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## **PARLIAMENTS UNITED IN COMBATING DOMESTIC VIOLENCE AGAINST WOMEN**

### **Meeting of regional group B**

**Organised by Mr Jean-Guy Branger, co-ordinator of regional group B  
With the support of the Council of Europe Parliamentary Assembly**

**Council of Europe Office, Paris**

**28 November 2007**

## **CONCLUSIONS AND PROPOSALS FOR FURTHER ACTION**



At mid-point in the campaign, the contact parliamentarians attending the meeting<sup>1</sup> took stock of the action taken by their national parliaments since November 2006<sup>2</sup>.

Areas for improvement were discussed. Following consultations with all the members of group B [under way], new guidelines were proposed for the second and final phase of the campaign.

**NECESSARY STEPS TO MAKE THE CAMPAIGN EFFECTIVE**

- enact legislation on conjugal violence;
- allocate adequate financial resources to ensure that measures to combat domestic violence against women are implemented and are effective;
- persuade national parliaments of the need to monitor the application of the law and measures to combat domestic violence.

**AREAS FOR FURTHER ACTION**

- develop the notion of psychological violence and provide for it in legislation;
- supervise the perpetrators of domestic violence;
- give further thought to the problem of domestic violence in immigrant communities and access of victims from these communities to protection, assistance and rehabilitation;
- give more financial support to regional and local offices concerned with women's rights;
- make the general public, particularly young persons, aware as early as possible of the need to respect other human beings and of the penalties for acts of violence;
- provide relevant training to police, judges and health personnel;
- strengthen parliamentary supervision of government action to ensure that adopted measures and joint ministerial action plans are properly implemented.

**PROPOSED FUTURE ACTIVITIES**

ACTION TO BE TAKEN IN ALL MEMBER COUNTRIES OF GROUP B	DATE OF IMPLEMENTATION	CONTACT MEMBER OF PARLIAMENT (PROPOSED BY)
1. Establish a network of men involved in combating violence against women in civil society	<b>As soon as possible</b>	1. 2. 3.
2. Events on the theme "involving men in combating violence against women", to coincide with the 16 Days of Activism from 25 November to 10 December.	<b>November/ December 2007</b>	1. 2. 3.
3. Event around 8 March	<b>March 2008</b>	1. 2. 3.
4. Awareness raising in schools and universities	<b>As soon as possible</b>	1. 2. 3.
<b>FURTHER PROPOSALS:</b>		
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<sup>1</sup> See appendix II  
<sup>2</sup> See appendix I

## Appendix I

### Summary of contributions

#### **Opening of the meeting and measures to combat domestic violence in France by Mr Jean-Guy Branger, regional co-ordinator of group B.**

**Mr Jean-Guy Branger** welcomed participants and thanked the Parliamentary Assembly for organising this regional parliamentary seminar in Paris. He described the aims of these gatherings, which were organised in response to a request from contact members of parliament at their second meeting, in June 2007. He also reviewed the state of legislation in France in the light of the seven priority measures in Resolution 1582 (2007) and Mr José Mendes Bota's report on "Parliaments united in combating domestic violence against women".

**Mr Yannick Bodin**, secretary of the French Senate committee on women's rights and equal opportunities between women and men, noted with satisfaction that there had been agreement in the National Assembly and the Senate on several items of legislation on the subject. In his own constituency of Seine-et-Marne numerous NGOs had been set up, as well as an information centre on the women's and family rights. His discussions with local bodies had revealed certain gaps, particularly in the enforcement of the law. He thought that there should be better co-ordination of civil and criminal law proceedings, rapidly arranged hearings before the family court when spouses separated, more places in shelters for women with children, awareness raising activities among young people and the general public and special facilities to receive or detain the perpetrators of violence. He also drew attention to the precarious situation of women of foreign nationality and their problems of accommodation.

**Mrs Gisèle Gautier**, chairperson of the French Senate committee on women's rights and equal opportunities between women and men, said that rapid progress had been made in the last few years, which meant that the subject was no longer taboo in France. Following a fact-finding to the island of Réunion, she referred to the problem of alcoholism, which was often the cause of conjugal violence, and to the risk that children who witnessed such behaviour would themselves repeat it later. She stressed the importance of discussion groups in prison and said that police were currently receiving training that would enable them to offer a sympathetic hearing in police stations. She also agreed that the problem had to be dealt with through education based on non-violence and respect for others, from the earliest possible age.

#### **Combating violence against women in France: an NGO standpoint**

**Mrs Muriel De Gaudemont**, of the women's rights committee of Amnesty International France thanked Mr Branger for seeking the opinion of the NGO that she represented on violence against women. She referred to the world campaign against this scourge launched by Amnesty in 2004 and the publication in 2006 of a report setting out a number of recommendations that were taken into account in the 2008-2011 three-year plan. She thought that the existing legislation in France was generally comprehensive and noted certain improvements in alien's law. However, much further work remained. In France, the identification of victims by judges and the treatment they received was very variable. Unfortunately, the three-year plan did not establish any co-ordinating body, encourage ministries to work together or lay down a timetable for implementation. A study by the economic, sociological and management research centre estimated the cost of conjugal violence in France at one billion euros per year, a substantial sum that would justify further government financial support. Further efforts were required to establish more shelters, which were currently insufficient, harmonise data collection at European level, assess the various forms of assistance to victims and provide education and training for the judiciary, law enforcement

agencies, other officials and young persons. Finally, Amnesty considered that the French experiment of accommodating victims in host families was not a desirable option.

**Mr Jean-Paul Le Divenah**, head of the private office of Mrs Valérie Létard, State Secretary for Solidarity, said that the three-year plan launched by the French ministry was intended to measure the extent of violence against women, introduce preventive action from junior secondary school on, co-ordinate the activities of government in this field and introduce local reference persons offering women a single point of contact. The pilot project for receiving victims into families would be improved and extended. The ministry would also be considering the notion of psychological violence. The health ministry would be very closely involved in implementing the three-year plan, for which assessment arrangements would be put in place.

### **Committee of Ministers Recommendation (2002) 5 on the protection of women against violence**

**Mrs Hilary Fisher**, Chairperson of the Council of Europe Task Force to Combat Violence against Women, summarised the main objectives of the April 2002 recommendation, particularly regarding prevention and the protection of victims, and adjustments to criminal law and procedure and civil law in all the member states, in order to penalise aggressors.

### **Penalising domestic violence against women, including marital rape**

**Mrs Catherine Fautrier**, contact parliamentarian for Monaco, said that there was no specific offence of conjugal violence in her country. It was prosecuted under the general offence of deliberate assault and did not constitute an aggravating circumstance. However draft legislation would shortly be introduced into the Monegasque parliament that would take account of these two fundamental factors. It would allow the courts to rule in favour of separate residences when one of the partners was threatened by violence and to issue a treatment order to prevent reoffending. It would also encourage co-operation and co-ordination between police, the courts and medical and social staff operating in this area. She also said that a new definition of the offence of rape had been inserted in the Criminal Code, which stated that rape could occur irrespective of the relationship between aggressor and victim.

### **Violence between partners or ex-partners as an aggravating circumstance**

**Mrs Maria Smet**, contact parliamentarian for Belgium, stressed the need to train ordinary police officers and to establish arrangements inside police stations for women to be heard, in order to improve the conditions and procedures for examining victims, since too often evidence disappeared or was ignored. It was also important to establish a uniform list of procedures to be followed when victims were examined.

### **Creating an adequate number of emergency shelters**

**Mrs Christine McCafferty**, contact parliamentarian for the United Kingdom, reported on refuges in that country, which were financed by the Home Office. There were numerous services to assist victims, including centres offering information and support, helplines and facilities to help victims find accommodation in the same area. The aim with regard to refuges was to create one place for every 10 000 inhabitants, compared with the current figure of one for every 15 000.

**Mrs Hilary Fisher** also pointed to the active involvement of United Kingdom local authorities, which since April 2007 had had a duty to promote equality between women and men and to focus on areas that had an impact on domestic violence. It would be interesting to assess the impact of these measures after a few years.

## **Effective access to justice and victim protection**

**Mrs Lisa McDonald**, member of the Irish Senate, reported on the steps taken by Ireland to prevent conjugal violence and protect victims. The 1996 Domestic Violence Act authorised, among other things, barring orders preventing perpetrators from returning to the family home. However, this measure was restricted by the fact that the person concerned had to have been married to the aggressor. In the case of a couple cohabiting, they had to have lived together for at least six months of the previous nine.

## **Adequate financing to enforce the law**

**Mrs Brigitte Wiaux**, member of the Belgian House of Representatives, described the six main strands of her country's policy. She expressed interest in the French host families experiment, which might be one means of compensating for the shortage of public housing. An interministerial committee had been set up and the relevant activities were financed by the Institute for Equality. To date, 89 initiatives had been reported. From 2008, there was a standardised system for recording complaints. A study would soon be launched on the extent of domestic violence and its impact on women's and public health. The 2003 legislation on the exclusion of violent partners from the family home was not working. Since 2007, provision had been made to take account of gender issues in the budget, but the means of applying this had still not been determined.

In conclusion, following detailed discussion, **Mr Jean-Guy Branger** stressed the pressing need for awareness raising for young persons in schools, closer parliamentary scrutiny and supervision of the perpetrators of violence. He intended to set up a group of men in civil society and organise activities that would have an impact on the general public. More consideration should be given to domestic violence in immigrant communities and there was a need to train staff who worked with the victims of such violence and to produce standardised statistics that could be used in comparative studies.

## Appendix II

### List of participants

#### *Members of parliament*

- France**
- Jean-Guy Branger**  
Member of the Senate  
Co-ordinator of regional group B
- Gisèle Gautier**  
Chairperson of the French Senate committee on women's rights and equal opportunities between women and men
- Brigitte Bout**  
Member of the French Senate committee on women's rights and equal opportunities between women and men
- Christiane Kammermann**  
Member of the French Senate committee on women's rights and equal opportunities between women and men
- Yannick Bodin**  
Secretary of the French Senate committee on women's rights and equal opportunities between women and men
- Belgium**
- Maria Smet**  
Member of the Senate
- Brigitte Wiaux**  
Member of the House of Representatives
- Ireland**
- Lisa McDonald**  
Member of the Senate
- Monaco**
- Catherine Fautrier**
- United Kingdom**
- Christine McCafferty**  
Member of the House of Commons

#### *Apologised for absence*

- France** Claude Greff
- Liechtenstein** Gebhard Negele
- Luxembourg** Lydie Err
- Switzerland** Ruth-Gaby Vermot-Mangold

#### *Speakers*

- Hilary Fisher**  
Chairperson of the Council of Europe Task Force to Combat Violence against Women

**Muriel De Gaudemont**

Women's rights committee of Amnesty International, France

***Other participants***

**Isabelle Fourmentraux**

Co-ordinator of the global Stop Violence Against Women campaign, Amnesty International, France

***Secretariats of national parliaments***

**FRANCE**

**Christine Allais**

Secretariat of the French Senate committee on women's rights and equal opportunities between women and men

**Michel Antoine**

Deputy Director of the European affairs department of the National Assembly

**Anne Beaud**

Parliamentary assistant at the Senate

**Emmanuelle Colombani**

Adviser

**Sonja Langenhaeck**

Secretary of the Belgian delegation to the PACE, external relations department of the Belgian Senate

**Jean-Paul Ledivenah**

Head of the private office of Mrs Valérie Létard, State Secretary for Solidarity (France)

**Loïc Vance**

Secretariat of the French Senate committee on women's rights and equal opportunities between women and men

**Marie-Louise Van Durme**

Principal adviser at the Belgian House of Representatives

***Secretariat of the PACE***

**Sylvie Affholder**

Secretary a.i of the Parliamentary Assembly Committee on Equal Opportunities for Women and Men

**Juliette Araujo**

Deputy Secretary of the Parliamentary Assembly Committee on Equal Opportunities for Women and Men