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**Mrs Viviane Reding**

Vice-President of the European Commission  
Commissioner on Justice, Fundamental Rights  
and Citizenship

Ref: B1043

Brussels, 1 March 2011

Dear Mrs Reding,

### **Amnesty International's position on an EU policy framework on violence against women**

We should like to let you know our recommendations for the European Union as it develops a coherent and comprehensive policy framework on violence against women, domestic violence and female genital mutilation (FGM).

The Council of Europe estimates that 45% of women in Europe suffer some form of violence at least once in their lives<sup>1</sup>. One woman in five is believed to suffer domestic violence, costing EU member states up to €16bn a year, or €1m every half hour<sup>2</sup>.

On several occasions the European Parliament and Council have mandated the Commission to develop a policy framework to combat violence against women (VAW). In its *'Resolution of 26 November 2009 on the elimination of violence against women'*, the Parliament asked the Commission to submit to it and Council a targeted and more coherent EU policy to combat all forms of VAW. The *'Council Conclusions on the eradication of violence against women in the EU'* adopted during the Spanish Presidency, also task the Commission with devising a European Strategy for preventing and combating VAW by setting up a general framework of common principles and the necessary instruments.

The Commission has since committed itself to producing a comprehensive EU Strategy and other policy proposals to combat VAW, domestic violence and FGM in the *'Action Plan implementing the Stockholm Programme'* adopted on 20 April 2010. This is also one of the first actions proposed in the Commission's *'Strategy for equality between women and men (2010-2015)'*, released in September 2010.

This policy framework should reflect international standards, especially the due diligence obligations for preventing, responding to, protecting against and providing remedies for acts of violence against women whether they are committed by state or non-state actors. It should also promote specific protection mechanisms and actions for women and girls who are at risk of or subjected to violence and ensure these women and girls are offered adequate support.

The development of a comprehensive VAW framework should consider:

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<sup>1</sup>Council of Europe (2006), Combating violence against women Stocktaking study on the measures and actions taken in Council of Europe member states, Equality Division, Directorate-General of Human Rights, Strasbourg  
[http://www.coe.int/t/dghl/standardsetting/equality/O3themes/violence-against-women/CDEG%282006%293\\_en.pdf](http://www.coe.int/t/dghl/standardsetting/equality/O3themes/violence-against-women/CDEG%282006%293_en.pdf)

<sup>2</sup> Violence against women and the role of gender equality, social inclusion and health strategies, European Commission, September 2010;  
<http://ec.europa.eu/social/main.jsp?catId=738&langId=en>

- **Data collection and dissemination:** A fundamental objective of an EU framework should be to measure and monitor the prevalence of VAW. The creation of a European Observatory on VAW allows for data to be collected to give EU institutions evidence-based advice. It should be set up transparently.
- **Prevention, protection, prosecution:** Under international human rights law, states must prevent violence and protect women from it, punish those who commit violent acts and provide reparations to victims. Adequate preventive measures should focus on the causes and consequences of VAW. A two-tier approach should target potential offenders and protect women and girls.
- **International protection:** Although gender-related persecution is recognised as grounds for seeking international protection, there is great variance among member states in recognising refugee status for women at risk of gender-based persecution in their own country. The EU should ensure that the legal framework of the common European asylum system is properly transposed and implemented nationally and duly considers the UNHCR guidelines on gender-related persecution and the guidance note on FGM.
- **Support and health services:** The EU and member states must enhance the health-care sector's capacity to meet the needs of VAW survivors, particularly women and girls living with FGM.
- **EU as a global actor:** In its relations with third countries the EU has various tools to address VAW, but within the EU its legal basis and tools are limited. The EU's internal and external approaches to combating VAW are incoherent. The EU should ensure greater policy coherence between these dimensions of policy.
- **Monitoring and evaluation:** If it is to be effective and have impact, it is essential for the EU policy framework on combating VAW to include adequate accountability provisions. The appropriate monitoring mechanism should be transparent, well-funded and adhere to human rights standards, including the European Charter of Fundamental Rights.

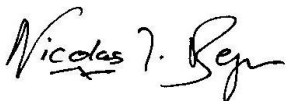
Amnesty International has noted the Commission's intention to include VAW in its revision of the victims' rights package. While we should welcome this approach, it should not prevent the Commission from developing a comprehensive policy framework on VAW.

**Such a framework is needed to ensure that the issue of VAW is anchored in the work of the Commission and other European institutions.** It would also guarantee that coherent and tangible measures are taken in the thematic areas, not only of justice, but also regarding health, asylum and data collection. **This can only be achieved by following a clear work plan and an instrument setting a clear time line, responsibilities and monitoring systems.**

On 5 March 2010, the Commissioners adopted a Women's Charter in which they committed themselves to setting up a comprehensive and effective policy framework to combat VAW. You committed yourself to prioritizing this issue and using all available means to develop a clear and coherent policy response to tackling this problem in Europe. We are concerned about the Commission's lack of progress on this issue. **We urge the Commission to adopt a clear work plan and to be transparent about its intended process in delivering its commitments on combating VAW in the EU.**

We hope you will consider our recommendations in your work on VAW. We look forward to continuing our dialogue on this issue.

Yours sincerely,



Nicolas J. Beger  
Director  
Amnesty International European Institutions Office

Cc: Mr Buzek, President of the European Parliament and Miklós Réthely, Hungarian Minister of Social and Health Affairs