

ROADMAP

Title of the initiative: **Communication on a strategy to combat violence against women and domestic violence**

Type of initiative (CWP/Catalogue/Comitology): CWP

Lead DG/contact person/details: JLS/D4

Expected date of adoption of the initiative (month/year): October 2010

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Initial IA screening & planning of further work

A. Context and problem definition

(i) What is the political context of the initiative? (ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

(i) Violence against women is a pressing problem issue throughout Europe. The need for protection of women against violence requires effective promotion and safeguarding of women's rights in the European Union's internal and external policies. This requires development of specific actions to strengthen protection of women against violence.

(ii) This initiative builds on the Fundamental Rights Charter of the EU to protect all Fundamental Rights of the citizens. Everyone is entitled to a life free of violence. As a result of historical gender inequalities, women fall victim to violence more often than men, hence require specific attention.

Moreover, this initiative would help to achieve the objectives of the Stockholm programme, which calls for the special support and greater protection, including legal protection, of persons that are subjected to violence in close relationships and are victims of gender based violence.

The actions to be taken encompass seven EU policies including civil and criminal justice, employment, migration and asylum, development cooperation, trade negotiation, education and health.

What are the main problems identified?

Violence in the EU is a pressing problem, and in particular violence directed towards the most vulnerable groups of European citizens: women, children and young people.

Violence against these vulnerable groups remains a 'hidden' and hugely under-reported problem. However, official estimates suggest that the prevalence of inter-personal violence is alarming. Up to 25% of women in Europe have experienced physical violence at least once during their adult lives and 10% have suffered sexual violence. Violence affects people in all European countries, and knows no age limit, no class distinction and no cultural and racial differences.

Member States develop and implement their own policies on this area. The protection and support measures for women vary significantly from one MS to another. Harmonisation of existing practices and awareness-raising can significantly improve the situation in many Member States.

Who is affected?

Women and girls from all backgrounds in the EU. Violence against women and girls also has serious and long-lasting implications for society as a whole.

(i) Is EU action justified on grounds of subsidiarity? (ii) Why can the objectives of the proposed action not be achieved sufficiently by Member States (necessity test)? (iii) As a result of this, can objectives be better achieved by action by the Community (test of EU Value Added)?

(i) and (ii) EU actions in the area of combating violence against women is justified on grounds of subsidiarity as the objectives of the EU initiative cannot be sufficiently achieved by the Member States because of the need for an exchange of information at the Union level and for the Union-wide dissemination of good practices, and can be better achieved at Union level due to the need for a coordinated and multidisciplinary approach and by reason of the scale and impact of the actions.

(iii) With regard to the prevention of violence against women and the protection of victims and groups at risk, the EU can bring added value to the actions to be undertaken by Member States by the following means: the dissemination and exchange of information, experience and good practices; the development of methodologies for comparable statistics; collection and analysis of data on prevalence of violence at EU level; the promotion of an innovative approach; the joint establishment of priorities; the development of networking; funding of Community-wide projects; the motivation and mobilisation of all parties concerned; Europe-wide awareness-raising campaigns against violence.

B. Objectives of EU initiative

What are the main policy objectives?

The main policy objective would be to contribute to the development of Union policies, and more specifically to those related to human rights, public health and gender equality.

The specific objectives would be contributing to the prevention of, and the fight against, all forms of violence occurring in the public or the private domain against women, including female genital mutilation, sexual exploitation and trafficking in human beings, by consolidating efforts at EU level, by taking preventive measures and by providing support and protection for victims and groups at risk.

Do the objectives imply developing EU policy in new areas or in areas of strategic importance?

No

C. Options

(i) What are the policy options? (ii) What legislative or 'soft law' instruments could be considered? (iii) Would any legislative initiatives go beyond routine up-date of existing legislation?

(i) and (ii) 'Soft law' options could include 'guidelines' for law enforcement agents and social workers 'codes of conduct' for health practitioners, 'Commitments' from stakeholders. Targeted funding in MS and in third countries could be foreseen. If justified and feasible, a proposal for a Directive or another legally binding instrument on the matter might be considered.

(iii) If a Directive is to be proposed it would go beyond simple update of the existing legislation and certainly would undergo an Impact Assessment.

Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

The Communication is in line with the Women's Charter and Gender Equality Strategy.

Currently there is no action taken by other Commission departments that could be directly impacted by the Communication, except DG-EMPL where combating violence against women is one among other priorities of a future Gender Equality Strategy. The collaboration and coordination between DG-EMPL and DG-JLS will be ensured while putting in place actions.

Explain how the options respect the proportionality principle

The Communication intends to explore possible actions to combat violence against women. The result will inform the preparation of any impact assessments which might be necessary for implementing concrete future action, including the possible adoption of legislative measures.

D. Initial assessment of impacts

What are the significant impacts likely to result from each policy option (cf. list of impacts in the Impact Assessment Guidelines pages 32-37), even if these impacts would materialise only after subsequent Commission initiatives?

Actions are very likely to have a social impact (gender equality, higher protection of women at risk, higher standards for family life and protection of children's rights, higher level of public health and safety levels, reduced level of crime, social impact in third countries) and economic impact (reduction of costs linked with economic impact of violence, support of victims and rehabilitation of perpetrators).

Could the options have impacts on the EU-Budget (above 5 Mio €) and/or should the IA also serve as the ex-ante evaluation, required by the Financial Regulation?

Not applicable at this stage

Could the options have significant impacts on (i) simplification, (ii) administrative burden or on (iii) relations with third countries?

This is unlikely.

E. Planning of further impact assessment work

When will the impact assessment work start?

No impact assessment is foreseen for the Communication. An impact assessment might be necessary for the implementation and putting into practice of concrete actions, including possible legislation.

(i) What information and data are already available? (ii) Will this impact assessment build on already existing impact assessment work or evaluations carried out? (iii) What further information needs to be gathered? (iv) How will this be done (e.g. internally or by an external contractor) and by when?

(v) What type and level of analysis will be carried out (cf. principle of proportionate analysis)?

Which stakeholders & experts have been/will be consulted, how and at what stage?

Evaluations of existing policies and their impact have been carried out by civil society in the framework of Daphne programme funding. The study on harmful traditional practises in the Member States will be finalised in April 2010. The feasibility study on standardisation of national legislation on violence against women across EU is currently being carried out.

Experts from the Member States, prominent independent experts in the field of violence against women, representatives of NGOs and International Organisations (UNICEF, UNIFEM and Amnesty International) will be consulted in the course of the preparation of the Communication.