The impact of intimate partner violence and custody rights on women and children

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The European Parliament adopted by 510 votes to 31, with 141 abstentions, a resolution on the impact of intimate partner violence and custody rights on women and children.

Domestic violence is one of the most widespread forms of gender-based violence, as an estimated 22% of women have experienced physical and/or sexual violence by their partner, and 43% psychological violence. Women and children are disproportionately affected by this type of violence. In many Member States, lockdown measures during the COVID-19 pandemic resulted in a 60% increase in emergency calls from victims of domestic violence.

Tackling domestic violence without delay

Strongly condemning all forms of gender-based violence, domestic violence and violence against women, Parliament called on Member States to address the increase in domestic violence during the COVID-19 pandemic and encouraged them to exchange national innovations, guidelines, best practices and protocols. The Commission is asked to develop an **EU protocol** on violence against women in crisis and emergency situations, to set up an emergency alert system and to consider victim protection services, such as helplines, safe accommodation and health services, as ‘essential services’ in the Member States.

Members called for the creation of a Council formation on gender equality within the European while deploring that the Istanbul Convention has still not been ratified by the European Union and that it had only been ratified by 21 Member States.

Parliament called on the Commission and the Council to **add gender-based violence to the list of areas of crime under Article 83(1) TFEU**. It invited the Commission to use these provisions as a legal basis for proposing binding measures and a **comprehensive EU framework directive** to prevent and combat all forms of gender-based violence by including uniform standards and due diligence for data collection, prevention and investigation of violence, protection of victims and witnesses, and prosecution and punishment of perpetrators.

Addressing domestic violence in custody and access decisions

Members considered that, in determining custody, access and visitation arrangements, the **protection of women and children from violence and the best interests of the child** must be paramount and outweigh other criteria.

In cases of femicide, the parental authority of the accused parent should be systematically suspended for the duration of the proceedings.

Member States should ensure that justice and support for victims is accessible, adequate and free of charge for all women victims of domestic violence in all their diversity and regardless of their status.

Access to legal protection, emergency shelter and funds for victims

Members stressed the need to remove economic barriers that may deter women from reporting violence. They urged Member States to:

- implement specific measures to tackle economic violence and establish a framework for rapid and effective decisions on **child support** to prevent the situation of victims of domestic violence from becoming more precarious during separation and divorce proceedings;

- ensure full access to **adequate legal protection**, effective hearings and restraining orders, shelters and counselling services, as well as victim funds and financial empowerment programmes for women victims of domestic violence.

Protection and support for children

The resolution emphasised the need to give the **status of victim of gender-based violence** in criminal and investigative proceedings to children who witness domestic violence. Children should have the opportunity to be heard. In every case, but crucially in cases where intimate partner violence is suspected, such hearings must be conducted in a child-friendly environment by trained professionals.

Members stressed the need to protect the rights of the most vulnerable children, with particular attention to children with disabilities, and to promote child-friendly justice. They called for concrete measures to stop sexual abuse of children.

Prevention: training of professionals

Parliament called for capacity-building and **mandatory targeted training** for professionals dealing with cases of gender-based violence, child abuse and domestic violence in general. It called on Member States to ensure that their law enforcement officers and legal services are adequately funded, equipped and trained to deal with and respond to complaints. They urged Member States to set up specialised courts and sections.

Combating gender stereotypes and prejudices - education and awareness-raising

Members expressed concern about the impact of gender stereotypes and prejudices, which lead to a lack of trust in women, particularly in relation to allegedly false allegations of child abuse and domestic violence. They also stressed the importance of taking measures to combat gender stereotypes and patriarchal prejudices through education and **awareness-raising campaigns** as a necessary measure to prevent domestic violence and to create a climate of zero tolerance towards violence.