



Brussels, 18 March 2022
(OR. en)

6961/22

SOC 128
EMPL 87
GENDER 16
ANTIDISCRIM 9
JAI 301
DROIPEN 26

NOTE

From:	Presidency
To:	Delegations
Subject:	Draft Council Conclusions on Psychological Violence

Delegations will find attached a set of draft Council Conclusions prepared by the Presidency. This document will be discussed by the members of the Social Questions Working Party during an informal videoconference on 31 March 2022.

A report prepared by the European Institute for Gender Equality (EIGE) will be distributed as an addendum to the present document (ST 6961/22 ADD 1).

Procedure

*The Presidency hopes that an agreement on these Conclusions can be reached in two meetings. Delegations are therefore invited to make every effort to develop their positions in good time, with a view to holding a productive discussion at the meeting on 31 March. Written comments are welcome **even before the first meeting**, and should be sent to the following email addresses:*

LIFE.social@consilium.europa.eu and social.bruxelles-dfra@diplomatie.gouv.fr

*NB. The **deadline for written comments** after the first meeting will be **7 April 2022**.*

Draft Council Conclusions¹

Preventing and Combating Violence against Women: targeting psychological violence and coercive control

CONSIDERING THAT:

1. Gender equality and Human Rights are at the core of European values and equality between women and men is a fundamental principle of the European Union enshrined in the Treaties and recognised in Article 23 of the Charter of Fundamental Rights of the European Union.
2. The Beijing Platform for Action (BPfA), adopted by the Fourth World Conference on Women in 1995, identifies "violence against women" as one of twelve critical areas of concern and states, inter alia, that governments must "take measures to ensure the protection of women subjected to violence".
3. The elimination of all forms of violence against women and girls is an important goal for the implementation of the Sustainable Development Goals (SDGs) of the United Nations (UN) Agenda 2030, particularly Goal 5 dedicated to gender equality. Psychological violence is used by the UN as one of specific indicators for monitoring progress towards this goal².
4. As part of the EU follow-up to the implementation of the BpFA, the European Institute for Gender Equality (EIGE) prepared a report entitled "Combatting coercive control and psychological violence against women in the EU Member States," which presents the current situation as regards psychological violence in the domestic setting in the EU Member States, as well as recent legislative and policy measures taken by the Member States to address the problem and the challenges identified.
5. "Being free from violence and stereotypes" is the first pillar in the Gender Equality Strategy (2020-2025) and the main precondition for the eradication of the roots of persistent gender inequalities.

¹ Conclusions drawn up within the context of the review of the implementation of the Beijing Platform for Action, with particular reference to Critical Area of Concern D (Violence Against Women).

² Article 1 of the UN Convention on the Rights of Persons with Disabilities (CRPD).

6. Gender-based violence is a violation of a number of fundamental rights, including in particular the rights to life, liberty and security, and to human dignity, gender equality, non-discrimination and physical and mental integrity.
7. Violence against women and girls refers to all acts of gender-based violence that results in, or are likely to result in, physical, sexual or psychological harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.³
8. One of the most common and hidden forms of violence against women is domestic violence, which includes all acts of physical, sexual, psychological or economic violence occurring within the family or domestic unit or between former or current spouses or partners, regardless of whether the perpetrator shares or has shared the same home as the person targeted.
9. Psychological violence can take different forms, from threats to devaluation and humiliation to harassment. It intentionally damages the psychological integrity of a person.
10. Coercive control is a broader concept than psychological violence and one that may be associated with all other forms of intimate partner violence (physical, sexual, economic, or psychological). This malicious behaviour is deployed almost exclusively by men to dominate women, often involving repeated physical abuse, intimidation, isolation and control.
11. According to the EU Agency for Fundamental Rights, around two out of five women have experienced psychological violence and one in ten women has been the victim of online harassment.
12. Risk of psychological violence is further increased for women and girls with disabilities, both within and outside the home⁴.

³ Article 1 of the UN Declaration on the Elimination of Violence against Women, 1993.

⁴ Recital 17 of the Convention of the Rights of Persons with Disabilities (CRPD).

13. Psychological violence and coercive control have a profound impact on victims, who are at increased risk of depression, post-traumatic stress disorder, and self-harming behaviour, including suicide⁵.
14. Psychological violence also has a negative impact on children who witness or are directly exposed to such violence, leading to an increased risk of becoming adult victims or perpetrators of violence, and thus to an intergenerational cycle of abuse.
15. The overall impact of gender-based violence, which includes loss of economic output, but also public expenditure on preventing violence and caring for victims, is insufficiently understood and recognised. Such violence leads to the isolation of victims, inability to work or study, to care for oneself or one's family, loss of earnings and reduction in healthy life span, and therefore has an alarming socio-economic cost.
16. EIGE has estimated that the cost of gender-based violence across the EU is €366 billion a year. Violence against women makes up 79 % of this cost, amounting to €289 billion. Intimate partner violence makes up almost half (48 %, €174 billion) of the cost of gender based violence. Intimate partner violence against women makes up 87 % of this sum, €151 billion⁶.
17. Information on gender-based violence against women, including psychological violence, is difficult to obtain, as this phenomenon often remains hidden. This limits the understanding of the true extent of this form of violence against women and girls and its consequences.
18. Member States have not established a common definition of psychological violence and coercive control for the purpose of collecting administrative data. Available data is therefore very heterogeneous.

⁵ European project of forced suicide, Psytel, Yael Mellul, November 2021.

⁶ The costs of gender-based violence in the European Union, 2021

19. The economic and social consequences of the health crisis caused by Covid-19 have exacerbated existing gender inequalities in the EU⁷. The various confinements and restrictions have led to a marked increase in domestic violence across Europe and have prevented some victims of violence against women and domestic violence from getting the help they need. Specific forms of violence against women and girls have also been exacerbated, such as online violence and psychological violence.
20. Further measures are needed in relation to new and emerging forms of violence against women and girls, such as cyber-violence (e.g. gender-based cyber harassment, illegal use of personal data, and cyber stalking). More than one in ten women (13%), and a quarter of women and girls aged 16-29, have been victims of cyber-stalking in the last five years.⁸

THE COUNCIL OF THE EUROPEAN UNION

CALLS ON THE MEMBER STATES to:

21. Address psychological violence against women and girls specifically, explicitly and comprehensively, in legislation and public policy-making as a stand-alone phenomenon or as part of domestic violence, including intimate-partner violence, taking into account the multiple and repetitive forms it might take.
22. Ensure coordinated steering of the national policy for the prevention of psychological violence and coercive control in all its forms.
23. Draw up, implement and improve, when they already exist, action plans, programmes or comprehensive strategies, multidisciplinary and coordinated with all stakeholders, to combat all forms of gender-based violence, including psychological violence.

⁷ Council Conclusions on the Socio-Economic Impact of COVID-19 on Gender Equality, approved by the EPSCO Council on 14 June 2021.

⁸ Council of Europe, 2021

24. Include in their action plans, programmes or strategies awareness-raising campaigns that promote understanding of this phenomenon, enabling witnesses and professionals likely to come into contact with victims to identify the signs of psychological violence in intimate partnerships and the home and offering advice on how to help the victims. These measures should take into account the risks and needs of women and girls with disabilities, including accessibility
25. Take concrete measures to effectively address the issue of under-reporting, including the identification of any barriers that prevent women and girls who are victims of violence, in particular psychological violence, from accessing the relevant authorities and services.
26. Strengthen research on psychological violence, including its clinical signs and health consequences for victims and children witnesses.
27. Work to include the estimated number of forced suicides of women and girls, in addition to the number of violent deaths caused by intimate partners, in reports and statistical studies on the deaths of victims of domestic violence.
28. Ensure that the victim support is organised in a coordinated manner throughout the country, which allows for interdisciplinary exchanges, the structuring of care provision and the improvement of practices addressing psychological violence.
29. Provide appropriate training for professionals likely to come into contact with victims, as well as ensure the availability of support programmes for potential perpetrators of psychological violence.

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

30. Improve the collection and dissemination of comparable, reliable and regularly updated administrative data on victims and perpetrators of gender-based psychological violence, disaggregated by sex, age, disability and victim-perpetrator relationship, working in cooperation with national and European statistical offices and agencies; and support research and the exchange of good practice in this area.

31. Take into account and disseminate the results of the forthcoming European study on gender-based violence and other forms of interpersonal violence, coordinated by Eurostat and supported by EIGE and the European Agency for Fundamental Rights (FRA).
32. Establish a common typology for monitoring psychological violence and coercive control in all its forms.
33. Carry out and support long-term awareness-raising activities, including education and training programmes, to prevent and combat psychological violence, with a particular focus on violence committed by intimate partners and carers, and in families and households.
34. Emphasise the essential role and responsibility of men and boys in the process of preventing and eradicating psychological violence against women and girls, in particular by encouraging men to speak out against all forms of violence, and ensure that the role of men and boys is taken into account in all action plans, programmes, strategies and other measures.
35. Promote the exchange of good practice at national and EU level on assessment tools and instruments as well as risk assessment strategies, in order to help policy makers to choose or develop the most appropriate instrument adapted to the needs of each Member State.
36. In order to improve their predictive validity and effectiveness, ensure that risk assessments are carried out to identify risks of further violence, and that risk assessment strategies place the victim at the centre, and take a gender perspective, and that they also address the phenomenon of coercive control.
37. Introduce specific and targeted measures at EU and Member State level in existing and future action plans, programmes and strategies, to prevent and respond to psychological violence and coercive control in the digital environment.

References

1. EU interinstitutional

European Pillar of Social Rights

https://ec.europa.eu/info/sites/default/files/social-summit-european-pillar-social-rights-booklet_en.pdf

2. Council

All Council conclusions adopted on the review of the Beijing Platform for Action and other Council conclusions on gender equality and other subjects, including especially those cited below:

- Council conclusions on the Eradication of Violence against Women in the European Union (6585/10)
- Council conclusions on the European Pact for Gender Equality (2011-2020) (OJ C 155, 25.5.2011, p. 10);
- Council conclusions on Combating Violence Against Women, and the Provision of Support Services for Victims of Domestic Violence (17444/12)
- Council conclusions on Preventing and combating all forms of violence against women, including female genital mutilation (9543/14)
- Council conclusions on the Response to the Commission's Strategic engagement for gender equality (10416/16)

3. Trio Presidency

Trio Presidency Declaration on Gender Equality signed by France, Czechia and Sweden (31 January 2022)

Taking forward the Strategic Agenda: 18-month Programme of the Council (1 January 2022 – 30 June 2023) (14441/21)

4. European Commission

“Gender Equality Strategy 2020-2025”, 5 March 2020

https://ec.europa.eu/commission/presscorner/detail/en/qanda_20_357

2022 Report on Gender equality in the EU https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en#annual-report-on-gender-equality

5. EIGE

“Beijing +25 – The 5th Review of the Implementation of the Beijing Platform for Action in the EU Member States” (12595/19 ADD 2)

“The costs of gender-based violence in the European Union”, 2021

“Combatting coercive control and psychological violence against women in EU Member States”, 2022