

**29th Council of Europe Conference of Ministers of justice**  
**“Breaking the silence – united against domestic violence”**  
Tromsø, 18-19 June 2009

**SPEECH**

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**Chair of the European Committee on Crime Problems (CDPC)**

Mr chairman, Excellencies, ladies and gentlemen,

I feel honoured for having the opportunity to participate in this conference and I am grateful for all the hospitality provided by the organizers of the conference.

The European Committee on Crime Problems (CDPC) considers the ministerial conferences as the important source of inspiration for its future work. It was the 27th Conference of Council of Europe Ministers of Justice in Yerevan, which invited the Committee of Ministers to entrust the CDPC, among other tasks, to examine the measures concerning violence against partner in order to determine the feasibility of and the need for an additional Council of Europe legal instrument on violence against the partner.

The CDPC, on the basis of the study of an independent expert, had exchange of views on this issue. It concluded that a legally binding instrument would be necessary on combating violence against the partner.

A lot of progress has been made since and the CDPC representatives actively participate in the work of CAHVIO.

The title of this conference indicates that the time to break the silence has come. Unfortunately the silence is often broken with the cry of victims of domestic violence. Even if they cry aloud, many of them remain unheard. The silence continues. Sometimes - at the end – the silence comes again. In worst scenarios of domestic violence – the life of victims is the highest price they pay.

In the first place women are the victims of this kind of criminality. In many cases they don't know they face the unacceptable behaviour. They live in conditions, which they consider “normal” since the violence happens every day. Very often people are blind and deaf to what is happening just next door. The Council of Europe campaign helped to open the eyes of millions of Europeans. I am convinced that it helped to many women to realize the problem and to make decisions to solve the difficult situation. However, it took so many years to recognize that the problem of violence against women, including domestic violence exists.

Last month the relevant committee of the Council of Europe called CAHVIO reached an agreement on the interim report, which mentions the areas for the regulation in a future convention. The criminal law part will be an important element of the new legally binding text. Although the overall concept for the convention is gender based, the committee concluded that the criminal law provisions should be gender neutral. Such approach will allow protecting any victim of domestic violence. This is an important decision since it recognizes the principle of vulnerability of the victim.

Who is the vulnerable victim? In my opinion it is any person in a close relationship, who is a weaker partner, either because of gender, or because of age, economical, social or psychological situation, and disability or for any other reason.

In the beginning of 90s the American band Soul Asylum recorded a song called Runaway train. The video contained pictures of missing children. Many of them returned home, some of them not. But the song had a huge impact all over the world for recognising the problem of missing children – some of them left homes probably because of domestic violence. The song and the video immediately came back to my memory during the opening session of the conference, when the rap duo Tonna Brix reminded us that children, boys and girls, have to be protected against domestic violence. I realized that the impact of music - the universal language - is very important in our common effort to tackle and prevent domestic violence. Music with a strong story is the best way to raise awareness among young people.

Domestic violence may influence the life of children from many perspectives. They can be direct victims; they can also be witnesses of such violence. Some of them are leaving their homes and could be targeted by criminal groups or abused by someone who takes the advantage of their vulnerable position. Unfortunately they can also commit violence against their parents.

The Council of Europe already adopted so called Lanzarote Convention, which protects children against the sexual abuse and sexual exploitation. However, this is just the first step in our effort to protect children. Domestic violence against children exists in many other forms. Therefore it is important to introduce appropriate provisions for the protection of children in a future convention. I would also like to underline the importance of the child-friendly justice project of the Council of Europe which will contribute to the improvement of the situation of children as witnesses of crimes.

Domestic violence may also be a problem for those who are divorced or separated; it can affect the partner with disabilities or elderly and any other vulnerable group.

The CDPC considers the problem of domestic violence as a complex and comprehensive issue. From a criminal law perspective the exchange of best practices concerning the prevention, prosecution and protection is vital. There is also a need to examine the risk of reoffending and the danger to victims and society posed by the perpetrator, the use of modern surveillance techniques and to introduce a system of efficient programmes for perpetrators. As the excellent report of the Norwegian Minister of Justice rightly pointed out, the efforts to empower victims of domestic violence should be directed at measures, which shift the burden from the victim to the offender.

The international cooperation is another important element in a successful fight against certain aspects of domestic violence and in strengthening the rule of law, which is the cornerstone of any work of the CDPC. Therefore it is a pleasant coincidence that you, the Ministers of Justice, marked the importance of the 50 years old European Convention on Mutual Assistance in Criminal Matters and its two Protocols. Effective and direct cooperation will also help to tackle cases of domestic violence, which contain the international dimension. In particular, the ratification of the Second additional protocol to this Convention should become a priority for the Council of Europe Member States. In order to improve the practical aspects of the implementation of the Convention and its Protocols, the joint project with the European Union has been launched. Details can be found in a leaflet, which is available in the room. Unfortunately for the time being, the project is lacking sufficient financial resources.

Excellencies, ladies and gentlemen,

A good song lasts about 3 minutes and you may remember it or not. A good conference lasts about 3 days and you may remember it or not. Domestic violence may last few minutes, weeks, but also years. It is one of the worst forms of violence, since it usually involves those who are the closest to a victim. A victim does not have a choice like the one has with a song or a conference. Domestic violence will be remembered for a whole life.

We spent a beautiful time in Norway, the fairytale country, with the aim to break the silence and to be united in our effort to tackle domestic violence. Tromsø is called the gateway to the Arctic Circle. After having heard the speeches of the ministers and other delegates, I am convinced that Tromsø is becoming a gateway to a better life for thousands of people. We will probably not be able to offer a life in a Fairytale, which was the title of the Norwegian winning song in this year's Eurovision song contest, but our joint work should help many people to live the "normal" life - the life without the pain and fear. Let me reassure you that the CDPC will use all of its expertise to assist you in this important work.

Thank you for your attention.