



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 22 November 2012

16382/12

**SOC 939
JAI 807
FREMP 138
EDUC 351
COHOM 254**

NOTE

from : Council General Secretariat
to : Council (EPSCO)
No prev. doc: 16064/12 SOC 913 JAI 792 FREMP 136 EDUC 337 COHOM 249
Subject : Combating Violence Against Women, and the Provision of Support Services for
Victims of Domestic Violence
- Draft Council Conclusions

1. The Presidency has prepared the attached set of draft Council Conclusions on "Combating Violence Against Women, and the Provision of Support Services for Victims of Domestic Violence."
2. The Conclusions are based on a report produced by the European Institute for Gender Equality on "the Review of the Implementation of the Beijing Platform for Action by the EU Member States: Violence against women: Victim support".¹

¹ The text of the report is contained in doc. 16064/12 ADD 1.

3. This exercise takes place in the context of the follow-up of the Beijing Platform for Action, adopted during the United Nations World Conference on Women in 1995.
 4. At its meeting on 21 November 2012, the Permanent Representatives Committee reached agreement on the text as attached.
 5. The Council is invited to adopt the attached Conclusions.
-

Combating Violence Against Women, and the Provision of Support Services for Victims of Domestic Violence

Draft Council Conclusions²

CONSIDERING THAT:

1. Gender-based violence against women is violence that is directed against a woman because she is a woman or affects women disproportionately; it constitutes a breach of the fundamental right to life, liberty, security, dignity, equality between women and men, non-discrimination and physical and mental integrity.
2. Women and girls are the main victims of gender-based violence. Women victims of such violence and children who witness it often require special support and protection because of the high risk of secondary and repeat victimisation, of intimidation and of retaliation connected with such violence.³
3. Violence against women affects society as a whole and it constitutes an obstacle to women's active participation in society.

² Conclusions adopted within the framework of the review of the implementation of the Beijing Platform for Action, with particular reference to critical area of concern "D: Violence Against Women."

³ Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, Recital 17.

4. Violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms and is a manifestation (or result) of discrimination against women, and means 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.⁴
5. Violence against women is a manifestation of the historically unequal power relations between men and women and a cause and consequence of gender inequality.
6. Discriminatory social, traditional and cultural norms and gender stereotypes contribute to violence against women and perpetuate an attitude of indifference and complacency towards this serious problem.
7. All forms of violence against women are to be condemned as a violation of women's full enjoyment of human rights, and **REAFFIRMING** that neither custom, tradition, culture, privacy, religion nor so-called honour can be invoked to justify it or to avoid the obligations of the Member States with respect to its prevention and elimination and the prosecution of perpetrators.
8. Combating and eliminating all forms of violence against women requires coordinated policies at national and at all other relevant levels and a comprehensive approach targeting the key issues of prevention, protection, victim support, and prosecution of perpetrators as well as other interventions aimed at them.

⁴ CoE Recommendation Rec (2002)5 of the Committee of Ministers to all member states on the protection of women against violence and UNGA resolution 48/104 of 20 December 1993. EU Council Conclusions on the Eradication of Violence against Women in the EU (2010).

9. It is difficult to acquire information on the magnitude and consequences of violence against women as it often remains hidden. This contributes to the persisting lack of available and comparable data at both Member State and EU level, which limits understanding of the real extent of violence against women and its consequences and impedes further development of policies, strategies and actions. Consequently, it is important to identify, use and further develop relevant sources of information.
10. The provision of the full range of specialised support services for women victims of violence and children who witness it is essential for protecting women from violence, for preventing its recurrence and for enabling the women and children concerned to recover and rebuild their lives.
11. "Dignity, integrity and an end to gender-based violence" is one of the five priority areas identified in the Commission's Strategy for equality between women and men (2010-2015). The Council has endorsed this priority and called for appropriate measures, including in the European Pact for Gender Equality (2011-2020).
12. The Beijing Platform for Action adopted by the Fourth World Conference of Women in 1995 identifies "Violence against women" as one of twelve critical areas of concern, and states, *inter alia*, that governments should "take measures to ensure the protection of women subjected to violence."⁵ In 2002, under the Danish Presidency, the Council adopted Conclusions reviewing the work in this critical area and establishing a set of seven indicators concerning *domestic violence against women*.⁶ Building on this work, the Cyprus Presidency has chosen to focus on the issue of *support services for victims of domestic violence* and to monitor progress by applying the indicators on this issue.

⁵ Beijing Platform for Action, paragraph 124(d).

⁶ 1) Profile of female victims of violence, 2) profile of male perpetrators, 3) victim support, 4) measures addressing the male perpetrator to end the circle of violence, 5) training of professionals, 6) state efforts to eliminate violence against women, and 7) evaluation.

13. In their 18-month Trio Presidency programme, Poland, Denmark, and Cyprus undertake to "actively support all initiatives relating to measures to combat violence against women, domestic violence and female genital mutilation, in particular its cross-border aspects, taking into account also developments in other international fora, such as the Council of Europe".⁷
14. In the context of the review of the implementation of the Beijing Platform for Action, the European Institute for Gender Equality (EIGE) has prepared a report on "the Review of the Implementation of the Beijing Platform for Action by the EU Member States: Violence against women: Victim support". The report gives an overview of the current situation as regards domestic violence against women in the EU Member States, and sets out recent legislative and policy measures aimed at tackling the problem and the remaining challenges. The report also includes an in-depth review of the issue of victim support, based on the relevant indicator as established by the Council in 2002.⁸
15. The elimination and prevention of all forms of violence against women and girls will be the priority theme of the 57th Session of the United Nation Commission on the Status of Women in 2013.
16. This set of conclusions builds on the political commitments voiced by the European Parliament, the Council, the European Council, the Commission and other actors in this area, including the documents listed in Annex II.

⁷ 11447/11, p. 87.

⁸ See 14578/02, Indicator 3.

17. TAKING NOTE OF

The outcome of the European Conference on Combating Violence Against Women in the EU that took place in Nicosia on 8-9 November 2012 and aimed to review progress at EU level and to facilitate the exchange of good practice between the Member States in this field, as well as of the European Police College (CEPOL) Presidency Conference on "Overcoming Attrition in Domestic Violence through Policing" which took place in Limassol on 10-12 July 2012 as part of a broader project initiated by Cyprus Police to develop a European Union Handbook of Best Police Practice in Overcoming Attrition in Domestic Violence Cases, and the results of the Best Practice Conference and the European Crime Prevention Award of the European Crime Prevention Network (EUCPN), whose theme for 2012 is Community Policing as a Tool for Crime Prevention, related to Burglaries, domestic Violence and Juvenile Delinquency.

18. The report on "the Review of the Implementation of the Beijing Platform for Action by the EU Member States: Violence against women: Victim support" that was prepared by EIGE at the request of the Cyprus Presidency.⁹ While progress has been made, the support services provided vary greatly across the EU in terms of capacity, quality and geographical distribution. More needs to be done, in particular, to ensure the effective coordination of the public support system, sustainable funding for specialised support services, targeted prevention programmes and systematic training for professionals dealing with victims or perpetrators of all acts of violence against women, as well as to improve data collection on violence against women at national and EU level.

⁹ See 16064/12 ADD 1.

THE COUNCIL OF THE EUROPEAN UNION

CALLS ON THE MEMBER STATES AND THE EUROPEAN COMMISSION, in accordance with their respective competences, to:

19. Develop and implement, and improve where they already exist, comprehensive, multidisciplinary and multi-agency coordinated action plans, programmes or strategies, as appropriate, to combat all forms of violence against women and girls, involving all relevant stakeholders and combining legislative and non-legislative measures aimed at the prevention and elimination of violence, the provision of protection and support to victims, and the prosecution of perpetrators and other interventions aimed at them; and to ensure appropriate and sustainable funding for the implementation of these policies and the operation of services.
20. Consider developing a European Strategy for preventing and combating all forms of violence against women in accordance with the Council Conclusions on the Eradication of Violence Against Women in the European Union adopted in 2010.
21. Improve the collection and dissemination at both national and EU level of comparable, reliable, regularly updated administrative and statistical data on victims and perpetrators of all forms of violence against women, disaggregated by sex, age and victim-perpetrator relationship, working in cooperation with national and European statistical offices and making full use of the work of the EIGE where appropriate, and to support research and the exchange of good practice in this field.
22. Improve the registration and handling of complaints received at the Member States level by police, judicial, health, social and other relevant authorities, agencies, institutions and NGOs, that work in the field of violence against women, as well as the identification of cases related to all forms of violence against women for example by using the European Union Handbook of Best Police Practices in Overcoming Attrition in Domestic Violence Cases.

23. To provide or strengthen appropriate training for the relevant professionals dealing with victims and perpetrators of all acts of violence against women, and where relevant, and in accordance with national law and practices, reinforce special units and/or police units, and task forces that deal with women victims of all acts of such violence.
24. Ensure that support services for victims of violence are in adequate supply and apply a gender equality perspective in particular with a view to protecting and empowering women and children, and that such services are tailored to their specific immediate and longer-term needs and safety.
25. Seek to ensure that support programmes aimed at perpetrators of violence against women with a view to preventing further violence are made available and that perpetrators are encouraged to take part in them.
26. Strengthen national health and social infrastructure to promote equal access for women victims of violence to public health care and address the health consequences of all forms of violence against women and girls.
27. Strengthen and support multi-agency and multidisciplinary co-operation involving all relevant stakeholders including women's organisations and NGOs, which play an important role in combating violence against women and providing services to victims of such violence and their children.
28. Consider establishing a European helpline (within the 116 numbering system) to assist victims of violence against women, by identifying and eliminating remaining obstacles at national level.

29. Monitor the situation with respect to violence against women, including support services for victims of domestic violence, on a regular basis, using the indicators established in 2002 as set out in Annex I and in line with the precedent established for Beijing Platform for Action follow-up, and promote further research on other forms of violence against women, including with a view to further developing and improving these indicators so as to allow for efficient monitoring and comparability, making use of the work of the EIGE.

CALLS ON THE EUROPEAN PARLIAMENT, THE EUROPEAN COMMISSION AND THE MEMBER STATES, in accordance with their respective competences, to:

30. Consider signing, ratifying and implementing the Council of Europe Convention on preventing and combating violence against women and domestic violence, without prejudice to the possible future negotiations on possible EU accession.
31. Carry out and support long-term awareness-raising activities including through education and training programmes to combat discriminatory traditional, cultural and social norms, and tackle prevalent sexist stereotypes and social stigmatisation which legitimise and perpetuate violence against women. Such initiatives should involve all relevant authorities and NGOs and be effectively monitored and evaluated as to their impact on the various target groups concerned.
32. Pay attention to primary prevention of violence against women, *inter alia* by recognising the role of the educational system as one of the primary sources of socialisation and as a key transmitter of traditional and cultural and social norms which can also include negative elements such as gender stereotyping and rigid gender roles that are conducive to violence against women.

33. Emphasize the critical role and responsibility of men and boys in the process of eradicating violence against women, including by encouraging men to speak out against violence, and ensure that the role of men and boys is taken into account in all strategies, action plans and other measures aimed at reducing and eradicating violence against women.
34. Enhance the protection of victims of violence against women when exercising their right to free movement in the European Union, including by ensuring the timely and effective implementation of Directive 2011/99/EU on the European protection order (in criminal matters), or similar civil measures, taking account of the different justice systems across the EU.
35. Ensure the timely and effective implementation of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, which will strengthen EU minimum standards, in particular by improving access for victims of violence against women and their family members to general victim support and specialised support, in accordance with their needs.
36. Pay special attention to the interests and difficulties of all women and girls in vulnerable situations and facing multiple discrimination so as to ensure that protection against violence and support for its victims reaches all parts of society, including marginalised groups.
37. Ensure appropriate and sustainable funding, at EU and national level for advancing equality between women and men and for combating violence against women, without prejudice to the ongoing negotiations on the Multi-Annual Financial Framework (2014-2020).
38. Consider designating 2015 the European Year on Zero Tolerance for Violence against Women so as to raise awareness and draw attention to the widespread phenomenon of violence against women and its impact on society.

39. **CALLS ON THE MEMBER STATES, THE EEAS AND THE EUROPEAN COMMISSION**, in accordance with their respective competences, to strengthen their support to partner countries in combating violence against women and all forms of discrimination against women and girls, including through support to non-state actors, in accordance with the EU Guidelines on Violence Against Women and the EU 2010-2015 Plan of Action for Gender Equality and Women's Empowerment.
-

Indicators and sub-indicators on "Domestic Violence against Women"¹⁰

	Indicator	Sub-indicator
1. Profile of female victims of violence	A. The number of female victims of domestic violence	<ul style="list-style-type: none"> ➤ The number of victims according to the criminal statistics ➤ The number of victims according to surveys ➤ The number of fatalities as a result of domestic violence ➤ The proportion of domestic violence as a percentage of all violent crimes ➤ Any other relevant statistical data concerning female victims and the existence of dependant children, e.g. the number of women seeking assistance in the health system as a likely consequence of domestic violence, the number of victims seeking refuge at crisis centres
	B. Background information on the female victims	<ul style="list-style-type: none"> ➤ Relation to the perpetrator ➤ Age ➤ Marital status ➤ Citizenship ➤ Any other relevant background information, e.g. educational background, labour status

¹⁰ Indicators as established in 2002 (doc. 14578/02).

<p>2. Profile of male perpetrators</p>	<p>A. The number of perpetrators involved in domestic violence</p>	<ul style="list-style-type: none"> ➤ The number of perpetrators according to the criminal statistics ➤ The number of perpetrators seeking assistance through official or voluntary programmes including, for example crisis centres ➤ The number of perpetrators according to surveys ➤ Any other relevant statistical data concerning male perpetrators, e.g. the number of men seeking assistance in the health system
	<p>B. Background information on the perpetrator</p>	<ul style="list-style-type: none"> ➤ Relation to the victim ➤ Age ➤ Marital status ➤ Citizenship ➤ Any other relevant background information, e.g. educational background, labour status

<p>3. Victim support</p>	<p>A. Types of victim support:</p>	<ul style="list-style-type: none"> ➤ Counselling-centres ➤ Emergency services ➤ 24-hours hotline ➤ Women Crisis Centres, including number of shelters per population, number of requests for shelter, number of refusals, funding of centres ➤ Guide on the available support ➤ Special police-units/task forces supporting the victims ➤ Legal advice for the victims ➤ Official information on the Internet regarding violence against women ➤ Support/Courses for victims to help re-enter the labour-market ➤ Health protocols for the victims (collected anonymously), e.g. medical care and treatment ➤ Co-ordination of the public support system ➤ Special support services for vulnerable groups ➤ Any other support measures
---------------------------------	------------------------------------	---

4. Measures addressing the male perpetrator to end the circle of violence	A. Measures aimed at ending the circle of violence	<ul style="list-style-type: none"> ➤ Counselling ➤ Psychological / psychiatric treatment ➤ Re-socialisation programmes in use during imprisonment ➤ Male crisis centres ➤ Any other measures
5. Training of professionals	A. Type of training	<ul style="list-style-type: none"> ➤ Type of education of new personnel ➤ Type of training of current personnel
	B. Target groups	<ul style="list-style-type: none"> ➤ Police personnel ➤ Justice personnel ➤ Health workers ➤ Personnel in the education sector, especially teachers ➤ Any other statutory bodies, such as social workers, interpreters ➤ NGO's, including volunteers working at crisis centres ➤ Any other group
6. State efforts to eliminate violence against women	A. Legislation and Justice	<ul style="list-style-type: none"> ➤ Current status in the area of legislation ➤ Legislative changes within the last 5 years ➤ Number of judgements ➤ Number of successful recourses to civil remedy, for example, injunctions and exclusion orders ➤ Number of convictions, - specify ➤ Number of cases dismissed ➤ Any other measures, e.g. removing the perpetrator from the home, restraining orders

	B. Survey and Projects	<ul style="list-style-type: none"> ➤ Which projects has the State initiated within the last 5 years ➤ Which projects have been initiated in other contexts than the State within the last 5 years
	C. Policy	<ul style="list-style-type: none"> ➤ Has the Government adopted a Strategy on violence against women? ➤ If so, when? ➤ What are the themes in this Strategy, e.g. targets, time frame? ➤ Resources allocated for the purpose of implementing this Strategy, ➤ Does the Strategy include establishing partnerships between government bodies and NGO's? ➤ Has the Strategy(s) been evaluated - how and when?
	D. Awareness raising / preventive measures	<ul style="list-style-type: none"> ➤ Information campaigns aimed at the perpetrator ➤ Information campaigns aimed at the victim ➤ Information campaigns aimed at the professionals working with victims or perpetrators ➤ General information campaigns directed at the whole population ➤ Other awareness raising activities
	E. Budget	<ul style="list-style-type: none"> ➤ What is the financial budget for the State in order to combat domestic violence against women?

7. Evaluation	A. Progress made	<ul style="list-style-type: none"> ➤ Statistical changes in indicators ➤ Progress-reports on measures taken by the member States including relevant information, for example, the proportion of those on programmes who have re-offended ➤ Any other measures to monitor progress or to publish progress achieved
	B. Lessons learned	<ul style="list-style-type: none"> ➤ Efforts/initiatives that have been effective, e.g. campaigns, training programmes, measures addressing the male perpetrator, legislative changes that have improved victim-support or diminished the amount of domestic violence against women ➤ Efforts that have been initiated but have not had the expected effect, e.g. campaigns or training programmes

References**1) EU Legislation**

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

Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order (in criminal matters) (OJ L 338, 21.12.2011, p. 2).

Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1).

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims (OJ L 101, 15.4.2011, p. 1).

2) European Parliament

Resolution of 13 March 2012 on "equality between women and men in the European Union -- 2011."¹¹

Resolution of 5 April 2011 on the "priorities and outline of a new EU policy framework to fight violence against women."¹²

Resolution of 26 November 2009 on "the elimination of violence against women."¹³

¹¹ P7_TA(2012)0069.

¹² P7_TA(2011)0127.

¹³ B7-0139/2009.

3) Council

All Council Conclusions adopted on the review of the Beijing Platform for Action,¹⁴ and especially those cited below.

Council Resolution of 10 June 2011 on a Roadmap for strengthening the right and protection of victims, in particular in criminal proceedings (OJ C 187, 10.6.2011, p. 1)

Council Conclusions of 19 May 2011 on "an EU framework for national Roma integration strategies up to 2020" (OJ C 258, 2.9.2011, p. 6).

Council Conclusions of 7 March 2011 on "the European Pact for Gender Equality (2011-2020)" (OJ C 155, 25.5.2011, p. 10).

Council Conclusions of 8 March 2010 on "the Eradication of Violence Against Women in the European Union" (6585/10).

Council Conclusions of 23 October 2009 on a strategy to ensure fulfilment of the rights of and improve support to persons who fall victim to crime in the European Union (12944/09 + COR 1).

Conclusions¹⁵ of 16 December 2008 on "the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action: Indicators concerning Women and Armed Conflicts" (17099/08).

EU guidelines on violence against women and girls and combating all forms of discrimination against them of 8 December 2008 (16173/08 + COR 1).

Council Conclusions of 21 October 2002 on "the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action" and establishing a set of seven indicators concerning domestic violence against women (14578/02).

Presidency Conclusions of 7 March 2002 on "Violence against women" (6994/02).

4) European Council

The Stockholm Programme adopted on 10/11 December 2009.¹⁶

¹⁴ http://ec.europa.eu/justice/gender-equality/tools/statistics-indicators/platform-action/index_en.htm

¹⁵ Conclusions of the Council of the European Union and the representatives of the governments of the Member States, meeting within the Council.

¹⁶ http://europa.eu/legislation_summaries/human_rights/fundamental_rights_within_european_union/jl0034_en.htm

5) Commission

Commission Staff Working Document: "Progress on Equality between Women and Men in 2011" (8905/12 ADD 2).

Special Eurobarometer 344: "Domestic Violence Against Women" (September 2011)
http://ec.europa.eu/public_opinion/archives/ebs/ebs_344_en.pdf

Strategy for Equality between Women and Men 2010-2015 (13767/10).

Action Plan Implementing the Stockholm Programme (8895/10).

Communication from the Commission: - A Strengthened Commitment to Equality between Women and Men: "A Women's Charter - Declaration by the European Commission on the occasion of the 2010 International Women's Day in commemoration of the 15th anniversary of the adoption of a Declaration and Platform for Action at the Beijing UN World Conference on Women and of the 30th anniversary of the UN Convention on the Elimination of All Forms of Discrimination against Women" (7370/10).

Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions "Strengthening victims' rights in the EU, COM(2011) 274

Proposed Regulation of the European Parliament and of the Council on mutual recognition of protection measures in civil matters (COM(2011) 276 final).

6) Other

The Council of Europe Convention on preventing and combating violence against women and domestic violence.¹⁷

"Opinion on an EU Strategy on Violence Against Women and Girls" of the Advisory Committee on Equal Opportunities for Women and Men (7th December 2010).

Opinion of the European Economic and Social Committee on "Eradicating domestic violence" (SOC 465 (2012)).

¹⁷ <http://www.conventions.coe.int/Treaty/EN/Treaties/Word/210.doc>