



Study to support the **Impact Assessment on Preventing and Combating Violence Against Women and Domestic Violence**

A report submitted by ICF S.A.

22 May 2022

Submitted to:

DG Justice and Consumers

Directorate D: Equality and Union Citizenship

Unit D.2: Gender Equality

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Luxembourg: Publications Office of the European Union, 2022

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PDF	ISBN 978-92-76-53170-8	doi:10.2838/742767	DS-09-22-227-EN-N
HTML	ISBN 978-92-76-53172-2	doi:10.2838/093100	DS-09-22-227-EN-Q

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Abstract

This study supports the impact assessment for an initiative that develops a set of measures with the objectives of: preventing violence against women and domestic violence, providing victims with improved protection, support and access to justice, and strengthening coordination. Violence against women is a violation of human rights and a form of discrimination that can occur in any context. Domestic violence differs in that it occurs within the family or

domestic unit. Both include physical, sexual, psychological or economic harm or suffering. The initiative responds to fragmentation in the EU acquis and the high prevalence of the problem, whereby one in three in women have experienced violence against women and domestic violence. The initiative will benefit victims and enable all citizens across all Member States to live in societies that are more equal, just and violence free.

Executive Summary

What is the problem and why is it a problem at EU level?

Violence against women and domestic violence is a form of gender discrimination and a violent crime that remains highly prevalent in the EU, with one in three women experiencing physical and/or sexual violence in their lifetime¹. Existing prevention measures have therefore proved to be insufficient, and many victims struggle to access protection, support and justice. Data on the subject is also lacking or incomparable between Member States which hinders more effective monitoring and responses to the problem.

What are the objectives?

The general objective of the initiative is to prevent and combat violence against women and domestic violence as a criminal act and a form of discrimination between women and men. The specific objectives are: ensuring effective prevention of violence against women and domestic violence; protection of victims; access to justice; victim support; and strengthened coordination.

What is the value added of action at the EU level (subsidiarity)?

Although all Member States have adopted national legislation and policies to prevent and combat violence against women and domestic violence these have not led to an observable decrease in this kind of violent crime in the EU. The multitude of national approaches creates legal uncertainty regarding the rights of victims of violence against women and domestic violence as well as significant differences in

access to protection and support services within and across Member States. Legislative measures are necessary for addressing this kind of violent crime in an effective and sustainable manner. EU level action can increase their effectiveness by specifying minimum standards and adding value in line with good practices and recommendations of international monitoring bodies and research. EU-legislation on violence against women and domestic violence would further align the EU legal framework with internationally recognised norms and permit coordinated action at EU level, particularly in the six Member States which have not ratified the Istanbul Convention.

What are the various options to achieve the objectives?

Two options are outlined, in addition to the baseline: Option 1 which sets out measures which are considered to have moderate impact on the policy objectives and Options 2a and 2b which would have a more comprehensive impact.

What are stakeholders' views?

Extensive consultation with stakeholders showed a broad consensus for EU action across all the measures and options. This was rooted in clear agreement about the scale of the problem and the lack or deficiency of current measures that do not consider the particular needs and experiences of victims of violence against women and domestic violence. There were particular calls to address online violence against women and domestic violence and ensure an inclusive approach that benefits all victims. Employer associations expressed concerns about additional obligations

¹ <https://eige.europa.eu/gender-based-violence/what-is-gender-based-violence>

they could face which have been considered in deciding the preferred option.

Impact of the options and preferred option

All three options are assessed as having a positive impact on achieving the policy objectives. Policy Option 2b is considered to have the most impact but, following the comparative assessment of the effectiveness, efficiency and coherence of the options, Policy Option 2a is the preferred option as Policy Option 2b ultimately becomes more costly than Policy Option 2a in the long run and places a disproportionate burden on SMEs and the Member States.

What are the benefits of the preferred option?

In the short term, a total benefit of EUR 53.1 billion can be expected, resulting from a 20% reduction in the prevalence of violence against women and domestic violence. This will be achieved primarily as a result of reduced costs related to physical and emotional impacts, lost economic output and costs of the criminal justice system. Other areas, such as health services and social welfare, will also incur lower costs due to decreased numbers of victims of violence against women and domestic violence as a result of the measures implemented under the preferred policy option. In the long term, a 30% reduction in the number of victims of violence

against women and domestic violence can be expected to generate cost reductions amounting to EUR 82.7 billion.

What are the costs of the preferred option?

The costs associated with the implementation of the preferred option are expected to range from EUR 4.98 to 6.59 billion in the first year, subsequently ranging between EUR 4.96 and 6.58 billion in the years to come. The areas requiring the highest levels of spending include provisions to prevent sexual harassment at work, as well as on- and offline support for victims of cyber violence against women. Considerable investments will also have to be made for the provision of surveyed safe places for child victims and witnesses of DV, and the provision of medical care and complaint mechanisms for victims of sexual harassment at work.

How will the initiative be monitored?

The establishment of a system for data collection and monitoring is one of the core impacts pursued by the preferred option. This includes the enhanced ability to monitor prevalence of violence against women and domestic violence through the regular collection of sex-disaggregated data. Monitoring will make use of proxy monitoring of other initiatives to reduce the administrative burden on Member States.

Résumé analytique

Quelle est la problématique ?

La violence à l'encontre des femmes et la violence domestique constituent une forme de discrimination fondée sur le genre et de délinquance violente qui demeure très répandue dans l'UE, où une femme sur trois subit des violences physiques et/ou sexuelles au cours de sa vie². Par conséquent, les mesures de prévention existantes se sont avérées insuffisantes, et de nombreuses victimes ont du mal à accéder à la protection, à l'aide et à la justice. Les données sur la question sont, elles aussi, insuffisantes ou incomparables entre les États membres, ce qui empêche de mettre en place un suivi et des réponses efficaces au problème.

Quels sont les objectifs ?

L'objectif général de l'initiative est de prévenir et de combattre la violence à l'encontre des femmes et la violence domestique en tant que délits et forme de discrimination entre les femmes et les hommes. Les objectifs particuliers sont les suivants : assurer la prévention effective de la violence à l'encontre des femmes et de la violence domestique, la protection des victimes, l'accès à la justice, l'aide aux victimes et une coordination renforcée.

Quelle est la valeur ajoutée de l'action au niveau de l'UE (subsidiarité) ?

Bien que tous les États membres aient adopté leurs propres législations et politiques nationales pour prévenir et combattre la violence à l'encontre des femmes et la violence domestique, celles-ci n'ont pas donné lieu à une diminution

visible de ce type de délinquance violente dans l'UE. La multitude d'approches nationales engendre une insécurité juridique concernant les droits des victimes de la violence à l'encontre des femmes et de la violence domestique, ainsi que des différences de taille dans l'accès à la protection et aux services d'aide au sein des États membres et d'un État membre à l'autre. Des mesures législatives s'avèrent nécessaires pour s'attaquer à ce type de délinquance violente d'une manière efficace et durable. Une action au niveau de l'UE peut accroître l'efficacité, en définissant des normes minimales et en créant une valeur ajoutée conformément aux bonnes pratiques et recommandations des organes de suivi et des chercheurs internationaux. Par ailleurs, une législation de l'UE concernant la violence à l'encontre des femmes et la violence domestique harmoniserait le cadre juridique de l'Union avec les normes internationalement reconnues et permettrait une action coordonnée au niveau de l'UE, notamment dans les six États membres qui n'ont pas ratifié la Convention d'Istanbul.

Quelles sont les différentes options disponibles pour atteindre ces objectifs ?

Deux options s'esquissent, en sus de la base de référence : l'option 1 prévoit des mesures considérées comme ayant un impact modéré sur les objectifs politiques, tandis que les options 2a et 2b auraient un impact plus exhaustif.

Quels sont les points de vue des différentes parties prenantes ?

Une consultation approfondie des parties prenantes montre un large consensus en faveur d'une action de

² <https://eige.europa.eu/gender-based-violence/what-is-gender-based-violence>

l'UE concernant l'ensemble des mesures et options. Ceci était ancré dans un accord clair concernant l'étendue du problème et le manque ou la déficience des mesures existantes, lesquelles ne saisissent pas les besoins et situations particuliers des victimes de la violence à l'encontre des femmes et de la violence domestique. Il y a eu des demandes particulières pour aborder en ligne la violence à l'encontre des femmes et la violence domestique et assurer une approche inclusive bénéfique à toutes les victimes. Les associations d'employeurs ont exprimé certaines préoccupations concernant les obligations additionnelles auxquelles elles pourraient se voir confrontées, lesquelles ont été prises en considération à l'heure de décider l'option à privilégier.

Impact des options et option retenue

Les trois options ont été évaluées comme susceptibles d'avoir un impact positif sur la réalisation des objectifs stratégiques. L'option politique 2b a été considérée comme la plus retentissante mais, à l'issue d'une évaluation comparative de l'efficacité, de l'efficience et de la cohérence des options, l'option politique 2a a été retenue, car l'option 2b s'avère, *in fine*, plus coûteuse que l'option 2a sur le long terme et fait peser une charge disproportionnée sur les PME et les États membres.

Quels sont les avantages de l'option retenue ?

Sur le court terme, un bénéfice total de 53,1 milliards d'euros peut être attendu, résultant d'une réduction de 20 % de la prévalence de la violence à l'encontre des femmes et de la violence domestique. Ceci serait réalisé, principalement, grâce à la réduction des coûts associés aux répercussions physiques et émotionnelles et à la perte de rendement économique, ainsi que des coûts afférents au système de justice pénale. D'autres domaines, comme les services de santé et de protection sociale encourront, eux aussi, moins

des frais, grâce à la diminution du nombre de victimes de la violence à l'encontre des femmes et de la violence domestique, du fait des mesures mises en œuvre dans le cadre de l'option politique retenue. Sur le long terme, une réduction de 30 % du nombre de victimes de la violence à l'encontre des femmes et de la violence domestique peut être attendue, donnant lieu à des diminutions de coûts de l'ordre de 82,7 milliards d'euros.

Quels sont les coûts de l'option retenue ?

Les coûts associés à la mise en œuvre de l'option retenue devraient s'élever à 4,98–6,59 milliards d'euros au cours de la première année, oscillant, par la suite de 4,96 à 6,58 milliards d'euros les années suivantes. Les domaines exigeant les niveaux les plus élevés de dépense incluent les dispositions visant à prévenir le harcèlement sexuel au travail, ainsi qu'une aide en ligne et hors ligne aux victimes de la violence informatique à l'encontre des femmes. Des investissements considérables devront aussi être consentis pour la mise à disposition de lieux sûrs surveillés pour les enfants victimes et les témoins des violences domestiques, ainsi que pour la fourniture de soins médicaux et de mécanismes de signalement pour les victimes de harcèlement sexuel au travail.

Comment l'initiative sera-t-elle supervisée ?

La mise en place d'un système pour la collecte des données et le suivi constitue, en tant que telle, l'une des principales répercussions visées par l'option retenue. Ceci inclut une capacité accrue de suivi de la prévalence de la violence à l'encontre des femmes et de la violence domestique par l'intermédiaire de la collecte régulière de données ventilées par sexe. Le suivi fera appel à une supervision intermédiaire d'autres initiatives, afin de réduire la charge administrative pesant sur les États membres.

1. Introduction

The topic of violence against women and domestic violence remains high on the public and political agenda. Attention increased with the publication of the Fundamental Rights Agency (FRA) survey in 2014 which showed the high prevalence of incidents of violence against women³: one woman in three has experienced some form of physical and/or sexual violence since the age of 15. Most recently, the COVID-19 pandemic brought along severe lockdowns in many countries worldwide, including across the European Union (EU). By April 2020, victim support organisations, police forces and governments began to release figures showing sharp increases in the numbers of women reporting incidents of violence⁴.

Against this context, in her political guidelines President von der Leyen announced that the Union should do 'all it can to prevent and combat gender-based violence, support and protect victims of such crimes, and hold perpetrators accountable for their abusive behaviour'⁵. The **EU Gender Equality Strategy 2020–2025**⁶ announced key actions for preventing and combatting violence against women and domestic violence in the Europe Union and, in particular, a legislative proposal tackling such violence.

At international level, the Council of Europe Convention on preventing and combating violence against women and domestic violence ('**Istanbul Convention**') was the first instrument in Europe to set legally binding standards on combatting violence against women and domestic violence through a holistic approach. The EU signed the Convention on 13 June 2017 and, although the EU accession to the Istanbul Convention remains firm on the political agenda⁷ of the current European Commission⁸, to date, the process has stalled. On 6 October 2021, the Court of Justice of the European Union (CJEU) issued its opinion on the EU accession to the Istanbul Convention⁹. The CJEU clarified that the EU can accede to the Convention even if not all Member States have ratified it, but grants the Council discretion to gather the largest possible consensus in support of the accession. It is therefore not possible to predict when the EU's accession to the Istanbul Convention might take place, and how many Member States would eventually ratify the Convention. This initiative aims to achieve the objectives and standards of the Istanbul Convention in the areas of EU competence and fill gaps identified in the EU acquis in matters of judicial cooperation in criminal matters covered by the Convention.

3 FRA (2014): *Violence against women: an EU-wide survey*. Main results report, <https://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

4 See the data presented in 'Coronavirus and the shadow pandemic of violence against women' by Rosamund Shreeves, November 2020, published by EPRS Blog <https://epthinktank.eu/2020/11/24/coronavirus-and-the-shadow-pandemic-of-violence-against-women/>

5 A Union that strives for more. My agenda for Europe; https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf

6 European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A Union of Equality: Gender Equality Strategy 2020-2025*, COM(2020) 152 final, 5 March 2020.

7 The current Gender Equality Strategy has confirmed the EU's intention to access the Convention: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en

8 Declarations of the EC's President von der Leyen and of the Equality Commissioner, Dalli in 2020. COM(2020) 152 final; https://www.europarl.europa.eu/doceo/document/OJQ-9-2020-11-25_EN.html#

9 Court of Justice of the European Union (Grand Chamber); opinion A-1/19 of 6 October 2021.

Definitions

This study covers violence against women and domestic violence as defined by the Istanbul Convention (see box).

The term **gender-based violence** is commonly used to highlight the dynamics and drivers behind this type of violence and often used interchangeably with violence against women, as most violence against women is inflicted due to their gender. This supporting study follows the approach of the Istanbul Convention and uses the term violence against women.

Violence against women is a form of **discrimination** and is rooted in an unequal balance of power between women and men. It is both a cause and consequence of gender inequality. Certain groups of women, such as young girls, elderly women, women with disabilities or migrant women are often found to be at higher risk of violence of violence against women and domestic violence.

This supporting study also includes assessment of other forms of violence which are not included or defined by the Istanbul Convention but are nonetheless prevalent forms of violence against women. **Online or Cyber violence against women** refers to online content or activity which targets the victim because she is a woman or targets women victims disproportionately¹⁰. Cyber violence can also be perpetrated between current or former intimate partners¹¹. Cyber violence can take **a variety of forms**, ranging from

cyber stalking and non-consensual sharing of private and intimate images or personal data to sexual cyber harassment¹². **Sexual harassment** is included as it is currently covered by a number of gender equality directives which have proven not to be effective in preventing and combating this type of violence against women.

Key Terms

Violence against women = a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Domestic violence = all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim. Thus, domestic violence covers not only women, but any person living in the household, including men and children.

10 See HRC, *Report of the Special Rapporteur on online violence against women and girls*, at 23. European Parliament Research Centre, *Combating gender-based violence: cyber violence. European added value assessment*, 2021, at 4-7. Also Centre for international governance innovation (CIG), *What is gender-based online violence*, <https://www.cigionline.org/multimedia/what-is-online-gender-based-violence/>.

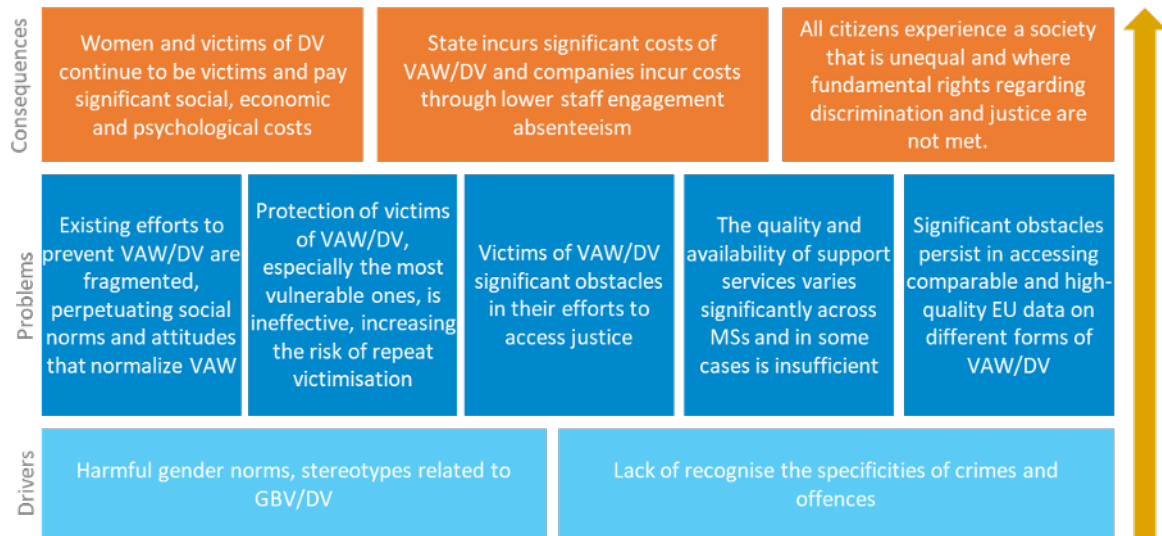
11 CyberSafe. *Cyber violence against women and girls*. Final report 2021, pp. 29- 34.

12 Council of Europe Cybercrime Convention Committee (C-TY) 2017, *Mapping study on cyber violence* (T-CY (2017)10), at 6. European Institute for Gender Equality (EIGE), *Cyber violence against women and girls*, 2017. GenPol Gender & Policy Insights 2019. *When technology meets misogyny. Multi-level, intersectional solutions to digital gender-based violence*, p. 16.

2. What are the main problems and their drivers and consequences?

Violence against women and domestic violence is a widespread problem across the EU, as most clearly indicated by its high prevalence. This section outlines five core problems,

as well as their drivers and consequences, as summarised in the below 'problem tree'.



2.1. Drivers

Social norms and stereotypes: violence against women and domestic violence in its diverse forms is not always perceived as an issue that affects women's lives. Certain forms of harassment, such as uncomfortable staring, catcalling and lewd gestures are seen as simply normal nuisances that women have learned to put up with. Other forms, such as DV, are sometimes considered private matters. In a recent Eurobarometer survey (2016) approximately one in six respondents believed that domestic violence should not always be punished by law and should

be treated as a private matter that should be handled within the family.

The role men play in the perpetuation of a violent culture and behaviours against women is not always recognized in educational and perpetrator programmes. About one in five respondents in a Eurobarometer survey expressed victim-blaming views, agreeing that women make up or exaggerate claims and that violence against women is often provoked by the victim. Just under one in five respondents (17%) agreed

that violence against women is often provoked by the victim, with respondents in Eastern areas of the EU most likely to agree. More than one in four respondents thought sexual intercourse without consent can be justifiable. The fact that a non-negligible minority holds these views perpetuates violence and leads to impunity for perpetrators.

Lack of recognition of the specificities of crimes and offences: Violence against women and domestic violence is a very specific form of crime and thus requires a tailored response by professionals. For instance, **a lack of evidence** can make prosecution difficult. Domestic violence and other forms of violence (for example psychological violence) typically produce little or no physical evidence, and take place in private settings which means there are no witnesses other than the victim. In anti-trafficking cases, the third progress report noted there can be evidentiary difficulties because of the complexity of the elements of the case, difficulties ensuring there is the right level of resources and knowledge for carrying out financial investigations, and difficulties in cross-border and international cooperation¹³. Furthermore, domestic violence especially also requires an approach to evidence collection that recognises the **specific nature of the crime**. For example, domestic violence is often a purposeful pattern of behaviour, rather than a single incident, which may be overlooked by investigators untrained in domestic violence cases¹⁴.

The **stigma** associated with violence against women and domestic violence and **trauma** involved can also hinder reporting and access to justice, protection and support. Victims may be unwilling to make a statement because it can mean reliving traumatic incidents and because they fear negative reactions from others, including victim-blaming and stigma. Victims can also feel disbelieved and belittled if the case is

dismissed as 'he-said-she-said'. Victims may also withdraw their statement because of their close relationship to the perpetrator which can make victims vulnerable to manipulation.

2.1.1. Problem 1: Existing efforts to prevent violence against women and domestic violence are fragmented and perpetuate social norms and attitudes that normalize violence against women and domestic violence

To address the problem of violence against women and domestic violence in all its forms, Member States have introduced different measures, such as public awareness raising campaigns, training to law enforcement and judicial authorities and perpetrator programmes. These were all considered necessary to address underlying patriarchal/stereotypical attitudes and to apply a gendered understanding of violence. As EIGE noted, 'there is a causal link between harmful gender stereotypes and violence against women and domestic violence'¹⁵. However, to date the effectiveness of the measures has been limited.

Public discussion and awareness

In the last few years, all Member States have introduced some form of measures to promote gender equality and challenge prevailing social norms and stereotypes. In response to the targeted consultation with Member State authorities, 23 Member States reported to have organised awareness raising campaigns on violence against women and/or domestic violence¹⁶. There are a number of shortcomings with existing campaigns as they: are not systematic, focus predominantly on victims of domestic violence and not victims of other types of violence, do not reach target groups meaningfully; are too focused on victims and directing them towards services, with little emphasis on

13 European Commission (2020) Third report on the progress made in the fight against trafficking in human beings https://ec.europa.eu/anti-trafficking/sites/default/files/third_progress_report.pdf

14 FRA (2019) Sanctions that do justice – justice for victims of violent crimes part III' p.19 <https://fra.europa.eu/en/publication/2019/sanctions-do-justice-justice-victims-violent-crime-part-iii>

15 EIGE, written submission to the public consultation.

16 Targeted Consultation with Member State authorities q.10. No response from HU.

their right to be protected against these forms of violence against women; and are not sufficiently targeting perpetrators to address their behaviour and their role in perpetuating violence against women and domestic violence¹⁷.

Treatment of perpetrators

Prevention measures are not only limited to awareness raising and training of competent authorities. To have a more comprehensive approach, work with perpetrators is needed to prevent reoffending. The EU provisions do not regulate treatment of perpetrators of all forms of violence against women and domestic violence. The European Network for Work with Perpetrators (WWP EN) considered that current EU legislation had limited relevance to their work and that the Istanbul Convention is the main driver of change across the EU¹⁸. In the targeted consultation with Member State authorities (outlined in Annex 2), all but one country (HU) reported having set up support programmes for perpetrators of violence against women and domestic violence¹⁹. Description of the measures show that most target domestic violence and not all are compulsory. According to WWP EN, most countries do not have structured programmes in place for perpetrators, although there are more programmes available in prison²⁰.

Training and capabilities of professionals to identify and address violence against women and domestic violence

Training for professionals is another measure common measure introduced to prevent violence against women and

domestic violence. Even though it has been widely recognized that well-trained, informed, and sensitised professionals are important to prevention efforts, in practice available training programmes are insufficient. The training of professionals, particularly among police and judicial authorities, in their interaction with victims, is lacking and needs improvement. This finding is supported, for example, by GREVIO monitoring of Article 16 of the Istanbul Convention.²¹ Some common problems highlighted by GREVIO about the trainings delivered to different categories of professionals are: lack of gender sensitivity, gender awareness and recognition of violence against women as rooted in discrimination. Moreover, trainings where they exist, are not regular or mandatory.

2.1.2. Problem 2: Protection of victims of violence against women and domestic violence, especially the most vulnerable ones, is ineffective, increasing the risk of repeat victimisation

Protection of victims of violence against women and domestic violence from repeat victimization is crucial. While there are no reliable EU data on repeat victimization, data from the UK suggest that more than a quarter of domestic violence victims (27%) have been victimized between two and four times.²² To address this problem, protection measures are essential.

To prevent further violence, protection orders and emergency protection/barring orders can be issued. Existing protection order provisions do not cover all victims of violence against women²³ and there are challenges in take-up

17 GREVIO (2021) 'Mid-term Horizontal Review of GREVIO baseline evaluation reports' pp.53-57. <https://rm.coe.int/horizontal-review-study-2021/1680a26325>. Targeted Consultation with Member State authorities q.10. No response from HU

18 Interview with European Network for Work with Perpetrators (WWP EN), 2 July 2021.

19 Targeted consultation with Member State authorities q. 29. No response: PL, HR, LT

20 Interview with European Network for Work with Perpetrators (WWP EN), 2 July 2021.

21 GREVIO (2021) 'Mid-term Horizontal Review of GREVIO baseline evaluation reports' pp.53-57. <https://rm.coe.int/horizontal-review-study-2021/1680a26325>

22 EIGE (2021) 'The cost of gender-based violence in the European Union', p.11. <https://eige.europa.eu/publications/costs-gender-based-violence-european-union>

23 In France and Portugal they are only available for victims of domestic violence. GREVIO (2021) 'Mid-term Horizontal Review of GREVIO baseline evaluation reports' pp.53-57. <https://rm.coe.int/horizontal-review-study-2021/1680a26325>

because of the time taken to access orders²⁴, insufficient sanctions for breaking them and lack of awareness of their availability²⁵. Individual assessments, which can help lead to protection measures, are not well-implemented in practice, not available in all Member States or only cover certain crimes.²⁶

2.1.3. Problem 3: Victims of violence against women and domestic violence face significant obstacles in their efforts to access justice

Women and children face different forms of violence without the possibility to access justice. **Reporting rates of incidents of violence against women and domestic violence remain low.** A survey conducted by FRA in 2021 shows that most incidents of violence and harassment are not reported to the authorities.²⁷ This is rooted in a lack of awareness of support and protection available, stigma associated with being a victim, a lack of gender-sensitive response by professionals and a perception that many cases do not result in successful prosecution.

Another barrier to justice is that all forms of violence against women and domestic violence are not **criminalised** consistently across all Member States, particularly regarding

psychological, economic and online violence. Member States also vary in how these forms of violence are criminalised and the exact definition. Of note, most are criminalised in a gender-neutral manner, except for FGM, and further forced marriage is not widely considered a form of violence against women.²⁸

Another core problem in terms of accessing justice is access to compensation, and compensation that is commensurate with the crime. While victims of violence against women can claim compensation from the perpetrator in all Member States²⁹, in most cases state compensation is provided only to victims of violent crimes **excluding other forms of violence.** There is also evidence that **levels of compensation** are not adequate³⁰. This can have particularly damaging consequences for victims of violence against women and domestic violence as they may need the funds to as a means for 're-building an independent and violence-free life of dignity', especially as domestic violence can often occur in situations of economic dependence³¹. CJEU in C-129/19, for example, considered that the fixed rate of €4800 awarded in a case of sexual violence in Italy was **"manifestly insufficient,"** because "sexual violence ... gives rise to the most serious consequences of violent intentional crime"³².

24 Victim Support Europe (2019) 'Victims of Crime Implementation Analysis of Rights in Europe: Synthesis report'. https://victimsupport.eu/activeapp/wp-content/uploads/2019/08/VOCIARE_Synthesis_Report-web.pdf.

25 This issue was highlighted in the targeted consultation with Member State authorities q.18 by NL, CZ, FI, BE, FR.

26 Victim Support Europe (2019) 'Victims of Crime Implementation Analysis of Rights in Europe: Synthesis report'. https://victimsupport.eu/activeapp/wp-content/uploads/2019/08/VOCIARE_Synthesis_Report-web.pdf.

27 FRA (2021) Crime, safety and victims' rights – Fundamental Rights Survey. Available from: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Crime_statistics&stable=0&redirect=no

28 European Commission, European Equality Law Network, (2021) 'Criminalisation of gender-based violence against women in European States, including ICT-facilitated violence', Luxembourg, Publications of the European Union. Available from: <https://www.equalitylaw.eu/downloads/5535-criminalisation-of-gender-based-violence-against-women-in-european-states-including-ict-facilitated-violence-1-97-mb>

29 European Commission, European Equality Law Network, (2021) 'Criminalisation of gender-based violence against women in European States, including ICT-facilitated violence', Luxembourg, Publications of the European Union, p.185. Available from: <https://www.equalitylaw.eu/downloads/5535-criminalisation-of-gender-based-violence-against-women-in-european-states-including-ict-facilitated-violence-1-97-mb>

30 European Commission (2019) 'Strengthening victims' rights: from compensation to reparation' p.26. https://ec.europa.eu/info/sites/default/files/strengthening_victims_rights_-_from_compensation_to_reparation.pdf

31 European Commission (2019) 'Strengthening victims' rights: from compensation to reparation' p.26. https://ec.europa.eu/info/sites/default/files/strengthening_victims_rights_-_from_compensation_to_reparation.pdf

32 CJEU in C-129/19

2.1.4. Problem 4: The quality and availability of support services varies significantly across Member States and in some cases is insufficient

Support services, such as counselling and shelters for victims and their children, are fundamental in helping women to leave abusive relationships and avoid repeat victimisation. Existing data shows that the number of **shelters** is insufficient, with only three Member States meeting the standards put forward in the Istanbul Convention.³³

Several Member States have developed a wider and stronger network of **specialist support services** that assist victims of DV, however specialist support services for victims of other forms of gender-based violence such as female genital mutilation is limited. There are also access challenges for women who do not have residency³⁴ and women living with a disability³⁵.

Specific groups of victims receive even less support. Victims of **online violence**, for example, receive little support, particularly because it is a relatively new form of violence that is not yet recognised as a crime: no countries, except Romania, have a specific definition of online violence in law³⁶. This is a particular problem because the prevalence of this form of violence is estimated to be very high. FRA estimates that 11% of women have experienced cyber harassment or cyber stalking since the age of 15³⁷. EIGE (2017) has also noted that responses of

law enforcement agencies across the EU to instances of online violence against women reveal deeply concerning inadequacies in approaching such forms of abuse, as well as in the treatment of its victims³⁸.

Another group that can struggle to access the support they need, and access justice is **victims of sexual harassment at work**. Equality bodies represent a crucial source of support for many victims of discrimination at work, however only six Member States have the capacity to receive gender-based violence related complaints (AT, BE, EE, IT, PT, SL)³⁹.

2.1.5. Problem 5: Significant obstacles persist in accessing comparable and high-quality EU data on different forms of violence against women and domestic violence

In the last few years, efforts have been made at EU level to address the problem of data collection on aspects of violence against women and to ensure comparability at this level.⁴⁰ Eurostat and other EU agencies (FRA, EIGE, Eurofound) have carried out substantive work in this area, supporting Member States to improve their data collection approaches and advocating for an EU-wide uniform system for mapping data on VAW. At the Member State level, recent GREVIO evaluations noticed that states have been increasingly establishing systems to disaggregate data by type of violence, sex, age and relationship of the perpetrator to

33 WAVE (2019) Wave Country Report 2019. <https://www.wave-network.org/2019/12/30/wave-country-report-2019>.

34 Interview with PICUM, 2 July 2021.

35 European Disability Forum contribution to public consultation.

36 European Commission, European Equality Law Network, (2021) 'Criminalisation of gender-based violence against women in European States, including ICT-facilitated violence', Luxembourg, Publications of the European Union. Available from: <https://www.equalitylaw.eu/downloads/5535-criminalisation-of-gender-based-violence-against-women-in-european-states-including-ict-facilitated-violence-1-97-mb>

37 Quoted in European Parliament report (2021) 'Combating gender-based violence: cyber violence' p.8. [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662621/EPRS_STU\(2021\)662621_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662621/EPRS_STU(2021)662621_EN.pdf)

38 European Institute for Gender Equality (2017), 'Cyberviolence against women and girls'. <https://eige.europa.eu/publications/cyber-violence-against-women-and-girls>.

39 European Commission, European Equality Law Network, (2021) 'Criminalisation of gender-based violence against women in European States, including ICT-facilitated violence', Luxembourg, Publications of the European Union, p.117. Available from: <https://www.equalitylaw.eu/downloads/5535-criminalisation-of-gender-based-violence-against-women-in-european-states-including-ict-facilitated-violence-1-97-mb>

40 EIGE 'Data collection on violence against women'. Available from: <https://eige.europa.eu/gender-based-violence/data-collection>

the victim. However, **very few data are collected and disaggregated based on the mentioned categories.** Data collection systems often vary from one public body to another and are rarely harmonised, which prevents the effective mapping of trends throughout the entire judicial process (from the time a crime is reported to the police until the end of the judicial proceedings).

Collecting data in an aggregate form while not ensuring compatibility between institutions or missing out certain categories creates a distorted image of the existing reality and hides gaps. These gaps could be identified and addressed with more comprehensive and timely data collection.

2.1.6. Consequences

Violence against women and domestic violence has consequences at an individual, organisational and wider societal level. At an individual level, violence against women can have detrimental effects on a victim's life, health, well-being and income. In cases of child victims, violence has long-term effects in the physical, psychological and emotional development of the child. At organisational level, violence against women and domestic violence and gender-based harassment affect the economic performance of companies by lowering employee engagement and increasing absences. At a societal level, violence perpetuates inequalities, discrimination and injustice in society.

2.2. Scale of the problem

Violence against women and domestic violence continues to be a persistent and widespread problem across the EU affecting significant proportions of women and other household members. Yet, the real magnitude and consequences can only be estimated as the area lacks systematic research and robust, recent data.

Violence against women and domestic violence continues to be a persistent and widespread problem across the EU. FRA's EU-wide survey on VAW⁴¹, based on interviews with 42,000 women across the EU, paints a stark picture. One woman in three aged 15 or above has experienced some form of physical and/or sexual violence. One in 10 women has been victim to some form of sexual violence, and one in 20 has been raped. Just over one in five women has suffered physical and/or sexual violence from either a current or previous partner, whilst 43% of women have experienced some form of psychologically abusive and/or controlling behaviour when in a relationship.

EIGE provided a composite measure⁴² of gender-based violence across the EU, in terms of prevalence, severity and disclosure. Prevalence measures the share of women who have experienced physical and/or sexual violence since the age of 15 (including femicide) and it was estimated at 21.2% for EU-28. Regarding severity measures, the percentage of women who experienced health consequences of physical and/or sexual violence was estimated at 46.9% for EU-28. Regarding disclosure measures, the reporting (to anyone) of violence experienced in the past 12 months was estimated at 14.3% for EU-28.

Often violence occurs within the household either between intimate partners or intergenerationally. Acts of physical violence (excluding sexual violence) against women usually do not occur at places or by people unknown to them. The second report from FRA's Fundamental Rights survey⁴³ highlighted that most often women become victims in their own homes (37%) and the perpetrator is a family member or relative. In contrast, these incidents for men most often involve a perpetrator they do not know (42%).

41 Idem.

42 EIGE Gender Statistics Database: <https://eige.europa.eu/gender-statistics/dgs>

43 FRA (2021) Crime, safety and victims' rights – Fundamental Rights Survey. Available from: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Crime_statistics&stable=0&redirect=no

Data collected by Eurostat⁴⁴ on the number of reported incidents of intentional homicide, rape and sexual assault show that over half of all female murder victims are killed by an intimate partner, relative or family member. These data demonstrate that violence against women tends to be widespread, taking several forms, including femicide in domestic and/or intimate partner relationships.

The same tendency emerges when analysing administrative data on homicides, collected from national authorities across the EU-27 and published by EIGE. In the three countries where data is available for 2016 (the last year covered by the data collection), women are three to nine times more likely to become victim of homicide by men known to them⁴⁵.

To understand the scale of physical VAW, it should be noted that rates of reporting to the police range from 9% to 40% across the Member States⁴⁶. This means that the level of physical violence, particularly by men known to the victim, is likely to be significantly higher.

Harassment of a sexual nature affects women more severely than men and is most often committed by unknown persons. The second report from FRA's Fundamental Rights survey⁴⁷ highlights that 72% of women and 40% for men have experienced harassment of a sexual nature by unknown persons. More than every second woman affected says that harassment of a sexual nature took place in public, such as a street or

park. Women thus are more likely than men to avoid places and situations due to concerns, reducing their ability to take part in public life.

Gender-based violence also disproportionately affects women's professional life. Eurofound's publication⁴⁸ found that adverse social behaviour is more frequently reported by women, particularly by young women, than by men. It happens more often in the public sector and in female-dominated professions i.e. personal care workers.

The emergence of digital technologies comes with increasing danger of cyber violence for women, particularly young women. Women, especially young women, are particularly affected. The World Health Organisation estimated that one in ten women (11%) has experienced cyber harassment or stalking since the age of 15⁴⁹. A lack of clear and consistent definitions as to what constitutes gender-based cyber violence however hinders efforts to measure or compare its prevalence among and across Member States. As a European Parliament's study noted, gender-based cyber violence is not criminalised in most Member States. This means law enforcement and justice records are not available to estimate the prevalence of the issue⁵⁰. A relative lack of data and research therefore makes it challenging to quantify both the prevalence and consequences of cyber gender-based violence⁵¹.

44 https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Crime_statistics&stable=0&redirect=no

45 EIGE administrative database, 2016.

46 FRA (2021) Crime, safety and victims' rights – Fundamental Rights Survey. Available from: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Crime_statistics&stable=0&redirect=no

47 FRA (2021) Crime, safety and victims' rights – Fundamental Rights Survey. Available from: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Crime_statistics&stable=0&redirect=no

48 Eurofound (2020), Gender equality at work, European Working Conditions Survey 2015 series, Publications Office of the European Union, Luxembourg. https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef19003en.pdf

49 European Parliament (2021), Combating gender-based violence: cyber violence [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662621/EPRS_STU\(2021\)662621_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662621/EPRS_STU(2021)662621_EN.pdf)

50 Idem.

51 European Institute for Gender Equality (2017), Cyber violence against women and girls. <https://eige.europa.eu/gender-based-violence/cyber-violence-against-women>

The situation deteriorated during COVID-19. As a response to the COVID-19 pandemic, strict lockdown and confinement measures were introduced in most EU Member States. A large part of personal and professional life moved online with people leaving their homes only for essential reasons. Public support services (including organisations and shelters providing support in cases of violence against women and domestic violence) were required to reduce or temporarily stop their work. Figures shared by organisations active in the field of victim support and by law enforcement in April 2020 showed a clear increase of reports of VAW⁵². As the research of UNODC highlighted, the consequences of measures against COVID-19 have not, in all cases, led to a growing number of reports to relevant support services.⁵³ It appears that this was often because women's access to such services was controlled by their partners. This included the increased use of technology such as webcams, smart locks, social media or simply forbidding women to leave their homes.

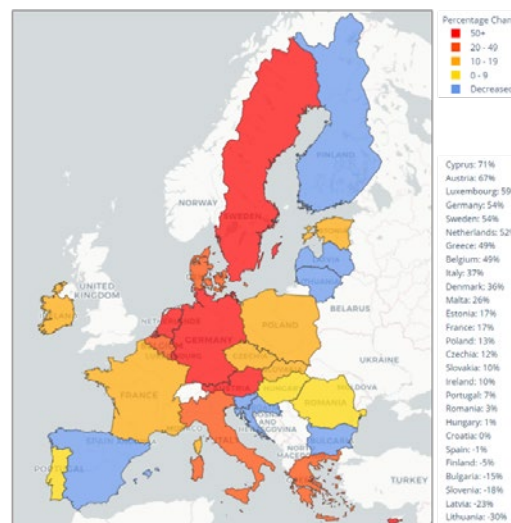
Data gathered through web scraping for this study complements these findings (see Figure 1). Using Google trends, ICF compared searches for the topic of Domestic Violence before and during the pandemic to explore the extent to which searches increased or decreased during this period. Twenty of the EU 27 countries have experienced an increase in searches since the onset of the pandemic, with the largest increase seen in Cyprus and Austria. There was no discernible change in Croatia and six member states saw a decrease in searches with Lithuania and Latvia seeing the largest decrease.

Website monitoring data from organisations providing support to victims of domestic violence in seven Member States demonstrate a similar trend as they show a steep increase in traffic when national restrictions came into effect.

Figure 1: Google searches for domestic violence and related terms

Google searches for *domestic violence* and related terms 2016 - 2021 within the EU 27

Percentage change from the pre-pandemic mean search rate since the onset of the Covid-19 pandemic (01 March 2020)



Source: Google Trends. Visualisation: author's own elaboration.

2.3. How will the problems evolve?

The legislative and policy framework addressing violence against women and domestic violence has been changing within the EU but not in a uniform way and varies across EU Member States. The existing EU Directives that touch upon aspects of violence against women and domestic violence provided some impulse for actions at Member State level to strengthen the legislative protection and rights of victims of violence against women and domestic violence.

⁵² See the data presented in 'Coronavirus and the shadow pandemic of violence against women' by Rosamund Shreeves, November 2020, published by EPRS Blog.

<https://eprthinktank.eu/2020/11/24/coronavirus-and-the-shadow-pandemic-of-violence-against-women/>

⁵³ UNODC 'Research brief: What crime and helpline data say about the impact of COVID-19 pandemic on reported violence against women and girls'. https://www.unodc.org/documents/data-and-analysis/covid/Violence_against_women_24Nov.pdf

The Victim Rights Directive was the main instrument that had a positive impact in this regard. However, most of the changes that took place in improving and strengthening the protection of women against violence were due to the ratification of the Istanbul Convention.

The signing and ratification of the Istanbul Convention changed the legislative and policy landscape in the 21 EU Member States that did so. It influenced the commitments of the national authorities in acknowledging and addressing diverse forms of violence against women and domestic violence and thus increased the chances of better protecting women against violence. For example, after ratification, Austria adopted a new Violence Protection Act (2019) and changed its Criminal Code Procedure to introduce a better protection to victims. Romania adopted a new legislation that changed its law on combating and preventing domestic violence to align it with the provisions of Convention; furthermore, it applied for funding and expertise support to develop further its legislative and policy framework to answer the standards of the Convention. Several other EU Member States (DE, ES, FI, FR, IT, PL, PT) changed their criminal or penal codes to harshen punishments to specific forms of violence or even define new ones.⁵⁴

The monitoring process put in place by the Istanbul Convention and carried out regularly by GREVIO offers an incentive to make such topics high on the policy agenda and provides a basis for identifying good practices, recommendations and knowledge exchanges. The assessments of the effects of signing and ratifying the Istanbul Convention are positive: effects included legislative changes, increased levels of awareness and funding allocation, education programmes and trainings for professionals, research, and a more prominent positioning of the topic in the juridical system. Thus, the ratifying Member States are clearly in a

more progressive position compared to those that did not ratify the Convention, to ensure a high level of protection to their citizens and residents. The European Parliament concluded that ‘Across the EU-27, all countries that have ratified the Convention [...] have adopted new legislation or amended existing laws’.⁵⁵ It can be concluded that the ratification of the Istanbul Convention had an impact at legislative and policy level within the Member States, and most likely progress will continue in the years to come even without further EU action.

Despite these positive trends, progress remains uneven in the EU Member States that ratified the Convention. The efforts by the 21 ratifying EU Member States to improve the existing situation were not constant, uniform, coordinated or sufficiently resourced. For example, as discussed above, looking at measures to prevent violence all Member States provide some form of training to law enforcement and judicial authorities. The need and utility of trainings is recognized in all EU Member States for several categories of professionals, as trainings have been made available, delivered, even made mandatory for certain categories (police, judges, prosecutors) in some Member States (EE, ES, PT, SE). However, trainings are still voluntarily in most Member States for several categories of professionals, and are not institutionalized, not developed and rarely available to the same standards and frequency for all types of categories. Many of these trainings are delivered by women’s NGOs, and this creates huge pressure and demand on these professionals. Another example is the definitions of different forms of violence against women and domestic violence. Few EU Member States introduced a gender-based definition of domestic violence and include all forms of violence described by the Istanbul Convention. Progress has been happening in this area and there is movement towards a uniform legal definition of domestic violence with recognition that it affects women disproportionately and includes

54 European Parliament (2020) ‘Tackling violence against women and domestic violence in Europe – The added value of the Istanbul Convention and remaining challenges’, pp. 34-38. [https://www.europarl.europa.eu/thinktank/en/document/IPOL_STU\(2020\)658648](https://www.europarl.europa.eu/thinktank/en/document/IPOL_STU(2020)658648)

55 European Parliament (2020) ‘Tackling violence against women and domestic violence in Europe – The added value of the Istanbul Convention and remaining challenges’. [https://www.europarl.europa.eu/thinktank/en/document/IPOL_STU\(2020\)658648](https://www.europarl.europa.eu/thinktank/en/document/IPOL_STU(2020)658648)

all forms of violence (physical, psychological, economical, verbal, etc), but again progress is slow and uneven. Without further EU action, a minimum level of protection for victims in the EU will not be ensured.

Additionally, new EU-wide and world-wide forms of violence against women are emerging (e.g. online violence against women) or increasing in their prevalence as women are more present in the labour market and hold more decision-making positions in business and politics (e.g. gender-based work harassment and hate speech). These new forms of violence, and old forms of violence against women now perpetuated and amplified through electronic means, are not explicitly addressed by the Istanbul Convention nor by other EU regulations. Without further action at EU level, this provides space for violations of fundamental rights (e.g. political representation, free speech, democratic participation) and protection of victims of these new forms of violence will remain low even in countries that have ratified the Istanbul Convention. Furthermore, online violence is increasingly prevalent at Member State level and young people are more likely to be exposed to it, however addressing it requires complex thinking and trans-national – or EU wide – solutions. Addressing such complex issues, which are likely to develop and become more complex, requires cooperation and a specific legal instrument.

In comparison, the EU Member States that did not ratify the Istanbul Convention have a lower level of protection for victims of violence against women and domestic violence and the comprehensiveness of policy and services varies. In some of these EU Member States the debate about ratification is on-going. This is the case in particular of Czechia, Latvia and Lithuania. Ratification would have a significant impact on the legislative and policy framework of violence against women and domestic violence in these Member States. The research carried out for this study shows that in these EU Member States, legislation, services, and funding stand short when compared to the standards set by the Istanbul Convention. Current EU legislation that address some aspects of violence against women and domestic

violence have limited impact and do not cover the existing gaps. Therefore, action at the EU level would strengthen and intensify the legislative and policy changes in these EU Member States, bringing them closer to the others, and might even push forward the demands for ratification of the Istanbul Convention.

In other three EU Member States (BG, HU, SK) ratification of the Istanbul Convention has been rejected by constitutional courts (BG), governments or parliaments (HU, SK). Furthermore, social movements against the ratification of the Convention have mounted in these countries and have spread misinformation about the meaning and application of several concepts or terms defined by the Convention (e.g. gender, gender equality). For these EU Member States, EU inaction would most likely worsen the level of protection against for victims. Besides the lack of services, funding, research, and analysis on violence against women and domestic violence, legislation in these EU Member States addresses violence mostly in the so called 'domestic setting', within a restrained definition of what constitutes 'family' and places little or no emphasis on existing gender inequalities that perpetuate violence against women. There are few or almost no discussions about emerging new forms of violence against women – particularly those promoted or carried out through electronic means or online – and no inclusion of gender-based work harassment.

Furthermore, without strong action at the EU level, the gains so difficultly reached for women's protection against violence might be lost or even reversed. In the current conservative political environment developed and manifested in several EU Member States, there is even a threat of withdrawal from the Istanbul Convention. The striking example of Turkey's (not an EU Member State, but a state party within the Council of Europe) withdrawal from the Convention, despite protests from the local civil society and international fora, has been picked up by representatives of these conservative forces.

In conclusion, the different ways and levels of protection against forms of violence ensured to women living in EU

Member States depend on their citizenship and residency situation. This means that women facing and confronting different forms of violence do not have their rights ensured to the same level across the EU. Thus, the EU as a whole is placed in a position of not fulfilling its responsibilities towards the protection of its citizens uniformly and equally. The lack of action on the side of the EU is most likely to perpetuate the existing situation and even increase the discrepancies among its Member States when it comes to protection of women against violence; it would not address violations of fundamental rights that can take place in its Member States and would not be able to protect women against offences not covered in the Istanbul Protection across the EU (online violence against women and harassment in workplace).

Violence against women and domestic violence in all its diverse forms will not be diminished, and it might even increase, particularly certain forms and those amplified and perpetuated by technology (online violence against women). At the same time, societies evolve and knowledge spreads quickly, thus awareness and knowledge about violence against women and domestic violence might increase and reporting could rise, as evidenced in the recent #metoo movement. Without action and coordination at EU level, Member States will not be able to develop a comprehensive understanding of the scale of the problems, of the nuances that the new complexities bring and support each other in addressing them. A lack of action would perpetuate the existing gaps and even deepen them as no common definitions and methodologies Policy Objectives and Options

2.4. Objectives: what is to be achieved?

The **general objective** of the initiative is to prevent and combat violence against women and domestic violence as a criminal act and a form of discrimination between women and men as part of the European Area of Freedom, Security and Justice foreseen in Title V TFEU.

The specific objectives are:

- **Ensuring effective prevention** of violence against women and domestic violence: ensuring that effective measures are in place to prevent violence against women and domestic violence, including awareness-raising and information provision, training, work with perpetrators and the involvement of men and boys.
- **Ensuring effective protection of victims** of violence against women and domestic violence: ensuring that effective measures are in place to protect victims from violence online or offline, at work or in private.
- **Ensuring effective access to justice** in cases of violence against women and domestic violence: improving access to justice for victims of violence against women and domestic violence including through EU-level approximation of criminal definitions and sanctions related to specifically serious forms of violence against women and domestic violence ; effective remedies for all forms of such violence; as well as by ensuring gender-sensitivity and respect for the rights of child victims and witnesses.
- **Ensuring effective victim support** in cases of violence against women and domestic violence: ensuring the availability of general and specialised support services, in sufficient numbers and of a high quality, including those addressing the effects of violence on physical and mental health.
- **Ensuring strengthened coordination in preventing and combatting** violence against women and domestic violence: ensuring effective and efficient coordination and cooperation, including through multi-agency approach and improved data collection on violence against women and domestic violence.

2.5. What are the available policy options?

Three policy options have been developed to address EU-wide issues in relation to violence against women and domestic violence. Table 1 outlines the measures for each policy option and how they link to the problem area.

Table 1: Summary of options considered in addition to the baseline

Problem area	Option 1 – Moderate measures	Option 2 – Comprehensive measures N.B. All measures come in addition to the baseline and the measures under option 1	
		Sub-option 2A	Sub-option 2B
1	1.1 Obligation on MS to provide targeted information to and raise awareness of the general public.	1.1A Obligation on MS to provide targeted information to and raise the awareness of groups at risk.	Same as 2A
	1.2 Obligation on MS to have perpetrator programmes in place.	1.2A Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes <i>for re-offenders</i> .	1.2B Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes <i>for all offenders</i> .
	1.3 Obligation on MS to provide specialised training and targeted information to professionals likely to come into contact with victims and managers.	1.3A Obligation on MS to provide - specialised, regular and mandatory training to professionals likely to come into contact with victims; and - mandatory training to managers on sexual harassment at work and the effects of domestic violence on the workplace.	Same as 2A
		1.4A Obligation on MS to ensure that sexual harassment at work is addressed in national policies. Obligation on MS to ensure that company risk assessments cover sexual harassment at work.	Same as 2A
2	2.1 Obligation on MS to ensure availability of emergency barring orders and protection orders.	2.1A Obligation on MS to ensure efficiency through minimum standards on the issuance, conditions and enforcement of emergency barring orders and protection orders.	Same as 2A
	2.2 Obligation on MS to conduct risk assessments on the seriousness of the threat of violence to victims.	2.2A Obligation on MS to conduct risk assessments speedily and in cooperation with support services.	Same as 2A
	2.3 Obligation to provide age-appropriate psycho-social counselling to child victims and witnesses of domestic violence	2.3A Obligation on MS to ensure the protection of children by providing for surveyed safe places for visits in case of allegations of domestic violence.	Same as 2A

Problem area	Option 1 – Moderate measures	Option 2 – Comprehensive measures N.B. All measures come in addition to the baseline and the measures under option 1	
		Sub-option 2A	Sub-option 2B
3	3.1 Obligation on MS to encourage reporting of violence by third parties	3.1A Obligation on MS to ensure easy and accessible reporting, including child friendly reporting mechanisms and online reporting.	Same as 2A
		3.2A EU-level criminalisations: Additional approximation of criminal definitions and sanctions on the basis of the legal bases of computer crime (ICT-facilitated cyber violence), sexual exploitation (certain forms of sexual violence), and serious forms of sexual harassment.	3.2B EU level criminalisations: Introduction of violence against women and domestic violence as a new EU crime.
		3.3A Right of victims to obtain full compensation from the perpetrator in one single procedure and within adequate time limits.	3.3B Obligation on MS to provide state compensation in cases where victims cannot obtain compensation from the perpetrator or other sources.
4	4.1 Beside general support services, obligation on MS to ensure a comprehensive and holistic specialised support to victims (including rape crisis centres, shelters and national helpline).	4.1A Obligation on MS to facilitate access to specialised support services to groups at risk, such as children, migrant and asylum seeking women and women with disabilities. Connect national helplines to EU-level helpline	4.1B Obligation on MS to provide 1 shelter space for 10,000 inhabitants.
		4.2A Obligation on MS to provide specific support to victims of sexual harassment at work (including medical care and complaint mechanisms).	4.2B obligation on MS special compensated leave for workers victim of violence against women or domestic violence.
		4.3A Obligation on MS to establish both on- and offline support for victims of cyber violence against women.	Same as 2A
5	5.1 Measures strengthening multi-agency cooperation.	5.1A Obligation to provide one-stop online access to relevant protection and support services. Encouragement to locate support services in the same premises.	5.1B Obligation on MS to locate multi-agency support services for victims in the same premises.
		5.2A Voluntary participation in surveys coordinated at EU-level.	Same as 2A
		5.3 Obligation to regularly collect disaggregated relevant administrative data.	5.3A Data collection: Obligation to regularly collect disaggregated relevant administrative data in line with a number of harmonised minimum requirements.

3. What are the impacts of the policy options?

This section assesses the impacts of the policy options described in the previous section against the policy objectives. A full assessment of each measure is available in Annex 5. Each policy option is cumulative, therefore only new measures in each Option are assessed, to avoid repetition.

3.1. Policy option 0: Baseline

In Policy Option 0 – Baseline, at the EU level, the European Commission (EC) would continue to support the EU's accession to the Istanbul Convention and to work with those Member States that have not yet ratified the Convention. Given the current political situation in the Member States, the ratification of the Istanbul Convention is unlikely in all 27 Member States in the foreseeable future. The EC would continue to implement the non-legislative measures of the EU Gender Equality Strategy on ending gender-based violence: through launching an EU network on preventing gender-based violence and domestic violence, and providing funding for training, capacity-building and support services. It would also issue a Recommendation on the prevention of harmful practices against women and establish a network on the prevention of violence against women. The Victims' Rights Directive would remain the generally applicable directive that would also apply to violence against women and domestic violence in addition to all other intentional crime as criminalised at the national level. The Commission would implement the actions outlined in the EU Strategy on victims' rights on empowering victims of gender-based violence.

In relation to gender-based work harassment, the EC would encourage Member States to continue to implement the existing EU rules and raise awareness about them, to work closely with employers and those responsible for vocational

training to prevent and combat such forms of violence against women.

To protect women's safety online, the EC would facilitate the development of a framework for cooperation between online platforms and stakeholders, including national authorities. Further action on online violence against women would focus on self-regulatory actions undertaken on a voluntary basis.

Taking into account how the COVID pandemic has highlighted and increased violence against women and domestic violence in the Member States, the slow progress towards the EU objectives in this field can be expected to have been hampered further. The economic costs of fighting violence against women and domestic violence are likely to continue to grow after the pandemic, and measures in this field are likely to remain insufficient in a manner that cannot be mitigated by policies to relaunch the economy.

3.2. Policy option 1: Moderate

The first policy option offers set of measures leading to a moderate reduction in violence against women and domestic violence. A full assessment of the measures is available in Annex 5. Policy option 1 includes and builds on the measures of the baseline.

3.2.1. Effectiveness: contributing to achieving the policy objectives

Three measures specifically contribute to the policy objective on **prevention** (1.1-1.3). They will help to change attitudes and embedded gender norms that cause and facilitate violence against women and domestic violence

among the general public and will facilitate training of professionals likely to come into contact with victims and managers in workplace settings. Similarly, perpetrator programmes will help challenge the views of those most likely to commit violence against women and domestic violence in the future. The effectiveness of the measures will however be limited as Member States will only be obligated to have the trainings and programmes in place and not mandatory uptake.

Three measures (2.1- 2.3) relate directly to the objective to **protect** victims from (further) violence. The measures relate to the availability of protection orders and risk assessments which can both provide important protection for victims, however both measures are very close to the baseline and do not address current challenges around awareness and implementation, including enforcement. Similarly, the measure to provide psychosocial counselling to child victims and witnesses of domestic violence is more explicit than the Victims' Rights Directive but does not address other protection risks for children such as safe places for visitations.

There is one measure directly related to ensuring effective **access to justice** for victims of violence against women and domestic violence in this Option (3.1). Access to justice for victims is key in ensuring the victims' fundamental rights and deterring perpetrators and thus preventing further crime. An important study in the US showed a significant reduction in repeat domestic violence after an initial arrest⁵⁶. Measure 3.1 is an obligation on MS to encourage reporting of violence by third parties. As this obligation is in place under the Istanbul Convention, this measure could have more impact on countries who have not ratified it (BG, CZ, LV, LT, SK) although as it is very similar to the baseline, and there are no clear guidance/instruction on how to encourage third party reporting, the overall impact is expected to be limited.

Similarly, there is one additional measure (4.1), in relation to the baseline, regarding **support** for victims. A wide-reaching measure obliges Member States to ensure access to specialist support including rape crisis centres, shelters and helplines. This will be effective in helping to address overarching the gaps in provision. For example, the NGO WAVE demonstrated that only three Member States (LU, MT, SL) fulfil the requested number of specialised women's shelters per 10,000 of population recommended by the Council of Europe⁵⁷. Violence against women and domestic violence is however a highly complex issue, with many different groups of victims and forms of violence and there is a high risk that certain support needs will not be met, such as victims of online violence against women and domestic violence.

Three measures aim to improve **coordination** in preventing and combating violence against women and domestic violence (5.1-5.3). Such measures will help facilitate referrals of victims between different sectors helping victims to more effectively access the support and protection they need. However, coordination and easy access for victims may be hindered without it being required that all services are on the same premises or available online. Two measures relate to improving governance through data collection as it facilitates planning, monitoring and evaluation of existing measures. However, both measures are very similar to the baseline and do not address the incomparability of a data or oblige Member States to participate in surveys, of whom nine have recently demonstrated their unwillingness to participate in such surveys.

3.2.2. Effectiveness – other impacts

3.2.2.1. Social impacts

The following social impacts are expected, by stakeholder group:

56 C. Maxwell, J. Garner, & J. Fagan, The effects of arrest on intimate partner violence: New evidence from the spouse assault replication program. Washington, DC: National Institute of Justice, 2001

57 WAVE (2019) Wave Country Report 2019. <https://www.wave-network.org/2019/12/30/wave-country-report-2019>.

Victims of violence against women and domestic violence: Victims of violence against women and domestic violence are expected to benefit from all measures under this policy option. Victims will benefit directly from increased access to specialist support services and protection orders.

Particular groups of victims: Under this option, Measure 2.3 offers particular support and protection for child victims and witnesses. Moreover, Measure 1.3 includes training for managers thus helping to prevent women from violence against women at work. Although there will be a provision to ensure implementation without discrimination on any ground, without more specific measures, there is a risk measures will not be inclusive of victims at heightened risk of violence and those who may be more difficult to reach.

Perpetrators of violence against women and domestic violence: One measure (1.2) specifically focuses on intervention and treatment programmes for perpetrators, whilst another two other measures could include this group as members of the public (1.1) and professionals (1.3). These measures will help change the behaviour and attitudes of perpetrators although as the measures are not mandatory, uptake may be low.

Wider society: Measure 1.1 directly targets wider society and aims to change negative gender stereotypes and increase understanding of how to combat and prevent violence against women and domestic violence.

National authorities: National authorities are overall very likely to consider the policy option as politically acceptable as it is reasonably close to the baseline, although those that have not ratified the Istanbul Convention may be more reluctant and concerned about the cost implications, and acceptance may be lower where there is currently resistance to the concept of 'gender' such as in Hungary and Poland.

3.2.2.2. Fundamental rights

The policy option is expected to have a positive impact on the following fundamental rights in the Charter on Fundamental Rights (CFR):

Right to life (Article 2, CFR), Right to the integrity of the person (Article 3, CFR), Prohibition of torture and inhuman or degrading treatment (Article 4, CFR), Respect for private and family life (Article 7, CFR): As violence against women and domestic violence often involves physical violence, including femicide, all measures will help ensure these rights either directly or indirectly. Protection measures (2.1, 2.2 and 2.3) in particular will have positive impacts on these rights as they directly aim to protect victims from further violence. In *E.B. v. Romania* (no. 49089/10)⁵⁸, for example, the Court expressed the opinion that in failing to adequately respond to the applicant's allegations of rape and to adequately respect her rights as a victim, the respondent State had failed to meet its positive obligations to effectively apply a criminal-law system punishing all forms of rape and sexual abuse and to adequately protect the applicant's physical integrity, which constituted a violation of Articles 3 and 8 ECHR. Moreover, the provision of specialist support services including shelters (4.1) would likely help women at risk of further violence and those whose lives are potentially in danger in their own home, to feel able to leave and find safe accommodation.

Non-discrimination (Article 21, CFR) and Equality between women and men (Article 23, CFR): all measures will help contribute to the non-discrimination and equality between women and men as violence against women and domestic violence is a form of gender discrimination that perpetuates inequality.

Rights of the elderly (Article 25, CFR): Although no measures particularly target the elderly, it is possible the

58 CASE OF E.B. v. ROMANIA. (Application no. 49089/10). JUDGMENT. STRASBOURG. 19 March 2019. <http://hudoc.echr.coe.int/app/conversion/docx/?library=ECHR&id=001-191749&filename=CASE%20OF%20E.B.%20v.%20ROMANIA.docx&logEvent=False>

rights of the elderly could be better ensured through the range of measures for victims of in particular domestic violence. However, without targeted measures it is likely the impact would be limited.

Integration of persons with disabilities (Article 26, CFR): the same considerations as for the elderly above would apply.

Rights to social assistance and health care (Article 34 and 35, CFR): The support measures (4.1) included in this policy option will help meet these rights, particularly rape crisis centres which help victims access specialist medical assistance they may require.

The right to an effective remedy and to a fair trial (Article 47, CFR) Measure 3.1 is targeted at improving reporting by third parties, which is a crucial first step in facilitating access to effective remedy and a fair trial, as underreporting is a major challenge (see problem definition).

Right to fair and just working conditions (Article 31, CFR): This right will be reinforced somewhat by one measure that obliges training of managers regarding harassment at work (1.3).

Rights of the child (Article 24 of Charter, CFR): the measure concerning psycho-social counselling for child victims and witnesses (2.3) will likely benefit children's rights as they would ensure that children's safety and wellbeing is prioritised.

3.2.3. Efficiency: comparison of benefits and costs

3.2.3.1. Administrative and compliance costs

This section summarises the administrative and compliance costs for each measure in policy option 1 that is assumed to incur additional costs compared to the baseline. The costs are outlined in Table 2. The assumptions used to develop the costings and details about who will bear the costs are outlined in Annex 4.

Table 2: Overview of administrative and compliance costs – Option 1

Policy objective	Description of measure	One-off development cost (Millions of euros)	Running cost per annum (Millions of euros)
Prevention	1.1: Obligation on MS to provide targeted information to and raise awareness of the general public.	0	1.7 – 4.0
	1.2: Obligation on MS to have perpetrator programmes in place.	0	0.04
	1.3: Obligation on MS to provide specialised training and targeted information to professionals likely to come into contact with victims and managers.	0.6	18.4
	TOTAL	0.6	20.1 – 22.4

Policy objective	Description of measure	One-off development cost (Millions of euros)	Running cost per annum (Millions of euros)
Protection	2.1: Obligation on MS to ensure availability of emergency barring orders and protection orders.	0	3.4 – 22.9
	2.2: Obligation on MS to conduct risk assessments on the seriousness of the threat of violence to victims.	0	43.3
	2.3: Obligation to provide age-appropriate psychosocial counselling to child victims and witnesses of domestic violence.	0	598.9 – 1,618.2
	TOTAL	0	645.5 – 1,684.4
Access to justice	3.1: Obligation on MS to encourage reporting of violence by third parties.	0	0
	TOTAL	0	0
Victim support	4.1: Beside general support services, obligation on MS to ensure a comprehensive and holistic specialised support to victims (including rape crisis centres, shelters, and national helpline).	13.6	127.9 – 491.4
	TOTAL	13.6	127.9 – 491.4
Coordination	5.1: Measures strengthening multi-agency cooperation.	0	0
	5.2: Voluntary participation in surveys coordinated at EU-level.	0	0
	5.3: Obligation to regularly collect disaggregated relevant administrative data.	0	0
	TOTAL	0	0
TOTAL ALL AREAS		14.2	793.6 – 2,198.1

3.2.3.2. Economic impacts

The expected impact of this policy option is mainly due to the economic benefits generated due to a decrease in the prevalence of gender-based violence.

The economic impact is assessed based on a cost estimation of gender-based violence against women in the EU produced by EIGE using 2019 data. To quantify the economic impact, assumptions are needed on the percentage of reduction in costs due to the implementation of this policy option. Due to lack of evidence quantifying the causal link between the full set of measures under this policy option, two scenarios are tested in Table 3.

The two scenarios build on the European Parliament's assessment of the added value of Gender-based violence as a new area of crime listed in Article 83(1) TFEU⁵⁹. The assessment assumed that the prevalence of violence against women and domestic violence will decrease by 15% in the short-term (about five years) and 20% in the long-term (10 years and more) after an EU-wide legislation is introduced. The short-term assumption is based on estimated impact⁶⁰ of the introduction of the US Violence Against Women Act of 1994 on annual rates of criminal victimisation of women. The long-term assumption is based on an assessment of two studies:

- Analysis based on DHS data for selected countries in the global south finds that an additional year of legislation

criminalising DV⁶¹ is correlated with a 2% decrease in prevalence.

- Analysis based on Fundamental Rights Agency data for 2014 finds that women living in EU Member States that passed a law on gender-based violence before 2005 had a 40% lower probability of victimisation compared to women living in EU Member States that passed laws more recently⁶².

To estimate the potential economic benefits of the combination of measures included in this policy option, the following assumptions are made:

- The costs estimated in EIGE's forthcoming study represents the overall cost of gender-based violence against women in the baseline.
- The subsequent decrease in costs is proportionate to the decrease in prevalence of gender-based violence under each scenario.
- For the criminal and civil justice system, there are counteracting economic impacts of an increase in costs due to increased reporting (assumed increase of 7.5%) of violence against women and domestic violence and a decrease in costs due to the reduction in prevalence. The assumed change is therefore a lower proportion compared to the other cost categories.

59 European Parliament (2021) Gender-based violence as a new area of crime listed in Article 83(1) TFEU: Added value assessment. Available from: [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662640/EPRS_STU\(2021\)662640_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662640/EPRS_STU(2021)662640_EN.pdf)

60 Clark, K. A., Biddle, A. K., & Martin, S. L. (2002), 'A cost-benefit analysis of the Violence Against Women Act of 1994', *Violence Against Women*, 8(4), pp. 417-428.

61 Klugman et al, *Voice and Agency: Empowering Women and Girls for Shared Prosperity*, The World Bank, 2014

62 Sanz-Barbero B., Corradi C., Otero-García L., Ayala A., and Vives-Cases C., 'The effect of macrosocial policies on violence against women: a multilevel study in 28 European countries', *International journal of public health*, 63(8), 2018, pp. 901-911.

Table 3: Estimated economic benefits of prevention, protection, access to justice and victim support measures in the EU under Policy Option 1

Cost category	Estimated EU-27 cost of GBV ⁶³	Scenario 1: prevalence reduced by 15%		Scenario 2: prevalence reduced by 20%	
		% change in costs	Estimated reduction in costs/ economic benefits	% change in costs	Estimated reduction in costs/ economic benefits
Lost economic output	€40.5 billion	- 15%	€6.1 billion	- 20%	€8.1 billion
Health services	€12.5 billion	- 15%	€1.9 billion	- 20%	€2.5 billion
Criminal justice system	€59.7 billion	- 9%	€5.1 billion	- 12%	€7.2 billion
Civil justice system	€1.6 billion	- 9%	€0.1 billion	- 12%	€0.2 billion
Social welfare	€10.3 billion	- 15%	€1.5 billion	- 20%	€2.1 billion
Personal costs	€3.2 billion	- 15%	€0.5 billion	- 20%	€0.6 billion
Specialist services	€1.0 billion	- 15%	€0.2 billion	- 20%	€0.2 billion
Physical/emo-tional impacts	€161.2 billion	- 15%	€24.2 billion	- 20%	€32.2 billion
Total	€290 billion		€39.6 billion		€53.1 billion

The estimated total economic benefits of policy option 1 range between a **cost reduction of 39.6 billion to 53.1 billion Euros**.

3.2.4. Coherence

The policy option will improve **internal coherence** by addressing the fragmented nature of the relevant EU legal framework, which includes 14 separate EU legal instruments. It will also address the lack of systematic and focussed measures related to violence against women and domestic violence. It is internally coherent with existing EU legislation, particularly the Victim Rights' Directive, as it ensures existing provisions meet the particular needs of victims of violence against women and domestic violence.

As regards **external coherence**, the policy option will first and foremost address the emerging fragmentation created as 21 Member States are party to the Istanbul Convention and six are not, and all of them adopt different measures on violence against women and domestic violence. Inconsistencies with other international instruments, such as the ILO Violence and Harassment Convention no 190 will also be improved to a limited extent, as the policy option includes one measure addressing harassment at work specifically (1.3). Similarly, greater coherence with the Convention on the Rights of the Child will be ensured by adding a measure to improve support and protection of child witnesses and victims (2.3).

63 Estimation of the costs of gender-based violence in the UK case study and extrapolation to EU Member States (forthcoming EIGE paper, 2021).

3.2.5. Overall assessment

Policy option 1 is expected to have a good overall positive impact, by putting into place a single EU legislative instrument specifically focussed on violence against women and domestic violence. This also means that, whilst several of the measures included in this option already exist as part of the baseline, these will still have a positive impact due to their specific focus and coverage. A specific piece of legislation in this area can be expected to have a significant impact on prevalence: In the US, for example, the Violence Against Women Act (which included prevention, prosecution and protection) was passed in 1994, and has been noted by several studies to have resulted in a significant decline in acts of violence against women⁶⁴. The impact may take some time to appear but in the long-run the impact will be a significant: a study pointed out that women living in EU Member States that had, prior to 2005, passed a law to fight violence against women, have a 40% lower probability of being victims of violence if compared to women living in Member States that passed the law more recently⁶⁵. Similarly, a World Bank study showed that each additional year that a country has had domestic violence legislation in place is associated with a reduced prevalence of about two per cent⁶⁶.

Whilst the positive impacts of this policy option are mostly expected in those six Member States that currently have not ratified the Istanbul Convention, it will also impact on Member States which did ratify it, but which have not fully implemented the Convention or the relevant EU acquis such as the Victims' Rights Directive.

However, even in those Member States which already have most of the measures put forward in this policy option in place, having them combined in a coherent and

comprehensive legal framework is expected to have a multiplier effect, and contribute to a consistent and harmonised implementation across the EU.

Member States' political acceptance is expected to be overall very high, especially given that the majority have ratified the Istanbul Convention and transposed the relevant EU legislative framework. However, the current resistance in some countries towards policies about gender (instead of sex) may make some reluctant to accept some of the measures included.

Whereas overall the policy option is assessed as positive, it does not fully address the problems identified, particularly regarding access to justice, as there is only one measure that is very similar to the baseline. Similarly, measures related to data collection and protection are also close to the baseline and without mandatory training, uptake of this measure may be limited. A lack of targeted measures to different groups of victims of violence against women and domestic violence also restricts the ability of the measures to effectively meet the needs and fundamental rights of all victims.

3.3. Policy option 2a: Comprehensive

The second policy option would offer a comprehensive set of measures leading to a significant reduction in violence against women and domestic violence. A full assessment of the measures is available in Annex 5.

3.3.1. Effectiveness: contributing to achieving the policy objectives

Four measures specifically contribute to the specific objective on **prevention** (1.1-1.4A). They will help to change

64 K. A. Clark, A. K. Biddle, & S. L. Martin, 'A cost-benefit analysis of the Violence Against Women Act of 1994', *Violence Against Women*, 8(4), 2002, pp. 417-428. Female Victims of Violence (unl.edu) (Bureau of Justice Statistics), cited in M. N. Modi, S. Palmer, & A. Armstrong, 'The role of Violence Against Women Act in addressing intimate partner violence: A public health issue', *Journal of Women's health*, 23(3), 2014, pp. 253-259.

65 B. Sanz-Barbero, C. Corradi, L. Otero-García, A. Ayala, and C. Vives-Cases, 'The effect of macrosocial policies on violence against women: a multilevel study in 28 European countries', *International journal of public health*, 63(8), 2018, pp. 901- 911.

66 Glugman et al, *Voice and Agency: Empowering Women and Girls for Shared Prosperity*, The World Bank, 2014.

attitudes and embedded gender norms that cause and facilitate violence against women and domestic violence among the general public and will facilitate training of professionals likely to come into contact with victims and managers in workplace settings. Similarly, perpetrator programmes will help challenge the views of those most likely to commit violence against women and domestic violence in the future. The measures will be particularly effective compared to the baseline because of the targeted and mandatory nature of the measures: information will be targeted at groups at risk, thus reaching those who need information most (1.1A) and national policies and company risk assessments will cover sexual harassment at work (1.4A). Current progress in this area is very varied, with only some unions mainstreaming violence against women in occupational safety and health measures⁶⁷. Perpetrator programmes will also be mandatory for all re-offenders which is currently only the case in seven Member States (BE, CZ, ES, LV, PL, PT, FR for those in prison, and HR as part of probation service)⁶⁸ and training for managers on sexual harassment and the effects of domestic violence will be mandatory, which is similarly not widely the case. This means this measure could have a significant impact on prevention. However, the measure does not include first-time offenders, potentially allowing reoffending before preventative measures are implemented.

Three measures (2.1A - 2.3A) are expected to have a positive impact on ensuring that victims of violence against women and domestic violence are better **protected** from violence. These measures mark a significant increase in the effectiveness of the delivery of protection measures compared to the baseline through ensuring that risk assessments are issued speedily and establishing minimum standards on the issuing of protection orders. This addresses the problem that, although these measures are available in

Member States, they are implemented in ways that leave many victims at risk of further violence. Measure 2.3A also places an obligation on Member States to ensure the protection of children by providing for surveyed safe places for visits in case of allegations of DV. Supervised visitations in safe places are ways for parents of a child to maintain contact but in an environment that is safe for the child and ensures the location of the child is not identifiable by the perpetrator. This measure would have a particular impact on countries that have not ratified the Istanbul Convention.

Three measures contribute to the policy objective on regarding **access to justice** (3.1A- 3.3A). Measure 3.1A is a general obligation to make all reporting easy and accessible, including through online reporting and tailored provisions for children. This will help address barriers that currently result in low reporting rates. Measure 3.2A provides additional approximation of criminal definitions and sanctions on the basis of the legal bases of computer crime (ICT-facilitated cyber violence), sexual exploitation (certain forms of sexual violence), and serious forms of sexual harassment. This measure would have the most significant impact on combating online violence as current definitions are not uniform: no countries, except Romania, have a specific definition of online violence in law⁶⁹. Although the measure does not cover all forms of violence against women and domestic violence, most forms are already criminalised at national level, with the possible exception of psychological violence and lack of recognition of the gender-dynamics in these forms of violence (see mapping in Annex 5).

Furthermore, Measure 3.3A gives the right to victims to obtain full compensation from the perpetrator in one single procedure and within adequate time limits. Currently, victims of crime can claim compensation from the perpetrator in

67 ETUC (2017) 'Safe at home, safe at work: trade union strategy to prevent, manage and eliminate work-place harassment and violence against'. P.23 https://www.etuc.org/sites/default/files/document/files/en_-_brochure_-_safe_at_home_1.pdf and social partner workshop (see Annex 2).

68 Targeted Consultation with Member State authorities q. 29. No response: PL, HR, LT

69 European Commission, European Equality Law Network, (2021) 'Criminalisation of gender-based violence against women in European States, including ICT-facilitated violence', Luxembourg, Publications of the European Union, p.9. Available from: <https://www.equalitylaw.eu/downloads/5535-criminalisation-of-gender-based-violence-against-women-in-european-states-including-ict-facilitated-violence-1-97-mb>

all Member States. However, the time taken to receive compensation is widely seen as 'long and difficult'⁷⁰. The process of accessing compensation in a single procedure process may also have positive impacts on victims as judges are not obligated to decide on victims' compensation claims in criminal proceedings so a criminal case can be followed by a civil case for compensation⁷¹. This measure however will be limited in its impact because it does not ensure access to state compensation if the perpetrator is unable to pay. Moreover, the measure does not ensure a sufficient level of compensation: the amount of compensation attributed in gender-based violence cases is often very low.

The policy option envisages three measures (4.1A - 4.3A) dedicated to enhancing victim **support**. This set of measures takes an inclusive approach and recognises the diverse experiences and needs of different groups who are victims of violence against women and domestic violence. Measure 4.1A will ensure that groups at risk, such as children, migrant and asylum-seeking women and women with disabilities have access to specialist support services. Measure 4.2A will oblige Member States to ensure that medical care is available to all victims of work-based harassment and Measure 4.3A offers specific provisions for victims of cyber VAW, a new and growing area of VAW. This will address the barriers that women living with a disability and migrant women face accessing service and lack of services tailored to online violence.

Under the area of **coordination**, this policy option proposes three measures. Measure 5.1A is an obligation on Member States to provide one-stop online access to relevant protection and support services, with encouragement to locate support services in the same premises. This would help ensure services work together better and are more accessible to victims as they are together in one place, as often victims are not aware of all services available to them. Online services will increase access for victims who fear

the visibility of offline services because of the threat from their perpetrator. Two measures improve the availability of comparable data across the EU. Measure 5.2A makes making participation in surveys coordinated at EU level obligatory which will ensure the inclusion of nine member states who have opted out of the upcoming FRA survey on violence against women and domestic violence. Similarly, Measure 5.3A makes relevant administrative data be collected 'in line with a number of harmonised minimum requirements' which is not widely practiced currently.

3.3.2. Effectiveness – other impacts

3.3.2.1. Social impacts

The following social impacts are expected, by stakeholder group:

Victims of violence against women and domestic violence: Victims of violence against women and domestic violence are expected to benefit from all measures under this policy option. Victims will benefit directly from increased efficiency of protection orders and claims for compensation.

Particular groups of victims: Particular groups are expected to strongly benefit from this policy option as there are suitably tailored measures regarding support, protection and access to justice for victims at heightened risk of violence such as children, migrant and asylum-seeking women and women living with a disability, victims of sexual harassment at work and online violence.

Perpetrators of violence against women and domestic violence: This policy option includes intervention and treatment programmes for perpetrators and takes the important step of making participation in such programmes mandatory for re-offenders to ensure take-up.

⁷⁰ Public consultation q.19. The question asked respondents to hypothetically describe the process of pursuing compensation, should they be entitled, to which the overwhelming majority (84%) described as difficult and long. See also Annex 2.

⁷¹ Victim Support Europe (2019) 'Victims of Crime Implementation Analysis of Rights in Europe: Synthesis report', p.121. https://victimsupport.eu/activeapp/wp-content/uploads/2019/08/VOCIARE_Synthesis_Report-web.pdf.

Wider society: Wider members of society could be impacted by this policy option as managers will be mandated to undertake training on sexual assessment at work on the effects of DV. Wider society could also be impacted by participation in EU-level surveys, although this would remain voluntary at an individual level.

National authorities: National authorities are overall likely to consider the policy option as politically acceptable, although those which have not ratified the Istanbul Convention may be more reluctant and concerned about the cost implications and where there is currently resistance to the concept of 'gender'.

3.3.2.2. Fundamental rights

The policy option is expected to have a very positive impact on the following fundamental rights in the Charter on Fundamental Rights (CFR):

Right to life (Article 2, CFR), Right to the integrity of the person (Article 3, CFR), Prohibition of torture and inhuman or degrading treatment (Article 4, CFR), Respect for private and family life (Article 7, CFR):

As violence against women and domestic violence often involves physical violence, including femicide, all measures will help ensure these rights either directly or indirectly. Protection measures (2.1A, 2.2A and 2.3A), in particular, would have a very positive impacts on these rights as they directly aim to protect victims from further violence, including the risk of femicide.

Non-discrimination (Article 21, CFR) and Equality between women and men (Article 23, CFR):

All measures will strongly help contribute to the non-discrimination and equality between women and men as violence against women and domestic violence is a form of gender discrimination that perpetuates inequality.

Rights of the elderly (Article 25, CFR): Although no measures particularly target the elderly, it is possible the

rights of the elderly could be better ensured through the range of measures for victims of DV. Measure 4.1 obliges Member States to facilitate access to specialised support services to groups at risk, and as this measure is not tailored and inclusive it may be by nature more likely to positively impact this fundamental right.

Integration of persons with disabilities (Article 26, CFR): the same considerations as for the elderly above would apply.

Rights to social assistance and health care (Article 34 and 35, CFR): The support measures, particularly Measure 4.1A, included in this policy option will help meet these rights, particularly rape crisis centres which help victims access specialist medical assistance they may require.

The right to an effective remedy and to a fair trial (Article 47, CFR): Measures 3.1A, 3.2A and 3.3A will all improve access to effective remedy and fair trial through increasing reporting, improving access to compensation and additional approximation of criminal definitions and sanctions of certain forms of violence against women and domestic violence.

Right to fair and just working conditions (Article 31, CFR): This right would be strongly enforced under this Policy Option through four measures that target sexual harassment at work: training of managers regarding harassment at work (1.3A), national policies and risk assessments on sexual harassment at work (1.4A), additional approximation of criminal definitions and sanctions against sexual harassment (3.1A) and support for victims of sexual harassment at work (4.2A).

Rights of the child (Article 24 of Charter, CFR): Measure 2.3A on protection of children by providing for surveyed safe places for victims in case of allegations of domestic violence would help enforce the rights of child, along with targeted support measures in Measure 4.1A and instigation of child-friendly report mechanisms (3.1A).

3.3.3. Efficiency: comparison of benefits and costs

3.3.3.1. Administrative and compliance costs

This section summarises the administrative and compliance costs for each measure in policy option 2a that is assumed

to incur additional costs compared to the baseline. The costs are outlined in Table 4. The assumptions used to develop the costings and details about who will bear the costs are outlined in Annex 4.

Table 4: Overview of administrative and compliance costs – Option 2A

Policy objective	Description of measure	One-off development cost (Millions of euros)	Running cost per annum (Millions of euros)
Prevention	1.1a: Obligation on MS to provide targeted information to and raise the awareness of groups at risk.	0	4.0 – 8.5
	1.2a: Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes for re-offenders.	0	0.1
	1.3a: Obligation on MS to provide - specialised, regular and mandatory training to professionals likely to come into contact with victims; and - mandatory training to managers on sexual harassment at work and the effects of domestic violence on the workplace.	1.8	25.9
	1.4a: Obligation on MS to ensure that sexual harassment at work is addressed in national policies. Obligation on MS to ensure that company risk assessments cover sexual harassment at work.	0.6	1,893.9
	TOTAL	2.4	1,923.9 – 1,928.5
Protection	2.1a: Obligation on MS to ensure efficiency through minimum standards on the issuance, conditions and enforcement of emergency barring orders and protection orders.	0	3.7 – 25.2
	2.2a: Obligation on MS to conduct risk assessments speedily and in cooperation with support services.	0	46.9
	2.3a: Obligation on MS to ensure the protection of children by providing for surveyed safe places for visits in case of allegations of domestic violence.	0	719.0 – 1,942.6
	TOTAL	0	769.5 – 2,014.6

Policy objective	Description of measure	One-off development cost (Millions of euros)	Running cost per annum (Millions of euros)
Access to justice	3.1a: Obligation on MS to ensure easy and accessible reporting, including child friendly reporting mechanisms and online reporting.	0	326.5
	3.2a: EU-level criminalisations: additional approximation of criminal definitions and sanctions on the basis of the legal bases of computer crime (ICT-facilitated cyber violence), sexual exploitation (certain forms of sexual violence), and serious forms of sexual harassment.	0	2.0
	3.3a: Right of victims to obtain full compensation from the perpetrator in one single procedure and within adequate time limits.	0	0
	TOTAL	0	328.5
Support	4.1a: Obligation on MS to facilitate access to specialised support services to groups at risk, such as children, migrant and asylum-seeking women and women with disabilities. Connect national helplines to EU-level helpline.	13.6	138.6 – 502.0
	4.2a: Obligation on MS to provide specific support to victims of sexual harassment at work (including medical care and complaint mechanisms).	0	627.1
	4.3a: Obligation on MS to establish both on- and offline support for victims of cyber violence against women.	0	1,159.6
	TOTAL	13.6	1,925.2 – 2,288.7
Coordination	5.1a: Obligation to provide one-stop online access to relevant protection and support services. Encouragement to locate support services in the same premises.	0	0.4
	5.1b: Obligatory participation in surveys coordinated at EU-level	0	16.8
	5.1c: Obligation to regularly collect disaggregated relevant administrative data in line with a number of harmonised minimum requirements.	0.2	0.1
	TOTAL	0.2	17.3
TOTAL ALL AREAS		16.1	4,964.5 – 6,577.6

3.3.3.2. Economic impacts

The expected impact of this policy option is mainly due to the economic benefits generated in due to a decrease in the prevalence of violence against women and domestic violence.

Due to additional measures for prevention, protection, support to victims and coordination, the impact of this option (on prevalence) is expected to be *higher* than the more moderate

policy option 1. Therefore, the assessment of economic impacts follows the same methodological approach as Section 3.2.3.2 but assumes a higher decrease in prevalence rates for the two scenarios shown below. Moreover, a *higher* increase in reporting of 10% is used to calculate the change in costs for the criminal justice system and the criminal justice system. The estimated total economic benefits of policy option 2a range between a **cost reduction of 53.1 billion and 82.7 billion Euros**, as shown in Table 5.

Table 5: Estimated economic benefits of prevention, protection, access to justice and victim support measures in the EU under Policy Option 2a

Cost category	Estimated EU-27 cost of GBV ⁷²	Scenario 1: prevalence reduced by 20%		Scenario 2: prevalence reduced by 30%	
		% change in costs	Estimated reduction in costs/ economic benefits	% change in costs	Estimated reduction in costs/ economic benefits
Lost economic output	€40.5 billion	- 20%	€8.1 billion	- 30%	€12.2 billion
Health services	€12.5 billion	- 20%	€2.5 billion	- 30%	€3.8 billion
Criminal justice system	€59.7 billion	- 12%	€7.2 billion	- 23%	€13.7 billion
Civil justice system	€1.6 billion	- 12%	€0.2 billion	- 23%	€0.4 billion
Social welfare	€10.3 billion	- 20%	€2.1 billion	- 30%	€3.1 billion
Personal costs	€3.2 billion	- 20%	€0.6 billion	- 30%	€1.0 billion
Specialist services	€1.0 billion	- 20%	€0.2 billion	- 30%	€0.3 billion
Physical/emotional impacts	€161.2 billion	- 20%	€32.2 billion	- 30%	€48.4 billion
Total	€290 billion		€53.1 billion		€82.7 billion

72 Estimation of the costs of gender-based violence in the UK case study and extrapolation to EU Member States (forthcoming EIGE paper, 2021).

3.3.4. Coherence

The policy option will improve **internal coherence** by addressing the fragmented nature of the current EU legal framework, which includes 14 separate EU legal instruments. It will also address the lack of systematic and focussed measures related to violence against women and domestic violence. It is internally coherent with existing EU legislation, particularly the Victims' Rights Directive by ensuring existing provisions meet the particular needs of victims of violence against women and domestic violence.

As regards **external coherence**, the policy option would first and foremost address the emerging fragmentation created as 21 Member States are party to the Istanbul Convention and six are not, and all of them adopt different measures on violence against women and domestic violence. Inconsistencies with other international instruments will also be significant improved. Coherence with the ILO Violence and Harassment Convention no 190 will be improved through measures addressing harassment at work specifically (1.3A, 1.4A, 3.1A, 4.2A). Similarly, greater coherence with the Convention on the Rights of the Child will be ensured through two measures to improve support and protection of child witnesses and victims (2.3A, 4.1A).

3.3.5. Overall assessment

The policy option is expected to have a strongly positive impact, by putting into place a single EU legislative instrument specifically focussed on victims of violence against women and domestic violence, which combines prevention, protection and prosecution measures, in line with the requirements of the Istanbul Convention and beyond. This means also that, whilst some of the measures included in this option already exist as part of the baseline, these will still have a positive impact due to their specific focus and coverage.

The policy option goes beyond the baseline by introducing several measures in areas where gaps had been identified ,

including specific action with regard to online violence and work-based harassment of women, as well as a tailored and inclusive approach to groups at risk and children. The measure is also particularly strong regarding data collection as participation in surveys is mandatory and data must be collected according to harmonised minimum requirements.

The positive impacts of this policy option are not only expected in those six Member States which currently have not ratified the Istanbul Convention, but across the EU, as Member States, even when already having similar measures in place, would now base these on a set of minimum standards and conditions. This would, at the same time, strongly favour cross-border recognition and action.

Overall, having a detailed set of measures combined in a coherent and comprehensive legal framework is expected to have a multiplier effect on Member States which have been lagging behind, and contribute to a consistent and harmonised implementation across the EU. The policy option overall addresses nearly all problems identified in the current situation.

Member State political acceptance is expected to be overall good, as many Member States have ratified the Istanbul Convention and fully implemented the relevant EU legislative framework. However, as some of the measures put forward would require significant investments if not yet in place, a few Member States may be more reluctant. Further, the current resistance in some countries towards policies about gender (instead of sex) may make some reluctant to accept some of the measures included.

3.4. Policy option 2b: Comprehensive

This section assesses the impact of the measures under policy option 2b. The measures build on those in policy option 2b and 1 with **seven additional measures**. The assessment here focuses only on these new measures to avoid repetition. A full assessment of the measures is available in Annex 5.

3.4.1. Effectiveness

In the area of **prevention**, Measure 1.2B builds on Measure 1.2A by making perpetrator programmes mandatory for *all* those convicted of crimes related to violence against women and domestic violence. Currently, there are only mandatory programmes for perpetrators in seven Member States (BE, CZ, ES, LV, PL, PT, FR for those in prison, and HR as part of probation service) which means this measure could have a significant impact on prevention⁷³. Measures related to **protection** are the same as option 2a.

Measure 3.3B would improve **access to justice** through ensuring that state compensation is provided in cases where victims cannot obtain compensation from the perpetrator or other sources. In most states, state-funded compensation is available subsidiarily, thus only when the victim cannot procure payment from the perpetrator, either because they have not been identified, cannot afford the compensation, or compensation was denied in the criminal or civil proceedings, in line with Council Directive 2004/80/EC. However, this measure would strengthen obligations and help ensure it is available for all victims of violence against women and domestic violence.

Measure 3.2B would introduce a new legal basis for the EU to have a specific legal instrument on violence against women and domestic violence. Although the legal instrument could address any aspect of violence against women and domestic violence, it would likely have the most impact on access to justice as it would allow the EU to adopt establish minimum rules concerning the definition of criminal offences and sanctions on all forms of violence against women and domestic violence. It would enable common legal definitions of violence against women and domestic violence and common minimum rules for sanctions. This measure would help, to some extent, ensure consistency across Member States. Currently, according to EELN, the

majority of Member States criminalise psychological violence, stalking, physical violence, sexual violence, forced marriage, FGM, forced abortion and forced sterilization. The only forms of violence where there is significant variation among Member States is psychological violence and online violence (as discussed above) so the greatest impact would be achieved for these crimes. The measure may also help ensure criminalisations are applied in a gender-sensitive manner.

Option 2b has two significant measures related to **support**. Measure 4.2B obliges Member States to provide three days of special leave compensated at the level of sick leave for worker victims of violence against women and domestic violence. As this is not in place in any Member State, this will have a significant impact on the support available to victims. Measure 4.1B obliges Member States to provide shelters in line with Council of Europe recommendation of 1 space per 10,000 inhabitants. This will have a significant impact on the support available to victims, WAVE has shown that in 2019, only three Member States (LU, MT, SL) met this standard⁷⁴.

Two measures will improve **coordination** on violence against women and domestic violence. Measure 5.1B creates an obligation for Member States to provide multi-agency one-stop access to relevant protection and support services in the same premises. This measure will allow for a more coordinated and comprehensive approach to the protection and support available to victims. Measure 5.3B will ensure that sex-disaggregated administrative data, collected according to minimum standards to ensure comparability, is centralised at the national level across relevant sectors such as police, judiciary, health and social services. This would further support data analysis, as comparable data would be available in one place across sectors.

⁷³ Targeted Consultation with Member State authorities q. 29. No response: PL, HR, LT

⁷⁴ WAVE (2019) Wave Country Report 2019. <https://www.wave-network.org/2019/12/30/wave-country-report-2019>.

3.4.2. Effectiveness – other impacts

3.4.2.1. Social impacts

The following social impacts are expected, by stakeholder group:

Victims of violence against women and domestic violence: Victims of violence against women and domestic violence are expected to strongly benefit from this policy option. Support would be more accessible as multi-agency services would be available in the same premises. Moreover, support would also increase as Member States would be obliged to provide shelters in line with Council of Europe recommendation (1 space per 1,000) which is only currently met in only three Member States. Victims would also benefit from more secured access to compensation as the state would provide it in cases where victims cannot obtain compensation from the perpetrator or other sources.

Particular groups of victims (child victims and witnesses, victims at risk of intersectional discrimination): The measures will have a particularly positive impact on worker victims of violence against women and domestic violence as they would receive three days of paid leave which would give victims the time to recover, access to support and pursue justice.

Perpetrators of violence against women and domestic violence: Perpetrators will be significantly impacted by this measure, as all convicted offenders will be mandated to attend perpetrator programmes to help them change their attitudes and behaviours and thus prevent further violence

Wider society: No additional direct impacts expected on wider society.

National authorities: As the policy option goes beyond the standards set out in the Istanbul Convention, national authorities may be somewhat more hesitant to consider it

politically acceptable, particularly because of the very high cost of some measures.

3.4.2.2. Fundamental rights

The policy option is expected to have a very positive impact on the following fundamental rights in the Charter on Fundamental Rights (CFR):

Right to life (Article 2, CFR), Right to the integrity of the person (Article 3, CFR), Prohibition of torture and inhuman or degrading treatment (Article 4, CFR), Respect for private and family life (Article 7, CFR): As violence against women and domestic violence often involves physical violence, including femicide, all measures will help ensure these rights either directly or indirectly. Measure 1.2B will help prevent such violence through mandatory perpetrator programmes.

Non-discrimination (Article 21, CFR) and Equality between women and men (Article 23, CFR): All measures will strongly help contribute to the non-discrimination and equality between women and men as violence against women and domestic violence is a form of gender discrimination that perpetuates inequality.

Rights to social assistance and health care (Article 34 and 35, CFR): The support measures, particularly Measure 4.1B which would significantly approve the availability of shelters as well as Measure 4.2B which would give workers victims of violence against women and domestic violence paid leave from work which will help them to have the time and space to access social assistance, and Measure 5.1B which will approve the access to services through locating them on the same premises.

The right to an effective remedy and to a fair trial (Article 47, CFR): Measures 3.1B and 3.3B will improve access to effective remedy and fair trial through improving access to state compensation and additional approximation of criminal definitions and sanctions for all forms of violence against women and domestic violence.

3.4.3. Efficiency

3.4.3.1. Administrative and compliance costs

This section summarises the administrative and compliance costs for each measure in policy option 2b that is assumed

to incur additional costs compared to the baseline. The costs are outlined in Table 6. The assumptions used to develop the costings and details about who will bear the costs are outlined in Annex 4.

Table 6: Overview of administrative and compliance costs

Policy Objective	Description of measure	One-off development cost (Millions of euros)	Running cost per annum (Millions of euros)
Prevention	1.1a: Obligation on MS to provide targeted information to and raise the awareness of groups at risk	0	4.0 – 8.5
	1.2b: Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes for all offenders.	0	0.8
	1.3a: Obligation on MS to provide - specialised, regular and mandatory training to professionals likely to come into contact with victims; and - mandatory training to managers on sexual harassment at work and the effects of domestic violence on the workplace.	1.8	25.9
	1.4a: Obligation on MS to ensure that sexual harassment at work is addressed in national policies. Obligation on MS to ensure that company risk assessments cover sexual harassment at work.	0.6	1,893.9
	TOTAL	2.4	1,924.5 – 1,929.1
Protection	2.1a: Obligation on MS to ensure efficiency through minimum standards on the issuance, conditions and enforcement of emergency barring orders and protection orders	0	3.7 – 25.2
	2.2a: Obligation on MS to conduct risk assessments speedily and in cooperation with support services.	0	46.9
	2.3a: Obligation on MS to ensure the protection of children by providing for surveyed safe places for visits in case of allegations of domestic violence.	0	719.0 – 1,942.6
	TOTAL	0	769.5 – 2,014.6

Policy Objective	Description of measure	One-off development cost (Millions of euros)	Running cost per annum (Millions of euros)
Access to justice	3.1a: Obligation on MS to ensure easy and accessible reporting, including child friendly reporting mechanisms and online reporting.	0	326.5
	3.2a: Introduction of violence against women and domestic violence as a new EU crime.	0	2.0
	3.3b: Right of victims to obtain full compensation from the perpetrator in one single procedure and within adequate time limits, and obligation on MS to provide state compensation in cases where victims cannot obtain compensation from the perpetrator or other sources.	0	1,569.1
	TOTAL	0	1,897.6
Support	4.1b: Obligation on MS to facilitate access to specialised support services to groups at risk, such as children, migrant and asylum seeking women and women with disabilities. Connect national helplines to EU-level helpline, and obligation on MS to provide 1 shelter space for 10,000 inhabitants.	136.2	322.9 – 3,919.3
	4.2b: Obligation on MS to provide specific support to victims of sexual harassment at work (including medical care and complaint mechanisms), and obligation on MS special compensated leave for workers victim of violence against women or domestic violence.	0	955.5 – 3,256.9
	4.3a: Obligation on MS to establish both on- and offline support for victims of cyber violence against women.	0	1,159.6
	TOTAL	136.2	2,438.0 – 8,335.7
Coordination	5.1b: Obligation to provide one-stop online access to relevant protection and support services. Encouragement to locate support services in the same premises, and obligation on MS to locate multi-agency support services for victims in the same premises.	0	3.6
	5.2a: Obligatory participation in surveys coordinated at EU-level.	0	16.8
	5.3b: Integrated centralised data collection system at national level.	0.2	3.9
	TOTAL	0.2	24.3
TOTAL ALL AREAS		138.7	7,054.1 – 14,201.4

3.4.3.2. Economic impacts

The expected impact of this policy option is mainly due to the economic benefits generated due to a decrease in the prevalence of violence against women and domestic violence.

Due to further-reaching obligations on gender-based work harassment, access to justice, protection and data collection in option 2B compared to option 2A, the impact of this option (on prevalence) is expected to be somewhat higher

than policy sub-option A. Therefore, the assessment of economic impacts follows the same methodological approach as Section 3.2.3 but assumes a higher decrease in some of the prevalence rates for the two scenarios shown below. Moreover, a *higher* increase in reporting of 12.5% is used to calculate the change in costs for the criminal justice system and the criminal justice system. The estimated total economic benefits of sub-option 2B range between €57.8 billion in the short-term and €87.6 billion in the long-term, as shown in Table 7.

Table 7: Estimated economic benefits of prevention, protection, access to justice and victim support measures in the EU under Policy Option 2B

Cost category	Estimated EU-27 cost of GBV ⁷⁵	Scenario 1: prevalence reduced by 22%		Scenario 2: prevalence reduced by 32%	
		% change in costs	Estimated reduction in costs/ economic benefits	% change in costs	Estimated reduction in costs/ economic benefits
Lost economic output	€40.5 billion	- 22%	€8.9 billion	- 32%	€13.0 billion
Health services	€12.5 billion	- 22%	€2.8 billion	- 32%	€4.0 billion
Criminal justice system	€59.7 billion	- 12%	€7.3 billion	- 24%	€14.0 billion
Civil justice system	€1.6 billion	- 12%	€0.2 billion	- 24%	€0.4 billion
Social welfare	€10.3 billion	- 22%	€2.3 billion	- 32%	€3.3 billion
Personal costs	€3.2 billion	- 22%	€0.7 billion	- 32%	€1.0 billion
Specialist services	€1.0 billion	- 22%	€0.2 billion	- 32%	€0.3 billion
Physical/emotional impacts	€161.2 billion	- 22%	€35.5 billion	- 32%	€51.6 billion
Total	€290 billion		€57.8 billion		€87.6 billion

75 Estimation of the costs of gender-based violence in the UK case study and extrapolation to EU Member States (forthcoming EIGE paper, 2021).

3.4.4. Coherence

The policy option will improve **internal coherence** by addressing the fragmented nature of the current EU legal framework, which includes 12 separate EU legislative instruments. It will also address the lack of systematic and focussed measures related to violence against women and domestic violence. It is internally coherent with existing EU legislation, particularly the Victim Rights' Directive by ensuring existing provisions meet the particular needs of victims of violence against women and domestic violence.

As regards **external coherence**, the policy option would first and foremost address the emerging fragmentation created as 21 Member States are party to the Istanbul Convention and six are not, and all of them adopt different measures on violence against women and domestic violence. Inconsistencies with other international instruments will also be significantly improved. Coherence with the ILO Violence and Harassment Convention no 190 will be greatly improved through measures addressing harassment at work specifically three days of paid leave for victims (4.2A). Similarly, greater coherence with the Convention on the Rights of the Child will be ensured through two measures to improve support and protection of child witnesses and victims.

3.4.5. Overall assessment

The policy option is expected to have a very strongly positive impact in terms of achieving the policy objectives, by putting into place a single EU legislative instrument, specifically focussed on victims of violence against women and domestic violence, by going beyond the standards contained in the Istanbul Convention. The positive impacts of this policy option are therefore not only expected in those six Member States which currently have not ratified the Istanbul Convention, but across the EU, as Member States, even when already having similar measures in place, would now base these on a set of minimum standards and conditions. This would, at the same time, strongly favour cross-border recognition and action. The Policy Option is particularly strong in the area of support, coordination and prevention.

Member State political acceptance is expected to be mixed. Some Member States may be willing to go further than the measures already in place under the Istanbul Convention, in recognition that the problem of violence against women and domestic violence remains prevalent, however the significant investments required may make them resistant. This is particularly the case for measures such as three days of paid leave for worker victims which is not in place in any Member State.

4. Comparison of the policy options

This section presents a comparison of the policy options. Table 8 provides the weighted scores attributed to the impacts of each policy option against the assessment criteria,

covering effectiveness, efficiency and coherence. Overall, Policy Option 2a scores most highly.

Table 8: Comparison of the scoring of the policy options

<i>Scoring</i> -3 Highly negative impact, 0 No impact, 3 Highly positive impact	Baseline	Policy Options		
	P00	P01	P02a	P02b
Weighted score	0.00	6.26	8.66	8.52
Effectiveness				
Effectiveness in achieving the objectives (25%)	0	7	11	11.25
Prevention	0	1	2	2
Protection	0	1.5	2.5	2.5
Access to Justice	0	2	2.5	2.5
Support	0	1.5	2.5	2.75
Coordination	0	1	1.5	1.5
Social impacts (12.5%)	0	8.5	11	11.25
Impact on:				
- victims of violence against women and domestic violence	0	2	2.5	2.75
- particular groups of victims (child victims and witnesses, victims at risk of intersectional discrimination, etc.)	0	2	2.5	2.5
- perpetrators of violence	0	1.5	2.5	2.5
- wider society	0	1.5	2.5	2.5
- national authorities	0	1.5	1	1
Environmental impacts (0%)	0	0	0	0
Impact on the environment	0	0	0	0
Fundamental rights (12.5%)	0	20	26.5	27

<i>Scoring</i> -3 Highly negative impact, 0 No impact, 3 Highly positive impact	Baseline	Policy Options		
	P00	P01	P02a	P02b
<i>Victims of violence against women and domestic violence</i>	0	1.5	2	2
- Right to life (Article 2)				
- Right to the integrity of the person (Article 3)	0	1.5	2	2
- Prohibition of torture and inhuman or degrading treatment (Article 4)	0	1	1.5	1.5
- Respect for private and family life (Article 7)	0	1.5	2	2
- Non-discrimination (Article 21)	0	1.5	2	2
- Equality between women and men (Article 23)	0	1	1.5	1.5
- Rights of the elderly (Article 25)	0	1	1.5	1.5
- Integration of persons with disabilities (Article 26)	0	1.5	2	2
- Rights to social assistance and health care (Article 34 and 35)	0	1.5	2	2
- Right to an effective remedy and to a fair trial (Article 47)	0	1.5	2	2
<i>Victims of online violence against women and domestic violence</i>	0	1	1	1
- Protection of personal data (Article 8)				
- Freedom of expression and information (Article 11)	0	1	1	1
<i>Victims of gender-based harassment at work</i>	0	1.5	2	2.25
- Right to fair and just working conditions (Article 31)				
- Right to an effective remedy and to a fair trial (Article 47)	0	1.5	2	2.25
<i>Child victims /witnesses</i>	0	1.5	2	2
- Protection of the rights of the child (Article 24)				
Coherence (20%)	0	4	5	5
Internal coherence	0	2	2.5	2.5
External coherence	0	2	2.5	2.5
Efficiency				
Costs (15%)	0	-0.5	-1	-3
Administrative and compliance costs	0	-0.5	-1	-3
Economic impacts (15%)	0	1.5	2.5	2.5
Impacts on public health	0	1.5	2.5	2.5

To improve the accuracy of the comparison, the scores that been weighted through a sensitivity analysis. Table 9 summaries the variation in the comparison of the scores of the different policy options when assigning different weights to the three criteria of effectiveness, efficiency

and coherence. Four different combination of weights for these three criteria are denoted as weightings A-D. Option 1 is always dominated by each sub-options of Option 2. The sensitivity analysis shows that Option 2A maintains its advantage in all the different weighting scenarios.

Table 9: Sensitivity analysis

Weighting	Effectiveness	Coherence	Efficiency	P00	P01	P02a	P02b
Unweighted	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	0.00	40.50	55.00	54.00
A	50%	20%	30%	0.00	6.26	8.66	8.52
B	40%	20%	40%	0.00	5.25	7.25	6.98
C	50%	10%	40%	0.00	5.91	8.24	7.99
D	40%	10%	50%	0.00	4.90	6.83	6.45

4.1. Effectiveness

Policy option 2a is expected to make a greater contribution to ensuring effective measures for **preventing** violence against women and domestic violence compared to Policy option 1 because it adds important new elements that focus on groups of victims who are at heightened risks and specific measures to prevent sexual harassment at work and gender-based cyber violence. This tailored approach is likely to be more effective and inclusive. Perpetrator programmes are also mandatory for re-offenders, rather than voluntary, which will significantly increase take-up. Policy Option 2b builds on this slightly by making perpetrator programmes mandatory for all offenders which would help prevent more violence against women and domestic violence, although Option 2a is more targeted at those most likely to re-offend.

Compared to the Policy Option 1, the Policy Option 2a also adds several valuable elements in the area of **protection**, thus also enhancing its effectiveness in ensuring that victims of violence against women and domestic violence are protected from (further) violence. In particular the measure introducing minimum standards in relation to the issuance of protection orders (emergency barring orders) which is expected to improve their timeliness and effectiveness, and favour cross-border recognition. The suggested individual risk assessments should also offer better protection to

victims through better identifying those in need of protection measures. In this area, the Policy Option 2a also foresees measures specifically aimed at child victims and witnesses. There is negligible difference between Policy Option 2a and 2b in relation to this specific objective.

As for the previous two objectives, with respect to ensuring affective **access to justice for victims** (specific objective 3), all three policy options are expected to have a positive impact. Policy Option 1 offers the least impact, as the measure to increase reporting by third parties is very similar to the baseline. Policy Options 2a and 2b go significantly further. Option 2b proposes criminalisation of violence against women and domestic violence as an EU crime however option 2a is more proportionate in targeting only criminalisation not already addressed at national level. 2b would however have far more impact regarding access to compensation through offering state compensation subsidiarily as there are proven challenges obtaining compensation from perpetrators.

Also in the area of **support** services, Policy Options 2a and 2b are expected to make a greater contribution to the objective of ensuring the effective availability of support for victims of all forms of violence against women and domestic violence, as it is expected to boost the quality and capacity of existing services and further expand them, including to victims of sexual harassment at work, groups at risk and victims of

online violence. 2b sets stricter targets regarding availability of shelters and introduces three days of paid leave for victims which would have a very significant impact these measures are not currently in place across the EU.

Finally, Policy Options 2a and 2b are also expected to have a significantly higher impact on ensuring more effective **cooperation and coordination** in relation to violence against women and domestic violence than Policy Option 1, particularly in the area of data collection. Option 2a addresses the main challenge regarding the comparability of data collected across the EU but 2b goes further to create a centralised data collection system at national level which would make such data easier to access.

4.2. Effectiveness – other impacts

With regard to effectiveness in terms of social impacts, Policy Option 2b is expected to overall have a more positive impact on **victims** of violence against women and domestic violence, as it offers a stronger package of measures, which will enhance both the quality and capacity of current services and facilities, and expand them to additional victims e.g. those of online violence and victims of violence against women and domestic violence at work.

Option 2b includes measures tailored to the needs of **particular groups of victims** (child victims and witnesses, migrant women victims etc.), which means that here too its impact is expected to be more positive than the 1 and very similar to 2b.

Along the same lines, again because of some additional measures, the impact on **perpetrators** of violence is assessed more positively in 2a and 2b, in particular, as already mentioned above, because of the inclusion of potential perpetrators in treatment programmes and other prevention activities.

Impacts on **wider society** are limited because of the focused nature of the measures on victims of violence against women and domestic violence although wider society would

be impacted across the Policy Options through their involvement in general awareness-raising initiatives.

The only exception constitutes the social impact on **national authorities**, as the wider scale and scope of the Policy Option 2a and especially 2b may make it less politically acceptable for some Member States, in particular those which would be expected to make major investments (e.g. because of the specific requirement in relation to the number of shelter places and paid leave). Moreover, it is likely that some Member State will not support the option because of resistance to the term 'gender'. Politicians have spoken publicly against the term and advocated for the terms 'sex' or 'men and women' instead. The resistance is rooted in a binary understanding of sex that it considers disrupted by the notion of gender and as undermining traditional family structures and values.

With regard to the effectiveness in terms of **impacts on fundamental rights**, both policy options are expected to strengthen the fundamental rights of women, men and children as potential victims of violence against women and domestic violence and society more generally through enabling a more equal and less violent society. Policy Option 2b receives a more positive assessment overall, for the reasons already set out above.

4.3. Coherence

The **internal coherence** of all three policy options is assessed positively, as all are expected to address some of the key problems identified and gaps identified in Section 2. All the options help address the highly fragmented nature of the current EU legal framework, and the lack of systematic, focused measures related to violence against women and domestic violence. Policy Option 2b has the strongest internal coherence through it ensuring the general provisions in the Victims Rights' Directive fully meet the particular needs of violence against women and domestic violence.

Similarly, all three policy options will contribute to enhancing **external coherence**, mostly by aligning to the Istanbul

Convention, as well as other international instruments such as the ILO Violence and Harassment Convention and the Convention on the Rights of the Child. Here too, the Policy Option 2b achieves a higher scoring, as it goes beyond the standards in the Istanbul Convention and includes additional action in relation to work-based harassment as well as protection of child witnesses.

4.4. Efficiency

In terms of the efficiency of the policy options, all three policy options are expected to incur substantial administrative and compliance costs, but these costs are exceeded by the potential economic benefits of each option (reduction in costs of violence against women and domestic violence) in the short-run by all three options, although not in the long-run for 2b.

First, comparing policy options 2a and 1, the administrative and compliance costs for each problem area are higher for Policy Option 2a compared to Policy Option 1. Overall, the total administrative and compliance costs for Policy Option 2a are between €4.2-4.4 billion euros higher than the Policy Option 1 in the first year of implementation.

The difference in costs is largely driven by the running costs per year of the various measures. In particular, the most substantial differences are observed in the running costs for additional measures related to access to justice and victim support. For example, the administrative and compliance costs related to access to justice are over €0.3 billion euros higher for Policy option 2a which is mainly driven by the availability of more meaningful

compensation to victims of violence against women and domestic violence and the cost of new measures to encourage the reporting of violence by third parties. The costs for victim support are around €1.8 billion euros higher in the Comprehensive Policy Option which is mainly driven by the cost of measures to support victims of online Violence Against Women or victims of Violence Against Women work harassment.

While the potential economic benefits are considerable under both policy options, **Policy Option 2a is expected to provide higher economic benefits.** This is due to the higher expected impact on the reduction in prevalence of violence against women and domestic violence compared to the Policy Option 1. Specifically, the total economic benefits due to the full set of measures under Policy Option 2a are expected to be around €13.5 billion higher than the Moderate Policy option under scenario 1 and €29.6 billion higher than the Moderate Policy option under scenario 2.

Second, comparing 2a to 2b, even though the economic benefit of Option 2b is expected to be higher than Option 2a, the costs of 2b make the net benefit of 2a and 2b quite similar as the total costs of Option 2a in the short-term are €5.0 billion, compared to €7.2 billion for Option 2b. This leads to net benefits in the short-term of €48.1 billion for 2a and €50.6 billion for 2b (a difference of only €2.5 billion). However, in the long-term, the costs of Option 2b become very high, reaching €14.3 billion as opposed to the €6.6 billion cost of Option 2a. This translates to the long-term net benefits of option 2b being as much as €2.8 billion lower than those of option 2a, namely a net benefit of €73.3 billion of option 2b and of €76.1 billion for option 2a.

5. The preferred policy option

Following the comparative assessment of the effectiveness, efficiency and coherence of the policy options, the preferred option is Policy Option 2a.

Policy Option 2a encompasses and builds on Policy Option 1 and **contains a larger set of measures** that will better address the shortcomings identified in the current situation, and which will further contribute to the achievement of the policy objectives to better prevent violence against women and domestic violence, to better protect and support victims of such crimes, to facilitate access to justice and addressing child witnesses and victims. It also provides extensive protection of fundamental rights due to its comprehensive set of obligations.

Although Option 2b contains more comprehensive measures, regarding data collection, shelters, a one-stop-shop, minimum standards for criminalisation of violence against women and domestic violence and three days of leave for worker victims, **Option 2b ultimately becomes more costly than 2a in the long run**. Even though the economic benefit of Option 2b is expected to be higher than Option 2a in the short-term, the costs of the proposed measures make the net benefit of 2a and 2b quite similar as the total costs of Option 2a in the short-term are €5.0 billion, compared to €7.2 billion for Option 2b. This leads to net benefits in the short-term of €48.1 billion for 2A and €50.6 billion for

2b (a difference of €2.5 billion). However, in the long-term, the costs of Option 2b become very high, reaching €14.3 billion as opposed to the €6.6 billion cost of Option 2a. This translates to the **long-term net benefits of option 2b being as much as €2.8 billion lower than those of option 2a**, namely a net benefit of €73.3 billion of option 2b and of €76.1 billion for option 2a.

The high costs in Option 2b of the measures it proposes on Violence Against Women work harassment, three days of paid leave for victims, stricter targets on shelter provision, and centralised data collection would be **very costly and place disproportionate burden on SMEs and the Member States**. The measure to establish a new Eurocrime in the area of violence against women and domestic violence seems disproportionate in light of the fact that most conduct of violence against women and domestic violence is criminalised at national level, leaving gaps mainly in the areas of cyber violence, sexual violence, and Violence Against Women harassment.

Political acceptance overall of the preferred option is likely to be high, although with resistance from a minority of Member States about the emphasis placed on gender, and the potentially high administrative and compliance costs for some of those Member States which had not ratified the Istanbul Convention.

6. How will actual impacts be monitored and evaluated?

The monitoring and evaluation of the new legislative instrument will need to be assured at all stages of the policy cycle (including implementation, application and evaluation), assessing progress and achievements against the specific objectives of this initiative

At the **implementation stage**, as for all Directives, the Commission is expected to issue guidance to the EU-27 Member States to clarify any issues that may arise during the transposition phase.

Once the transposition period has expired, the Commission will verify that the legislative initiative has been transposed correctly into national laws in all EU-27.

During the **application stage**, the practical implementation and functioning of the directive will be monitored against the specific objectives as listed above. The subsequent monitoring and evaluation of the Directive will be highly important to assess its efficiency and effectiveness in addressing the underlying problems and meeting policy objectives.

The Commission will present a report evaluating the implementation, functioning and impact of the directive. To facilitate the reporting, Member States will communicate to the Commission all relevant information concerning the application of this Directive after the transposition deadline. These reports will play a key role in assessing the correct application of the directive.

One method to monitor the Directive is to monitor the **outcomes**, as fully outlined in Annex 1. As the overall intended impact is to reduce the prevalence of violence against women and domestic violence, this can be monitored through the administrative data about reporting, prosecution, conviction and sanctions. Currently, such data is available to a limited degree through EIGE's gender statistics database⁷⁶. Importantly, under the preferred policy option, there is a measure to ensure Member States collect disaggregated administrative data, including data from law enforcement agencies and judicial data, as well as data from social and health services and NGOs, at regular intervals, and to participate in regular centralised surveys at EU-level (following up on the ESTAT-GBV survey). These new requirements are thus expected to add more detail and comparability to the currently available data and together with the Member State reporting, form the basis for monitoring and evaluating the impact of the new EU legal instrument.

Another way to monitor the impact, as indicated in Annex 1, is to use data collected through **existing monitoring exercises** as many measures are consistent with provisions in the Istanbul Convention, ILO Convention 190 and existing EU reports on the monitoring of the implementation of various EU legal instruments. This will substantially reduce the administrative burden on Member States that could be posed by monitoring.

⁷⁶ EIGE Gender Statistics Database: <https://eige.europa.eu/gender-statistics/dgs>

Annex 1. How will the impact be monitored?

The below table sets out indicators for monitoring each measure in the proposed policy options. As explained in the main report, existing legal monitoring is available which is indicated in the far-right column of the table.

Objectives	Measure	Indicator
Ensuring effective prevention of violence against women and domestic violence	Obligation on MS to provide targeted information to and raise awareness of the general public.	Number of targeted awareness raising campaigns and information activities per year, including assessment of activities to ensure they reach groups at heightened risk of violence against women and domestic violence.
	Obligation on MS to provide targeted information to and raise the awareness of groups at risk.	
	Obligation on MS to have perpetrator programmes in place.	Percentage of relevant category of offenders attending perpetrator programs.
	Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes <i>for re-offenders</i> .	
	Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes <i>for all offenders</i> .	
	Obligation on MS to provide specialised training and targeted information to professionals likely to come into contact with victims and managers.	Number of professionals dealing with victims or perpetrators of violence against women and domestic violence trained per year.
	Obligation on MS to provide - specialised, regular and mandatory training to professionals likely to come into contact with victims; and - mandatory training to managers on sexual harassment at work and the effects of DV on the workplace.	
	Obligation on MS to ensure that sexual harassment at work is addressed in national policies.	Number of companies that report having a risk assessment in place that cover sexual harassment.
Obligation on MS to ensure that company risk assessments cover sexual harassment at work.	MS have national policy in place (Y/N)	

Objectives	Measure	Indicator
<p>Ensuring effective protection of victims of violence against women and domestic violence: ensuring that effective measures are in place to protect victims from violence online or offline, at work or in private. (further) violence</p>	<p>Obligation on MS to ensure availability of emergency barring orders and protection orders.</p>	<p>Number of protection orders issued for violence against women and domestic violence. cases.</p>
	<p>Obligation on MS to ensure efficiency through minimum standards on the issuance, conditions and enforcement of emergency barring orders and protection orders.</p>	<p>Whether Member States have adopted minimum standards in relation to the issuance and conditions of national emergency barring orders.</p>
	<p>Obligation on MS to conduct risk assessments on the seriousness of the threat of violence to victims.</p>	<p>Percentage of emergency barring orders issues within 24 hours. Number of breaches of protection orders.</p>
	<p>Obligation on MS to conduct risk assessments speedily and in cooperation with support services.</p>	<p>Number of assessments of the lethality risk as a percentage of violence against women and domestic violence. cases.</p>
	<p>Obligation on MS to ensure that due account is taken of the rights and needs of child witnesses in the provision of protection and support services, incl. an obligation to provide age-appropriate psychosocial counselling.</p>	<p>Existence of a formal coordination mechanisms in place between those conducting risk assessment and support services i.e. referral systems.</p>
	<p>Obligation on MS to ensure that in custody and access rights matters in situations of DV competent authorities can ensure maintaining contact with the child in a surveyed safe place outside the alleged perpetrator's home.</p>	<p>Number of age-appropriate psychosocial counselling appointments/centers available in relation to the target population.</p>
<p>Ensuring effective access to justice in cases of violence against women and domestic violence</p>	<p>A EU-level criminalisations: Additional approximation of criminal definitions and sanctions on the basis of the legal bases of computer crime (ICT-facilitated cyber violence), sexual exploitation (certain forms of sexual violence), and serious forms of sexual harassment./ Introduction of VAW/DV as a Eurocrime.</p>	<p>Legal assessment of implementation of relevant EU legislation.</p>
	<p>EU-level criminalisations of certain forms of violence against women and domestic violence.</p>	<p>Legal assessment of whether indicated forms of violence against women and domestic violence are criminalized.</p>

Objectives	Measure	Indicator
Ensuring effective access to justice in cases of violence against women and domestic violence	Obligation on MS to encourage reporting of violence by third parties	Existence of measures to encourage reporting such as training of professionals about how and when to report incidents of violence against women and domestic violence.
	Obligation on MS to ensure easy and accessible reporting, including child friendly reporting mechanisms and online reporting.	Existence of online reporting mechanisms Existence of reporting mechanism
	Obligation on MS to provide state compensation in cases where victims cannot obtain compensation from the perpetrator or other sources.	Legal assessment of right to state compensation
	Right of victims to obtain full compensation from the perpetrator in one single procedure and within adequate time limits	Average time taken to decide compensation cases Legal assessment of ability to access compensation in a single procedure.
	Obligation for MS to ensure general support services are available to victims of violence against women and domestic violence, including: <ul style="list-style-type: none"> – access to general health care and social services – services are adequately resourced – professionals are trained to assist victims and refer them to the appropriate services 	Number of general support services. Levels of funding to support services in EUR per year
Ensuring effective victim support in cases of violence against women and domestic violence	Obligation for MS to provide three days of special leave compensated at the level of sick leave for all victims of violence against women and domestic violence.	Existence of provision of special leave compensated at the level of sick leave for all victims of violence against women and domestic violence.
	Beside general support services, obligation on MS to ensure a comprehensive and holistic specialised support to victims (including rape crisis centres, shelters and national helpline).	Number of specialist support services per population Number of rape crisis or sexual violence referral centres per population Existence of national helpline
	Obligation for MS to ensure availability of support services to groups at a heightened risk of violence (such as migrant women, victims from minority communities, women with disabilities)	Rates of use of support services by groups at a heightened risk of violence.
	Obligation to provide shelters in a manner corresponding to actual need (e.g. one family place in specialised women's shelters per 10,000 of population as recommended by CoE available in every region.	Whether the target number has been reached of one family place in specialized women's shelters per 10,000 of population in every region.

Objectives	Measure	Indicator
Ensuring strengthened coordination in preventing and combatting violence against women and domestic violence	Obligation to regularly collect disaggregated relevant data.	Whether Member States regularly collect disaggregated, relevant data (Yes/No/Partially).
	Obligation to regularly collect disaggregated relevant data in line with harmonised minimum requirements.	Whether Member States collect disaggregated relevant data in line with harmonized minimum requirements (Yes/No/Partially).
	Full harmonisation of administrative data collection on violence against women and domestic violence..	Whether Member States collect fully harmonized administrative data (Yes/No/Partially).
	Obligatory participation in surveys coordinated at EU-level	Participation in EU-level surveys (Yes/No/Partially).
	Voluntary participation in surveys coordinated at EU-level.	
	Measures strengthening multi-agency cooperation.	Existence of a coordinated referral mechanism.
	Obligation to provide one-stop online access to relevant protection and support services. Encouragement to locate support services in the same premises.	Existence of one-stop online access to protection and support services.
	Obligation on MS to locate multi-agency support services for victims in the same premises.	Existence of one-stop access to protection and support services.
		Number of services located in the same premises as a percentage of the total.
		Number of trainings carried out with professionals to ensure the handling of referrals in multi-agency cooperation.

Annex 2. Stakeholder consultation

1.1. Stakeholder Engagement Methods

Stakeholder consultations closely informed preparation and analysis of the impact assessment. The stakeholder engagement was conducted through the below methods:

- Open public consultation
- Written submissions to the public consultation
- Targeted consultation with Member States authorities
- Workshops and consultations with NGOs, international organisations, trade unions and employer organisations (social partners)
- National level interviews with Member State authorities

This section provides an outline of these methods.

1.1.1. Open Public Consultation

The European Commission conducted an open public consultation to gather the views of the public on the measures taken by the EU Member States to address gender-based violence against women and domestic violence. The purpose of the consultation is to inform the Commission's work on further measures for improved, coordinated prevention of and protection against this kind of violence. This public consultation forms part of the evidence gathering the Commission is carrying out in preparation for a legislative initiative to prevent and combat gender-based violence and domestic violence.

Open public consultations are not, by nature, statistically representative of the population (unlike, for example, public opinion polls). Therefore, their purpose is not to find answers that could be generalised, but rather to gain in-depth insights that can shed new light on a range of issues.

The public consultation was open from 08 February 2021 - 10 May 2021. It contained 66 questions across five sections. Two of the questions were exclusively open-ended and 11 were multiple choice which permitted the selection of multiple response options. 47 of the closed-ended questions also provided the opportunity to include an open text response. The consultation gathered input from a range of stakeholders, including individual citizens, civil society organisations, social partners, equality bodies, Member States and national authorities. The questionnaire was uploaded to the Have Your Say platform of the European Commission.

Overview of the respondents

There were 767 respondents to the open public consultation from across Member States with Hungary being the most represented with 371 (48%) respondents, followed by Italy with 126 (16%) and Germany with 87 (11%) (see Figure 1). The high number of responses in Hungary was the result of publicity of the consultation in national media, not a targeted campaign.

Figure 1: Respondent country of origin

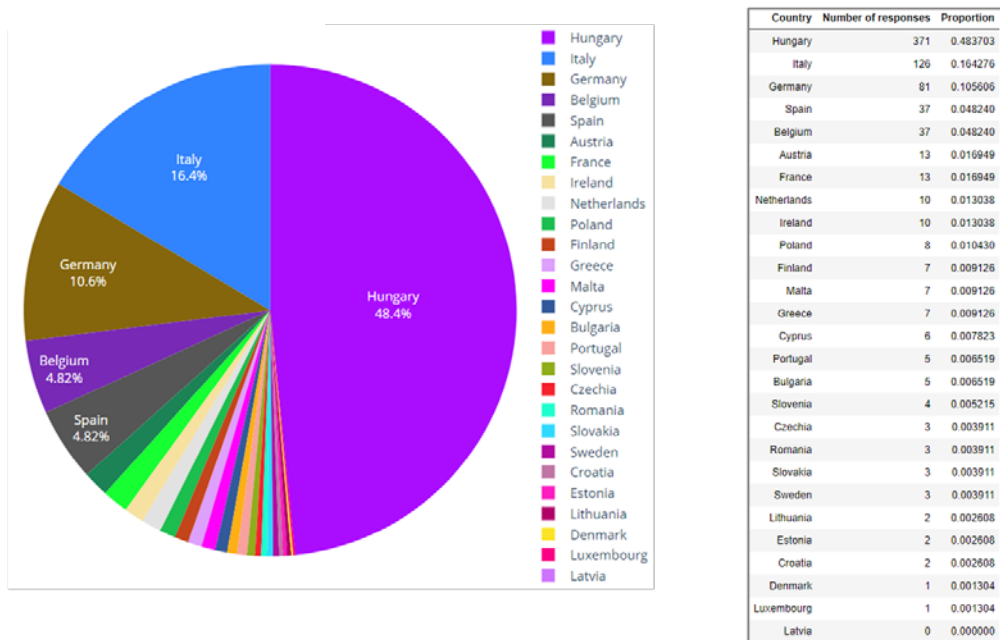
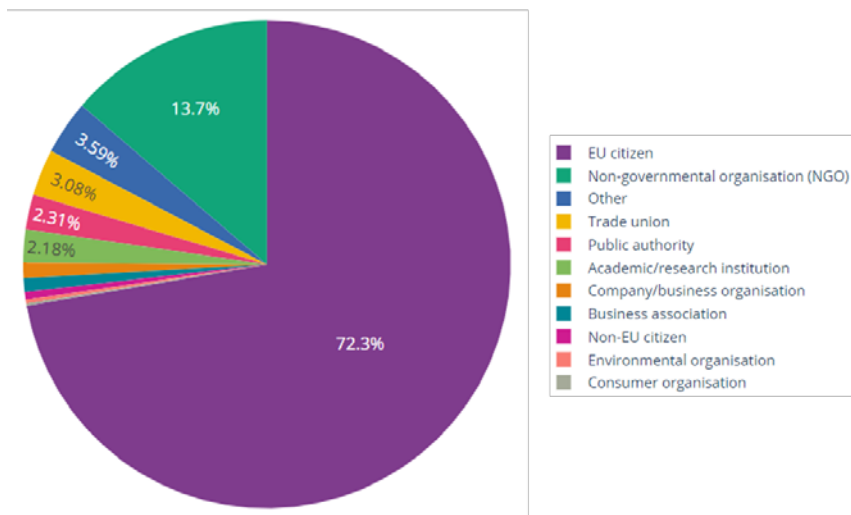


Figure 1.1: Respondent stakeholder type



Overview of responses

The questionnaire permitted respondents to reply to one, several, or all of the sections. Whilst the total number of respondents was 767 this was not the total response rate for each question. As can be seen in Figure 2, which shows

the number of responses received for each question, Question 1 received the highest number of responses (758) and question 19 received the fewest (287). Of the five sections, Section I received the highest average number of responses (751), followed by Section III (711). Section IV received the fewest (664) (see Figure 3).

Figure 2

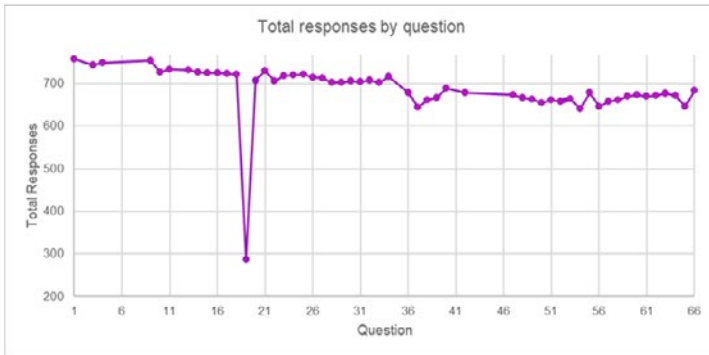
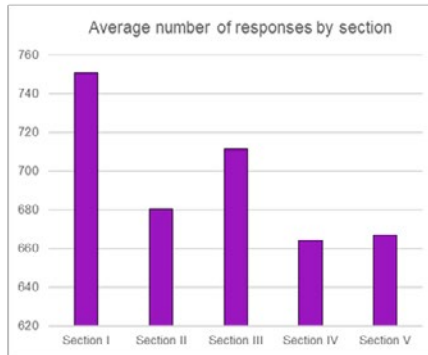


Figure 3



1.1.2. Written Submissions to public consultation

In the course of the preparation of this Impact assessment, the Commission received 23 position papers and written submissions from the following stakeholders: United Nations Agencies (1), European Agencies (1) Social Partners (2) and NGOs (19).

1.1.3. Targeted Consultation for Member State Authorities

The European Commission organised a targeted consultation with Member State Authorities. The online survey aimed to gather the Member States' views and provide information

on the measures taken to prevent and combat gender-based violence against women and domestic violence. Responses were received from all Member States apart from Malta, although response rates varied for each country, with Croatia not responding to the most questions.

The questionnaire is structured in five parts:

- 1) national action plans, good practices and data collection
- 2) prevention
- 3) protection and support measures
- 4) access to justice and prosecution
- 5) measures against harmful practices.

1.1.4. Workshops/Consultations

NGO Consultations

Consultations with NGOs have been conducted through an ad hoc meeting of the Victims' Rights Platform and NGOs working in the area of violence against women, co-organized by Unit B2 and Unit D2 of DG JUST, European Commission and eight individual interviews conducted by ICF with NGOs.

Social Partner Workshop

DG Just and ICF organised a targeted workshop with social partners on 29 June 2021. The meeting focused on two overarching questions: 1) Exchange of views on the effectiveness and relevance of the EU framework on preventing and combatting violence against women at work and 2) Exchange of views on possible measures for increased prevention of sex-based work harassment and protection of victims:

Employer Association Workshop

DG Just and ICF organised a workshop with four Employer Associations on 30 June 2021 with the same agenda as mentioned above for the social partners.

International Organisations Consultation

DG Just organised a workshop with international organisations on 8 July 2021.

1.1.5. National level interviews

As part of national-level research, interviews were conducted with some Member State authorities. Responses were received from 10 Member States (At; HR; CY; FR; IE; IT; LV; PT ES; SE). These are summarised in section 1.2.1.

1.2. Stakeholder views

This section outlines stakeholder views according to the objectives, with an additional section on view on the initiative as a whole, and particular forms of violence and particular groups.

1.2.1. The need for a new initiative

Overall, there was very strong support from NGOs and international organisations regarding the need for a specific EU initiative on violence against women and domestic violence. Responses from Member States authorities and employer organisations were slightly more mixed. There was also a shared view that one challenge is with effective implementation of current EU legislation.

Individuals interviewed from Member State authorities indicated support for a new initiative on the topic (AT, CY, ED, FR, IE, IT, PT, SE). In Croatia, the Ministry of Justice and Administration and Ministry of Labour, Pension System, Family and Social Policy expressed the view that protection of victims primarily lies with the state, and a representative from the Ministry of Justice in Latvia said focus should be on implementing existing legislation.

NGO Consultation: NGOs identified a wide range of protection and support gaps across the EU for victims of violence against women and domestic violence. Victims also face significant challenges accessing justice. NGOs consistently felt significant more action was needed at both national and EU level. NGOs did not articulate challenges with the current EU legislation, apart from for it to be more fully implemented in practice, but felt the main challenge is the need for more comprehensive legislation to tackle the issue of violence against women and domestic violence specifically, particularly in Member States that have not ratified the Istanbul Convention.

In the written submission to the public consultation, two NGOs objected to the use of the term gender, as opposed sex. These were the Centre for Fundamental Rights, Hungary and Association Society and Values, Bulgaria.

Social Partner Workshop: Social partners saw the current EU legislative framework as not as lacking although there were mentions that it was not sufficiently implemented. EU legislation was seen as only one factor affecting the work of social partners with many participants noting the important role of other factors, including the ILO Convention no.190 and the MeToo movement. One participant said there needs to be a more proactive approach. The current approach is largely reactive and requires litigation to claim those rights.

Employer Association Workshop: Participants were largely resistant to more obligations relating to violence against women and domestic violence. One noted that soft measures, such as EIGE's Handbook on Sexism was a better route and more training. One participant noted that understanding of the challenge and illegality sexual harassment is very well established and understood but the challenge is practical implementation. Two participants noted that the issue of tackling sexual harassment varies considerably on the size of the company. In small companies, it can be hard to maintain confidentiality. Smaller companies may also not have a comprehensive HR structure or trainings in place.

1.2.2. Prevention

This section outlines views on prevention of violence against women and domestic violence.

Open public consultation:

The public consultation revealed strong support for further prevention measures. 82% of respondents believe additional measures are necessary to ensure coordination among prevention services. Furthermore, 96% of respondents indicated that they believe it is 'Very Important' that their Member State takes measures to prevent violence against women. It was deemed very important by most respondents (90%) that harmful gender stereotypes are challenged to prevent violence against women and domestic violence. Measures that teach non-discrimination,

gender equality and non-violent communication topics in schools (94%) are viewed as the most needed to better prevent violence against women and domestic violence, followed by measures that raise awareness about violence against women and domestic violence among the general public (82%).

Perceived gaps were also noted regarding training: almost half of all respondents (48%) do not believe that professionals are adequately trained to work with victims of violence against women and domestic violence or perpetrators. This is echoed in the responses from Hungary and Italy whereas 43% of respondents from Germany believe they are. As to whether training is provided by NGOs, almost half of the respondents indicated that they do not know (49%) and 38% indicated that it is.

Social Partner Workshop: Risk assessments were discussed in the consultation as having an important role in preventing and combatting violence against women. However, it was raised that risk assessments are not currently gender responsive which could be addressed in future measures. It was also noted that very few risk assessments are carried out and when they are, they do not include psychosocial risks, suggesting implementation challenges in the existing legislation.

Employer Association Consultation: Regarding current activities, one participant said there are projects ongoing on third party violence which will include gender dimension, including domestic violence and the impacts of COVID-19. They are looking at risk assessments, including psychosocial risk, and developing an agreement on training of HR managers in this regard. Another participant noted there has been challenges implementing risk assessments because they include sensitive issues and employers need support and guidance to do it.

International Organisations Consultation: A range of measures were considered to be need of development to ensure better prevention measures. These include: integrated service delivery; psychosocial risk assessments

that include violence and harassment; awareness-raising measures that include harassment, stalking, online violence, FGM, forced marriage which are not currently covered. Similarly, the need to combat societal prejudices, assumptions and gender stereotypes was also noted. Education and training across numerous fields, including work, the medical field (to include nurses and midwives), comprehensive sexuality education in schools, training for lawyers and judges. It was noted that training should be continuous and be based on clear guidelines. Some participants noted the important of engaging men and boys in prevention measures, and more perpetrator programmes, including better evaluation of which perpetrator programmes work best.

NGO Consultation: All participants in the consultation felt that better prevention and protection measures are needed, including work with perpetrators, more awareness of the issue of violence against women and domestic violence and support for victims to know how to access support and protection. Address harmful gender stereotypes as one of the main root causes of gender-based violence. Targeted trainings for professionals across sectors as essential to providing effective support to victims, particularly with police and judicial authorities.

Written submission to the open public consultation:

- **United Nations Brussels, Joint Paper (ILO, OHCHR, UN Women, UNHCR, UNICEF, UNODC)** said a key point was to ‘Put preventative measures in place’.
- **EIGE:** ‘Prevention should be achieved including addressing structures norms and values that perpetuate it and negative gender stereotypes. It also requires a holistic, well-coordinated approach, including a coordinating framework’.
- **Council of Europe Municipalities and Regions** call for prevention of GBV/DV, including promoting cooperation between all levels of government. e.g. through the Icelandic cooperation model.

1.2.3. Access to Justice

This section outlines views on access to justice for victims of violence against women and domestic violence.

Open public consultation:

In the public consultation, when asked whether further measures to improve access to justice in matters of violence against women and domestic violence could improve the situation of victims, to which 73% believe that they could at both national and EU level.

The consultation also revealed a range of gaps they perceived affecting access to justice. When asked whether victims of violence against women and domestic violence are provided information on their rights, the services they can turn to and the follow up given to their complaints, 60% of respondents selected ‘Partially’. Moreover, in terms of the timeliness that this information is provided and its accessibility, respondents most predominantly selected that information is not provided quickly enough (43%), it is difficult to find (42%), and it is inconsistent and spread over different sources (42%).

For questions concerning the conduct of authorities, the majority (75%) of respondents do not consider that relevant authorities or services ensure that risk factors are sufficiently considered at all stages of investigation and court proceedings. Additionally, 56% of respondents do not believe that law enforcement and judicial authorities in their Member State ensure appropriate follow-up of violence against women and domestic violence reports. Over half of the respondents (56%) do not believe that these authorities treat victims, as well as child witnesses, in a gender-sensitive and child friendly manner. Finally, the prevalent view across all respondents is that sanctions for gender-based and domestic violence offences are not sufficient (75%). In supplementary open text commentary, many respondents conveyed issues with sanctions such as low rates of conviction, light or suspended sentences, and lack of enforcement.

Regarding **compensation** for victims, almost half of the respondents (49%) do not believe that information on how victims can obtain compensation (from the offender and/or the state) is available in their Member State. Whilst this view was echoed by two of the most represented countries (Hungary and Italy), 59% of respondents from Germany (the third most represented country) do deem this information to be available. A minority of respondents (15%) believe that victims do receive compensation from the offender, although 39% do not know. The final question on compensation (question 19) received the fewest responses across all questions. It asks respondents to hypothetically describe the process of pursuing compensation, should they be entitled, to which the overwhelming majority (84%) described as difficult and long.

NGO Consultation: Participants clearly highlighted the need for more actions to address barriers to access to justice and the low rate of reporting gender-based violence.

Social partner consultation: One participant discussed the importance of collective action by trade unions as it is a safer and cheaper option. Another participant noted that collective action can have a role in protecting victims from exposure, especially in high profile cases. It was noted that it is too costly for many women to get a lawyer so cannot access courts. On an individual basis, access to justice can be very difficult, cumbersome, and lengthy. Another participant noted that the shift of the burden of proof onto employers is very important in securing access to justice.

International Organisations Consultation: Participants noted that in work settings there are particular challenges with access to justice and there is a need for clear reporting mechanisms and anonymous reporting. External complaint mechanisms, such as courts with sufficient knowledge, are necessary. Legal advice should be available for free. Guidance and information on accessible resources, also in languages different from the main one in the country. One participant noted that the shift on the burden of proof as in EU anti-discrimination

legislation is beneficial. One participant noted that mandatory participation in alternative dispute resolution occurs such as through a form of deferrals of prosecution with the consent of the perpetrator, and not of the victim. Concerning access to compensation from the state or the perpetrator, shortcomings have been identified in particular regarding too short timeframes to claim compensation, limitations concerning claims for moral damages (only for certain types of crimes but not all), high court fees or excessively high thresholds for proof. Steps were discussed to improve reporting, including ensuring non-disclosure agreements do not prevent reporting, insurance of confidentiality and protection from retaliation and re-victimisation.

Written submission to the public consultation:

- **United Nations Brussels, Joint Paper (ILO, OHCHR, UN Women, UNHCR, UNICEF, UNODC)** said it was important to ‘Place a high priority on police and justice responses’.
- **EIGE:** On the point of access to justice, EIGE said ‘a more gender-sensitive approach is needed to Victims’ Rights Directive and more guidance in this area for Member States. They also note a lack of intersectional perspectives and attention to specific groups such as migrant women. EIGE notes the importance of individual assessments but challenges in implementation. They also note that protection orders are breached in 44% of cases, seriously hindering their effectiveness. More perpetrators programmes are needed, including evaluation of their effectiveness.
- **Council of Europe Municipalities and Regions** mentioned achieving access to justice through information campaigns and reporting systems.

1.2.4. Protection

This section outlines views on protection for victims of violence against women and domestic violence.

Targeted Consultation with Member State authorities: when asked ‘Would further measures be useful to make national protection orders more effective in practice?’, 14 Member State authorities responded that they would. Six Member State Authorities (NL, SL, FR, CZ, LU, AT) responded in the negative and no response was provided by seven Member State Authorities. See Figure 4.

NGO Consultation: Participants raised the need for better support and protection provided to victims of domestic violence in the post-litigation process to ensure that the victim is free from repeated violence, threats and fear. Generally, all participants agreed on the need to increased resources for issuing emergency barring orders to ensure more effective police interventions, and a comprehensive long-term and multiagency protection for victims.

1.2.5. Support

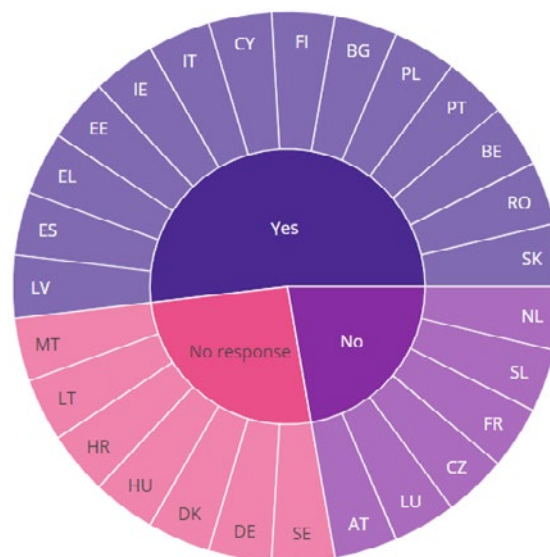
This section outlines views on support for victims of violence against women and domestic violence.

Open public consultation:

The public consultation revealed support for further measures regarding support measure for victims of violence against women and domestic violence. When asked whether further measures should be taken to improve the support to victims of violence against women and domestic violence, the majority (77%) believe they should be and at national and EU level.

The public consultation also revealed perceived gaps in support available. When asked whether **support services** (either general or specialist) are available to victims of gender-based and domestic violence in respondent Member States. Across all respondents, 64% do understand these services to be available. However, for two of the most represented countries, Germany and Italy, this proportion is substantially higher, at over 82%. Relatedly, nearly seven in ten (453 respondents, 67%) of all respondents believe that NGOs encounter issues in their work on gender-based violence and domestic violence.

Figure 4: Would further measures be useful to make national protection orders more effective in practice?



Regarding **general support services**, three quarters of respondents (75%) selected that neither they nor those with whom they have a close relationship have used them in their Member State. Those that selected that they have (17%), detailed the services that had been used and the most frequently mentioned were social services, followed by employment services, health services, psychological or counselling services, and anti-violence centres. In response to whether general support services systemically account for the needs of victims of violence against women and domestic violence, 17% believe they do, while the remainder either do not know (35%) or do not believe they do (48%). In the supplementary open text responses, the focus is the limited scope of support, with financial support and provision of counselling to victims often missing. Similarly, 19% of respondents believe general support services do take systematic account of the special needs of child victims/witnesses of domestic violence, and the remaining either do not know (35%) or do not believe they do (46%).

Regarding **specialist support**, 39% of respondents believe that general support services do refer victims to appropriate specialist services in their Member State. The proportion, however, is higher among respondents from Italy and Germany and accounts for over 60% in both cases. In terms of specialist support services that are accessible only to women victims of gender-based or domestic violence, 54% of respondents believe that these are available. However, knowledge of services that are accessible to male victims is much less (20%). For the special needs of child victims and child witnesses of domestic violence, almost 50% of respondents do not know if these specialist services systematically take them into account with supplementary open-text responses suggesting inadequacy in this area.

Regarding support services that account for cultural and physical differences, the availability of services without discrimination, such as racial or ethnic origin, is split across respondents (32% believe they are, 35% believe they are not and 33% do not know). Responses to whether victims receive information on support services in a timely manner and in a language they understand is also split but with a higher preponderance of not knowing (42%).

International Organisations Consultation: It was noted in the consultation with international organisations that a gendered understanding of violence is sometimes missing from support services and too often focus on mediation and reconciliation in cases of domestic violence. One-stop-shop approaches were highlighted as best practice. It was also noted there is a need to dissociate access to support services from the willingness to report or pursue the criminal process. There is a need to invest more in services for child witnesses who by witnessing become victims. Concerning shelters, prompt access is often lacking, insufficient funding or geographical coverage, lack of specialised personnel. Some countries are overcoming access barriers by setting up specialist shelters for women who cannot access regular shelters, like women with substance abuse or mental disabilities. COVID has negatively impacted the services provided and the number of shelters in general is insufficient.

Employer Association Consultation: A focus of the discussion was on employers' role in responding to domestic violence. Participants felt that it is important that employers are not made responsible or have obligations related to domestic violence as it is beyond their control. There are also issues of privacy that victims may not want discussed at work. One participant drew an analogy with health and safety whereby employers are not responsible for health and safety issues when an employee has left the workplace. Participants felt that there is a clear separation between the public/work sphere and the private sphere. Another employer noted that there are challenges implementing existing legislation and adding domestic violence might make it more complicated and would lead to difficult negotiations.

Social Partner Consultation: The importance of supporting victims of domestic violence and its impact on work environments was discussed in the social partners consultation. Examples of concrete measures were discussed including 10 days leave for victims and measures in the ILO Convention 190. Some participants stressed that what happens at home has an impact on the work. This is not about encouraging into employees' private lives but workplaces must be inclusive places so issues can be raised. Victims need insurance they will not lose their job. It was also noted that violence in the workplace can also lead to domestic violence. One participant raised that there is evidence of the costs to companies included around absenteeism and other costs that would make it in companies interest to address it.

Written submission to the public consultation:

United Nations Brussels, Joint Paper (ILO, OHCHR, UN Women, UNHCR, UNICEF, UNODC) said it was imperative to 'Make urgent and flexible funding available for women's rights organizations and recognize their role as first responders; 'to support health and social services to continue their duty of care to VAW survivors and to remain accessible, especially to those most likely to be left behind'; and to 'Ensure that services for VAWG survivors are regarded as essential,

remain open and are resourced and made accessible especially to those most likely to be left behind.’

Council of Europe Municipalities and Regions called for supporting victims of violence against women and domestic violence, including through support that is close to home.

1.2.6. Coordination

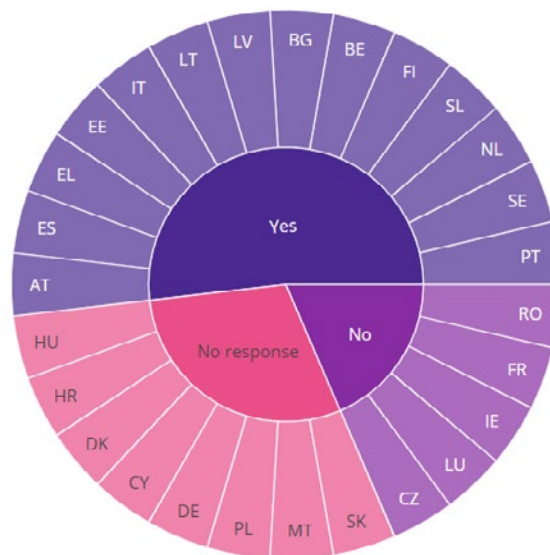
This section outlines views on coordination mechanisms related to responding to violence against women and domestic violence.

Targeted Consultation with Member State authorities: When Member States were asked: ‘Are additional multi-agency cooperation measures needed to ensure a better, coordinated cooperation between the actors in charge of prevention, protection and support services to tackle harmful practices against women?, over half of Member State Authorities (14) responded that they are needed to ensure a better, coordinated cooperation between the actors in charge of prevention, protection and support services to tackle harmful practices against women (see Figure 5).

Moreover, when asked ‘Could multi-agency cooperation be strengthened or would it be useful to set up such cooperation if not yet established?’ fourteen Member State Authorities believe that multi-agency cooperation could be strengthened, and three Member State Authorities (DE, EL, ES) believe it should be established. Authorities representing Czechia and Romania do not believe cooperation can be strengthened.

Open Public Consultation: Responses in the public consultation as to whether data on gender-based violence and domestic violence is being regularly collected showed that views are split: 43% selected that it is, 31% do not know and 26% believe it is not). In Hungary 47% are unaware of data collection, whereas in Italy and Germany the majority profess knowledge of data collection (69% and 75% respectively).

Figure 5: Are additional multi-agency cooperation measures needed to ensure a better, coordinated cooperation between the actors in charge of prevention, protection and support services to tackle harmful practices against women?



NGO Consultation: Most participants in the NGO consultation stressed the lack of comparable and comprehensive disaggregated data to understand the scale of the problem and better identify victims. They are also suggested a coordinator be appointed for gender-based violence, as it already exists for victim’s rights, as best practice in ensuring coordination between Member State authorities and civil society.

International Organisations Consultation: To improve policy coordination, several participants from international organisations noted the need for improve data collection, including better disaggregated data and for it to be published. It was noted there are also not enough population surveys to understand prevalence of violence against women and domestic violence.

Written submission to the public consultation:

- **United Nations Brussels, Joint Paper (ILO, OHCHR, UN Women, UNHCR, UNICEF, UNODC)** said to ‘Collect data only if it is clear that it is needed, it will be used to improve services/programmes and ethical and safety standards can be met’.
- **EIGE:** It was noted that there are gaps and challenges in the collection of comparable and reliable data.

1.2.7. Particular Groups / Types of Violence against Women and Domestic Violence

This section highlights views on particular groups of victims and type of violence. Various groups were highlighted in the consultation including women living a disability, child witnesses and victims and migrants and asylum-seeking women victims. This section focuses on online violence against women and LGBTI victims as these received repeat mentions in the consultations, particular in written responses to the public consultations.

1.2.7.1. Online violence against women and domestic violence

Social partner consultation: The issue of online violence was discussed in the consultation with social partners. It was noted that online harassment is increasing and taking new forms, including ‘deep fakes’. It was considered that more action is needed including training and encouragement to report online violence, user friendly tools to report and flag online content, a national media regulatory. It was noted that certain professions are more at risk, such as female journalists.

International Organisations Consultation: Online violence was considered a new field that is not explicitly covered in current legislation at EU and international level. One participant in the consultation said that more regulation of the media and internet service providers is needed – in balance with the freedom of expression - and more reporting

procedures both online and to the police. Challenges were also raised about what should be included in the definition and scope of online violence.

Written submission to the public consultation:

- **EBU, Operating Eurovision and Euroradio:** EBU raises concern that women journalists and media professionals face gendered-based online violence aimed at discrediting and humiliating them in order to ultimately silence them. Many women journalists have encountered online attacks based on their origin, minority affiliation, disabilities, religion, etc. Patterns from different surveys suggest online attacks against women journalists and media professionals are more common than online attacks against their male counterparts, are exponentially growing and have been exacerbated by the COVID-19 pandemic.
- **EIGE:** EIGE noted that the prevalence on online violence against women is high and it has not been fully conceptualised or legislated against at EU level.
- **HateAid (Germany):** HateAid is a NGO based in Germany that focuses on online violence. It includes the following recommendations in its written response to the public consultation:
 - 1) Acknowledge that digital violence against women is psychological violence
 - 2) Create nationwide consultation and support networks for women
 - 3) Raise awareness in public service and installation of contact persons for women
 - 4) Create low-threshold options to act against digital violence
 - 5) Enable law enforcement and litigation, creation of legal certainty
 - 6) Conduct studies and creation of statistics on digital violence against women
 - 7) Hold online platforms liable for their handling of illegal content and protection

1.2.7.2. LGBTI Victims

Written submission to the public consultation:

- **OII Europe:** The EU-level NGO called for the inclusion of comprehensive and explicit protection of intersex people in any legislative proposal that aims to prevent and combat specific forms of gender-based violence and domestic violence. It also called for the inclusion of the harmful practice of intersex genital mutilation (IGM) as a form of gender-based violence in any of such proposals.
- **TransGender Europe (TGEU):** The NGO offered the following recommendations:
 - 1) Use a definition for gender-based violence that is inclusive of gender identity and gender expression.
 - 2) Fully implement all relevant EU legislation, policies and strategies, in a way that is inclusive of trans people.
 - 3) Set a standard for Member States by advancing trans-inclusivity in other legislation and policies.
 - 4) Monitor and support Member States in the implementation of gender-based violence and domestic violence legislation and measures that are inclusive of trans people.
 - 5) Include trans people in data collection mechanisms on gender-based violence.
- **ELC (Euro-central-asian lesbian community):** ELC notes an increase in violence against lesbians, from cyber-harassment to “corrective rapes” and femicides. The situation is further complicated by the rise of the nationalist, far-right and anti-gender movements as well as by the Covid-19 pandemic, enhancing the risk of attacks and backlash against women and LGBTI people as well as the exposure to domestic violence. This exposure to violence makes it crucial that lesbian needs and interests are adequately and explicitly addressed risking other ways to “fall through the cracks” of different policies and measures. In order to completely tackle this phenomena, and in line with the intersectional approach chosen by the European Commission in its Strategies on Gender Equality and LGBTIQ Equality, it is particularly important to take into consideration the specific positions of non-heterosexual women, be they cisgender, trans or intersex. Data and cases, mentioned further in this document, show that lesbians are victims of gender based and domestic violence because they are exposed to lesbophobia, a powerful conglomerate of sexism, misogyny and homophobia.
- **Young Feminist Europe:** Young Feminist Europe called for a wider definition of gender-based violence that includes violence against transgender or gender-non-conforming people. It argues that the focus on domesticity steals attention away from violence in the public realm. Intersectional approach must become a standard in analysis of gender-based violence and interventions against it. More disaggregated and intersectional must be collected and shared e.g. data that makes visible the experiences of women and girls belonging to minority groups and data beyond gender binary parameters. More data should also be collected about perpetrators, in order to better understand and prevent male violence, as well as about online manifestations of gender-based violence.

Annex 3. Who is affected and how?

Summary of costs and benefits

The tables below present the costs and benefits associated with the preferred Policy Option, Policy Option 2a

(“comprehensive policy option”). Benefits are mainly in the form of direct costs savings across Member State authorities and individual victims. Costs were mainly identified for national authorities and include one-off and recurring costs.

I. Overview of Benefits (total for all provisions) – by policy option

Description	Amount	Comments
Direct benefits		
Reduction in costs of violence against women and domestic violence (Lost economic output)	Cost reductions are estimated to be EUR 8.1 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 12.2 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to individual victims of violence against women and domestic violence as a result of a reduction in lost earnings and productivity due to lower prevalence of GBV.
Reduction in costs of violence against women and domestic violence (Health services)	Cost reductions are estimated to be EUR 2.5 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 3.8 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to national authorities as a result of a reduction in healthcare costs due to lower prevalence of violence against women and domestic violence and hence, cases that require services/treatment.
Reduction in costs of violence against women and domestic violence (Criminal justice system)	Cost reductions are estimated to be EUR 7.2 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 13.7 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to national authorities as a result of a reduction in criminal justice system costs due to lower prevalence of violence against women and domestic violence.

I. Overview of Benefits (total for all provisions) – by policy option

Description	Amount	Comments
Reduction in costs of violence against women and domestic violence (Civil justice system)	Cost reductions are estimated to be EUR 0.2 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 0.4 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to national authorities as a result of a reduction in civil justice system costs due to lower prevalence of violence against women and domestic violence.
Reduction in costs of violence against women and domestic violence (Social welfare)	Cost reductions are estimated to be EUR 2.1 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 3.1 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to national authorities as a result of a reduction in social welfare costs due to lower prevalence of violence against women and domestic violence.
Reduction in costs of violence against women and domestic violence (Personal costs)	Cost reductions are estimated to be EUR 0.6 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 1.0 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to individual victims of violence against women and domestic violence as a result of a reduction in personal costs due to lower prevalence of violence against women and domestic violence.
Reduction in costs of violence against women and domestic violence (Specialist services)	Cost reductions are estimated to be EUR 0.2 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 0.3 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to national authorities as a result of a reduction in the costs incurred for services such as refuges, telephone helplines, victim support centres, counselling and advocacy due to lower prevalence of violence against women and domestic violence.
Reduction in costs of violence against women and domestic violence (Physical/emotional impacts)	Cost reductions are estimated to be EUR 32.2 billion (<i>Scenario 1</i>) in the shorter-term i.e. 5 years after implementation and EUR 48.4 (<i>Scenario 2</i>) in the longer-term i.e. 10 years after implementation. <i>(Please note that all figures are rounded to the nearest million)</i>	These reductions in costs would accrue to individual victims of violence against women and domestic violence as a result of a reduction in physical and emotional harms of crime due to lower prevalence of violence against women and domestic violence.
Indirect benefits		
None quantified, see Annex 4		

II. Overview of costs (by policy measure) – Preferred option (in EUR)				
Measure		Recurring		One-off
		Minimum	Maximum	
1.1 Obligation on MS to provide targeted information to and raise the awareness of groups at risk.	Direct costs	4,005,000	8,546,000	n/a
	Indirect costs	n/a	n/a	n/a
1.2 Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes for re-offenders.	Direct costs	134,000	134,000	n/a
	Indirect costs	n/a	n/a	n/a
1.3 Obligation on MS to provide - specialised, regular and mandatory training to professionals likely to come into contact with victims; and - mandatory training to managers on sexual harassment at work and the effects of domestic violence on the workplace.	Direct costs	25,857,000	25,857,000	1,816,000
	Indirect costs	n/a	n/a	n/a
1.4 Obligation on MS to ensure that sexual harassment at work is addressed in national policies. Obligation on MS to ensure that company risk assessments cover sexual harassment at work.	Direct costs	1,893,919,000	1,893,919,000	605,000
	Indirect costs	n/a	n/a	n/a
2.1 Obligation on MS to ensure efficiency through minimum standards on the issuance, conditions and enforcement of emergency barring orders and protection orders.	Direct costs	3,696,000	25,175,000	n/a
	Indirect costs	n/a	n/a	n/a
2.2 Obligation on MS to conduct risk assessments speedily and in cooperation with support services.	Direct costs	46,855,000	46,855,000	n/a
	Indirect costs	n/a	n/a	n/a
2.3 Obligation on MS to ensure the protection of children by providing for surveyed safe places for visits in case of allegations of domestic violence.	Direct costs	718,971,000	1,942,604,000	n/a
	Indirect costs	n/a	n/a	n/a
3.1 Obligation on MS to ensure easy and accessible reporting, including child friendly reporting mechanisms and online reporting.	Direct costs	326,459,000	326,459,000	n/a
	Indirect costs	n/a	n/a	n/a
3.2 EU-level criminalisation: additional approximation of criminal definitions and sanctions on the basis of the legal bases of computer crime (ICT-facilitated cyber violence), sexual exploitation (certain forms of sexual violence), and serious forms of sexual harassment.	Direct costs	2,027,000	2,027,000	n/a
	Indirect costs	n/a	n/a	n/a

II. Overview of costs (by policy measure) – Preferred option (in EUR)				
Measure		Recurring		One-off
		Minimum	Maximum	
3.3 Right of victims to obtain full compensation from the perpetrator in one single procedure and within adequate time limits.	Direct costs	n/a	n/a	n/a
	Indirect costs	n/a	n/a	n/a
4.1 Obligation on MS to facilitate access to specialised support services to groups at risk, such as children, migrant and asylum-seeking women and women with disabilities. Connect national helplines to EU-level helpline.	Direct costs	138,589,000	502,045,000	13,576,000
	Indirect costs	n/a	n/a	n/a
4.2 Obligation on MS to provide specific support to victims of sexual harassment at work (including medical care and complaint mechanisms).	Direct costs	627,091,000	627,091,000	n/a
	Indirect costs	n/a	n/a	n/a
4.3 Obligation on MS to establish both on- and offline support for victims of cyber violence against women.	Direct costs	1,159,566,000	1,159,566,000	n/a
	Indirect costs	n/a	n/a	n/a
5.1 Obligation to provide one-stop online access to relevant protection and support services. Encouragement to locate support services in the same premises.	Direct costs	357,000	357,000	n/a
	Indirect costs	n/a	n/a	n/a
5.2 Obligatory participation in surveys coordinated at EU-level	Direct costs	16,835,000	16,835,000	n/a
	Indirect costs	n/a	n/a	n/a
5.3 Data collection: obligation to regularly collect disaggregated relevant administrative data in line with a number of harmonised minimum requirements.	Direct costs	137,000	137,000	152,000
	Indirect costs	n/a	n/a	n/a
Total costs for preferred policy option		4,964,499,000	6,577,608,000	16,149,000

Note: Please note that estimates have been reported to the nearest thousand.

Annex 4. Analytical methods

1. General

For the assessment of the policy options and policy measures, the following main baseline assumption has been made:

1. No actions are taking place at the moment where there is no robust evidence of them⁷⁷.
2. For the purpose of administrative costing, it is assumed that the costs incurred due to the policy option are additional to the baseline.

2. Analytical methods applied to estimate costs and cost reductions (economic benefits)

Our overall approach to the estimation of costs and cost reductions (economic benefits) consisted of the following key steps:

1. Firstly, the cost items associated with each policy measure were assessed, considering the type of cost (i.e., one-off or recurring), and, in the case of Member States, how many of these were likely to be impacted by the measure/change.
2. For each cost item, estimates for the value of the cost were developed. Further details on how each type of cost item was estimated are set out below. Overall, estimates and assumptions were based on a combination

of several factors, including publicly available data (see each measure for details on sources) and the study team members' experience of conducting similar quantification exercises.

3. The administrative and compliance costs for each cost item and policy measure were then aggregated across Member States. This enabled aggregate costs across all relevant Member States to account for differences in costs across Member States (e.g., salaries of relevant professionals, prevalence rates, reporting rates etc.). In addition, to estimate aggregate costs for the implementation of each policy measure across Member States, where relevant and possible, the specific costs per Member State were estimated, considering evidence on whether policy measures were currently being implemented or partially implemented.
4. For cost reductions (economic benefits), estimations were based on figures on the overall cost of violence against women and domestic violence⁷⁸ (i.e., the overall potential for cost reduction of violence against women and domestic violence associated with all policy measures under each policy option). This is because there is a lack of evidence and available data on the potential for cost reduction thought to be associated with each policy measure. On the basis of a review of studies on the economic impact of policy measures on combatting and preventing violence against women and domestic violence, economic benefits of the policy options were

77 Evidence for current actions was available for the following measures: 1.2 Work with perpetrators; 2.1 Protection orders; emergency barring orders; 2.2 Risk assessment and management; 2.3 Special measures for the protection of children in the context of domestic violence; 3.3 Victim compensation; 4.1 Specialised support, shelters and helplines.

78 Estimation of the costs of gender-based violence in the UK case study and extrapolation to EU Member States (forthcoming EIGE paper, 2021).

considered to be generated due to a decrease in the prevalence of violence against women and domestic violence. Moreover, due to lack of evidence quantifying the causal link between prevalence and the full set of measures under each policy option, three hypothetical scenarios were assumed.

3. Estimation of administrative and compliance costs

Estimation of costs of prevention

1.1 Obligation on MS to provide targeted information to and raise the awareness of groups at risk.

The estimation of this measure is based on the cost of a general and targeted awareness raising campaign.

The following calculations are used, for each Member State:

$$\text{Cost} = \text{twice yearly} \times (\text{budget for general awareness raising} + \text{budget for targeted awareness raising campaign})$$

1.2. Obligation on MS to make available voluntary perpetrator programmes to all those at risk of offending and mandatory programmes for re-offenders in Option 2a, and for all offenders in Option 2b.

The estimation of this measure is based on the cost providing a series of sessions (online or face-to-face) to each perpetrator.

The following approach is used, for each Member State:

$$\text{Cost} = \text{Number of perpetrators} \times (\text{hourly compensation for health and social worker} \times 6 \text{ sessions per year})$$

It is important to note that costs were not calculated for five Member States (BE, CY, EL, IE, IT) with missing data on total number of convicted persons and therefore, costs might be higher than estimated.

Assumptions used:

- 6 one-on-one sessions of 1 hour of health and social worker support provided per perpetrator with no set-up costs
- the compensation of social and health workers equals the European average for Member States with missing data
- no Member State currently provides sufficient perpetrator intervention and treatment programme, but the costs would be lower for countries that have a programme in place. The total cost is discounted by 50% for Member States that have a perpetrator programme in place in the baseline⁷⁹
- for Member States (LT, MT) with no information on baseline, it is assumed that no programmes are in place and therefore full costs would be incurred

1.3. Obligation on MS to provide - specialised, regular and mandatory training to professionals likely to come into contact with victims; and - mandatory training to managers on sexual harassment at work and the effects of domestic violence on the workplace.

The estimation of this measure is based on the cost of:

1. Online training on violence against women and domestic violence to professionals dealing with victims or perpetrators & professionals working with victims of violence against women and domestic violence
2. Equipment of law enforcement and judicial authorities with specialized resources/training to prosecute online violence against women and domestic violence

⁷⁹ Based on the study's mapping of baseline situation

For training on violence against women and domestic violence, the following approach is used, for each Member State:

Cost = two hours per year

- × (number of police officers × %attend × police officer salary per hour*
- + number of prosecutors × %attend × prosecutor's salary per hour*
- + number of lawyers × %attend × lawyer's salary per hour*
- + number of judges × %attend × judge's salary per hour)*
- + cost of developing two training sessions*

For training on online violence against women and domestic violence, the following approach is used, for each Member State:

Cost = two hours per year

- × (* $\frac{\text{number of cases reported}}{\text{number of cases per official}}$ *× police officer salary per hour*
- + number of prosecutors required × prosecutor's salary per hour*
- + number of judges required × judge's salary per hour)*
- + fixed cost of developing a training session*

Number of cases report = population of females 15 to 64

- × proportion with personal experience with online violence*
- × proportion reporting such experience to an online platform*

Assumptions used:

- the assessment of the baseline finds that all Member States have some form of awareness-raising in place. Therefore, we assume an additional 2 general campaigns and 2 additional targeted campaigns are needed per year needed to ensure regular campaigns
- selected officials attend a 2-hour training session
- the assessment of the baseline did not find information hours of trainings provided or the presence of tailored training on violence against women and domestic violence or online violence against women and domestic violence, therefore we assume that all Member States incur additional costs
- the cost for the provision of information to victims of violence against women and domestic violence will be fulfilled through awareness-raising campaigns and training of professionals

1.4. Obligation on MS to ensure that sexual harassment at work is addressed in national policies. Obligation on MS to ensure that company risk assessments cover sexual harassment at work.

The estimation of this measure is based on the cost for managers to attend a training course on violence against

women and domestic violence in the workplace. The following calculation is used, for each Member State:

$$\begin{aligned} \text{Cost} = & \text{Number of managers per large employer and, or SME} \\ & \times (\text{hourly compensation for managers} \times 2 \text{ hours attended per year}) \\ & \times (\text{Number of SMEs or large enterprises}) \\ & + \text{Cost of developing one online training session} \end{aligned}$$

$$\begin{aligned} \text{Number of managers per large enterprises and, or SME} = \\ = \frac{\text{number employed in large enterprises and, or SMEs}}{\text{number of large enterprises and, or SMEs}} \times \frac{1}{10} \end{aligned}$$

Assumptions used:

- all managers attend a 2-hour training session
- one manager per 10 employees
- costs of awareness-raising and information provision on gender-based work harassment at governmental, social partners' and company levels would already be covered by 1.1b and 1.1c
- negligible cost of development of policies on anti-harassment and risk assessments at governmental, social partners' and/or employer level
- there is no comparable training for managers in the baseline and therefore all Member States incur full costs

Estimation of costs of protection

2.1. Obligation on MS to ensure efficiency through minimum standards on the issuance, conditions and enforcement of emergency barring orders and protection orders.

The estimation of this measure is based on the cost of adopting minimum standards in relation to the issuance and conditions of national emergency barring orders and ensuring effective enforcement of the order.

The following approach is used, for each Member State:

$$\begin{aligned} \text{Cost} = & (\text{number of women victims of sexual/physical violence} \times \text{application rate}) \\ & \times (\text{cost of a PO to police and justice sector}) \times 1.1 \end{aligned}$$

$$\begin{aligned} \text{Number of women victims of sexual violence} = \\ = & \text{population of females 15 to 64} \\ & \times \text{prevalence of physical violence against a woman} \\ & \times \text{rate of physical violence that was of sexual nature} \end{aligned}$$

*Number of women victims of physical violence =
= (population of females 15 to 64
× prevalence of physical violence against a woman)
– Number of women victims of sexual violence*

Note that costs were not estimated for two Member States (IT, MT) with missing data on prevalence and therefore the total costs might be higher than estimated.

Assumptions used:

- due to lack of comparable data on the number of women victims of violence against women and domestic violence by Member State, a minimum and maximum estimate of women victims of violence against women and domestic violence is used based on FRA 2020 survey results
- for the minimum cost estimate, only physical violence of a sexual nature against women is considered and for the maximum cost estimate, all types of physical violence against women are considered
- application rate is constant across Member States

- relative unit cost of a protection order is constant across Member States and there are no set-up costs
- no Member State issues a sufficient number of protection orders on violence against women and domestic violence but costs would be lower for Member States that have the possibility to apply for protection orders. Therefore, the total cost is discounted by 50% for Member States where emergency protection orders are available in the baseline, and by 25% for Member States where they are partially available in the baseline⁸⁰
- each Member State incurs an additional 10% of total costs to increase efficiency and ensure timely issuance and more effective enforcement

2.2. Obligation on MS to conduct risk assessments speedily and in cooperation with support services.

The estimation of this measure is based on the cost for law enforcement authorities to conduct individual risk assessments and risk management in a timely manner in cooperation with support services.

The following approach is used, for each Member State:

*Cost = Number of women victims of physical violence that reported the crime
× hourly compensation of policy officer × (one hour for screening
+25% × (two hours for in depth assessment
+ half an hour to cooperate with support services))*

*Number of women victims of physical violence that reported the crime =
= population of females 15 to 64
× prevalence of physical violence against a woman
× proportion of women that report the crime to the police*

Note that costs were not estimated for two Member States (IT, MT) with missing data on prevalence and therefore the total costs might be higher than estimated.

⁸⁰ Based on study's mapping of baseline situation

Assumptions used:

- due to lack of comparable data on the number of women victims of violence against women and domestic violence by Member State, the estimate of victims eligible for risk assessment is based on the broader category of all women victims of physical violence
- screening requires one hour, an in-depth assessment requires two-hours, and cooperation with victim support services required half an hour
- 25% of women victims qualify as high risk i.e., for in-depth assessment and referral to victim support services
- no set-up costs
- no Member State provides sufficient levels of individual risk assessment, but the cost is lower for Member States that carry out such assessments. Therefore, the total cost for Member States is discounted by 50% for Member States that carry out individual risk assessments in the baseline, and by 25% for Member States that partially carry out such assessments in the baseline⁸¹

2.3. Obligation on MS to ensure the protection of children by providing for surveyed safe places for visits in case of allegations of domestic violence.

The estimation of this measure is based on the cost of providing support services to child witnesses of domestic violence and maintaining contact with the child in a surveyed safe place outside the alleged perpetrator's home.

The following approach is used, for each Member State:

$$\text{Cost} = \text{number of child witnesses} \times 29 \text{ hours} \\ \times \text{hourly compensation of health and social workers}$$

81 Based on study's mapping of baseline situation

$$\text{Number of child witnesses} = \\ = \text{population under 15 years} \times \text{prevalence of child maltreatment} \\ \times \text{rate of co occurrence of child abuse and domestic violence}$$

Assumptions used:

- based on 2-hours of health and social worker support per child/ week for 3 months, and an additional hour per month for three months to maintain contact. The total is 29 hours per case⁸²
- rate of co-occurrence of child abuse and domestic violence is constant across Member States
- no set-up costs
- no Member State provides sufficient levels of support to child witnesses, but costs would be lower for Member States that have support services in place to account for the special needs of child witnesses of domestic violence. Therefore, the cost of support for Member States is discounted by 50% for Member States where such services are available in the baseline, and by 25% for Member States where such services are partially available⁸³. For Member States (FR, HU, LI, MT) with no information available on the baseline, partial availability is assumed.
- no Member State provides services for maintaining contact with child witnesses and therefore all Member States incur full costs to provide this service

Estimation of costs of access to justice

3.1. Obligation on MS to ensure easy and accessible reporting, including child friendly reporting mechanisms and online reporting.

82 2 hours per week x 4.345 weeks per month x 3 months) + (1 session a month x 3 months) = 29 hours per case

83 Based on study's mapping of baseline situation

The estimation of this measure is based on the cost for Member States to allow online/other low threshold reporting of incidents of online violence against women and domestic violence to national law enforcement or other authorities.

The following calculation is used, for each Member State:

$$\text{Cost} = \frac{\text{number of cases reported under a low threshold}}{\text{number of cases per official}} \\ \times \text{compensation for police officers per hour} \\ \times 2080 \text{ hours in a working year}$$

$$\text{Number of cases reported under a low threshold} = \\ = \text{population of females 15 to 64} \\ \times \text{percentage with personal experience with online} \\ \text{violence} \\ \times \text{proportion reporting such experience to an online} \\ \text{platform}$$

Assumptions used:

- constant reporting and prevalence of online violence against women and domestic violence across Member States
- low threshold would translate into reporting of online violence against women and domestic violence to police instead of platforms
- no set-up costs
- cost of training covered by Measure 1.3
- the assessment of the baseline did not find information on comparable measures in place, therefore it is assumed that all Member States incur full costs

3.2. Additional approximation of criminal definitions and sanctions on the basis of the legal bases of computer crime (ICT-facilitated cyber violence), sexual exploitation (certain forms of sexual violence), and serious forms of sexual harassment under Option 2a; and introduction of

violence against women and domestic violence as a new EU crime under Option 2b.

The total investment required for criminal definitions is assumed to be negligible as there are likely to be low administrative costs to change national and EU legislation and several Member States already have laws in place criminalising various forms of violence against women and domestic violence.

However, costs would be incurred to ensure legal standing to equality bodies to assist and represent violence against women and domestic violence, incl. online violence against women and domestic violence, victims in line with COM Rec on equality.

The following approach is used, for each Member State:

$$\text{Cost} = (\text{additional FTEs required}) \\ \times \text{mean earnings of staff in equality bodies}$$

Assumptions used:

- 2 additional FTEs required per Member State to assist and represent victims of violence against women and domestic violence including online violence against women and domestic violence
- no set-up costs
- for countries with no data, assume average salary across 23 countries with data
- no costs for Member States where equality bodies already have a legal standing to receive violence against women and domestic violence complaints or claims or sexual harassment and harassment based on sex
- for Member States where either equality bodies cannot receive violence against women and domestic violence complaints or cannot receive claims of harassment, additional FTE's are needed. For Member State with no information on the baseline (SI), it is assumed that equality bodies have no legal standing and hence, full costs are incurred

3.3. Right of victims to obtain full compensation from the perpetrator in one single procedure and within adequate time limits under Option 2a, and obligation on MS to provide state compensation in cases where victims cannot obtain compensation from the perpetrator or other sources under Option 2b.

The estimation of this measure is based on the cost of providing access to compensation for victims of online serious gender-based harassment. It is assumed that bodily injury and impairment of health and meaningful compensation to violence against women and domestic violence victims are covered by the baseline scenario, as current EU law already requires States to provide such compensation for violent intentional crimes.

The following approach is used, for each Member State:

$$\begin{aligned} \text{Cost} = & (\text{number of women reporting online violence} \\ & + \text{number of women reporting gender based} \\ & \text{harassment} \\ & \times \text{proportion of women that apply for compensation} \\ & \times 50\% \times \text{amount of state compensation awarded}) \end{aligned}$$

$$\begin{aligned} \text{Number of women reporting online violence} = & \\ = & \text{population of females 15 to 64} \\ & \times \text{percentage who personally experienced online} \\ & \text{violence} \\ & \times \text{percentage that reported to online platform} \end{aligned}$$

$$\begin{aligned} \text{Number of women reporting gender based harassment} = & \\ = & (\text{population of females 15 to 64} \\ & \times \text{percentage who personally experienced} \\ & \text{harassment} \\ & \times \text{percentage reporting harassment incidents}) \end{aligned}$$

Note that costs were not estimated for two Member States (IT, MT) with missing data on prevalence and therefore the total costs might be higher than estimated.

Assumptions used:

- the number of women experiencing harassment or discrimination is used as an estimate of the number of victims serious gender-based harassment
- no set-up costs
- limited to costs for the state. Obligation of the future directive for States to pay compensation in those situations where the victim is not able to recover such compensation from the perpetrator or other sources. It is assumed the state pays in 50% of the cases
- negligible costs are incurred to inform victims of violence against women and domestic violence about the possibility to request compensation from the perpetrator and to provide a decision in a reasonable time

Estimated costs of victim support

4.1. Obligation on MS to facilitate access to specialised support services to groups at risk, such as children, migrant and asylum-seeking women and women with disabilities, and to connect national helplines to EU-level helpline under Option 2a; and obligation on MS to provide 1 shelter space for 10,000 inhabitants under Option 2b.

The estimation of this measure is based on the cost of:

1. Specialized support, based on the cost of ensuring availability of specialist women's support services to all women victims of violence and their children and groups at a heightened risk of violence (such as migrant women, victims from minority communities, women with disabilities, women working in the sex industry and women prisoners)
2. Shelters, based on the cost of providing an additional 10% of refuge spaces needed (2A) and all spaces needed i.e., one refuge space per 10,000 population (2B) for women victims of violence against women and domestic violence and their children
3. Helplines, based on the cost of setting-up and operating state-wide 24/7 helpline free of charge for victims of violence against women and domestic violence

For specialized support, the following calculation is used, for each Member State:

$$\text{Cost} = (\text{annual government expenditure for specialist services for sexualised violence} \times \text{percentage of missing services for survivors of sexualised violence}) \times 1.1$$

Note that costs were not estimated for three Member States (RO, SI, SE) with missing data on the proportion of missing services and therefore the total costs might be higher than estimated.

Assumptions used:

- due to lack of data available on Member State expenditure on specialist support services for women victims

$$\text{Cost} = (\text{Additional beds needed} \times (0.1) \times \text{unit cost of a refuge space per year}) + \left(\frac{\text{Additional beds needed}}{\text{Average capacity per shelter}} \times \text{expenditure needed to establish a shelter} \right)$$

$$\text{Additional beds needed} + \left(\frac{\text{Population on 1st January 2020}}{10,000} - \text{existing number of beds in shelters} \right)$$

Assumptions used:

due to lack of available data, it is assumed that the expenditure needed to establish a shelter is the same across all Member States

the encouragement of shelter provision (2A) would lead to 10% of additional beds provided and obligation to provide shelters in line with CoE recommendation (2B) would lead to all additional beds provided

of violence against women and domestic violence and their children, the annual UK expenditure adjusted by relative population size of UK and each EU Member State is used

- no set-up costs
- the expenditure needed is a function of the percentage of missing expenditure on survivors of sexualised violence
- all Member States need an additional 10% of total expenditure to ensure availability of services to groups at heightened risk

For shelters, the following calculation is used, for each Member State:

the requirement for 1 space per 10,000 population would be sufficient to provide safe accommodation to all women victims of violence against women and domestic violence and their children that need it for Member States (CY, EE, LV, LU, MT, SI) that exceed or meet the requirement for 1 space per 10,000 population in the baseline, no costs are incurred

For helplines, the following calculation is used, for each Member State:

$$\text{Cost} = (\text{budget needed to establish a helpline} + \text{budget needed to operate a helpline per year})$$

Assumptions used:

- due to lack of available data, it is assumed that the budget needed to establish a helpline is the same across all Member States
- for Member States (AT, BG, CY, DK, EE, FI, DE, EL, IE, IT, LT, RO, SK, ES, SE) that have 24/7 toll free helpline in place for victims of violence against women and domestic violence⁸⁴, no additional costs are incurred to set-up and operate the national helpline
- negligible cost of setting-up a harmonised EU helplines and no costs to run a harmonised EU helpline

4.2. Obligation on MS to provide specific support to victims of sexual harassment at work (including medical care and complaint mechanisms) under Option 2a, and obligation on MS special compensated leave for workers victim of violence against women and domestic violence under Option 2b.

The estimation of this measure is based on the cost of:

1. Victim support – special leave, based on the cost, which falls on companies, of the obligation for MS to provide three days of special leave compensated at the level of sick leave for all victims of violence against women and domestic violence
2. Support to victims of sexual harassment at work, based on the cost of ensuring that medical care and counselling services are available to all victims of work-based harassment and that victims are informed about the relevant services

⁸⁴ Based on information available from WAVE annual report (2018) on national women's helplines in EU MS meeting the standard of the Istanbul Convention.

3. Effective remedies in cases of sexual harassment at work, based on the cost to all employers including SMEs (2B) and only large employers with over 250 employees (2A) to have an internal company reporting and/or dispute resolution mechanism

For victim support – special leave, the following calculation is used, for each Member State:

$$\begin{aligned} \text{Cost} &= 3 \times \text{Average daily compensation for women} \\ &\quad 16 \text{ to } 64 \\ &\quad \times (\text{Number of women victims of sexual violence} \\ &\quad + \text{Number of women victims of physical (excl.} \\ &\quad \text{sexual) violence}) \end{aligned}$$

Note that costs were not estimated for two Member States (IT, MT) with missing data on prevalence and therefore the total costs might be higher than estimated.

Assumptions used:

- due to lack of comparable data on the number of women victims of violence against women and domestic violence by Member State, the estimate of victims eligible is based on the broader category of all women victims of physical violence
- three-day leave is implemented in all MSs
- level of sick leave compensation set at 100% of pay
- negligible cost of issuing guidelines
- no set-up costs

For support to victims of sexual harassment at work, the following calculation is used, for each Member State:

$$\begin{aligned} \text{Cost} &= \text{health staff time needed per year per large} \\ &\quad \text{enterprise and, or SME} \\ &\quad \times \text{Hourly earnings for health staff} \\ &\quad \times \text{number of large enterprises and, or SMEs} \end{aligned}$$

Health staff time needed per year per large enterprise and, or SME
 = *employment per large enterprise and, or SME*
 × *percentage of females in total employment*
 × *of female employees subject to work based harassment in the past 12 months* × 2 – hours

Assumptions used:

- no set-up costs
- for countries with 0% prevalence reported i.e., BG & RO, assume prevalence rate of EU-27 average
- each reported case of gender-based work harassment is dealt with two-hour sessions
- the assessment of the baseline did not find information on comparable measures in place; therefore, it is assumed that all Member States incur full costs

For effective remedies in cases of sexual harassment at work, the following approach is used, for each Member State:

Cost = HR staff time needed per year per large enterprise and, or SME
 × *hourly earnings for HR staff*
 + *number of large enterprises and, or SMEs*

HR staff time needed per year per large enterprise and, or SME
 = *employment per large enterprise and, or SME*
 × *percentage of females in total employment*
 × *percentage of female employees subject to work based harassment in the past 12 months*
 × 2 – hours

Assumptions used:

- no set-up costs
- each HR staff requires 2 hours to handle one case
- HR staff can work across companies but not across countries

- proportion of female employees is constant across different business sizes
- for countries with 0% prevalence i.e., BG & RO reported, prevalence rate of EU-27 average is assumed
- obligation on companies to provide information on remedies external to the company (judicial remedies, equality bodies, etc.) can be covered by managers' training under Measure 1.4 at a negligible cost
- Collective complaints in cases of gender-based work harassment can also be covered by managers' training under Measure 1.4 at a negligible cost
- the assessment of the baseline did not find information on comparable measures in place; therefore, it is assumed that all Member States incur full costs

4.3. Obligation on MS to establish both on- and offline support for victims of cyber violence against women.

The estimation of this measure is based on the cost of providing on- and offline support for victims of online violence against women and domestic violence.

The following approach is used, for each Member State:

Cost = six hours per year
 × *(number of cases reported*
 × *health and social worker staff salary per hour)*

Number of cases reported =
 = *population of females 15 to 64*
 × *proportion with personal experience with online violence*
 × *proportion reporting such experience to an online platform*

Assumptions used:

- no set-up costs
- each reported case of online violence against women and domestic violence is dealt with 6 one-hour sessions
- on-line support is already covered under the helplines in Measure 4.1
- the assessment of the baseline did not find information on comparable measures in place; therefore, it is assumed that all Member States incur full costs

Estimated costs of coordination

5.1. Obligation to provide one-stop online access to relevant protection and support services, and encouragement (2a) or obligation (2b) to locate multi-agency support services in the same premises. The estimation of this measure is based on the cost of the obligation for MS to provide multi-agency and multi-disciplinary one-stop access to relevant protection and support services in the same premises. The following approach is used, for each Member State:

$$\text{Cost} = \text{number of employees needed} \\ \times \text{annual salary of health and social workers}$$

Number of employees is set at 4 by default. To match population differences, this is increased by 1 employee for every 2 million females aged 15 to 64⁸⁵ (when the female population is above 10 million)

Assumptions used:

- minimum of four staff members needed for information centre
- employees compensated at the level of “health and social workers”
- assuming 52 40-hour weeks every year
- no set-up costs

5.2. Obligatory participation in surveys coordinated at EU-level

The estimation of this measure is based on the cost of participating in a centralised survey on violence against women and domestic violence at the EU-level. The following calculation is used, for each Member State:

$$\text{Cost} = \text{cost per interviewee} \times \text{sample size of survey}$$

Assumptions used:

- the costs to participate in an EU-level survey on violence against women and domestic violence represents a new cost to all Member States and therefore, all Member States would incur costs every two-years
- assumed cost of €100 per interviewee includes all costs that would need to be incurred by Member States
- for countries with no data on sample size, an average across all countries is assumed

5.3. Obligation to regularly collect disaggregated relevant administrative data in line with a number of harmonised minimum requirements under Option 2a, and an integrated centralised data collection system at national level under Option 2b.

The estimation of this measure is based on the cost of conducting administrative data collections at regular intervals meeting ICCS standards. The following calculation is used, for each Member State:

$$\text{Cost} = \text{Costs to fill national questionnaires per year} \\ + \text{costs of changing the national data collection system} \\ + \text{cost of maintaining central database on admin data}$$

$$\text{Cost} = \text{Costs to fill national questionnaires per year} \\ = \text{hourly cost to fill questionnaire} \times 360$$

85 Eurostat, Population on 1st January 2020 [demo_pjanbroad]

Assumptions used:

- the assessment of the baseline did not find information on national administrative data collection based on ICCS standards; therefore, it is assumed that all Member States would incur this cost
- due to lack of available data on number of hours required to change a data collection system and to complete questionnaires on administrative data, it is assumed that they require 120 hours each and that three administrative data collections would be required in a year

4. Estimation of cost reductions (economic benefits)

The overall costs of violence against women estimated to be €290 billion by EIGE were used for the costs in the status quo. The estimated reduction in costs was calculated for each of the cost categories measured by EIGE which includes⁸⁶:

- Lost economic output to individual victims measured in lost earnings due to time taken off work and lost productivity
- Health services costs to national authorities as victims of gender-based violence make use of health services for treatment of physical and mental harms
- Criminal justice system costs to national authorities due to involvement in investigations and prosecutions of gender-based violence
- Civil justice system costs to national authorities to provide legal aid to victims of gender-based violence to separate from a violent partner
- Social welfare costs to national authorities to provide housing aid and child protection to victims of gender-based violence

⁸⁶ Estimation of the costs of gender-based violence in the UK case study and extrapolation to EU Member States (forthcoming EIGE paper, 2021)

- Personal costs to individual victims of moving homes due to divorce related to gender-based violence and to self-fund legal proceedings for separation from a violent partner
- Specialist services costs to national authorities related to refugees, telephone helplines, victim support centres, counselling, and advocacy
- Physical and emotional impacts to individual victims due to negative impacts of the crime on quality of life

The calculation of **cost reductions** was made using the formula below:

$$\text{Cost reduction} = \text{cost of VAW/DV by cost category} \times \% \text{ reduction in prevalence}$$

The following assumptions were made for the calculation:

- Two scenarios, for each of the sub-options, were considered for the percentage reduction in prevalence: 20% reduction and 30% reduction (2a) and 22% reduction and 32% reduction (2b). The scenario's build on the European Parliament's assessment of the added value of Gender-based violence as a new area of crime listed in Article 83(1) TFEU⁸⁷. The assessment assumed that the prevalence of GBV will decrease by 10% in the short-term (about five years) and 20% – 30% in the long-term (about 10 years) after an EU-wide legislation is introduced.
- Given that this policy option 2b includes additional measures for support to victims of violence against women and domestic violence and for prevention, the reduction in prevalence was assumed to be greater than that estimated by the European Parliament's assessment. For example, based on an assessment of the US National Crime Victimization Survey (NVCS), the use of victim services was shown to be associated

⁸⁷ [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662640/EPRS_STU\(2021\)662640_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662640/EPRS_STU(2021)662640_EN.pdf)

with a 40 percent reduction in the risk of repeat victimisation⁸⁸.

- The reduction in costs is proportionate to the decrease in prevalence of violence against women and domestic violence under each scenario.
- For the criminal and civil justice system, there are counteracting economic impacts of an increase in costs due to increased reporting of violence against women or domestic violence and a decrease in costs due to the reduction in prevalence. The assumed change is therefore a lower proportion compared to the other cost categories.

To estimate the percentage reduction for the criminal justice system and civil justice system, calculations were made using the formula below which is used by the European Parliament's assessment⁸⁹:

$$\% \text{ reduction in prevalence} = (1 + \% \text{ change in prevalence}) \times (1 + \% \text{ change in reporting}) - 1$$

The following sources and assumption were used for the above calculation:

- The measures under this policy option (e.g., criminalisation, awareness-raising, information provision to victims of violence against women and domestic violence and encouragement of reporting of VAW/DV by witnesses and professionals) is likely to lead to an increase in reporting of violence against women and domestic violence cases. This change in reporting rates would likely lead to higher costs for the criminal and civil justice system.
- The change in reporting rates is assumed to be 10% for option 2a. This assumption is based on a European Parliament study⁹⁰ which estimates that an EU Directive on gender-based cyberviolence could increase reporting rates by 5% to 10%. Given that this policy option includes measures beyond EU-level criminalisation, the higher bound of 10% is used.
- Given that reporting rates might increase further due to additional support measures in 2b, the reporting rate is assumed to be 12.5% for option 2b.
- The increase in reporting rates is assumed to be the same in the two scenarios for option 2a and 2b.

⁸⁸ Ibid.

⁸⁹ [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662640/EPRS_STU\(2021\)662640_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662640/EPRS_STU(2021)662640_EN.pdf) based on approach by N. Lomba, C. Navarra, M. Fernandes, Combating Gender-based Violence: Cyber Violence, briefing, EPRS, European Parliament, 2021.

⁹⁰ N. Lomba, C. Navarra, M. Fernandes, Combating Gender-based Violence: Cyber Violence, briefing, EPRS, European Parliament, 2021.

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