

EWL CAMPAIGN ON EU DIRECTIVE ON COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

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European Women's Lobby

Founded in 1990, the EWL is the largest European umbrella network of women's associations representing more than 2000 organisations in the EU coming together to campaign for their common vision of a Feminist Europe



FEMINIST EUROPE

We strive to realise women's rights, equality between women and men and social justice, leaving no woman and girl behind.

The continuum of violence against women

Male Violence against women (VAW)

one of the largest violations of human rights in Europe.

Patriarchal system of domination.

It prevents any possibility of achieving equality between women and men.

The patriarchal system exploits all the possible intersecting vulnerabilities

Women and girls facing multiple and intersecting forms of discrimination are at a higher risk of VAW, sexual exploitation and abuse.

Women with disabilities; elder women and girls;

Women that are not granted with an independent residence permit; undocumented, refugee and asylum seekers.

Women in rural areas, LBT women, black women, Roma women;

Women with low income, experiencing poverty, homelessness

Women experiencing the horrors of war and conflict.

All forms of male violence against women are linked.

They form a **continuum of violence (Prof. Liz Kelly)**

Grounded in the sexism of our societies and harmful gender stereotypes.



**'THE MECHANISM OF VIOLENCE IS WHAT DESTROYS
WOMEN, CONTROLS WOMEN, DIMINISHES WOMEN AND
KEEPS WOMEN IN THEIR SO-CALLED PLACE.'**
EVE ENSLER, FOUNDER OF V-DAY

Towards a comprehensive framework at EU level to address all forms of VAW

Historical moment! European Women's Lobby
Applauds the Adoption of first ever EU
Directive Combating Violence Against Women
and Domestic Violence



Significant steps in the right direction:

- **EU's accession to the Istanbul Convention (achieved in 2023 after years of blockage in the Council)**
- **First Directive on preventing violence against women and domestic violence.**

➔ There is legal mandate and legal basis
for EU action to address VAW

The DEAL In a nutshell:

- **Gender sensitive perspective and intersectional perspective – Victim centered**
- Recognition of the **role of womens' NGOs and specialist services**
- **Criminal law:** 7 crimes (opening up for the list being extended) + Aggravating ciru
- **Crucial legislative framework to address cyberviolence against women- Protection:** rules on reporting, trained units, investigation, immediate protection from danger (rules on emergency barring & protection orders). Guidelines
- **Individual assessment:** not dependent on complaint. Victim-centered & gendered vulnerability factors (pregnancy, children) and risk factors emanating from offender. **Shortcoming for migrant women without recognised legal status!**
- **Support: specialist services** rules; rape crisis centers, sexual violence; FGM; Sexual harassment, accessible helplines, shelters (only women shelters- accesibility); services for victims of sexual exploitation.
- **Prevention:** programmes, root causes, gender stereotypes, preventing sexual violence, recognition of rape based on lack of consent to be understood as a crime; consent based on free will; reduce demand for sex exploitation. Trainings on how to treat victims in a trauma, gender, disability & child-sensitive manner.
- **Coordination:** national action plans + cooperation with NGOs
- **Data collection:** Disaggregation sex/age/relationship + Data on victims killed+ data on helplines and shelters
- **Review clause:** 5 years after transposition- with a view of extending list of crimes

NEW
EU law on
combatting
violence against
women &
domestic violence

Key opportunity now and in the future

In force- Binding instrument establishing minimum obligations for MS

Ambitious implementation:

- to address the **full continuum of violence against women** and girls and adopt a strong gender sensitive perspective.
- **Women's organisations** to be part of the process – their demands must be taken into account.
- Uphold the standards of the **Istanbul Convention**, the **CRPD** (both ratified by the EU); **ILO Convention CEDAW** and its **general recommendation 35**, etc.
- **European Commission monitoring & infringement**
- Court of Justice – MS to fulfill obligations under EU law
- Part of the Aquis Communautaire for accessing countries

REVIEW: Opens up options for extending its scope in the future



Eurocrime of sexual exploitation of women (I)

Female Genital Mutilation and Forced Marriage:

criminal definitions as per the Istanbul Convention included in the text
Forced Marriage also in the Recast Directive on anti-trafficking

But 3 criminal definitions were left out during Trilogues:

Rape based on consent – Free will in the surrounding circumstances:

- As per the definition of Istanbul Convention and GREVIO recommendations
- 15 EU Member States still hold definitions that are not up to the standards in the IC : “no means no” or predominantly based on force or coercion.
- almost 15 EU member states in support.
- Blocking minority from France and Germany.

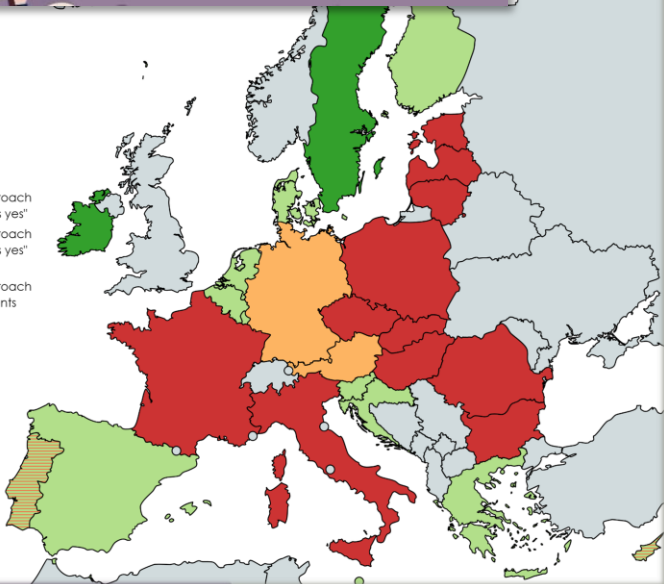


**EWL OBSERVATORY ON
 VIOLENCE AGAINST WOMEN**
 ANALYSIS OF LEGAL DEFINITIONS
 OF RAPE IN THE EU & THE EU ADDED VALUE

FREELY GIVEN
 CONSENT

EWL analysis of the definitions of rape across the EU

- Forced-based approach
- "No means no" approach
- Affirmative approach "Only yes means yes"
- Affirmative approach "Only yes means yes" PLUS
- Affirmative approach but force elements prevail



**Open Letter on the Legal basis of the Directive on
 combating violence against women and domestic
 violence and the article on the offence of rape**

* Letter initiated by the European Women's Lobby (EWL).



The Voice of
Women Lawyers
 Across Europe

**Survivors
 testimonies**



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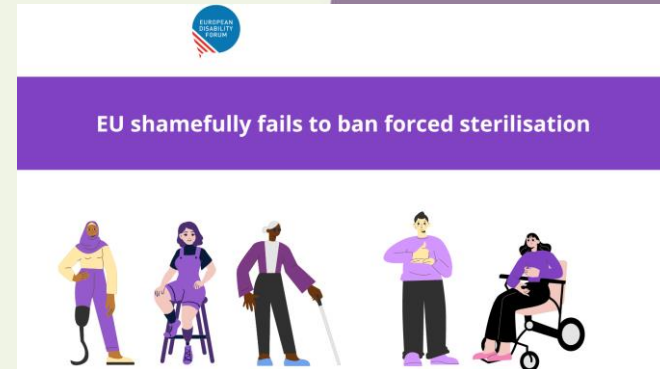
But 3 criminal definitions were left out during Trilogues - inadmissibly:

Rape based on consent

Forced Sterilisation – UNCRPD, Istanbul Convention.
EDF demands

Sexual harassment in the workplace:

- EU anti-discrimination legislation
- Council decision to invite MS to ratify ILO Convention



Eurocrime of sexual exploitation of women (II)

All crimes related to the commodification of women and girls must be included



Prostitution – Procuring/pimping, purchase of sexual acts, pornography already in the Directive on VAW:

- Preventive measures shall aim to target and reduce the demand for victims of sexual exploitation.
- Services for rehabilitation and socio-economic integration after sexual exploitation
- EP Resolution 2014: [“Sexual exploitation and prostitution and its impact on gender equality”](#)
- EP Resolution 2023 [“Regulation of prostitution in the European Union: its cross-border implications and impact on gender equality and women’s rights”](#)
- Report 2024 UN Special Rapporteur on VAWG: [“Prostitution and violence against women and girls”](#)

Reproductive exploitation and abuse:

- **Surrogacy** (Recast of the Trafficking Directive),
- **Forced sterilization/forced abortion** (as per the Istanbul Convention)
- **Lack of access to safe and legal abortion**, which is recognised to be a form of VAW.

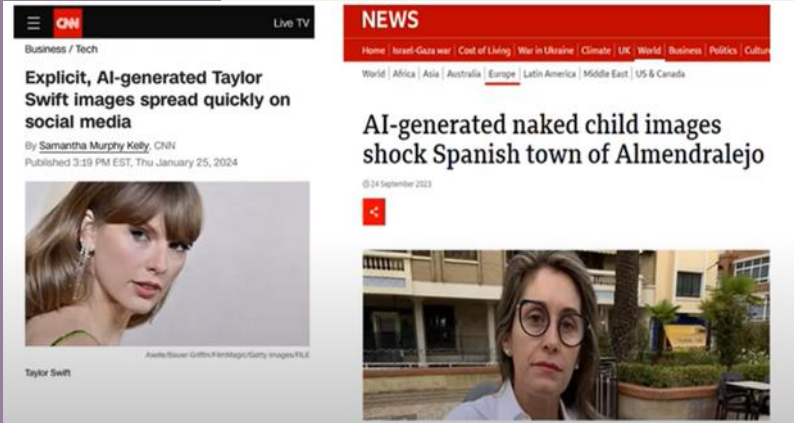
“Prostitution reduces women and girls to mere commodities and perpetuates a system of discrimination and violence that hinders their ability to achieve true equality”, UN Special Rapporteur on VAWG

CyberVAWG – Computer Crimes (III)

5 forms of CyberVAWG included: Non-consensual sharing of intimate or manipulated material, cyberharassment, cyberflashing, cyberstalking, cyber incitement to hatred

Limited scope. 2 examples, amongst very relevant others:

- **Manipulated material (“deep fakes”): ‘engaged in sexual activities’;** but nudity has been excluded.
- References to exceptions linked to **‘freedom of expression’** and **‘freedom of the arts and science’** are alarming as these could be used to justify the non-consensual sharing of intimate material.



Broader approach to image based sexual abuse needed with no limitations: pornographic materials depicting acts of sexual exploitation or sexual violence is VAW as it is the actual exploitation of women and girls by the sex industry.

EWL publishing soon a study on cyberviolence against women. Stay tuned!

Final Key Recommendations :

- **Violence against women as a Eurocrime** – To allow continue harmonizing definitions of crimes (femicide, harassment, stalking, obstetric violence, incest...)
- Adopt an **EU Strategy to end the continuum of VAW** and appoint a **Union Coordinator on violence against women**
 - political vision and mandate to lead future developments;
 - coordinate the different pieces of policy and legislation;
 - monitor implementation from a feminist perspective;
 - coordinate the work of all services and EU agencies, Member States, & liaise with CSOs
- Appoint a **Commissioner for Equality and Fundamental Rights**, nominating a candidate with a demonstrated commitment to equality between women & men;
- **Strengthen the Union of Equality**: A strong gender equality strategy must be in place in 2026, including an ambitious piece to extend the VAW Directive in the very near future and adequate tools for implementation and consultation with women's organisations.
- Ensure the **next EU budget** includes robust funding streams for civil society organisations, specially women's organisations and orgs working on equality and non-discrimination; **Gender mainstreaming and gender budgeting**.
- **A Council configuration dedicated to equality**



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