

Resolution as adopted

MAKING EUROPE FREE FROM ALL FORMS OF VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

We are truly concerned about the extremely slow pace in the signing and ratifying of the Convention on Preventing and Combating Violence Against Women and Domestic Violence, adopted by the Council of Europe on May 11, 2011. Turkey is the only state out of all the European countries which has ratified the convention to date. It must be noted that the Convention will only enter into force if at least 10 states ratify it, including eight member states of the Council of Europe¹.

Despite a number of positive changes that occurred during the last couple of years, such as the adoption of laws on combating domestic violence and the national action plans to prevent and combat domestic violence which took place in several countries, violence against women is still pervasive in Europe. According to the Council of Europe statistics, presented in 2009, 45% of women in Europe have suffered from some form of violence. It is estimated that one in five women in Europe has been subjected to domestic violence.

Violence against women is a structural and widespread problem throughout Europe. Women are the main victims of gender-based violence. Women are also particularly exposed to hidden and unreported forms of violence. Following Eurostat, the rate of unreported crime is 60%.

Every year several hundred of women die because of “family disagreements” (as the police refer to these cases) in different European countries. For example, in Poland 40% of murders are rooted in domestic violence.

The Convention adopted by the Council of Europe addresses, in a comprehensive way, all issues related to combating domestic violence. It defines various forms of violence (such as psychological violence; stalking; physical violence; sexual violence, including rape; forced marriage; female genital mutilation; forced abortion and forced sterilization; sexual harassment; so-called “honour” crimes). The Convention clearly addresses the problem of gender-based violence and that it is women and children who are the main victims of domestic violence.

The Convention provides victims of violence with a range of legal, psychological and economic help. It obliges the states to ensure an adequate number of shelters for victims of domestic violence; makes available state-wide 24/7 telephone helplines free of charge and most importantly; allocates funds in the state budget to prevent and combat violence against women and domestic violence.

Moreover, the Convention is an attempt to make society more gender-sensitive and to change people’s attitudes towards domestic violence; gender stereotypes being one of the main causes of domestic violence. In the case of domestic violence, the judiciary are obliged to respect and protect the rights of persons who have suffered from domestic violence in order to avoid secondary victimization. The Convention requests that states adopt the adequate legal measures that make possible immediate and effective isolation of the perpetrator of domestic violence from his or her victim (e.g. the police shall be allowed to order the perpetrator to stay away from the victim) and to take these steps in the case of rape without awaiting the victims’ request.

¹ As of 22 September, 2012, 22 states signed the Convention but they have not ratified it yet: Albania, Austria, Finland, France, Germany, Greece, Georgia, Iceland, Luxembourg, Malta, Monaco, Montenegro, Norway, Portugal, Serbia, Slovakia, Slovenia, Spain, Sweden, Ukraine, the United Kingdom, the former Yugoslav Republic of Macedonia. The European Union has not yet signed, nor ratified, the Convention.

The monitoring mechanism is an integral part of the Convention. The Group of Experts on Action Against Violence Against Women and Domestic Violence, 'GREVIO', is commissioned to supervise the implementation of the Convention by the states. The Convention obliges states to set up national observatories on combating violence against women and domestic violence whose tasks include coordination, implementation, monitoring and evaluation of the policies and actions undertaken to prevent and combat all forms of violence enumerated in the Convention, and to ensure gender-based data collection.

For the time being, even though ratification of the Convention seems to be taken for granted, it has met resistance in many states. Violence against women constitutes a violation of human rights and fundamental freedoms. The urgency to undertake immediate steps to combat violence against women and domestic violence has been clearly stated in many international treaties and conventions, such as the Vienna Declaration and Plan for Action (1993), the UN Declaration on the Elimination of Violence Against Women (1993), the Beijing Platform for Action (1995) and CEDAW General Recommendation no. 19, which is entirely devoted to the problem of violence against women.

Therefore, we, the European Greens, call on all European countries that are member states of the Council of Europe to ratify the Convention on Preventing and Combating Violence Against Women and Domestic Violence as soon as possible. Ratification of the Convention by all the European countries, as well as by the European Union itself, and incorporation of the Conventions' regulations into national legislation, and implementation of the Convention, is an opportunity to effectively protect women, children and men who suffer from domestic violence. The institutions and persons who deliver help to victims of violence will have better tools to fulfill their tasks.

We welcome the commitment by the EU Commission in its Action Plan implementing the Stockholm Programme to present by 2012 a 'Communication on a strategy to combat violence against women, domestic violence and female genital mutilation, to be followed up by an EU Action Plan'. Regrettably, there has been no action from the European Commission so far.

We likewise welcome the "Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime" adopted on 12 September 2012 and here especially the EU wide definition of gender-based violence and violence committed in close relationship.

In order to make Europe truly free from all forms of violence against women and domestic violence, we demand:

- that the Convention on Preventing and Combating Violence Against Women and Domestic Violence is ratified, without any objections, as soon as possible by the European countries, as well as by the European Union itself;
- that the European Commission proposes a new comprehensive policy approach against gender-based violence including a criminal-law instrument in the form of a Directive against gender-based violence and measures to address the 'six-P' framework on violence against women (policy, prevention, protection, prosecution, provision, and partnership) as demanded by the European Parliament in its report adopted 5 April 2011 on "Priorities and outline of a new EU policy framework to fight violence against women".
- that the European Union will make concerted efforts to work on the EU directive on combating violence against women that was initiated during the Spanish EU Presidency, and that the Greens/EFA monitor this process at the EU level;
- that 2014 be announced as the European Year to Prevent and Combat Violence against Women and Domestic Violence, and that at the same time awareness of children as victims of domestic violence in Europe has to be raised.