



Recommendation 1887 (2009)¹

Rape of women, including marital rape

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 1691 \(2009\)](#) on rape of women, including marital rape, which underlines that rape is an unacceptable violation of women's rights and dignity, as well as a most serious crime.
2. The Assembly believes that the fight against rape needs to be stepped up and thus recommends that the Committee of Ministers ask its member states to:
 - 2.1. fully implement the recommendations on sexual violence and rape contained in the Committee of Ministers Recommendation Rec(2002)5 on the protection of women against violence, as well as the recommendations contained in Assembly [Recommendation 1777 \(2007\)](#) on sexual assaults linked to "date-rape drugs", in [Resolution 1670](#) and [Recommendation 1873 \(2009\)](#) on sexual violence against women in armed conflict, and in [Resolution 1691 \(2009\)](#) on rape of women, including marital rape;
 - 2.2. ensure that their legislation on rape and sexual violence reaches the highest possible standard, and avoids a "re-victimisation" of the victim by the criminal justice system;
 - 2.3. establish marital rape as a separate offence under their domestic law, if they have not already done so, in order to avoid any hindrance to legal proceedings;
 - 2.4. develop a comprehensive strategy which should comprise measures to prevent rape in the first place, as well as to ensure (securely funded) protection of and assistance to rape victims at every step of the proceedings, including possible compensation for the victims.
3. The Assembly calls on the Committee of Ministers to instruct the Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) to include in the future Council of Europe convention the severest and most widespread forms of violence against women, including rape and sexual assault.
4. The Assembly believes that widespread public attitudes to rape and sexual assault which tend to shift the blame from the attacker to the victim are among the highest obstacles to the reporting, effective investigation and prosecution of cases of rape and sexual assault. It thus recommends that the Committee of Ministers launch a Council of Europe campaign to change those attitudes, possibly in the framework of the promotion of the future Council of Europe convention, and encourage member states to concomitantly launch national campaigns.

1. *Assembly debate* on 2 October 2009 (35th Sitting) (see [Doc. 12013](#), report of the Committee on Equal Opportunities for Women and Men, rapporteur: Mrs Rupprecht). *Text adopted by the Assembly* on 2 October 2009 (35th Sitting).

