Parliamentary Assembly
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CONSEIL DE L'EUROPE

**Recommendation 1582 (2002)**[1]

# Domestic violence against women

Parliamentary Assembly

1. Domestic violence is the most common form of violence against women and its consequences affect many areas of the lives of victims — housing, health, education and the freedom to live their lives without fear and in the way they wish. This widespread phenomenon is common to all European countries and is not limited to any particular social group or class. Domestic violence can take a number of forms such as physical assault, sexual abuse and rape, threats and intimidation and should be recognised as a crime.

2. However, violence committed within the family is still considered to be a private matter. Statistics shows that for women between 16 and 44 years of age, domestic violence is thought to be the major cause of death and invalidity, ahead of cancer, road accidents and even war. Therefore, domestic violence should be treated as a political and public problem, and a violation of human rights.

3. The Parliamentary Assembly recalls the final declaration adopted at the 2nd Summit of the Council of Europe, Strasbourg, 1997, Assembly Recommendation 1450 (2000) on violence against women in Europe and Committee of Ministers Recommendation Rec(2002)5 to member states on the protection of women against violence, in which all forms of such violence have been condemned as being a general violation of their rights as human beings.

4. The Assembly considers acts of domestic violence to be criminal acts and calls on the member states to recognise that they have an obligation to prevent, investigate and punish all acts of domestic violence and to provide protection to its victims.

5. Taking into account the hidden nature of domestic violence, the Assembly urges governments to introduce effective awareness-raising policies and campaigns to inform and educate citizens on this problem. Each government should obtain objective information and data on the dimension of these crimes.

6. The Assembly recognises the importance of the development of community intervention strategies at local levels, aimed at the co-ordination of inter-agency co-operation and the mobilisation of financial and human resources in the fight against domestic violence, calling on people to take more responsibility with a view to changing attitudes in the places where they live and work.

7. Therefore the Assembly calls on the member states of the Council of Europe:

Measures to be taken regarding victims of domestic violence

*to provide victims of domestic violence with free legal advice and assistance before taking legal action;*

*to help victims of domestic violence by opening residential centres where women can receive psychological support and by giving financial support to welfare associations and emergency services;*

*to ensure effective protection for victims of violence after the incident and during the whole legal procedure;*

*to give special financial support to non-governmental organisations as well as to women's associations working with victims of domestic violence;*

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1. Assembly debate on 27 September 2002 (32nd Sitting) (see Doc. 9525, report of the Committee on Equal Opportunities for Women and Men, rapporteur: Ms Keltošová; and Doc. 9563Doc. 9563, opinion of the Social, Health and Family Affairs Committee, rapporteur: Mr Hancock). Text adopted by the Assembly on 27 September 2002 (32nd Sitting).

*to adopt or reinforce social protection measures so that injuries caused to women and children by violent acts are provided for under social protection schemes;*

*to promote the training of professionals working with young people, as well as health personnel, to identify children and adolescents growing up in violent homes and to take the necessary measures to assist them;*

*to ensure the training of medical personnel to enable them to identify victims of violence;*

*to grant immigrant women who have been or who are victims of domestic violence an independent right of residence.*

Measures to be taken regarding the prevention of domestic violence

*to improve statistics on domestic violence, and with this in mind to develop a clear picture of its nature and prevalence, to permit the identification of resources earmarked for this problem and the evaluation of initiatives to tackle it;*

*to develop a partnership between the authorities responsible for the protection of women's rights and regional and local authorities in order to increase the number of rehabilitation centres and shelters for women victims of domestic violence;*

*to promote continuing co-operation and understanding between the police, government departments and non-governmental organisations in the fight against the problems and dangers associated with domestic violence;*

*to develop action plans in co-operation with women's non-governmental organisations in order to create a general climate where domestic violence is rejected;*

*to launch, through the media, national awareness campaigns against domestic violence;*

*to organise adequate training for people who deal with victims of domestic violence: health care staff, police and social workers;*

*to start education on gender equality and non-violent behaviour at a very early stage and to ensure adequate training for teachers on the issue of domestic violence and gender equality;*

*to encourage citizens, through educational programmes, to accept their responsibilities, and take positive steps to reduce and prevent domestic violence in society;*

*to increase state funding to support the social services dealing with the problem of domestic violence;*

*to encourage the media to cover in a regular, objective and non-biased manner the problem of domestic violence; the mass media should also try to educate the public about the causes and consequences of this kind of violence;*

*to encourage women to learn self-defence techniques;*

*to elaborate training programmes specifically for the perpetrators of acts of violence against women;*

*to develop special information programmes for men with the aim of preventing acts of domestic violence.*

Legal measures to be taken

*national legislation should prohibit all forms of domestic violence and introduce effective legal provisions, including the immediate removal of the violent partner from the common household and the environment of the woman and her children, without prior evidence of violence, and on the first complaint without waiting for the court order;*

*the concept of domestic violence should be defined in national legislation in such a way that it is treated as a serious criminal offence, whatever its form;*

*in view of the legal and institutional reform aimed at establishing more effective systems for protecting women against domestic violence, a review of existing national laws and comprehensive research are necessary;*

*conjugal rape should be made a criminal offence;*

*access to justice and the different procedures should be more flexible: hearings should preferably be held in private, there should be a reduced burden of proof, and so on;*

*the police and law enforcement agencies should be granted the authority to carry out investigations and obtain evidence, and to lodge complaints on behalf of victims of domestic violence.*

8. The Assembly invites the Committee of Ministers to launch a European year against domestic violence, which would highlight this problem at European level and encourage European governments to undertake concrete action to combat domestic violence.