against women and domestic violence can only be formulated on the basis of comprehensive and comparable disaggregated data. In order to effectively monitor developments in the Member States and fill the gaps of comparable data, Member States should regularly conduct surveys using the harmonised methodology of the Commission (Eurostat) to gather data and transmit these data to the Commission (Eurostat).

(64) Policies to adequately tackle violence against women and domestic violence can only be formulated on the basis of comprehensive and comparable disaggregated data. In order to effectively monitor developments in the Member States and fill the gaps of comparable data, Member States should regularly conduct surveys using the harmonised methodology of the Commission (Eurostat) to gather data and transmit these data to the Commission (Eurostat) *and to the European Institute of Gender Equality (EIGE). For the purpose of the analysis of the aggregated data, both the budgets of Eurostat and EIGE should be adequately financed.*

Amendment 15
Proposal for a directive
Recital 64 a (new)

Text proposed by the Commission

Amendment

(64a) The relevant agencies, in particular EIGE, should be provided with the necessary human and financial resources to fulfil the objectives, tasks and responsibilities assigned to them under this Directive. Those resources should come from the general budget of the Union, with the necessary appropriations drawn exclusively from unallocated margins under the relevant heading of the Multiannual Financial Framework and/or through the mobilisation of the relevant special instruments and not depriving the Right and Values programme of any appropriations agreed for policy purpose under the current Multiannual Financial Framework.

Amendment 16
Proposal for a directive
Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

This Directive lays down rules to prevent and combat violence ***against women and*** domestic violence. It establishes minimum rules concerning:

Amendment 17
Proposal for a directive
Article 1 – paragraph 1 – point b

Text proposed by the Commission

(b) the rights of victims of all forms of violence ***against women or*** domestic violence before, during or after criminal proceedings;

Amendment 18
Proposal for a directive
Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) “***violence against women***” means gender-based violence, that is directed against a woman or a girl because she is a woman or a girl ***or*** that affects women or girls disproportionately, including all acts of such violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;

Amendment 19
Proposal for a directive
Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that specialist support services referred to in

Amendment

This Directive lays down rules to prevent and combat ***gender-based*** violence, domestic violence ***and cyberviolence***. It establishes minimum rules concerning:

Amendment

(b) the rights of victims of all forms of ***gender-based*** violence, domestic violence ***or cyberviolence*** before, during or after criminal proceedings;

Amendment

(a) “***gender-based violence***” means ***violence, that is directed against a person on the basis of their gender, including violence*** that is directed against a woman or a girl because she is a woman or a girl ***and*** that affects women or girls disproportionately, including all acts of such violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;

1. Member States shall ensure that specialist support services referred to in

Article 9(3) of Directive 2012/29/EU are available for victims of acts of violence covered by this Directive. The specialist support services shall provide:

Article 9(3) of Directive 2012/29/EU are ***adequately geographically distributed and available free of charge*** for victims of acts of violence covered by this Directive. The specialist support services shall provide, ***at the earliest possible stage***:

Amendment 20
Proposal for a directive
Article 27 – paragraph 1 – point a

Text proposed by the Commission

(a) advice ***and*** information on any relevant legal or practical matters arising as a result of the crime, including on access to housing, education, training and assistance to remain in or find employment;

Amendment

(a) advice, information ***and support*** on any relevant legal or practical matters arising as a result of the crime, including on access to ***shelter***, housing, education, ***childcare, financial entitlements***, training and assistance to remain in or find employment;

Amendment 21
Proposal for a directive
Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) referrals to medical forensic examinations;

Amendment

(b) referrals to medical ***care, rape crisis centres, sexual violence referral centres and*** forensic examinations;

Amendment 22
Proposal for a directive
Article 27 – paragraph 1 – point c

Text proposed by the Commission

(c) support to victims of cyber violence, including advice on judicial remedies and remedies to remove online content related to the crime.

Amendment

(c) support to victims of cyber violence, including advice on judicial remedies and remedies to remove online content related to the crime, ***psychological counselling, advice and information on how to continue an active online life, as well as referrals to public or private IT-specialists***.

Amendment 23
Proposal for a directive
Article 27 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) IT hardware checks to remedy compromised hardware from malicious software, including stalkerware;

Amendment 24
Proposal for a directive
Article 27 – paragraph 2

Text proposed by the Commission

Amendment

2. Specialist support referred to in paragraph 1 shall be offered in-person and shall be easily accessible, **including** online or through other adequate means, such as information and communication technologies, tailored to the needs of victims of violence against women and domestic violence.

2. Specialist support referred to in paragraph 1 shall be offered in-person and shall be easily accessible **to all victims whether** online or through other adequate means, such as information and communication technologies, tailored to the needs of victims of violence against women and domestic violence. **The support shall be provided, where possible, in languages of linguistic minorities, regions and communities within the different Member States.**

Amendment 25
Proposal for a directive
Article 27 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall ensure **sufficient** human and financial resources to provide the services referred to in paragraph 1, especially those referred to in **point (c)** of that paragraph, including where such services are provided by non-governmental organisations.

3. Member States shall ensure **adequate** human and financial resources to provide the services referred to in paragraph 1, especially those referred to in **points (c) and (ca)** of that paragraph, including where such services are provided by non-governmental organisations.

Amendment 26

Proposal for a directive
Article 27 – paragraph 4

Text proposed by the Commission

4. Member States shall provide the protection and specialist support services necessary to comprehensively address the multiple needs of victims at the same premises, or have such services coordinated through a central contact point, or through one-stop online access to such services. Such combined offering of services shall include at least first hand medical care *and* social services, psychosocial support, legal, and police services.

Amendment 27
Proposal for a directive
Article 27 – paragraph 5

Text proposed by the Commission

5. Member States shall issue guidelines and protocols for healthcare and social service professionals on identifying and providing appropriate support to victims of all forms of violence against women and domestic violence, including on referring victims to the relevant support services. Such guidelines and protocols shall also indicate how to address the specific needs of victims who are at an increased risk of such violence as a result of their experiencing discrimination based on a combination of sex and other grounds of discrimination.

Amendment 28
Proposal for a directive
Article 27 – paragraph 6

Text proposed by the Commission

6. Member States shall ensure that

Amendment

4. Member States shall provide the protection and specialist support services necessary to comprehensively address the multiple needs of victims at the same premises, or have such services coordinated through a central contact point, or through one-stop online access to such services. Such combined offering of services shall include at least first hand medical care, *referral to further medical care*, social services, psychosocial support, *technical support*, legal, and police services.

Amendment

5. Member States shall issue guidelines and protocols for healthcare and social service professionals on identifying and providing appropriate *medical and* support to victims of all forms of violence against women and domestic violence, including on referring victims to the relevant support services. Such guidelines and protocols shall also indicate how to address the specific needs of victims who are at an increased risk of such violence as a result of their experiencing discrimination based on a combination of sex and other grounds of discrimination.

Amendment

6. Member States shall ensure that

specialist support services remain fully operational for victims of violence against women and domestic violence in times of crisis, such as health crises or other states of emergency.

specialist **medical and** support services remain fully operational for victims of violence against women and domestic violence in times of crisis, such as health crises or other states of emergency.

Amendment 29
Proposal for a directive
Article 27 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States shall ensure a minimum of one rape crisis or sexual violence referral centre per 200 000 inhabitants. The geographical distribution of those centres shall ensure all areas are covered.

Amendment 30
Proposal for a directive
Article 27 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States shall ensure that specialist support services are available to victims before, during and for an appropriate time after criminal proceedings.

7. Member States shall ensure that specialist support services are available **without delay** to victims before, during and for an appropriate time after criminal proceedings. **Access to such services shall not be dependent on a victim making a formal complaint.**

Amendment 31
Proposal for a directive
Article 28 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall provide for appropriately equipped, easily accessible rape crisis or sexual violence referral centres to ensure effective support to victims of sexual violence, including assisting in the preservation and documentation of evidence. These centres

1. Member States shall provide for appropriately equipped, easily accessible rape crisis or sexual violence referral centres to ensure effective support to victims of sexual violence, including assisting in the preservation and documentation of evidence. These centres

shall provide for medical and forensic examinations, trauma support and psychological counselling, after the offence has been perpetrated and for as long as necessary thereafter. Where the victim is a child, such services shall be provided in a child-friendly manner.

shall provide for **basic** medical **care** and forensic examinations, **timely referral to other medical care**, trauma support and psychological counselling, after the offence has been perpetrated and for as long as necessary thereafter. Where the victim is a child, such services shall be provided in a child-friendly manner.

Amendment 32
Proposal for a directive
Article 28 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. **Member states shall ensure that evidence gathering and documentation does not automatically lead to formal complaints and that victims can decide freely at a later point if they want to file an official complaint, without prejudice to the role of public prosecution, as referred to in Article 17(5).**

Amendment 33
Proposal for a directive
Article 28 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall ensure a sufficient geographical distribution and capacity of these services across the Member State.

3. Member States shall ensure a sufficient geographical distribution and capacity of these services across the Member State, **ensuring maximum possible safety and confidentiality for victims.**

Amendment 34
Proposal for a directive
Article 31 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall set up state-wide round-the-clock (24/7) telephone helplines, free of charge, to provide advice

1. Member States shall set up state-wide round-the-clock (24/7) telephone helplines, free of charge **and with**

for victims of violence against women and domestic violence. Advice shall be provided confidentially or with due regard for their anonymity. Member States shall ensure the provision of such service also through other information and communication technologies, including online applications.

sufficient capacity to respond to all incoming calls, to provide ***expert*** advice for victims of violence against women and domestic violence, Advice shall be provided confidentially or with due regard for their anonymity. Member States shall ensure the provision of such service also through other information and communication technologies, including online applications.

Amendment 35
Proposal for a directive
Article 32 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall ensure a minimum of one family place per 10 000 heads of population.

Amendment 36
Proposal for a directive
Article 33 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Member States shall act in the best interest of the child.

Amendment 37
Proposal for a directive
Article 36 – paragraph 2

Text proposed by the Commission

Amendment

2. Preventive measures shall include awareness-raising campaigns, research and education programmes, where appropriate developed in cooperation with relevant civil society organisations, social partners, impacted communities and other stakeholders.

2. Preventive measures shall include awareness-raising campaigns, research and education programmes, ***taking into account the structural roots of violence against women or domestic violence.*** Where appropriate ***those measures shall be*** developed in cooperation with relevant civil society organisations, social partners, impacted communities and other

stakeholders.

Amendment 38
Proposal for a directive
Article 36 – paragraph 8

Text proposed by the Commission

8. Member States shall ensure that sexual harassment at work is addressed in relevant national policies. Those national policies shall identify and establish targeted actions referred to in paragraph 2 for sectors where workers are most exposed.

Amendment

8. Member States shall, **in consultation with the social partners**, ensure that sexual harassment at work is addressed in relevant national policies. Those national policies shall identify and establish targeted actions referred to in paragraph 2 for sectors where workers are most exposed.

Amendment 39
Proposal for a directive
Article 37 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that professionals likely to come into contact with victims, including law enforcement authorities, court staff, judges and prosecutors, lawyers, providers of victim support and restorative justice services, healthcare professionals, social services, educational and other relevant staff, receive both general and specialist training and targeted information to a level appropriate to their contacts with victims, to enable them to identify, prevent and address instances of violence against women or domestic violence and to treat victims in a trauma-, gender- and child-sensitive manner.

Amendment

1. Member States shall ensure that professionals likely to come into contact with victims **and offenders**, including law enforcement authorities, court staff, judges and prosecutors, lawyers, providers of victim support and restorative justice services, healthcare professionals, social services, educational and other relevant staff, receive both general and specialist training and targeted information to a level appropriate to their contacts with victims **and offenders**, to enable them to identify, prevent and address instances of violence against women or domestic violence and to treat victims in a trauma-, gender- and child-sensitive manner.

Amendment 40
Proposal for a directive
Article 37 – paragraph 6

Text proposed by the Commission

Amendment

6. Member States shall ensure that the authorities competent for receiving reports of offences from victims are appropriately trained to facilitate and assist in the reporting of such crimes.

6. Member States shall ensure that the authorities competent for receiving reports of offences from victims are appropriately trained to facilitate and assist in the reporting of such crimes ***taking into account the different needs of victims.***

Amendment 41
Proposal for a directive
Article 37 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. Member states shall ensure that trainings referred to in this article are developed in conjunction with victim organisations and civil society organisations to ensure that victims' needs are addressed and that the structural and endemic nature of gender-based violence is explained.

Amendment 42
Proposal for a directive
Article 39 – paragraph 3

Text proposed by the Commission

Amendment

3. That body shall coordinate the collection of data referred to in Article 44, and analyse and disseminate its results.

3. That body shall coordinate the collection of data referred to in Article 44 ***in a standardised and machine-readable format based on a guidance published by the Commission no later than ...[six months after the entry into force of this Directive]***, and analyse and disseminate its results.

Amendment 43
Proposal for a directive
Article 41 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall cooperate with and consult civil society organisations, including non-governmental organisations

Member States shall cooperate with and consult ***relevant*** civil society organisations, including non-governmental organisations

working with victims of violence against women or domestic violence, in particular in providing support to victims, concerning policymaking initiatives, information and awareness-raising campaigns, research and education programmes and in training, as well as in monitoring and evaluating the impact of measures to support and protect victims.

working with victims of violence against women or domestic violence, in particular in providing support to victims, concerning ***the design and implementation of*** policymaking initiatives, information and awareness-raising campaigns, research and education programmes and in training, as well as in monitoring and evaluating the impact of measures to support and protect victims.

Amendment 44
Proposal for a directive
Article 43 – paragraph 1 – point b

Text proposed by the Commission

(b) exchanging information and best practices with relevant Union agencies;

Amendment

(b) exchanging information and best practices with relevant Union agencies, ***in particular with the European Institute for Gender Equality and Europol cybercrime centre to provide help to Member States;***

Amendment 45
Proposal for a directive
Article 44 – paragraph 2 – introductory part

Text proposed by the Commission

2. The statistics shall include the following data disaggregated by ***sex***, age of the victim and of the offender, relationship between the victim and the offender and type of offence:

Amendment

2. The statistics shall include the following data disaggregated by ***gender***, age of the victim and of the offender, relationship between the victim and the offender and type of offence:

Amendment 46
Proposal for a directive
Article 44 – paragraph 2 – point b

Text proposed by the Commission

(b) the annual number of such victims, of reported offences, of persons prosecuted for and convicted of such forms of violence, obtained from national

Amendment

(b) the annual number of such victims, of reported offences, of persons prosecuted for and convicted of such forms of violence, ***sentences imposed***, obtained

administrative sources.

from national administrative sources.;

Amendment 47
Proposal for a directive
Article 44 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the theoretical capacity of victim support services and the number of victims accessing them;

Amendment 48
Proposal for a directive
Article 44 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(bb) the annual number of women on the overall waiting list for the support services (shelters and counselling);

Amendment 49
Proposal for a directive
Article 44 – paragraph 2 – point b c (new)

Text proposed by the Commission

Amendment

(bc) the number of refused women from the support services (shelters and counselling) (annual reporting);

Amendment 50
Proposal for a directive
Article 44 – paragraph 2 – point b d (new)

Text proposed by the Commission

Amendment

(bd) the number of shelter and family places per member state (annual reporting);

Amendment 51

Proposal for a directive
Article 44 – paragraph 2 – point b e (new)

Text proposed by the Commission

Amendment

(be) the costs per shelter place for each member state (annual reporting).

Amendment 52
Proposal for a directive
Article 44 – paragraph 4

Text proposed by the Commission

Amendment

4. In order to ensure administrative data comparability across the Union, Member States shall collect administrative data on the basis of common disaggregations developed in cooperation with and according to the methodology developed by the European Institute for Gender Equality in accordance with paragraph 5. They shall transmit this data to the European Institute for Gender Equality on a yearly basis. The transmitted data shall not contain personal data.

4. In order to ensure administrative data comparability across the Union, Member States shall collect administrative data on the basis of common disaggregations developed in cooperation with and according to the methodology developed by ***Eurostat and in line with the guidance referred to in Article 39(3) and*** the European Institute for Gender Equality in accordance with paragraph 5. They shall transmit this data to ***Eurostat and*** the European Institute for Gender Equality on a yearly basis. The transmitted data shall not contain personal data.

Amendment 53
Proposal for a directive
Article 44 – paragraph 5

Text proposed by the Commission

Amendment

5. The European Institute for Gender Equality shall support Member States in the data gathering referred to in paragraph 2, ***point (b)***, including by establishing common standards on counting units, counting rules, common disaggregations, reporting formats, and on the classification of criminal offences.

5. ***Eurostat in close cooperation with*** the European Institute for Gender Equality shall support Member States in the data gathering referred to in paragraph 2, including by establishing common standards on counting units, counting rules, common disaggregations, reporting formats, and on the classification of criminal offences.

Amendment 54

Proposal for a directive
Article 44 – paragraph 6

Text proposed by the Commission

6. The Member States shall make the collected statistics available to the public. The statistics shall not contain personal data.

Amendment

6. The Member States shall make the collected statistics available to the public. The statistics shall not contain personal data. ***Eurostat and EIGE shall prepare a report every two years on the statistics linked to the implementation of this directive and shall transmit it to the European Parliament and the Council.***

Amendment 55
Proposal for a directive
Article 44 a (new)

Text proposed by the Commission

Amendment

Article 44a

Financing and monitoring of the measures and objectives laid down in this Directive

1. The relevant Union bodies and agencies, in particular EIGE, shall be provided with the necessary human and financial resources to fulfil the objectives, tasks and responsibilities assigned to it under this directive financed by a contribution from the general budget of the Union.

2. Member States shall ensure that sufficient public funding is provided for the measures adopted in order for them to be effectively implemented.

Amendment 56
Proposal for a directive
Article 47 – paragraph 1

Text proposed by the Commission

1. By [***seven*** years after the entry into force of this Directive] at the latest, Member States shall communicate to the

Amendment

1. By ... [***five*** years after the entry into force of this Directive] at the latest, Member States shall communicate to the

Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report on the application of this Directive.

Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report on the application of this Directive.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Combating violence against women and domestic violence
References	COM(2022)0105 – C9-0058/2022 – 2022/0066(COD)
Committees responsible Date announced in plenary	LIBE FEMM 23.3.2022 23.3.2022
Opinion by Date announced in plenary	BUDG 23.3.2022
Rapporteur for the opinion Date appointed	Alexandra Geese 27.4.2022
Rule 58 – Joint committee procedure Date announced in plenary	7.7.2022
Discussed in committee	12.1.2023
Date adopted	2.3.2023
Result of final vote	+: 30 –: 0 0: 3
Members present for the final vote	Rasmus Andresen, Pietro Bartolo, Olivier Chastel, Pascal Durand, José Manuel Fernandes, Eider Gardiazabal Rubial, Alexandra Geese, Vlad Gheorghe, Valentino Grant, Francisco Guerreiro, Valérie Hayer, Eero Heinäluoma, Hervé Juvin, Moritz Körner, Camilla Laureti, Janusz Lewandowski, Margarida Marques, Siegfried Mureşan, Victor Negrescu, Andrey Novakov, Dimitrios Papadimoulis, Karlo Ressler, Bogdan Rzońca, Eleni Stavrou, Nicolae Ştefănuţă, Nils Torvalds, Nils Ušakovs, Rainer Wieland
Substitutes present for the final vote	Rosa D’Amato, Jan Olbrycht, Younous Omarjee
Substitutes under Rule 209(7) present for the final vote	Christian Doleschal, Marlene Mortler

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

30	+
PPE	Christian Doleschal, José Manuel Fernandes, Janusz Lewandowski, Marlene Mortler, Siegfried Mureşan, Andrey Novakov, Jan Olbrycht, Karlo Ressler, Eleni Stavrou, Rainer Wieland
Renew	Olivier Chastel, Vlad Gheorghe, Valérie Hayer, Moritz Körner, Nicolae Ştefănuţă, Nils Torvalds
S&D	Pietro Bartolo, Pascal Durand, Eider Gardiazabal Rubial, Eero Heinäluoma, Camilla Laureti, Margarida Marques, Victor Negrescu, Nils Ušakovs
The Left	Younous Omarjee, Dimitrios Papadimoulis
Verts/ALE	Rasmus Andresen, Rosa D'Amato, Alexandra Geese, Francisco Guerreiro

0	-

3	0
ECR	Bogdan Rzońca
ID	Valentino Grant
NI	Hervé Juvin

Key to symbols:

+ : in favour

- : against

0 : abstention