



Proposal for a Directive on Combating Violence against Women and Domestic Violence

Justice
and Consumers

Violence against women and domestic violence

- **Violence against women** is gender-based violence, which is violence
 - directed against a woman or a girl because she is a woman or a girl, or
 - that affects women or girls disproportionately
- **Domestic violence** is any act of violence that occurs:
 - within the family or domestic unit, irrespective of biological or legal family ties, or
 - between former or current spouses or partners, whether or not the offender shares or has shared a residence with the victim

Objectives of the proposal

Prevent and combat violence against women and domestic violence through effective prevention, protection, access to justice, support and coordination

Reduce prevalence, increase security, ensure full enjoyment of fundamental rights, including the right to equal treatment and non-discrimination between women and men

Overview of measures

- Minimum rules on the **definition of certain criminal offences and penalties**
- Minimum rules to strengthen **victims' protection** and **facilitate access to justice**
- Minimum rules providing a comprehensive set of **victim support** measures
- Minimum rules requiring meaningful measures of **prevention**
- Minimum rules ensuring efficient **coordination and cooperation** among relevant actors

Legal bases

- Article 83(1) TFEU – sexual exploitation of women and computer crime
- Article 82(2) TFEU – minimum rules concerning the rights of victims of crime

General elements of the proposal

- Violence against women and domestic violence as criminal acts under EU and under national law
- Specific needs of victims of violence against women and domestic violence
- Relationship to other EU acquis
- Measures may benefit any victim of this type of crime
- Intersectionality

EU-criminalisations

- Rape based on the lack of consent (Art. 5)
- Female Genital Mutilation (Art. 6)
- Cyber violence:
 - Non-consensual sharing of intimate images (Art. 7)
 - Cyber stalking (Art. 8)
 - Cyber harassment (Art. 9)
 - Cyber incitement to hatred or violence based on sex or gender (Art. 10)

Victims' protection

Strengthening victims' protection by responding to the **specific needs** of victims of VAW/DV, including through

- individual assessment of the victim's needs for protection and support (Art. 18-19);
- timely and coordinated response to victims' requests for protection and support (Art. 20);
- Minimum rules on emergency barring, restraining and protection orders (Art. 21).

Victims' access to justice

- Easier ways to report acts of violence (including online) (Art.16)
- Minimum rules on evidence or questions on the victims' past sexual conduct (Art. 22)
- Government bodies to assist, advise and represent victims in court proceedings in matters of VAW and DV (Art. 24)
- Minimum rules on the removal of illegal online content and preservation of evidence (Art. 25)
- Right to bring compensation claim in criminal proceedings and obtain full compensation from offenders (Art. 26)

Specialised support for victims

- Easily accessible specialist support for victims of VAW and DV (Art.27)
- Specific specialist support for victims of
 - sexual violence (Art. 28),
 - female genital mutilation (Art. 29), and
 - sexual harassment at work (Art. 30)
- Shelters and other interim accommodation (Art. 32)
- Support and safety of children (Art. 33-34)

Prevention

- Preventive measures (Art. 36)
 - Awareness-raising campaigns, research and education programmes
 - Information to the general public
 - Targeted actions for groups at risk
- Training and information to professionals likely to come into contact with victims (Art. 37)
- Intervention programmes for potential offenders and recidivists (Art. 38)

Coordination and cooperation at national and EU level

- Ensuring a multi-agency approach (Art. 40)
- Ensuring cooperation at Union level (Art. 43)
- Enhancing data collection on VAW and DV (Art. 44)

Thank you!