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Opinion of the European Economic and Social Committee

Violence against women as a human rights issue: state of play of measures across the EU

(own-initiative opinion)

(C/2025/2005)

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1. Conclusions and recommendations

1.1. Violence against women and girls is a human rights violation and is one of the most persistent forms of gender discrimination. On a global scale, the World Health Organization (WHO) reports that around 30 % of women experience intimate partner violence (IPV) in their lifetime.

1.2. Any kind of violence against women, particularly in domestic or spousal relationships, is a significant public and clinical health concern, and a severe violation of women's human rights.

1.3. The EESC believes that this issue must be dealt with most urgently, and calls for the ratification and implementation of the International Labour Organization's Convention 190 on violence and harassment (particularly its Recommendation 206) and of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), and for both to be promoted and implemented in all Member States and by the EU itself.

1.4. The EESC believes that Directive (EU) 2024/1385 on combating violence against women and domestic violence should address all forms of violence against women that have not already been included, such as institutional violence, prostitution, commercial or exploitative pornography, reproductive exploitation, vicarious violence, chemical submission and street harassment, as well as sexual and gender-based harassment and the forced sterilisation of women with disabilities, among others.

1.5. The EESC believes that sexual violence and rape should be included in the Directive as a form of violence, and criminalised based on the absence of consent (along the lines of the Istanbul Convention). A definition of 'consent' relating to sexual violence is needed. The basis of the concept of sexual violence is the existence or lack of consent.

1.6. The EESC considers that violence against women and girls, including rape, should be included in the 'Eurocrimes' referred to in Article 83(1) of the Treaty on the Functioning of the European Union (TFEU).

1.7. The EESC believes that specific measures in the fields of social dialogue, collective bargaining and necessary negotiations with social partners should be included to boost the employment and promote the employability of victims of gender-based violence (GBV) ensuring greater protection of victims' privacy and safe environments for all women, and to combat sexual harassment at work.

1.8. Special attention should also be paid to women and girls belonging to ethnic and/or cultural minorities, such as Roma people and migrant women – especially those in irregular administrative situations – with specific support measures being implemented, in order to protect them from systemic discrimination and institutional violence. Furthermore, when offences are committed against them with ethnicity as a motive, this should be taken into account in the prosecution of offenders.

1.9. Women with disabilities face multiple and intersectional discrimination because of both their gender and their disability. Even though women with disabilities are more likely to experience domestic violence, an obligation to disaggregate statistical data by disability is missing from the Directive and needs to be included.

1.10. The EESC is concerned about the fact that the final articles of the Directive make no reference to criminalising forced sterilisation. In this regard, this violence should be considered a public health issue with long-term consequences.

1.11. The EESC is concerned that the physical, psychological and sexual violence that are constitutive elements of prostitution have not been included as a form of violence against women, along the lines adopted in Directive 2011/36/EU ⁽¹⁾ on preventing and combating trafficking in human beings and protecting its victims. It also believes that lucrative gestation and reproductive exploitation should have been included as a form of violence against women in Directive (EU) 2024/1385.

1.12. The EESC notes with concern that the restrictions on the free and safe voluntary termination of pregnancy and the harassment suffered by women (particularly in the vicinity of clinics) have not been considered specific forms of violence against women.

1.13. The EESC is deeply concerned about views that deny violence against women and girls as a specific form of violence because of their status as women, maintaining patriarchal positions, especially from fundamentalist religious groups. Also of concern are the activities of the extreme right, which attacks the objective of equality between women and men and denies the structural violence and discrimination suffered by women and girls, thereby attacking the values and principles of Article 2 of the TFEU.

1.14. Education plays a crucial role in shaping gender roles and stereotypes; thus greater emphasis should be placed on its preventive role – including sex education – at all stages of education. The educational community, diverse civil society organisations (especially human rights and feminist organisations), the social partners and the communities concerned, should be explicitly included in institutional cooperation to prevent and combat gender-based violence.

2. General comments

2.1. Violence against women and girls is a violation of human rights and represents one of the most persistent forms of gender discrimination: the most serious and brutal case is the murder of women because they are women, which constitutes femicide. A breakdown of the statistics shows that 2 out of 10 women have experienced physical and/or sexual violence by a partner or friend, 3 out of 10 by a relative or family member; 10 out of 20 women have experienced sexual harassment; and at least 2 women are murdered every day in the EU by an intimate partner or family member.

⁽¹⁾ OJ L 101, 15.4.2011, p. 1.

2.2. The WHO reports that around 30 % of women experience intimate partner violence (IPV) in their lifetime. Regional variations are significant.

2.3. The WHO acknowledges that violence against women, particularly in the context of domestic or spousal relationships, is a significant public and clinical health concern and a violation of women's human rights. This issue also reflects the extent of gender inequality and discrimination faced by women. The repercussions of such violence on physical, mental, sexual and reproductive health can have enduring effects throughout a woman's lifetime.

2.4. The EESC considers it essential and urgent to deal with this issue, and therefore calls for the ratification and implementation by all EU Member States of the International Labour Organization's convention on violence and harassment (ILO Convention 190) and particularly its Recommendation 206 on violence and harassment, as well as the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), to be promoted in all Member States.

2.5. The EESC welcomes the Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence ⁽²⁾ – the most comprehensive law to effectively fight violence against women and domestic violence. The Directive criminalises at EU level certain forms of violence against women offline and online, and requires Member States to put in place robust measures of prevention, protection, access to justice, support, coordination and cooperation between authorities.

2.6. The main purpose of this opinion is to provide an evaluation of the shortcomings identified in the final text of the Directive, including forms and means by which violence against women and girls is expressed that are not covered by the aforementioned Directive. It aims to provide a perspective that truly contemplates a common comprehensive policy against gender-based violence, offering a comprehensive and effective strategy against this violation of human rights within the framework of the Union.

2.7. The EESC believes that the Directive should include all forms of violence against women that have not already been included, such as institutional violence, prostitution, commercial or exploitative pornography, reproductive exploitation, vicarious violence, chemical submission and street harassment, as well as sexual and gender-based harassment and the forced sterilisation of women with disabilities, among others.

2.8. The EESC believes that it is important to ensure greater protection of victims' privacy, as the current wording of Article 20 could intrude on victims' privacy and lead to judgment of their behaviour, resulting in secondary victimisation.

2.9. In this regard, the EESC believes that sexual violence and rape should be included in the Directive as a form of violence, and criminalised based on the absence of consent. It is crucial that a definition of 'consent' relating to sexual violence be introduced. The basis of the concept of sexual violence is the existence or lack of consent.

2.10. The EESC considers that violence against women and girls, including rape, should be included in the 'Eurocrimes' referred to in Article 83(1) TFEU.

2.11. The EESC also believes that specific measures in the fields of social dialogue, collective bargaining and necessary negotiations with social partners should be included to boost the employment and promote the employability of victims of gender-based violence, while ensuring the protection of victims' privacy and a safe environment free of violence for all women, as well as combatting sexual harassment at work, as was already agreed in 2007 in the autonomous Framework agreement on harassment and violence at work ⁽³⁾.

⁽²⁾ Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence (OJ L, 2024/1385, 24.5.2024, ELI: <http://data.europa.eu/eli/dir/2024/1385/oj>).

⁽³⁾ <https://www.etuc.org/en/framework-agreement-harassment-and-violence-work>.

2.12. Special attention should also be paid to women and girls belonging to ethnic and/or cultural minorities, such as Roma people and migrant women – especially those migrant women in irregular administrative situations – with specific support measures being implemented, in order to protect them from systemic discrimination and institutional violence. Furthermore, when offences are committed against them with ethnicity as a motive, this should be taken into account in the prosecution of offenders.

2.13. The EESC also considers that Directive (EU) 2024/1385 should have focused more on women with disabilities, and is concerned that no reference is made to criminalising forced sterilisation.

2.14. The interlink between gender, disability and violence is complex. Women with disabilities face multiple and intersectional discrimination because of both their gender and disability. The most vulnerable to this risk are women with mental health conditions and psychosocial and/or intellectual disabilities. In this regard, this violence should be considered a public health issue with long-term consequences.

2.15. Taking into consideration the global evidence showing that women with disabilities are between two to five times more likely to experience domestic violence compared to women without disabilities ⁽⁴⁾, and the far-reaching impact on the physical and mental health and well-being of women with disabilities, an obligation to disaggregate statistical data by disability is missing from the Directive.

2.16. The EESC is concerned that the physical, psychological and sexual violence that are constitutive elements of prostitution have not been included as a form of violence against women, along the lines adopted in Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, which proposes that Member States adopt the necessary measures to establish as a criminal offence the use of services which are the object of the exploitation of the prostitution of others or other forms of sexual exploitation.

2.17. The EESC also believes that the measures set out in Article 11 of the Directive 2011/36/EU should be dissociated from the provisions of Article 6(3) of Council Directive 2004/81/EC ⁽⁵⁾, which states that the reflection period would not create any right of residence.

2.18. It also considers that lucrative commercial gestation and reproductive exploitation should have been included as a form of violence against women in Directive (EU) 2024/1385.

2.19. The Committee considers that the referral of victims to support services should not only be free of charge, timely and coordinated, but also a priority and urgent. It is important that support services establish a 'basic package' and that victim support be considered as a specific area for which awareness-raising and monitoring should be increased.

2.20. The EESC points out that the general EU framework for the protection of rights of victims of all crimes, including the EU Strategy on victims' rights (2020-2025) and the proposal for a revision of the victims' rights directive (VDR), is horizontal and applies to all victims of crime, stressing the importance of providing comprehensive victims' rights, support and services that address the diversity of the victims concerned.

2.21. Provisions on the right to support and protection should be based on victims' individual needs, requiring authorities to ensure that individual assessments take into account the personal characteristics of the victims, including sex and gender ⁽⁶⁾. Victims of violence against women and domestic violence are considered to be vulnerable victims under the VDR, in need of specialist support and protection measures, such as free psychological support provided for vulnerable victims for as long as is necessary.

⁽⁴⁾ Hughes K, Bellis MA, Jones L, Wood S, Bates G, Eckley L, McCoy E, Mikton C, Shakespeare T, Officer A. Prevalence and risk of violence against adults with disabilities: a systematic review and meta-analysis of observational studies. *Lancet*. 2012 Apr 28;379(9826):1621-9. doi: 10.1016/S0140-6736(11)61851-5. Epub 2012 Feb 28. PMID: 22377290.

⁽⁵⁾ Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (OJ L 261, 6.8.2004, p. 19).

⁽⁶⁾ OJ C, C/2024/1592, 5.3.2024, ELI: <http://data.europa.eu/eli/C/2024/1592/oj>.

2.22. The EESC welcomes provisions on training and information for professionals which is extensively covered in the Directive under Article 36. The need to provide information to, communicate with and support the victims of gender-based violence, based on the needs of victims so as to facilitate reporting and effective prosecution of such crimes, had been already called for by the EESC (7).

2.23. The EESC is concerned about the lack of coordination between general services (such as physical and mental healthcare services) and specialised services for dealing with violence against women. Inter-sectoral collaboration is crucial between specialised victims' support services, social care services, physical and mental healthcare sectors, law enforcement and the judiciary.

2.24. The EESC notes that health services, including mental healthcare and sexual and reproductive health services, should have been incorporated into the list of essential support services for victims in Directive (EU) 2024/1385. It urges all the EU Member States to remove all barriers to access emergency contraception and free voluntary termination of pregnancy services following rape.

2.25. Given the role that education plays in shaping gender roles and stereotypes, greater emphasis should be placed on its preventive role – including sex education – at all stages of education. In addition, the educational community, diverse civil society organisations (especially human rights and feminist organisations), the social partners and the communities concerned should be explicitly included in institutional cooperation. Education and accessible information on reproductive health should be targeted and adapted to the specific needs of women and girls, including in easy-to-read and easy-to-understand formats, so as to reach women and girls from different cultural and social backgrounds, those with different disabilities, those who are illiterate, and those in other vulnerable groups (8).

2.26. Media play a powerful role in sharing information that can perpetuate or challenge harmful narratives around gender-based violence, contributing to and impacting societal and public responses to GBV. Thus, it should follow the principles of professionalism and ethics in reporting on GBV (9).

2.27. The EESC believes that barriers to access to sexual and reproductive health and rights represent a specific form of violence against women and should therefore be considered as such, as in the case of gynaecological and obstetric violence.

2.28. The EESC notes with concern that the existing restrictions on the free and safe voluntary termination of pregnancy, as well as the harassment suffered by women, particularly in the vicinity of clinics, have not been considered as specific forms of violence against women. Women's rights over their own sexuality and their reproductive rights must guarantee them the right to be able to decide freely on the voluntary termination of their pregnancy and the right to abortion. In the face of systematic attacks by fundamentalist and extreme right-wing groups, the EESC considers it necessary to incorporate legal measures in the Member States to guarantee not only this right but also its free exercise.

2.29. The Committee also notes with concern that the development of a fulfilling life, in conditions of freedom and equality, for orphans of victims of violence against women is not included.

2.30. The EESC asks mental health service providers to foster pathways to healing and well-being and ensure safety for survivors of gender-based and sexual violence. All mental health professionals should have a good understanding of the gendered nature and dynamics of different types of violence against women, especially the specificities of domestic violence, sexual and intimate partner violence (IPV), the effects of those on mental health, and the intersections of both violence and mental health with other forms of oppression including racism, transphobia, ableism, and poverty.

(7) OJ C 443, 22.11.2022, p. 93, paragraph 3.22 and OJ C, C/2024/1592, 5.3.2024, ELI: <http://data.europa.eu/eli/C/2024/1592/oj>.

(8) OJ C 443, 22.11.2022, p. 93.

(9) Reporting on violence against women and girls: a handbook for journalists (<https://unesdoc.unesco.org/ark:/48223/pf0000371524>).

2.31. A failure to provide mental health care, services and support to women victims of violence, who invariably suffer severe mental health consequences due to the trauma of such violence, is a severe human rights violation. In addition, not having access to facilities that could help them rebuild their lives, such as access to an adequate standard of living and social protection, rehabilitation and habilitation, work and employment, and legal justice, would also be violations of their human rights.

2.32. The EESC is deeply concerned about views that deny violence against women and girls as a specific form of violence because of their status as women, maintaining patriarchal positions, especially from fundamentalist religious groups. Also of concern are the activities of the extreme right, which attacks the objective of equality between women and men and denies the structural violence and discrimination suffered by women and girls, thereby attacking the values and principles of Article 2 of the TFEU.

3. Specific comments

3.1. For the purpose of the preparation of this Own initiative Opinion, two country missions were developed in order to analyse national perspectives and implementation of existing and future legal requirements to protect victims of gender-based violence and domestic violence. Lithuania and Spain were chosen as the two countries to visit. A summary of the main outcomes from the country visits highlighting input on the topic from the Civil Society Organisations (CSOs) and social partners, as well as responsible national authorities, are reflected in Annex 1 ⁽¹⁰⁾.

Brussels, 26 February 2025.

The President
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Oliver RÖPKE

⁽¹⁰⁾ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/violence-against-women-human-rights-issue-state-play-measures-across-eu>.