

ENDING DOMESTIC VIOLENCE

BACKGROUND NOTE

[EC Proposal on combating violence against women and domestic violence](#)

[EP Draft Report on the proposal for a directive of the European Parliament and of the Council Combating violence against women and domestic violence](#)

[EP procedure file](#)

General information

- > For the LIBE - FEMM report on the Directive proposal combating Violence Against Women, the **FEMM Rapporteur is Frances Fitzgerald (EPP) and Evin Incir (S&D) in LIBE.**
- > The vote in the Committee is foreseen for **May 2023** and **plenary** right after.
- > EP has just presented a **draft report** and amendments have been submitted end of January.
- > Next step is **negotiations** in FEMM Committee.

S&D position

- > Welcome the draft proposal from the European Commission, as the comprehensive directive combating violence against women has been our Group's key demand for over a decade.
- > Happy to see extensive list of measures for the crimes already criminalised in the Member States
- > Welcome the criminalisation of certain crimes under the legal basis of sexual exploitation of women and girls and computer crimes. Especially, the new proposal for a definition of rape that is centred around consent
- > However, the S&D Group is going to put forward some amendments that would strengthen the text even more:
 - > Broadening the definition of the crime of rape
 - > Looking into the limitation periods for the crimes of cyber-violence and specifically FGM
 - > Extending the limitation periods for the crime of FGM.

[Position paper of our S&D Group in the European Parliament](#)

“Violence against women and girls is one of the most widespread violations of fundamental rights. It’s time to take action! We urge the European Commission to fulfill the goals set up in the Gender Equality Strategy 2020 - 2025 and submit a proposal for a Council decision to identify gender-based violence as a new area of crime listed in the Article 83(1) TFEU. There is no denying that gender based violence is a serious crime - it’s time to treat it like one. Combating gender based violence on common basis is crucial because there is a need to establish minimum rules concerning the definition of criminal offences and sanctions, including a common definition of gender[1]based violence, as well as minimum rules concerning key issues of prevention, underreporting, victim protection, support and reparation, and the prosecution of perpetrators. Yes, we are calling for the EU ratification of the Istanbul Convention, but we have no time to wait around for all the Member States to ratify it, especially witnessing a massive far-right propaganda surrounding the Convention. Identifying gender based violence as an EU crime is one step that should be followed by a horizontal directive to eliminate all gender-based violence against women and girls both online and offline that implements the standards of the Istanbul Convention and has a victim-centered intersectional approach.”

Identifying gender based violence as an area of crime did not happen. Hence, the current proposal for a directive (Evin INCIR report) is quite limited in the list of criminalisation.

Report and background on identifying Gender Based Violence (GBV) as an area of crime listed under Article 83(1) TFEU

Report on EU's accession to the Istanbul Convention (LIBE committee | Rapporteur: Łukasz KOHUT (S&D/PL) -

Main takeaway is that according to the opinion of CJEU, the Council does not have to wait for a consensus for the EU wide accession to the IC, the qualified majority is enough. EP has therefore urged them to act swiftly.

Draft interim report on the proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence