

DEPARTMENT
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SAPIENZA
UNIVERSITÀ DI ROMA



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SAPIENZA
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*Gender discrimination and violence:
Future perspective in EU Policies
Lesson 5*

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4th Lesson outline

- ✓ *The European Commission proposal of a Directive to combat violence against women and domestic violence – Strasbourg 08 March 2022 – COM (2022) – 105 final*
- ✓ *The key elements of the new rules*
- ✓ *The Gender Equality Strategy 2020-25*



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The European Commission proposal of a Directive to combat violence against women and domestic violence

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The Directive proposed by the European Commission



- ✓ It will criminalise **rape** based on lack of consent, **female genital mutilation** and **cyber violence**, which includes: non-consensual sharing of intimate images (revenge porn); cyber stalking; cyber harassment; and cyber incitement to violence or hatred.
- ✓ It is willing to strengthen **victims' access to justice** and encourage Member States to implement a one-stop shop mechanism, meaning that all support and protection services would be located in the same place. The victims should be able to **claim compensation** in the course of criminal proceedings.
- ✓ It will provide specialised protection and support, for instance, through **free of charge helplines** and **rape crisis centres**. It also provides for targeted support for groups with specific needs or at risk, including women fleeing armed conflict.



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The key elements of the new rules

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The Directive proposed by the European Commission



The key elements of the proposed new rules:

- ✓ Criminalisation of rape, female genital mutilation, and cyber violence
- ✓ Safe reporting and risk assessment procedures
- ✓ Respect for victims privacy in judicial proceedings and right to compensation
- ✓ Support for victims through helplines and rape crisis centres
- ✓ Better coordination and cooperation

1. Criminalisation of rape, female genital mutilation, and cyber violence

- ✓ The Commission is proposing to criminalise the following offences across the EU: (i) rape based on the lack of consent; (ii) Female Genital Mutilation (FGM); (iii) cyber stalking; (iv) non-consensual sharing of intimate images; (v) cyber harassment; and (vi) cyber incitement to hatred or violence.
- ✓ The proposal complements the Digital Services Act (DSA) making it operational by **defining illegal online** content related to cyber violence. It will also allow **for quick judicial** proceedings to have relevant online content removed swiftly.

2. Safe reporting and risk assessment procedures

- ✓ The proposal tackles the **underreporting of violence against women** that still exists today.
- ✓ It introduces **new ways to report acts of violence**, which are gender-sensitive, safer, easier, more accessible - including online - and child-friendly.
- ✓ Professionals, such as healthcare workers or psychiatrists, **would no longer be hindered by confidentiality regimes** to report any reasonable suspicions of an imminent risk of serious physical harm.

Continues...

- ✓ The **authorities** would also be **obliged to conduct individual risk assessments** when the victim first makes contact, to assess the risk posed by the offender.
- ✓ On this basis, authorities would need to provide immediate protection through **emergency barring or protection orders.**

3. Respect for victims privacy in judicial proceedings and right to compensation

- ✓ The Commission is proposing that evidence **or questions relating to the victims' private life**, especially their sexual history, **can only be used when strictly necessary.**
- ✓ Victims would have the right to **claim full compensation from offenders for damages**, including the costs of healthcare, support services, lost income, physical and psychological harm.
- ✓ They should also be able to **obtain compensation in the course of criminal proceedings.**

4. Support for victims through helplines and rape crisis centres

- ✓ To address the very specific needs of victims of sexual violence, the Commission is proposing that Member States provide **dedicated services including rape crisis centres**.
- ✓ Victims at an increased risk of violence, including **women fleeing armed conflict, should receive targeted support** from Member States.
- ✓ **National helpline** to support victims of violence against women and domestic violence should be made available 24/7, all year round, and be free of charge.

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- ✓ When a victim is a **child** authorities should provide **age-appropriate support** in the best interests of the child.
- ✓ **Victims of cyber violence** will also be entitled to adequate support, including advice on how to seek legal help and how to remove online content.
- ✓ In cases of **sexual harassment at work**, **external counselling services** should be made available for victims and employers.

5. Better coordination and cooperation



- ✓ Member States should **exchange best practices** and consult each other in criminal cases, including **via Eurojust and the European Judicial Network**.
- ✓ To track progress and monitor the situation in all Member States, the Commission is also proposing an **obligation on Member States to collect data** on violence against women and domestic violence **to feed into an EU-wide survey every five years**.



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The Gender Equality Strategy 2020-25

“We should not be shy about being proud of where we are or ambitious about where we want to go.” - President Ursula von der Leyen

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The aim

- ✓ Gender Equality Strategy frames the European Commission's work on gender equality and sets out the policy objectives and key actions for the 2020-2025 period.
- ✓ It aims at achieving a gender equal Europe where gender-based violence, sex discrimination and structural inequality between women and men are a thing of the past.
- ✓ A Europe where women and men, girls and boys, in all their diversity, are equal. Where they are **free** to pursue their chosen path in life, where they have equal opportunities **to thrive**, and where they can equally participate in and **lead** our European society.

The dual approach

- ✓ The implementation of this strategy will be based on the **dual approach** of targeted measures to achieve gender equality, combined with strengthened gender mainstreaming.
- ✓ The Commission will enhance **gender mainstreaming** by systematically including a gender perspective in all stages of policy design in all EU policy areas, internal and external.
- ✓ The **strategy** will be **implemented using intersectionality** – the combination of gender with other personal characteristics or identities, and how these intersections contribute to unique experiences of discrimination – as a cross-cutting principle.

The added value of the new Strategy

- ✓ At 25 years of distance from the Beijing Platform of Action, this strategy is the EU's contribution to shaping a better world for women and men, girls and boys.
- ✓ It delivers on the gender equality Sustainable Development Goal (SDG 5), gender equality as a cross-cutting priority of all SDGs , and on the EU's commitment to the UN Convention on the Rights of Persons with Disabilities.

Being free from violence and stereotypes

- ✓ **Everyone should be safe in their homes, in their close relationships, in their workplaces, in public spaces, and online.** Women and men, girls and boys, in all their diversity, should be free to express their ideas and emotions, and pursue their chosen educational and professional paths without the constraints of stereotypical gender norms.

The added value of the new Strategy



33% of women in the EU have experienced physical and/or sexual violence.



22% of women in the EU have experienced violence by an intimate partner.



55% of women in the EU have been sexually harassed.



An estimated **600,000 women and girls** have been subjected to FGM in Europe and **180,000** girls are at risk.

The added value of the new Strategy



44% of Europeans think that the most important role of a woman is to take care of her home and family.



43% think the most important role of a man is to earn money.

- ✓ The Council of Europe Convention on preventing and combating violence against women and domestic violence – **the ‘Istanbul Convention’** – is the benchmark for international standards in this field.
- ✓ The **EU signed the Convention in 2017, and concluding the EU’s accession is a key priority for the Commission.**
- ✓ To accelerate the conclusion of the EU’s accession, the **European Parliament requested in 2019 an opinion from the European Court of Justice** on this issue .

The added value of the new Strategy

- ✓ Should the EU's accession to the Istanbul Convention remain blocked, the Commission intends to propose in 2021 measures, within the limits of EU competence, to achieve the same objectives as the Istanbul Convention.

Thriving in a gender-equal economy

- ✓ **A prosperous and social Europe depends on us all.** Women and men in all their diversity should have **equal opportunities** to thrive and be **economically independent, be paid equally** for their work of equal value, have equal access to finance and receive fair pensions. Women and men should **equally share caring and financial responsibilities.**

The added value of the new Strategy



The difference between women's and men's employment rate in the EU is **11.6%**.



Only **55.3%** of women born outside the EU are in employment, compared to **69.7%** of women born in the EU.

Only **16%** of Roma women are in paid employment in the EU.



10% of construction workers and **25%** of agriculture, forestry, fishing and transportation workers are **women**, while **25%** of workers in education and **20%** of workers in human health and social activities are **men**.



Globally, only **1 in 10** decision-makers at venture capital and private equity firms are female, even though private funds identified as operating with a gender focus have **72%** female partners.



All-male founding teams receive almost **92%** of all capital invested in Europe.

The added value of the new Strategy



Out of high-performing students in maths or science in OECD countries, **1 in 4** boys expect a career as an engineer or scientist, compared to **1 in 6** girls; **1 in 3** girls expect to work as health professionals, compared to **1 in 8** boys.



The share of men working in the digital sector is **3.1 times** greater than the share of women.



Only **22%** of AI programmers are women.



15.7% gender pay gap in the EU.



30.1% gender pension gap in the EU.

The added value of the new Strategy



Women in the EU spend **22 hours** per week on care and household work, while men spend only **9 hours**.



80% of care in the EU is provided by informal carers, **75%** of whom are women. Many of them have a migrant background.

The added value of the new Strategy

Leading equally throughout society

- ✓ Companies, communities and countries should be led by both women and men, in all their diversity. Whether you are a woman or a man should not influence the career you pursue.



Women are only **7.5%** of board chairs and **7.7%** of CEOs in the EU's largest listed companies.



Only **32.2%** of members of national parliaments in the EU are women.



In the 2019 European elections **39%** of elected MEPs were women, compared to **37%** of MEPs in 2014.



The von der Leyen Commission has historically the largest share of female Commissioners.

The added value of the new Strategy

Gender mainstreaming and an intersectional perspective in EU policies

- ✓ The core challenges affecting the EU today – including the green and digital transitions and demographic change – all have a gender dimension. The inclusion of a gender perspective in all EU policies and processes is essential to reach the goal of gender equality.
- ✓ The Commission will integrate a gender perspective in all major Commission initiatives during the current mandate, facilitated by the appointment of the first Commissioner for Equality, as a stand-alone portfolio, and by creating a Task Force for Equality composed of representatives of all Commission services and of the European External Action Service.

The added value of the new Strategy

Gender mainstreaming and an intersectional perspective in EU policies

- ✓ The Task Force will ensure the implementation of equality mainstreaming, including gender equality, at operational and technical level.
- ✓ The intersectionality of gender with other grounds of discrimination will be addressed across EU policies. Women are a heterogeneous group and may face intersectional discrimination based on several personal characteristics. For instance, a migrant woman with a disability may face discrimination on three or more grounds.

The added value of the new Strategy

Gender mainstreaming and an intersectional perspective in EU policies

- ✓ EU law, policies and their implementation should therefore respond to the specific needs and circumstances of women and girls in different groups.
- ✓ The forthcoming Action Plan on Integration and Inclusion and the EU strategic frameworks on disability, LGBTI+, Roma inclusion and children's rights will be linked to this strategy and to each other.
- ✓ Moreover, the intersectional perspective will always inform gender equality policies.

The added value of the new Strategy

Funding actions to make progress in gender equality in the EU

- ✓ EU law, policies and their implementation should therefore respond to the specific needs and circumstances of women and girls in different groups.
- ✓ The forthcoming Action Plan on Integration and Inclusion and the EU strategic frameworks on disability, LGBTI+, Roma inclusion and children's rights will be linked to this strategy and to each other.
- ✓ Moreover, the intersectional perspective will always inform gender equality policies.
- ✓ the Commission will look at the gender impact of its activities and at how to measure expenditure related to gender equality at programme level in the 2021-2027 MFF.

Addressing gender equality and women's empowerment across the world

- ✓ Gender inequality is a global problem. Gender equality and women's empowerment is a core objective of EU external action. It is important that the EU's internal and external actions in this field are coherent and mutually reinforce each other.
- ✓ The action plan on gender equality and women's empowerment in external relations (2016-2020) (GAPII) focuses on ending violence against women and girls, promoting women's economic and social empowerment and ensuring the fulfilment of their human, political and civil rights.

Thank you!

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