

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 260 (2009)¹ Combating domestic violence against women

1. In all the towns and regions of Europe, there are women who experience physical, sexual or psychological violence in their own homes. This violence is one of the most widespread human rights violations.

2. At their Summit in Warsaw on 16 and 17 May 2005, the heads of state and government of the member states of the Council of Europe affirmed their determination to “ensure security for our citizens” and their commitment “to eradicating violence against women and children, including domestic violence”.

3. The Council of Europe Campaign to Combat Violence against Women, including Domestic Violence (2006-2008), fully highlighted this vastly underestimated social problem and the need for joint public action involving all those concerned.

4. The Congress of Local and Regional Authorities of the Council of Europe has already taken a firm stand against violence and crimes such as trafficking in human beings and is committed to eliminating gender-based violence.

5. It welcomes the action taken by local and regional authorities in this field. For example some regions of Europe with legislative power have already passed special laws. Although significant progress has been made, long-term action is required to strengthen the effectiveness of the public authorities’ response to the problem.

6. The Council of Europe campaign highlighted the fundamental role of local and regional authorities in preventing domestic violence and caring for its victims. However, their work cannot be effective if it is not based on appropriate legislation, which must also be implemented by local and regional authorities.

7. The Council of Europe has a pioneering role to play in promoting action against domestic violence in Europe, in particular through the work of the Steering Committee for Equality between Women and Men (CDEG) and the relevant texts already adopted by the Committee of Ministers.²

8. The Congress welcomes the noteworthy work carried out on this subject by the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence³ and bears in mind that domestic violence against women has not only a human cost but also financial implications for the whole of society. It fully supports the analysis

of the problem that has been carried out and considers it a matter of urgency that member states take a series of measures in this regard, in particular in the following spheres:

a. legislative framework and global policies:

i. strengthen national legislation to protect women who are the victims of domestic violence and punish acts of violence; ensure that the perpetrators of such violence are prosecuted by making domestic violence against women a criminal offence and take legal measures in all the fields concerned, drawing on the key measures identified by the Parliamentary Assembly of the Council of Europe;⁴

ii. conduct comprehensive policies, in particular through national action plans on violence against women, in co-operation with non-governmental organisations (NGOs), and involve local and regional authorities in monitoring their application;

iii. establish inter-institutional co-operation at different levels of government – national, regional and local – between all the services (police, health, social, youth, education, housing, etc.) and players concerned, in particular women’s NGOs;

iv. draw the attention of staff working in these services to the problem of domestic violence and its gender-related nature and provide training in dealing with it, as well as in inter-institutional co-operation;

v. give local and regional authorities the power and financial resources to apply national legislation effectively;

b. support services:

i. develop a full range of specialised, pluridisciplinary, co-ordinated and properly resourced services for women and children who have experienced domestic violence, based on an evaluation of their needs and on certain principles (respect for personal choices and diversity, safety, confidentiality and empowerment);

ii. adapt these services to women and children in situations of exclusion or with special needs;

iii. ensure that these services are evenly distributed and of the same standard throughout the country;

iv. adopt, in co-operation with the NGOs concerned, minimum standards for the provision of such services, if they do not already exist, drawing on the Council of Europe’s proposals⁵ (for example, for every 10 000 inhabitants there should be one place for a family in a refuge), arrange for their gradual application in the context of national action plans and monitor their application at local and regional level;

c. data collection:

ensure that all the services concerned systematically collect statistical data disaggregated by sex, by type of violence and by the relationship of the perpetrator to the victim, using a standard format that allows for comparison with other regions and member states of the Council of Europe;

d. awareness-raising, information and education:

i. conduct awareness-raising campaigns among the public at large, challenging the acceptance of violence against women and making them aware of the services available;

ii. make young people aware, through school and higher education curricula – in particular health and social education – that gender-based violence is a human rights violation, and draw their attention to gender inequality and gender-based stereotypes;

iii. ensure the establishment of nationally co-ordinated but locally based programmes, aimed at the perpetrators of violence and focusing on women's safety, and that these are organised in close collaboration with women's support services.

9. Taking into account the above, and given the seriousness of the issue, the Congress recommends that the Committee of Ministers:

a. prepare an international, legally binding instrument to strengthen the prevention of violence against women, including domestic violence, the protection of victims and the prosecution of the perpetrators and, with this in mind, to:

i. involve the Congress of Local and Regional Authorities of the Council of Europe in its drafting, given the crucial role that local and regional authorities play in implementing the provisions of such an instrument at local and regional level;

ii. take account of the implications for local and regional authorities, in particular in terms of responsibilities and resources;

b. consider the need to combat domestic violence against women at local and regional level as a priority in its co-operation programmes.

10. Moreover, the Congress invites member states to:

a. help fund Council of Europe projects to promote the fight against violence with a local and regional slant, including through voluntary contributions;

b. become involved in the United Nations Campaign to end violence against women and girls (2008-2015) by highlighting the role of local and regional authorities.

11. Finally, the Congress invites the European Commission to continue providing funding for schemes proposed by local and regional authorities in the context of the DAPHNE Programme.

1. Debated and adopted by the Congress on 3 March 2009, 1st Sitting (see Document CG(16)7REP, explanatory memorandum, rapporteur: S. Barnes (United Kingdom, L, EPP/CD)).

2. In particular Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence.

3. Final activity report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (September 2008).

4. Recommendation 1847 (2008) on combating violence against women: towards a Council of Europe convention of the Parliamentary Assembly of the Council of Europe.

5. L. Kelly and L. Dubois, Combating violence against women: minimum standards for support services, Council Europe, 2008.