



Basic information	
2025/2040(INI) INI - Own-initiative procedure	Procedure completed
Importance of consent-based rape legislation in the EU Subject 1.10 Fundamental rights in the EU, Charter 7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling	

Key players			
European Parliament	Joint committee responsible	Rapporteur	Appointed
	<div style="border: 1px solid red; display: inline-block; padding: 2px;">LIBE</div> Civil Liberties, Justice and Home Affairs	INCIR Evin (S&D)	06/03/2025
	<div style="border: 1px solid red; display: inline-block; padding: 2px;">FEMM</div> Women's Rights and Gender Equality	SCHEURING-WIELGUS Joanna (S&D)	06/03/2025
		Shadow rapporteur KOKALARI Arba (EPP) MERTENS Verena (EPP) ANDROUËT Mathilde (PFE) PIERA Pascale (PFE) KANKO Assita (ECR) HENRIKSSON Anna-Maja (Renew) AL-SAHLANI Abir (Renew) CAMARA Mélissa (Greens /EFA) RIBA I GINER Diana (Greens /EFA) SERRA SÁNCHEZ Isabel (The Left) MONTERO Irene (The Left) BOSSDORF Irmhild (ESN)	
European Commission	Commission DG	Commissioner	
	Justice and Consumers	LAHBIB Hadja	

Key events

Date	Event	Reference	Summary
13/02/2025	Committee referral announced in Parliament		
25/02/2026	Vote in committee		
11/03/2026	Committee report tabled for plenary	A10-0047/2026	
27/04/2026	Debate in Parliament		
28/04/2026	Decision by Parliament	T10-0120/2026	Summary
28/04/2026	Results of vote in Parliament		

Technical information

Procedure reference	2025/2040(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55 Rules of Procedure EP 59
Stage reached in procedure	Procedure completed
Committee dossier	CJ01/10/01986

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE774.376	26/06/2025	
Amendments tabled in committee		PE775.763	22/07/2025	
Committee report tabled for plenary, single reading		A10-0047/2026	11/03/2026	
Text adopted by Parliament, single reading		T10-0120/2026	28/04/2026	Summary

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency

Name	Role	Committee	Date	Interest representatives
INCIR Evin	Rapporteur	LIBE	11/02/2026	My Voice, My Choice
KOKALARI Arba	Shadow rapporteur	FEMM	04/12/2025	Nationellt centrum för kvinnofrid

Importance of consent-based rape legislation in the EU

2025/2040(INI) - 28/04/2026 - Text adopted by Parliament, single reading

The European Parliament adopted by 447 votes to 160, with 43 abstentions, a resolution on the importance of consent-based rape legislation in the EU.

A new legal framework

Parliament called on the Commission to propose, without delay, legislation establishing an **EU-wide definition of rape that is based on the requirement of freely given, informed consent** that can be withdrawn, in line with Article 36 of the Istanbul Convention. Member States that still use definitions of rape based on the assumption of violence should commence legislative changes to bring the definition into line with the latest international standards.

Members reiterated that legislation based on the absence of consent is the only adequate, comprehensive, trauma-informed and evidence-based framework that allows access to justice for survivors of rape. They reiterated their call on the Commission to submit, on the basis of the third subparagraph of Article 83(1) TFEU, a proposal for a Council decision **identifying gender-based violence as a new area of EU crime**.

Clear, explicit and free consent

Members stressed that only a clear, affirmative, free, and unambiguous indication of consent is valid, and that **silence, the lack of verbal or physical resistance, or the absence of a "no" cannot be interpreted as consent**. They also stressed:

- that prior consent, past sexual conduct or any past or present relationship with an offender, including marital or any other partnership status, does not imply ongoing or future consent for any sexual acts;

- that consent can be withdrawn at any time before or during a sexual act; consent can be expressed in any way as long as it is given voluntarily as a result of the person's free will and is assessed in the context of the surrounding circumstances, it being understood that consent cannot be given where there is violence, threat, an abuse of power, intimidation, unconsciousness, intoxication, chemical submission, sleep, illness, disability or vulnerability.

Members stressed the importance of recognising **trauma responses** occurring during rape such as tonic immobility or the 'freeze response' and the 'fawn response', which is a survival strategy that develops under coercion and involves appeasing the perpetrator in an attempt to avoid escalation or harm. Such trauma responses must therefore be reflected in legislation and judicial practice to ensure a trauma-informed, survivor-centred approach, thus legally recognising that the absence of resistance does not equal consent. Consent-based rape legislation must also apply in digital and virtual environments.

Victim-centred approach

Parliament called on Member States to ensure that victims and survivors of rape have full and immediate access to **comprehensive, safe, confidential, and specialized medical care and services** for as long as necessary, complemented by access to long-term trauma care and psychological and psychosocial support to help victims recover. Victims and survivors of sexual violence should have access to 24-hour **emergency support centres** where they can receive medical care, psychological support, and legal advice without having to file a formal complaint. Member States should ensure that victims and survivors of sexual violence have access to **legal aid**.

Members urged that **public services** be made available at all stages of the reparation process, including the provision of essential psychological and legal support as well as assistance in seeking employment.

Training, education and awareness

Parliament called on the Member States to ensure that **professionals** who are likely to come into contact with rape victims, including law enforcement officers, forensic medical personnel, court staff, judges and prosecutors, lawyers, healthcare professionals, social services employees, educational and other relevant staff and frontline professionals, receive mandatory, **regular, adequate, effective and tailored training**. This training should be aimed at preventing the secondary victimisation of the survivors in order to avoid and eliminate victim-blaming behaviours and attitudes.

Members called on the Commission to present, by 2026 and in all 24 EU languages, **guidelines** on consent-based sexuality and relationship education. Stressing the crucial role of **public awareness campaigns** and prevention programmes in combating misconceptions about rape, Members urged the Commission to launch campaigns to combat anti-gender content and incel propaganda online, which particularly target young men, normalise sexual violence, and perpetuate harmful gender stereotypes.

Lastly, Parliament invited Member States to:

- adapt their legislation relating to the **limitation** periods applicable to rape offences;

- ensure that all victims of gender-based violence obtain **effective redress**;

- take appropriate measures to ensure that **programmes** for offenders are available to those who are referred or self-refer, including outside of the criminal justice system.