

## Time to Deliver!

### Call to Member States to end violence against women at EU level



**The European Women's Lobby (EWL),** the largest umbrella organization of women's associations in Europe, **is urging all EU Member States to make Europe a safe place for all women and girls.** We call on all the Member States in the Council to step up their efforts **to work towards enhancing and swiftly adopting a Directive on combating violence against women and domestic violence,** including the provisions based on the EU crime of sexual exploitation of women and children in Article 83(1) TFEU.

The European Women's Lobby expresses huge concern to learn that several Member States in the Council of the EU are expressing resistance to legislate on the topic of violence against women and girls and domestic violence at EU level.

The urgency of the problem should be well known by all Member States as there is not a single country in the EU where women and girls are free from violence. Violence against women and girls has no borders: it is the most pervasive violation of women's human rights that has life-long implications for women's physical and mental health. There is not a single area in any woman or girl's life where she is not exposed to the threat or the realisation of acts of violence: from the private sphere at home to the public sphere, including the workplace and the online spaces.

Violence against women and girls threatens the security of half of the population in the EU and there can be no peace and security while women fear for their safety<sup>1</sup>. EU Statistics show that 2 women each day are killed in the EU by their partner or former partner - by those who supposedly loved them. 1 in 3 women have suffered physical and/or sexual violence and 1 in 2 women have experienced sexual harassment since the age of 15. 10% of women in the EU report having been

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<sup>1</sup> 83% of young women (aged 16 to 29) in the EU avoid certain situations or places for fear of being physically or sexually assaulted. Source: European Agency for Fundamental rights (FRA) 2021: "Crime, safety and victim's rights".

victim of sexual violence, 5% were raped with the use of force<sup>2</sup>. From all the incidents of violent sexual crimes recorded by Eurostat, more than 90% of the victims were women and 99% of the persons convicted were men<sup>3</sup>. Let us remind that today, in the EU, only a small number of women feel safe to report and ask for help<sup>4</sup>.

Unfortunately, women's organisations are well aware that these shocking figures cannot even give us the full picture. In reality, the situation is much worse and the consequences of these forms of violence in the everyday life of the survivors, including their children, are devastating and cannot be put into figures. All public actors should to be invested as much as possible into giving them the response and protection they need at every single political level there is.

For these reasons, the EWL is **urging the Member States to send a strong political message and confirm the EU's commitment to fight this pervasive form of women's rights violation and discrimination, including all aspects of sexual exploitation. Member States should take on the historical opportunity that we have in front of us now: the European Commission proposal on combating violence against women and domestic violence. There is no legal impediment to adopt, without delay, a comprehensive and effective EU binding instrument to prevent and combat violence against women and domestic violence.**

The proposal issued by the European Commission is a major step and a key opportunity: it lays down a comprehensive set of rules that address the persisting problem of violence against women and domestic violence and respond to the specific needs of its victims. For years, the European Women's Lobby has been urging decision-makers to recognise the need to fill in an outstanding legislative gap when it comes to the Eurocrime on "sexual exploitation of women", as per the article 83.1 of the TFEU. **Therefore, we ask that rape and female genital mutilation-at a minimum- are criminalized on the basis of the EU crime of sexual exploitation of women and children as proposed by the Commission.** These are two fundamental pillars and key elements of the Directive. Without the inclusion of these criminal offenses on sexual exploitation the Directive will be inadmissibly reduced.

We recall that there is no legal justification that impedes considering these offenses as forms of sexual exploitation. The EU crime of sexual exploitation of women and children has already been used to criminalise sexual abuse of children in the Directive 2011/93/EU on combatting the sexual abuse and sexual exploitation of children and child pornography. We recall that the European Commission has developed sound legal analysis to assess the legal basis for this Directive and an extensive feasibility study. The European Women's Lobby, in cooperation with professors and academics on EU law, also developed an extensive analysis that concluded that this interpretation of sexual exploitation is not only accurate from a legal point of view but is also widely supported by women's organisations and civil society in Europe.

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<sup>2</sup> Source: European Union Agency for Fundamental Rights (FRA), *Violence against women: an EU-wide survey. Main results report*, 2014

<sup>3</sup> Eurostat, 2017.

<sup>4</sup> Only 22% of women who experience intimate partner violence report it to the police. In particular, of violent incidents of a sexual nature, 60 % were reported to the police. Reporting is lower than average when the perpetrator was a family member or a relative (only 22 % of incidents were reported to the police). That has significant implications for under-reporting of domestic and/or intimate partner violence. Source: European Agency for Fundamental rights (FRA) 2021: "Crime, safety and victim's rights".



You have a historic opportunity to contribute to put an end violence against women and girls in the EU, including all forms sexual exploitation and cyberviolence. Don't let victims down: women in the EU are counting on you today.

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The European Women's Lobby is the largest umbrella organization of women's associations in Europe. Founded in 1990, the EWL works to promote women's rights and equality between women and men and represents more than 2000 organizations across Europe.

We remain at your disposal for any further information you might need. Feel welcome to contact:

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