



Fundació Aroa' contribution to the EC consultation on a roadmap for a legislative initiative on combating gender-based and domestic violence

The Fundació Aroa (Aroa Foundation) welcomes the European Commission's (EC) initiative on preventing and combatting gender-based violence and domestic violence. By integrating in EU law the standards of the Istanbul Convention, this initiative will provide legislative outputs of critical importance to ensure women's and girl's rights and could save countless lives, prevent significant trauma and reduce also the socioeconomic impact of gender-based violence in the lives of European women and girls.

It is of importance to highlight that our input comes from the recommendations compiled during the Feminist Europe campaign, that was promoted by our organization and that was active in the framework of the past European elections to facilitate the debate, reflection and participation of the citizenship on the contribution of the feminist approach to the construction of Europe and the protection of women' rights in Europe. This campaign included social media actions and a collective process of citizen participation (with local activities and international events) to define a manifesto with priorities to achieve in the next European term that included the contributions and support of more than 5.000 organizations which, amongst other aspects, includes key-points on labor policies, work life balance, education, women leadership and participation, sexual and reproductive rights, intersectionality and gender-based violence.

Under the theme of gender-based violence the recommendations compiled assessed the need of creating a unique legal framework and a system of cooperation at European level to combat gender-based violence, protect the victims, support women and girls survivors and punish perpetrators. The priorities were as follows:

- The ratification of the Istanbul Convention by the European Union.
- The revision of gender based violence terminology to ensure that it includes all forms of gender-based violence with an specific lens to an intersectional life course and diversity approach.



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- The adoption of a specific Directive on violence against women and revision of the EU existing legislation that are related to the capacity of tackling gender-based violence to ensure compliance with the standards of the Istanbul Convention with special attention to:

- Directive 2011/36/EU on preventing and combatting trafficking in human beings and protecting its victims.
- Directive 2011/93/EU combating the sexual abuse and sexual exploitation of children and child pornography.
- Directive 2012/29/EU (The Victims' Directive) on common minimum standards on the rights, support and protection of victims.
- Directive 2011/99/EU on the European Protection Order (EPO):
- Regulation (EU) No 606/2013 on mutual recognition of protection measures in civil matters
- Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims
- Directive 2014/41/EU regarding the European Investigation Order in criminal matters
- Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification
- Directive 2013/32/EU on common procedures for granting and withdrawing international protection (recast)

The Directive should introduce common provisions, aligned to the Istanbul Convention, taking into account the gendered perspective from an intersectional approach and should act as a tool to reach common measures to combat gender-based violence establishing minimum rules concerning the definition of criminal offences and sanctions, data collection, educational and community prevention programs, support services provisions, policy evaluation and follow-up.

The Directive should include detailed and feasible measures to ensure a common framework in compliance with the Istanbul Convention four pillars of action and include evaluation mechanisms that will facilitate implementation and protection measures specially in those MS where backlash legislations are being identified and women's human rights are at risk.

- The evaluation of the effectiveness of policies and measures based on updated surveillance data by ensuring that the second EU wide survey is executed under a methodology that allows



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comparative analysis of data, trends and prevalence with the previous EU wide available report (*Violence against women: an EU-wide survey, FRA, 2014*)

- The inclusion of gender-based violence among EU crimes in article 83(1) of the TFEU, recognizing it as a crime which needs to be combatted by all Member States on a common basis
- To reinforce specific funding programs to effectively target and support national grass-root organizations that are providing solutions to combat gender-based violence with awareness raising, prevention and support' programs for women.
- To include response' strategies that will also protect women's rights organizations and women's rights advocates in the present context of backlash and increase of personal and collective threats.

The Fundació Aroa (Aroa Foundation) trusts the EC to propose a comprehensive legal framework covering all forms of gender-based violence and adopting a diverse intersectional approach that will not leave any woman behind and specially taking also into account that it has a great impact on older women. We believe from the contributions compiled and due to our direct work supporting women and girls survivors of gender-based violence that an holistic legislative initiative on preventing and combatting gender-based violence and domestic violence must include measures under the 4 pillars in the Istanbul Convention and needs a strong commitment and comprehensive action specially to ensure common standards in the present COVID19 outbreak context were the protection of victims is under threat in many MS and the right of European women and girls to live a life free from violence is still not a reality.

We urge the European Commission to pursue the EU accession to the Istanbul Convention and to bring forward these legislative actions for a strong and comprehensive EU action plan to facilitate common provisions, concrete actions, cooperation and accurate monitoring to combat gender-based violence, protect the women survivors and their children and punish perpetrators across Europe.

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