



Resolution 1714 (2010)¹

Final version

Children who witness domestic violence

Parliamentary Assembly

1. Domestic violence is, in a majority of cases, violence against women conducted by men from their immediate social environment. Whenever a mother is subjected to violence, there is a great probability that a child witnesses this violence. Every single child exposed to violence at home reacts differently, but witnessing violence against their mother is, in all cases, a form of psychological abuse which has potentially severe consequences.

2. The Parliamentary Assembly welcomes the adoption of the “Building a Europe for and with children – 2009-2011 Strategy”, and its three priority areas: the promotion of children’s access to justice, the eradication of all forms of violence against children, and the participation of children and their influence in society. In this framework, the Assembly supported the drafting of Council of Europe policy guidelines on integrated national strategies for the protection of children from violence (adopted on 18 November 2009) and the launching of the Council of Europe Platform on Children’s Rights (in June 2009). The Assembly further welcomes the preparation of European guidelines on child-friendly justice.

3. The Assembly particularly welcomes the ongoing efforts undertaken within the Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) to develop a binding legal instrument on violence against women and domestic violence (which disproportionately affects women). This instrument should be the central legal instrument at Council of Europe level in this area, including on the issue of children who witness domestic violence.

4. Despite significant achievements made in the field of children’s rights at all political levels, more specific action is required with regard to children who witness domestic violence. They are far too often neglected as victims of the psychological consequences of such violence, as possible future victims and as elements of a chain of violence who could help identify potentially violent situations and avoid new violence in the future.

5. The Assembly therefore calls on national parliaments of Council of Europe member states to:

5.1. strongly support Council of Europe activities with regard to children’s rights in co-operation with the national ministries concerned;

5.2. support the Council of Europe Platform on Children’s Rights as a permanent virtual forum leading the strategic planning, implementation and evaluation of Council of Europe child-related activities;

5.3. promote awareness of standards contained in the Council of Europe policy guidelines on national integrated strategies for the protection of children from violence and support their implementation;

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 12 March 2010 (see [Doc. 12111](#), report of the Social, Health and Family Affairs Committee, rapporteur: Mrs Ohlsson; and [Doc. 12155](#), opinion of the Committee on Equal Opportunities for Women and Men, rapporteur: Mrs Rupprecht). See also [Recommendation 1905 \(2010\)](#).*



5.4. encourage their respective national ministries represented at the CAHVIO to support the preparation of a future Council of Europe convention, which should:

5.4.1. focus on violence against women, including domestic violence, as already recommended by the Assembly in its [Recommendation 1847 \(2008\)](#) "Combating violence against women: towards a Council of Europe convention";

5.4.2. provide the children concerned with a veritable status of "secondary victims" in order to consider appropriately the impact that domestic violence can have on them;

5.4.3. provide for specific gender-mainstreamed measures in order to deal with the specific consequences of domestic violence for girls and boys in their lives as children and adults;

5.4.4. include provisions regarding the development of comprehensive and transversal social services, access to which is guaranteed for all children, and which ensure that the interests of children are not neglected in relation to the problems predominantly concerning the adults involved, notably the mothers;

5.4.5. insist on the importance of forms of education which encourage children, from the earliest age, to develop a behaviour based on mutual respect and non-violence, so as to prevent an intergenerational transmission of domestic violence.

6. The Assembly further invites Council of Europe member states to:

6.1. commonly search for innovative approaches and working methods when it comes to dealing with situations of children who witness domestic violence (best practice comparisons);

6.2. continue to raise awareness on the situation of children witnessing domestic violence and take the issue into consideration in the context of national legislation and policies in an interdisciplinary approach integrating gender mainstreaming, aimed specifically at the protection of children especially, the punishment of crimes involving domestic violence or the provision of financial compensation for witnesses of violence as victims of its psychological consequences;

6.3. include in their legislation the right of children to an education based on mutual respect and non-violence;

6.4. strengthen the special consideration in legal and administrative procedures for children having witnessed domestic violence, for example by:

6.4.1. creating special conditions for hearing children as witnesses of violence in order to avoid the repetition of testimony and unwarranted or humiliating questioning, and to lessen the traumatising effects of legal and institutional proceedings;

6.4.2. providing the children concerned with physical protection during relevant proceedings and through custody and contact rights following situations of domestic violence;

6.4.3. providing the children concerned with protection and support, not only in women's shelters as it is often the case, but also outside such institutions;

6.4.4. providing the relevant actors of social and other services with the knowledge required for dealing with children having witnessed domestic violence (training of police forces and teachers);

6.4.5. taking into account the best interest of the child who has witnessed domestic violence when ruling on parental authority and contact of the author of domestic violence with the child concerned;

6.5. promote the issue of children who witness domestic violence through integrated approaches, with the aim of avoiding severe psychological traumas for children, and through educational programmes for families aimed at preventing the transgenerational transmission of violence, and thus future situations of domestic violence.