

## **Identifying gender-based violence as a new area of crime listed in Article 83(1)**

**TFEU**

(2021/2035(INL))

Rapporteurs: Malin Björk, Diana Riba i Giner

### **COMPROMISE AMENDMENTS (06/07/2021)**

#### **COMPROMISE 1**

##### **Paragraph 1 - condemns all forms of GBV**

Amendments covered: 128 - part I (EPP), 129 (EPP), 131 (The Left), 132 (co-rapporteurs), 134 (several groups), 135 (S&D)

Fall: 130 (ECR), 133 (ID)

1. Condemns all forms of violence against women and girls *in all their diversity (134, 135)* and other forms of gender-based violence, such as violence against *LGBTIQ+ (129, 131)* persons *on the grounds of gender, gender identity, gender expression or sex characteristics (128 part I, 132)*, which is considered to refer to *different acts of violence, online and offline, that result in, or are likely to result in*, physical, sexual, *psychological or economic harm or suffering (128 part I)*;

Note: AM206 to be put to a vote on top of the compromises

#### **COMPROMISE 2**

##### **Paragraph 1 a (new) – Covid**

Amendments covered: 137, second part (EPP), 204 (S&D)

*1a. Highlights that due to the lockdown and social distancing measures during the COVID-19 pandemic there has been a worrying increase in gender-based violence (204) experienced by women and girls across the EU (137), including intimate partner violence (137, 204), physical, sexual, economic and psychological violence, coercive control and cyber-violence (204), resulting in an overwhelming need for support services for these victims (137);*

### COMPROMISE 3

#### Paragraph 2 - femicides

Amendments covered: 143 (EPP), 144 (EPP)

Fall: 146 (ECR), 147 (ECR)

2. Denounces femicide as the **most (144)** extreme form of gender-based violence against women and girls; **stresses that femicide is (143)** a very severe violation of human rights **and that the EU should draw up a plan to prevent and combat violence, detect situations of risk, and support and protect victims (144)**;

### COMPROMISE 4

#### Paragraph 3 - causes + gender norms (in new paragraph)

Amendments covered: 149 (The Left), 150 (EPP), 154 (several groups), 156 (S&D), 157 (co-rapporteurs), 159 (S&D)

Fall: 148 (ID), 151 (ID), 152 (ID), 153 (ECR), 155 (ID), 158 (ID), 160 (ECR)

3. Stresses that violence against women and other forms of gender-based violence **are still shrouded in silence (150) and** are the result of **the continuous manifestation of historically unequal (150) access and (149) distribution of power and resources (149, 159)**, , that have led to domination over and discrimination against women by men **as well as violence directed towards LGBTIQ+ people (154, 157), with a huge impact on victims, their families, and communities (150)**;

3a. underlines that this situation is aggravated by social and economic inequalities **and significant reductions in available funding especially during times of crisis, with the consequent effects of (149) pay and pension gaps, the feminization of precarious work and more precarious living conditions for women (157)**; **highlights that these inequalities and power unbalances have a transversal and global nature, common to the whole territory of the European Union, and not limited to specific Member States (156)**;

### COMPROMISE 5

#### New paragraph 3 (a) - gender norms

Amendments covered: 149 (The Left), 164 (S&D), 165 (Renew), 167 (S&D)

3a. **Underlines that rigid gender norms (164, 167) based on patriarchal stereotypes contribute to discrimination and subjugation of women, including lesbian, bisexual, trans and intersex women (149), leads to increased exposure to gender-based violence**

*for anyone who does not conform to them (167), contributes to the invisibility of violence suffered by gay, bisexual and intersex (co-rapporteurs) men (164);*

*3c. stresses the importance of addressing and promoting through education the equal status and power relation between men and women, boys and girls, and eliminate biases and gender stereotypes that lead to harmful social gender norms (165); deplors the high instances of violence targeting women in all their diversity, including lesbians, bisexual and trans women, as well as trans, intersex and non-binary people (167);*

## **COMPROMISE 6**

### **Paragraph 4 - impact**

Amendments covered: AM 106 (Incir et al.), 170 (co-rapporteurs), 171 (Renew), 173 (EPP), 175 (Renew), 176 (several groups) + 163 (Renew), 179 (EPP), 180 (EPP), 245 (Franssen et al. - EPP)

Fall: 172 (ECR), 174 (ID), 178 (ECR)

4. Underlines the wide range of impacts that gender-based violence has on victims, including stress, *feeling unsafe or vulnerable (176)*, concentration problems, anxiety, panic attacks, *social isolation (175)*, low self-esteem, depression, post-traumatic stress disorder, lack of trust and of sense of control, *as well as fear or even suicidal thoughts (170, 171, 175)*; *underlines the importance of the provision of mental health services for victims of those crimes, often provided as well by NGOs and civil society actors (173)*;

4a. recalls that gender-based violence also has social, economic *and democratic (170) impacts, such as lack of access to employment, isolation, the withdrawal from public life or deprivation of material or financial resources (163, 173)*, which reinforces the disadvantaged position of women (170); *stresses that gender-based violence is exercised as a form of coercive control over women which prevents gender equality, social mobility, economic empowerment and the exercise of their rights as EU citizens, including their full civic participation and the free development of their lives without violence (163, 170. 173, 179)*;

4b. *Highlights the detrimental economic impacts that gender-based violence and the subsequent mental health issues it causes, can have on victims, including their ability to seek employment and the financial burden imposed on them by taking legal action and points out that the estimated annual societal costs of gender-based violence (290 billion) (between €49.0 and €89.3 billion<sup>1a</sup> for cyber harassment and cyber stalking (245)) exceeds the estimated annual costs of particularly serious crimes listed under art 83(1)<sup>1a</sup> (106, 180)*;

<sup>1a</sup> EPRS interim European Added Values Assessment (EAVA) on gender-based violence, p.35

## COMPROMISE 7

### Paragraph 5 - IC as reference

Amendments covered: 184 (Renew), 185 (S&D), 186 (co-rapporteurs), 189 (EPP), 190 (EPP), 336 (EPP), 191 part II (EPP)

Fall: 181 (ID), 182 (ID), 183 (ECR), 187 (ID)

5. Stresses that the Council of Europe Convention on preventing and combating violence against women and domestic violence (the ‘Istanbul Convention’) remains the international standard and a key tool for the eradication of gender-based violence by following a holistic and coordinated approach that places the rights of the victim at the centre and addresses the issues from a wide range of perspectives; *reiterates its call to conclude the EU’s ratification of the Istanbul Convention on the basis of a broad accession (184, 186, 190, 336), and highlights the importance of its ratification by Bulgaria, Czech Republic, Hungary, Latvia, Lithuania and Slovakia (184, 186, 189); notes with concerns the attempts in some Member States to spread disinformation against the Istanbul Convention which deny the existence of gender-based violence (186); condemns that this disinformation is gaining a foothold in Europe and thus contributing to the difficulty of protecting women’s rights (191);*

*5a. points out that the Istanbul Convention should be understood as the minimum standard to eradicate gender-based violence and that the European Union should pursue even more decisive and effective legislative measures in this regard; recalls that such new legislative measures should in any case be coherent with the rights and obligations set by the Istanbul Convention and should be complementary to its ratification (185); calls on the Member States to take into account the recommendations by GREVIO and to improve legislation to bring it more into line with the Istanbul Convention’s provisions in order to ensure proper implementation and enforcement (184);*

## COMPROMISE 8

### Paragraph 6 - anti-gender movements

Amendments covered: 191 part I (EPP), 196 (co-rapporteurs), 198 (S&D), 199 (Renew), 200 (S&D), 201 (The Left), 202 (EPP),

Fall: 192 (ECR), 193 (ID), 194 (EPP), 195 (ID), 197 (ID)

6. Denounces the fact that the combat against gender-based violence is negatively affected by the attack on women’s *and girl’s (200)* rights and gender equality; condemns the actions of anti-gender and *anti-feminist (201)* movements in Europe and worldwide that *systematically attack women’s and LGBTIQ+ (201, 202) rights, including sexual and reproductive rights (196, 198, 199), and* aim to overturn existing laws *that protect them (196) thus endangering the respect*

*of human rights and of the Rule of Law (198); condemns all the disinformation that is deliberately spread about the Istanbul convention and other tools and initiatives to combat violence against women in the EU which hinders protecting women from violence (191); urges the Commission to ensure that EU supported and funded civil society organisations do not promote gender discrimination (196);*

## **COMPROMISE 9A**

### **Paragraph 7 + other preventive measures**

Amendments covered: 207 (co-rapporteurs), 208 (EPP), 212 (Renew), 213 (several groups), 214 (Renew), 168 (Renew), 221 part I (Renew), 231 (Renew), 313 (EPP)

Fall: 209 (ECR), 210 (ID), 211 (ID), 215 (ID), 216 (ECR), 217 (ID), 352 (ECR)

*7. Emphasizes the importance of the preventive measures in combating violence against women and girls (212, 221); notes that such measures require a clearer focus in the entire judiciary as well as in schools and in healthcare to prevent and minimize the risks of violence (313);*

*7b. Stresses the need for EU-wide (208) awareness-raising campaigns which include information targeted at educating our younger citizens about gender equality (208) and on the impact of online and offline gender-based violence which would support efforts to ensure that women and girls can live their lives freely and safely in all spheres (168 adapted);*

*7c. Calls on the Commission to work together with the Member States to make sure that gender-based violence is effectively tackled throughout the national curricula (214); welcomes the Commission's proposal for an EU-wide campaign on gender stereotypes (213) included in the Gender Equality Strategy and its commitment affirming that "educating boys and girls from an early age about gender equality and supporting the development of non-violent relationships", as key for effective prevention (207);*

*7d. Stresses the importance of promoting cooperation between the Member States on the issue of gender-based violence, which also enables the Member States with successful policies to share their experiences through exchange of best practices (231);*

## **COMPROMISE 9B (to be added after paragraph 7 if adopted)**

Amendments covered: 139 (S&D), 207 (co-rapporteurs), 208 (EPP), 219 part I (S&D), 222 (S&D), 225 (S&D),

*7a. Insists on actions addressing the underlying causes of gender inequality (208), including counteracting sexism, patriarchal (207) gender norms (207), stereotypes and values; regrets the lack of research and knowledge that forms the foundation for effective policy and law-making in preventing gender based violence, calls therefore on EIGE and Eurostat to act as a knowledge hub on violence against girls in the EU (222); underlines that men's violence against women starts with boy's violence against girl's,*

*considers therefore that preventive measures must start at an early age (139); underlines the need for gender equality to have a central place in education and calls for educational measures directed towards, and implemented with, young people (225) , including age-appropriate information (219), comprehensive sexuality education (207, 219), the development of non-violent relationships (208, 219), feminist self-defence training in the context of the implementation of article 12(6) of the Istanbul Convention and paragraph 125(g) of the Strategic objective D.1. of the Beijing Platform for Action<sup>1</sup>, and more general actions to combat segregation, gender inequality and discrimination (207);*

## **COMPROMISE 10**

### **Paragraph 8 - data**

Amendments covered: 226 (The Left), 230 (co-rapporteurs), 232 (EPP), 233 (Renew)

Fall: 227 (ECR), 228 (ECR), 229 (ID), AM 231 (Renew)

8. Calls on the Commission and the Member States to improve the regular availability and comparability of quality, disaggregated data on all forms of gender-based violence *at EU and national level and for the harmonisation of data collection systems among Member States (232)* through cooperation with Eurostat, the European Union Agency for Fundamental Rights and the European Institute for Gender Equality; *believes that quality data will be essential for clear and measurable targets in the elimination of gender-based violence (232); welcomes the announcement of a new EU-wide survey by the FRA on the prevalence and dynamics of all forms of violence against women (233);*

*8a. Stresses that in order to increase our understanding of gender-based violence, it is necessary to ensure that at least the following categories are included in the data collection, already at the level of law enforcement intervention: a) gender of the victim, b) gender of the perpetrator, c) relationship between victim and perpetrator, d) existence of a sexual violence dimension, e) does the violence have a gendered motivation (230, 226) f) other socio-demographic characteristics relevant for an intersectional analysis (226) ; together with this data it is necessary to have general data on the number of complaints, the number and types of protection orders issued, the rates of dismissal and withdrawal of complaints, prosecution and conviction rates as well as time taken for disposal of cases, information on the sentences imposed on perpetrators and the reparation, including compensation, provided for victims, incidents reported to helplines or health and social services dealing with cases of violence against women and sample surveys (226);*

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<sup>1</sup> ‘...promote training for victims and potential victims so that they can protect themselves and others against such violence’

## COMPROMISE 11

### **Paragraph 9 - intersectionality I**

Amendments covered: 238 (Franssen et al. - EPP), AM 240 (co-Rapporteurs), AM 241 (Reintke et al. - Intergroup), AM 244 (Zacharopoulou), AM 247 (Incir et al. - S&D), AM 249 (co-Rapporteurs)

Fall: 236 (ECR), 237 (ID), 239 (de la Pisa Carrión), 242 (Wi niewska),

9. Highlights the need for targeted **legislation and policies with an intersectional approach** to address the situation of **victims of gender-based violence** who experience intersectional forms of discrimination **based on gender identity, gender expression or sex characteristics and on other grounds** such as **race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, sexual orientation, state of health, marital status or migrant or refugee status** (AM 238, AM 240, AM 241, AM244, AM 247); **emphasises the need in policy and law-making to add specific and measurable undertakings, including in relation to groups protected from discrimination by EU law and the case law of the European Court of Human Rights and the European Court of Justice** (AM 247);

**9a. Calls on the Member States and the European Commission within their work to combat gender-based violence to ensure that all legislative and non-legislative initiatives aim to eradicate all forms of gender-based violence, specifically including women in all their diversity and violence against LGBTIQ+ people on the grounds of gender identity, gender expression and sex characteristics; recalls that the Parliament has previously strongly encouraged Member States to adopt legislation and policies banning conversion therapy, female and intersex genital mutilations, as well as forced sterilisation practices; (AM 249)**

## COMPROMISE 12

### **New Paragraph 9(a), (b), (c) - types of violence**

Amendments covered: 246 (co-Rapporteurs), 250 (co-Rapporteurs), 283 (co-Rapporteurs)

**9a. Stresses that gender-based violence is a serious violation of human rights and dignity that can take the form of psychological, physical, sexual and economic violence, and includes, among other, femicide, intimate partner violence, sexual harassment, cyber violence, stalking, rape, early and forced marriage, female genital mutilation (FGM), crimes committed in the name of so-called 'honour', forced abortion, forced sterilisation, sexual exploitation and human trafficking, institutional violence, second order violence, vicarious violence and secondary victimisation (AM 246);**

**9b. Recalls that human trafficking and sexual exploitation is a form of gender-based violence against women and girls and stresses the importance of a gender sensitive approach to human trafficking; (AM 250)**

**9c. Condemns the phenomena of second order violence which is the physical or psychological violence, reprisals, humiliations and persecution exercised against people who support victims of gender-based violence; stresses that these acts hamper the prevention, detection, support and recovery of women in situations of gender-based violence (AM 283);**

### **COMPROMISE 13**

#### **New Paragraph 9(d) - types of violence II (Harassment)**

Amendments covered: 248 (Franssen et al. - EPP), 339 (Rodríguez Ramos et al.)

**9d. Is deeply worried about the nature, extent and gravity of gender-based violence and harassment in the workplaces; welcomes in this regard the recently adopted ILO Convention 190 on violence and harassment in the world of work and calls on the Member States to ratify and implement it without delay; calls also on the Commission and the Member States to adequately complete the existing framework for effective measures to prohibit violence and harassment in the workplace, as well as preventive measures, effective access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, training and awareness-raising campaigns, psychological support services and remedies;**

### **COMPROMISE 14**

#### **New Paragraph 9 (e), (f), (g), (h) - Cyber violence**

Amendments covered: 224 (Tudorache- RE), 245 (Franssen et al. - EPP), 262 (Tudorache - RE), 265 (co-Rapporteurs), 268 (co-Rapporteurs), 278 (Zacharopoulou et al.-RE), 315 (Tudorache - RE), 333 (Zacharopoulou et al.- RE), 338 (Rodríguez Ramos et al. - RE)

**9e. Insists that cyber violence, including online sexual and psychological harassment, cyberbullying, cyberstalking, non-consensual disclosure of sexual images, sexist hate speech online and new forms of online harassment such as zoom bombing or threats online, constitutes forms of gender-based violence (278 part I);**

**9f. Regrets that cyber violence disproportionately affects women and girls and is becoming increasingly common; recalls that gender-based cyberviolence is a continuum of and inseparable from offline violence, as they are both interlinked; stresses that cyber violence threatens progress on gender equality and has a silencing effect detrimental for our democratic principles; regrets that women with a public profile, such as politicians, journalists,**

**artists and activists are often the target of gender-based cyber violence with the intention of discouraging their presence in public life and decision-making spheres; (AM 245, 262, 265, 268)**

**9g. Stresses the cross-border nature of cyber violence, with perpetrators using platforms or cell phones connected to or hosted by other Member States than where the victim is located (AM 278); highlights the need for a coordinated approach of the EU to improve timely and accessible reporting tools, effective content removal mechanisms, and effective cooperation between online platforms and Member States' law enforcement for combatting gender-based violence online in full compliance with Fundamental Rights; (AM 224)**

**9h. Calls on the Member States and the Commission to adopt specific measures to eradicate all forms of online violence, including through appropriate training for law enforcement officers, which disproportionately affects women and girls, and to specifically address its increase during the COVID-19 pandemic; (AM 315, 333, AM 338)**

## **COMPROMISE 15A**

### **Paragraph 10 - SRHR**

Amendments covered: 219 part II (S&D), 252 (Franssen et al. - EPP), 258 (Reintke et al. - Intergroup)

Fall: AM 251 (Balldassarre et al. - ID), AM 253 (Bruna), AM 254 (Winiewska - ECR), 79 (ECR)

10. Recalls that violations of sexual and reproductive rights, **including sexual violence, gynaecologic and obstetrical violence and harmful practices**, are a form of **gender-based violence** against women and girls, **as well as transgender and non-binary persons, as reflected in the LGBTIQ Equality Strategy (AM 258), and an impediment for gender equality (219 part II)**;

**10a. Encourages the Commission to promote regular exchanges of good practices between Member States and stakeholders on sexual and reproductive rights, within its proposals for additional measures to prevent and combat forms of gender-based violence (AM 252);**

## **COMPROMISE 15B**

Amendments covered: 255 (co-Rapporteurs), 256 (Picierno et al. - S&D), 257 (Zacharopoulou et al.),

**10b. Highlights that reproductive coercion and the denial of safe and legal abortion care is also a form of gender-based violence; Stresses that the ECtHR has ruled on several occasions that restrictive abortion laws and lack of implementation violates the human rights of women; (AM 255) emphasises that girls' and women's autonomy and ability to free and independent decisions about their bodies and lives are preconditions for their economic independence, for gender equality and the elimination of gender-based violence; (AM 256) strongly condemns**

*the attack against women's rights and gender equality in the EU, in particular the setback to women's sexual and reproductive health and rights and the de facto ban to safe and legal abortion in Poland; (AM 257)*

## **COMPROMISE 16**

**New Paragraph 10(c)- sexual violence / consent**

Amendments covered: AMs 260 (co-Rapporteurs), AM 263 (Incir et al. - S&D)

*10c. Deplores the visible deficiencies in the law enforcement system, which results in low conviction rates in cases of gender-based violence against women and girls, and impunity for perpetrators; calls on all Member States to amend the definition of sexual violence and rape in their national legislation so that it is based on the absence of consent, as laid down in the Istanbul Convention;*

## **COMPROMISE 17**

**New Paragraph 10(d), 10(e), 10(f) - Intersectionality II**

Amendments covered: 266 (Incir et al. - S&D), 281 (Spurek et al. - Greens), 282 (co-Rapporteurs)

*10d. Is concerned about the sexualisation of children, especially sexualisation of girls by men; considers it imperative to enhance the protection provided under criminal law concerning sexual offences against children, in particular where the perpetrator displays negligence with regard to the child's age; (AM 266)*

*10e. underlines that women and girls with disabilities are two to five times more likely to experience various forms of violence, highlights that the EU is obliged, as a party to the CRPD, to take measures to ensure the full respect of all human rights and fundamental freedoms of women and girls with disabilities; notes the EU should advance its efforts in this direction, inter alia through ratification of the Istanbul Convention<sup>2</sup>; (AM 281)*

*10f. Stresses that women from minorities and, in particular, Roma and Muslim women, including those wearing religious clothing, are disproportionately impacted by gender-based violence, in particular, in the public space, at the workplace and online; highlights that gender-based violence against Muslim and Roma women should be addressed with an intersectional approach which takes into account discrimination on the grounds of gender in combination with discrimination on the grounds of religion and ethnicity;(AM 282)*

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<sup>2</sup> <https://blogs.worldbank.org/sustainablecities/five-facts-know-about-violence-against-women-and-girls-disabilities>

## **COMPROMISE 18A**

### **Paragraph 11 - Intersectionality III**

Amendments covered: 274 (Franssen et al. - EPP), 276 (co-Rapporteurs),

Fall: 272 (Bruna), 273 (de la Pisa Carrión), 275 (Wi niewska - ECR)

11. Notes that the Commission must address the particular situation of migrant women's protection against gender-based violence, ***in particular cases of intimate-partner violence where the victims residence status depends on co-habitation and marital status***, and recalls that under Directive 2012/29/EU of the European Parliament and of the Council access to appropriate protection, support services and effective remedies must be available to all victims of gender-based violence, ***including the right to receive information and to be able to participate in criminal proceedings, and that all rights must apply in a non-discriminatory manner, including with respect to their residence status***<sup>3</sup>; (AM 274, 276)

## **COMPROMISE 18B**

Amendments covered: 279 (co-Rapporteurs), additional wording requested by S&D and Renew

***11a. Underlines that most of the current migration and refugee laws in Europe are not addressing the vulnerability of migrant and refugee women, the consequences of which include increased exposure to gender-based violence while on the move, unsafe reception conditions, insufficient protection measures and lack of access to justice for migrants in the EU; (AM 279, modifications requested by S&D and Renew)***

## **COMPROMISE 19**

### **New Paragraph 11(a) - violence against children in the context of intimate-partner violence**

Amendments covered: 176 part I (Reintke et al. - Intergroup), 280 (Incir et al. - S&D), 284 (co-Rapporteurs)

***11a. Considers that intimate partner violence is not only a crime against the victim of violence but should also be considered a crime against any child who witness it, including due to the long lasting negative effects on the child's wellbeing and development; (AM 280) denounces that children of perpetrators of intimate partner violence are often the object of ill-treatment***

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<sup>3</sup> As set out in Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA

*as a way to exercise power and violence against the mother, a phenomenon known as vicarious violence and a form of gender-based violence; (AM 284)*

## COMPROMISE 20

### **Paragraph 12 - protection, support and reparation**

Amendments covered: 287 (EPP), 288 (several groups)

Fall: 285 (ECR), 286 (ECR), AM 335 (The Left)

12. Calls on Member States to take all necessary measures to promote **and ensure (287)** the protection of, **support and reparation for (335)** women and girls in all their diversity and all **victims** of gender-based violence against all forms of violence, **reminds that such measures should be adequate, timely attributed, holistic and proportionate to the gravity of the harm suffered and with due (335) attention to the needs of those who experience intersectional forms of discrimination and violence (288);**

## COMPROMISE 21A

### **Paragraph 13 - support services**

Amendments covered: 221 part II (Renew) 293 (EPP), 296 (Greens/EFA), 297 (Renew), 298 (Renew), 299 (several groups), 301 (S&D)

Fall: 294 (ECR), 295 (ECR)

13. Underlines the obligation on Member States to ensure that there is **adequate (297)** support and services for survivors **of gender-based violence adapted to their specific needs (292, 296) including in times of crises (292, 296)**; recalls the importance, in that context, of **providing (297)** support to independent civil society and **specialised (299)** women's shelter organisations, **who are the ones with the know-how needed to ensure feminist protection (292, 296)**;

13a. **calls on Member States to guarantee access for victims to support services and essential services, including sexual and reproductive health services, also in rural areas; firmly supports the availability of public services throughout all stages of the reparation processes (292, 296), in particular with regards to the provision of essential psychological, legal and employment seeking consultation support (221, 293, 297);**

13b. **calls on the Member States and the Commission to raise awareness (298) and ensure information to victims and perpetrators of gender-based violence is available in all EU**

*languages, with the aim to ensure rights of victims are upheld when exercising their fundamental right to freedom movement within the EU (301);*

**COMPROMISE 21B (If adopted, to be added at the end of paragraph 13a)**

Amendment covered: 292 (The Left),

*calls for the municipalisation of victim support services and opposes mandatory procurement procedures in this field (AM 292);*

**COMPROMISE 22**

**Paragraph 14 - access to justice**

Amendments covered: 303 (co-rapporteurs), 304 (several groups), 305 (The Left)

14. *Considering the structural context of discrimination and inequality (305), calls on the Member States to step up their work in order to ensure that victims have **equal (305)** access to **justice (304)** and to an independent judicial system which is physically, economically, socially and culturally available to all victims of gender-based violence (303), and to guarantee that the rights of the victim are placed at the centre in order to avoid discrimination, traumatisation or revictimisation during judicial, medical and police proceedings by **mainstreaming the gender perspective throughout the process (305)**;*

14a. *underlines with concern that most Member States still have issues with complete/correct transposition and/or practical application of the Victim's Rights Directive, as reflected in the Commission's Strategy on victim's rights, and calls on their due diligence for its complete and correct transposition (304);*

**COMPROMISE 23A**

**Paragraph 15 - Training/skills**

Amendments covered: 308 (Renew), 309 (co-rapporteurs), 310 (S&D), 314 (co-rapporteurs)

Fall: 306 (ECR), 312 (EPP)

15. *Underlines that the failure to address the lack of trust and confidence in the law enforcement authorities and in the judicial system by survivors of gender-based violence is an important contributor for underreporting (314); calls on the Member States to improve the resources and training, of practitioners, law enforcement officers, **including judges, public prosecutors, judicial staff (310), forensic experts (309), and other (310)** professionals dealing with victims of gender-based violence, and evaluate the possibility of establishing specialised*

*courts for that purpose (309); it is convinced that ensuring that police officers and judges have increased knowledge, and soft skills to carefully listen, understand and respect all survivors of gender-based violence will contribute to address underreporting, re-victimisation and create a safer environment for survivors of gender-based violence (314);*

*15a. points out the importance of making full use of the training possibilities available to Member States through the various programmes and agencies of the European Union (308) and calls on the Member States to provide recurrent and effective training that includes the gender and human rights perspective and the international standards (307);*

#### **COMPROMISE 23B (if adopted, to be added at the end of paragraph 15a)**

Amendments covered: 307 (The Left),

Falling: 312 (EPP)

calls on Member States to ensure that victims have the right to **public high quality (307)** legal aid before and during legal proceedings;

#### **COMPROMISE 24**

**New paragraph - ongoing complementary measures to the directive**

Amendments covered: 320 (co-rapporteurs), 364 part II (EPP)

**15b.** *Welcomes the Commission's commitment to come up with a proposal in 2021 for a Directive to prevent and combat gender-based violence to implement the standards of the Istanbul Convention (320); stresses that this new directive shall be complementary to existing and upcoming legislative and non-legislative measures in order to achieve a coherent EU action on gender equality, as well as an eventual ratification of the Istanbul Convention (364); reiterates therefore its call on the European Union to ratify the Istanbul Convention; recalls in addition the commitment of the President of the Commission to extend the areas of crime to encompass specific forms of gender-based violence in accordance with Article 83(1) TFEU (320);*

#### **COMPROMISE 25**

**Paragraph 16 - serious crime with a cross-border dimension**

Amendments covered: 322 (EPP), 328 (several groups), 329 (The Left), 330 (Renew), 332 (EPP), 353 (S&D), 394 (Renew)

Fall: 323 (ID), 324 (ID), 325 (ECR), 326 (ECR), 327 (ID), 331 (ID), 392 (ID)

16. Stresses that gender-based violence, **both online and offline (394)**, is a **particularly (322)** serious crime and a widespread violation of fundamental rights **and freedoms (322)** which

needs to be addressed with greater efficiency and determination on a common basis; stresses that gender-based violence is the result of a ***societal and systemic structural gender inequalities that have (329)*** a cross-border dimension ; points, in particular, at the growing anti-gender, ***anti-LGBTIQ+ (330)*** and ***anti-feminist (329)*** movements, which are well organised and have a cross-border nature; ***considers in addition that the cross-border dimension of gender-based cyber violence (353) and the great individual, economic and societal impacts of gender-based violence across all Member States, reaffirms the need to combat gender-based violence in its multiple dimensions on a common EU basis (322, 328)***;

***16a. Stresses that the adoption of regional and international instruments, such as the Istanbul Convention, the United Nations Declaration on the Elimination of Violence against Women and other United Nations resolutions, also demonstrates the need to combat all forms of gender-based violence on a common basis (from the annex)***;

## **Annex**

(8) Gender-based violence, ***both online and off line (394)***, is a ***particularly (322)*** serious crime and a widespread violation of fundamental rights ***and freedoms (322)*** which needs to be addressed with greater efficiency and determination on a common basis.

(9) The adoption of regional and international instruments, such as the Istanbul Convention, the United Nations Declaration on the Elimination of Violence against Women and other United Nations resolutions, demonstrates the need to combat all forms of gender-based violence on a common basis.

## **COMPROMISE 26**

### **Paragraph 17 - need to combat GBV on a common basis**

Amendments covered: 343 (The Left), 344 (co-rapporteurs), 346 (S&D), 347 (EPP), 348 (several groups)

Fall: 341 (ECR), 342 (ID), 345 (ID), 397 (ID)

Stresses that the special need to combat violence against women and girls and other forms of gender based violence on a common basis also results from the need to establish minimum rules concerning the definition of criminal offences and sanctions, ***including a common definition of gender-based violence (346), as well as minimum rules concerning key issues of prevention, under-reporting, victim's protection, support and reparation, and the prosecution of perpetrators; underlines that Member States approaches and level of commitment to prevent and combat gender-based violence varies significantly (344), thus. a common basis approach also contributes to law enforcement in cross border operations (347)***;

## Annex

(10) The special need to combat violence against women and girls and other forms of gender-based violence on a common basis also results from the need to establish minimum rules concerning the definition of criminal offences and sanctions, **including a common definition of gender-based violence (346)**, as well as **minimum rules concerning** key issues of prevention, under-reporting, victim protection, support and reparation, and the prosecution of perpetrators. Member States approaches and level of commitment **to prevent and combat gender-based violence** vary significantly, **thus, a common basis approach also contributes to law enforcement in cross border operations (347)**.

### COMPROMISE 27

#### **Paragraph 18 - call to add GBV in Article 83 + directive**

Amendments covered: 351 (Renew), 356 (Renew), 357 (Renew)

Fall: 354 (ID), 355 (ECR)

Requests that the Commission submit, on the basis of the third subparagraph of Article 83(1) TFEU, a proposal for a Council decision identifying gender-based violence as a new area of crime, following the recommendations set out in the Annex hereto and requests the Commission to use that new area of crime as a legal basis for a holistic **and victim-centred EU (356) Directive** to prevent and combat all forms of gender-based violence, **both online and offline (351, 357)**;

### COMPROMISE 28

#### **Paragraph 19 - content of the directive**

Amendments covered: 363 (Renew), 364 part I (EPP), 365 (co-rapporteurs), 366 (The Left), 367 (several groups), 368 (S&D), 369 (Renew)

Fall: 359 (ID), 360 (ECR), 361 (ID), 362 (ID)

Calls on the Commission to propose a **comprehensive (366) directive** on gender-based violence that implements the standards of the Istanbul Convention and **other international standards**

**(366) such as CEDAW's recommendations on gender-based violence (365, 366) and includes at least the following elements:**

- prevention *measures* (365), including through gender-sensitive **and intersectional responsive** (366, 367) education programming directed at both girls and boys, and empowerment of women and girls;
- support services, protection **and reparation** (365, 366) measures for *victims* (364);
- **measures to combat** (365) all forms of gender-based violence, including **violence against LGBTIQ+ persons on the grounds of gender, gender identity, gender expression and sex characteristics** (365) **and online gender-based violence and sexual exploitation and abuse among others** (369);
- minimum standards for law enforcement,
- **victims-centred and intersectional approach** (365);
- **obligations for Member States to ensure that custody and visitation rights of children are adequately considered where a case of gender-based violence is involved** (363), **by putting the rights of the victims at the centre of their legislation;**
- **measures ensuring that information is provided in all relevant languages** (368); **and**
- **measures to ensure cooperation among Member States and the exchange of best practices, information and expertise** (364);

### COMPROMISE 30

**Recital A, Recital A a (new), Recital A b (new), Annex I – Recitals 1, 2 and 7 - fundamental rights**

Amendments covered: 54 (co-Rapporteurs), 68 (Tudorache) 77 (Picierno et al.), 390 (Franseen et al.), 394 (Renew), 396 (S&D)

A. **whereas equality between women and men is a core value of the Union enshrined in Article 2 of the Treaty on European Union (TEU) and recognised in Article 23 of the Charter of Fundamental Rights of the European Union (the ‘Charter’); whereas the right to equal treatment and non-discrimination is a fundamental right enshrined in the Treaties and in the Charter; whereas ending male violence against women and girls is a prerequisite to achieving real equality between women and men (AM 54);**

**Aa. whereas Article 8 of the Treaty on the Functioning of the European Union (TFEU) requires the Union, in all its activities, to aim to eliminate inequalities, and to promote equality, between women and men; (from the annex)**

***Ab. whereas gender-based violence, online and offline (394), and lack of access to adequate protection (396) is the most severe manifestation of gender-based discrimination and constitutes a violation of fundamental rights, such as the right to human dignity, right to life, right to physical and mental integrity, prohibition of torture and inhuman or degrading treatment or punishment, prohibition of slavery and forced labour, liberty and security and respect for private and family life (390) enshrined in the Charter; (AM 68, AM 77, 390)***

## **Annex**

(1) Equality between women and men is at the core of Union values and is a fundamental principle of the Union enshrined in the Treaties and recognised in Article 23 of the Charter of Fundamental Rights of the European Union (the 'Charter'). ***The right to equal treatment and non-discrimination is a fundamental right enshrined in the Treaties and in the Charter. Ending male violence against women and girls is a prerequisite to achieving real equality between women and men.***

(2) Article 8 of the Treaty on the Functioning of the European Union (TFEU) requires the Union, in all its activities, to aim to eliminate inequalities, and to promote equality, between women and men.

(7) Gender-based violence, ***online and offline (394), and lack of access to adequate protection (396) is the most severe manifestation of gender-based discrimination and constitutes a violation of fundamental rights such as the right to human dignity, right to life, right to physical and mental integrity, prohibition of torture and inhuman or degrading treatment or punishment, prohibition of slavery and forced labour, liberty and security and respect for private and family life (390) enshrined in the Charter.***

## **COMPROMISE 31**

**Recital on Recital B, Recital B a (new), Annex I – Recitals 3 and 4 - Article 83 TFEU**

Amendments covered: 57 part I (Renew), 123 (EPP)

Fall: 55 (ECR), 56 (ID), AM 58 (de la Pisa Carrión), AM 59 (Wiśniewska)

B. whereas, pursuant to the third subparagraph of Article 83(1) of the Treaty on the Functioning of the European Union (TFEU) on the basis of developments in crime, the Council may adopt a decision identifying other areas of ***particularly serious (AM 123) crime with a cross-border dimension resulting from the nature or impact of such offences or from a special need to combat them on a common basis (AM 57, 123);***

**Ba. whereas when adopting such a decision under the third subparagraph of Article 83(1) TFEU, the Council is to act unanimously after obtaining the consent of the European Parliament; (from the annex)**

## **Annex**

(3) Pursuant to the third subparagraph of Article 83(1) TFEU **on the basis of developments in crime**, the Council **may** adopt a decision identifying **other** areas of particularly serious crime with a cross-border dimension resulting from the nature or impact of such offences or from a special need to combat them on a common basis.

(4) When adopting such a decision under the third subparagraph of Article 83(1) TFEU, the Council is to act unanimously after obtaining the consent of the European Parliament.

## **COMPROMISE 32A**

### **Recital on Recital C, Ca (new), Cb (new), Cc (new), Cd (new), Ce (new) and Annex I - Recital 5, 5a (new), 5b (new), 6 - definition**

Amendments covered: 61 (Incir et al.), 62 (Toom et al.), 67 (Franssen et al.), 69 (Pietikäinen), 70 (Pietikäinen), 71 (co-Rapporteurs), 76 (Incir et al.), 128 (Franssen et al.), 136 (Franssen et al.), 383 (Incir et al.), 386 (Pietikäinen),

Fall: 60 (de la Pisa Carrión), 64 (Anderson) 65 (Bruna), 66 (Stegrud), 68 (Tudorache), 72 (Baldassarre et al.), AM 73 (Wi niewska), 382 (Bruna), 384 (Baldassarre et al.), AM 385 (Stegrud)

C. whereas **the European Institute for Gender Equality (EIGE) and the Istanbul Convention define** gender-based violence **against women as** violence directed against a woman because she is a woman **or that** affects women disproportionately (AM 61, 67, AM 71, AM 76, AM 383); **whereas ‘violence against women’ means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (AM 62, AM 136);**

**Ca. whereas LGBTIQ+ persons are also victims of gender-based** (AM 63, AM 69, AM 70, AM 386) violence because of their gender, gender identity, gender expression and sex characteristics;

## **Annex**

(5) **The European Institute for Gender Equality (EIGE) and the Istanbul Convention define gender-based violence *against women as* violence directed against a woman because she is a woman *or that* affects women disproportionately (AM 61, AM 67, AM 71, AM 76, AM 383). *‘Violence against women’ means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (AM 62, AM 128, AM 136).***

(5a) **LGBTIQ+ persons are also victims of gender-based** (AM 63, AM 69, AM 70, AM 386) violence because of their gender, gender identity, gender expression and sex characteristics.

### **COMPROMISE 32B**

Amendments covered: 92 part I (co-Rapporteurs), 104 (Incir et al.), 105 (Incir et al.),

***Cb. whereas gender-based violence against LGBTIQ+ persons includes physical violence, psychological violence, forced marriages, sexual violence, including “corrective” rape and sexual harassment, female and intersex genital mutilations, forced sterilisation of trans and intersex people, so-called “honour” crimes, conversion therapy, hate speech both online and offline, bullying and harassment, socio-economic deprivation and violence that occurs within the family and/or domestic unit (AM 92);***

***Cc. whereas under the Council of Europe Convention on preventing and combating violence against women and domestic violence (the ‘Istanbul Convention’), gender is defined as “the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men”, which recalls that many forms of violence against women are rooted in power inequalities between women and men; (from the annex)***

***Cc. whereas the expression ‘in all their diversity’ in this report states the position that women, men and non-binary people fall into heterogeneous categories, including but not limited to in relation to race, colour, ethnic or social origin, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, sexual orientation, gender identity, gender expression or sex characteristics, state of health, marital status or migrant or refugee status; whereas it affirms the commitment to leave no one behind and achieve a gender-equal Europe for everyone; (AM 105) whereas no real progress can be made on gender equality without an intersectional approach (AM 104)***

### **Annex**

(5b) ***Gender-based violence against LGBTIQ+ persons includes physical violence, psychological violence, forced marriages, sexual violence, including “corrective” rape and sexual harassment, female and intersex genital mutilations, forced sterilisation of trans and intersex people, so-called “honour” crimes, conversion therapy, hate speech both online and offline, bullying and harassment, socio-economic deprivation and violence that occurs within***

***the family and/or domestic unit because of victims gender identity, gender expression and sex characteristics (AM92).***

(5c) Under the Council of Europe Convention on preventing and combating violence against women and domestic violence (the ‘Istanbul Convention’), gender is defined as “the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men”, which recalls that many forms of violence against women are rooted in power inequalities between women and men.

### **COMPROMISE 32C**

Amendments covered: 63 ( Rodríguez Palop), 92 part II (co-Rapporteurs), 387 (Frassen et al.)

Ce. whereas gender-based violence is rooted in gender stereotypes, ***heteropatriarchal*** structures, power asymmetries ***and structural and institutional inequalities (AM 63); whereas gender-based violence affect all areas of society (AM 387);***

***Cf. whereas gender-based violence targets women and girls in all their diversity and LGBTIQ+ people, driven by a desire to punish those seen as transgressing societal norms of gender hierarchies, gender expression, and binary gender systems; whereas gender-based violence aims at establishing, enforcing or perpetuating gender inequalities and reinforce gender norms and stereotypes; (AM 92);***

### **Annex**

(5c) Gender-based violence is rooted in gender stereotypes, ***heteropatriarchal*** structures, power asymmetries ***and structural and institutional inequalities (AM 63). Gender-based violence affect all areas of society (AM 387);***

### **COMPROMISE 33**

#### **Recital on Recital D - femicides**

Amendments covered: 84 (Reintke et al.), 85 (Rodríguez Palop) , 86 (co-Rapporteurs)

Fall: AM 83 (de la Pisa Carrión), 87 (Anderson), 88 (Baldassarre et al.)

D. whereas the European Institute for Gender Equality defines femicide as the killing of women and girls because of their gender; ***whereas it can take different forms such as the murder of women as a result of intimate partner violence, killing of women and girls because of their gender, sexual orientation, gender identity, gender expression and sex characteristics, as well as female and intersex genital mutilations and so called "honour***

*killings"; (AM 84, AM 86); whereas femicides are the extreme manifestation of existing forms of violence against women and represent the ultimate act of violence which is experienced in a continuum of violence; whereas many types of femicides are not counted in the official figures and remain invisible;(AM 85)*

### **COMPROMISE 34**

**Recital Da (new) and Recital Db (new) - domestic violence**

Amendments covered: 80 (Incir et al. ), 137 first part (Franssen et al.)

*Da. whereas gender-based violence includes many types of violence, including intimate partner violence and domestic violence; whereas the European Institute for Gender Equality (EIGE), similarly to the Istanbul convention, defines domestic violence as all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit, irrespective of biological or legal family ties, or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence as the victim: (AM 80 and 137)*

### **COMPROMISE 35**

**Recital Dc (new) - gender-based cyberviolence**

Amendments covered: 57 part III (Zacharopoulou et al.), 78 (Tudorache), 82 (Picierno et al.)

*Dc. whereas online gender-based violence and online sexual harassment are cross-border in nature (AM 57); whereas violence in the form of cyberviolence, including online harassment, cyberbullying, cyberstalking, sexist hate speech, non-consensual disclosure of sexual images, doxing, identity theft or hacking, disproportionately affects women and girls; (AM 78, 82);*

### **COMPROMISE 36**

**Recital De (new) - statistics**

Amendments covered: 57 part II (Zacharopoulou et al.), 94 (co-Rapporteurs), 103 part I (Picierno et al.), 124 (Franssen et al.)

***De. whereas violence against women and girls is one of the most widespread violation of women's rights in Europe; whereas EU surveys show that one in three women in the EU, which represents 62 million women, has experienced physical and/or sexual violence since the age of 15 and one in two women (55%) has experienced sexual harassment; whereas the WHO reports that worldwide, almost one third (27%) of women aged 15-49 years who have been in a relationship report that they have been subjected to some form of physical and/or sexual violence by their intimate partner; whereas the WHO reports that globally as many as 38 % of all murders of women are committed by intimate partners; (AM 57, AM 94, AM 103, AM 124)***

### **COMPROMISE 37**

#### **Recital E - collection of data**

Amendments covered: 97 (co-Rapporteurs), 98 (Franssen et al.), 103 part II (Picierno et al.)

Fall: 96 (de la Pisa Carrión), 99 (Wiśniewska)

***E. whereas there is a lack of **updated** comprehensive and comparable disaggregated data on all forms of gender-based violence **across the Member States** (AM 98); **whereas the lack of comparable data is also the result of a lack of harmonisation in the definitions linked to gender-based violence; whereas comprehensive and comparable disaggregated data is essential to document gender-based violence and its root causes**(AM 97); **whereas the latest EU Fundamental Rights Agency's survey on violence against women was published in 2014, and whereas most recent figures are not available; (AM 103)*****

### **COMPROMISE 38**

#### **Recital Ea (new) - COVID**

Amendments covered: 74 (Rodríguez Ramos), 101 (Spurek et al.), 121 (Zacharopoulou et al.), 125 (Franssen et al.)

***Ea. whereas the impact of the COVID-19 crisis resulted in a dramatic increase in gender-based violence, in particular intimate partner violence, including physical and psychological violence, coercive control (AM 74, AM 101, AM 121, AM 125, and online violence; whereas there has been a 60 % increase in emergency calls from women subjected to violence by their intimate partner reported among World Health Organization Europe Member States (AM***

*74); whereas lockdown measures made it more difficult for victims of intimate partner violence to seek help as they are often confined with their abusers, and have limited access to support services, and insufficient support structures and resources have exacerbated an already existing 'shadow' pandemic (AM 101);*

### **COMPROMISE 39**

**Recital Ec(new), Recital E d(new), Recital Ee (new), Recital Ef (new) , Recital Eg (new) , Recital Eh (new) , Recital Ei (new) - prevention, support and reparation**

Amendments covered: 75 (Stugariu), 81 (Stugariu), 89 (co-Rapporteurs), 107 (co-rapporteurs), (co-rapporteurs), 108 (co-rapporteurs)

*Ec. whereas education has a central part to play in order to prevent gender-based violence, in particular by challenging the negative social norms that drive this phenomenon and by empowering youth to recognize, address and prevent these acts;( AM 75)*

*Ed. whereas gender-based violence continues to be underreported in the EU; whereas two thirds of victims do not report to the authorities<sup>4</sup> (AM 108);*

*Ee. whereas, according to EIGE, secondary victimisation, also known as re-victimisation, 'occurs when the victim suffers further harm not as a direct result of the criminal act but due to the manner in which institutions and other individuals deal with the victim'; whereas 'secondary victimisation may be caused, for instance, by repeated exposure of the victim to the perpetrator, repeated interrogation about the same facts, the use of inappropriate language or insensitive comments made by all those who come into contact with victims'; (AM 89)*

*Ef. whereas gender-based violence may be perpetuated by persons in positions of authority, while placed in custodial settings such as prisons, mental health facilities, detention centres, welfare facilities and refugee camps; whereas situations of overcrowding, high levels of stress and lack of privacy may also lead to gender-based violence (AM 107); whereas by ensuring with special training that police officers have the soft skills to carefully listen, understand and respect all women who have experienced gender-based violence, they can help address underreporting, re-victimisation and create a safer environment for survivors of gender-based violence (AM 108);*

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<sup>4</sup> <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>

[5] United Nations Economic and Social Affairs (2015). The World's Women 2015, Trends and Statistics, p. 159

*Eg. whereas ensuring affordable and safe access to an independent justice system is indispensable to promote a safer environment for all survivors of gender-based violence (AM 108); whereas effectively tackling gender-based violence implies setting-up training programs for the professionals involved (social workers, healthcare providers, law enforcement, the justice system etc.) so that they are able to identify, address and respond to gender-based violence (AM 81);*

#### **COMPROMISE 40**

##### **Recital Eh (new) and Ei (new)- impunity sexual violence**

Amendments covered: 109 (co-Rapporteurs), 110 (co-Rapporteurs), 302 (Incir et al.)

*Eh. whereas in all Member States the conviction rates for perpetrators of violence against women, and in particular sexual violence including rape and sexual assault, are unacceptably low, showing that there are systematic deficiencies in the way law enforcement addresses gender-based violence, and whereas this in turn results in a widespread culture of impunity and a serious impairment to gender equality and the fight against gender-based violence (AM 109, 302)*

*Ei. whereas sexual violence is part of a continuum of gender-based discrimination and violence closely intertwined with persistent inequalities and broader attacks on gender equality, women's and girls' human rights; (AM 110)*

#### **COMPROMISE 41A**

##### **Recital Ej(new), Recital Ek (new) - Istanbul Convention**

Amendments covered: 111 part I (co-rapporteurs), 120 (Rodríguez Ramos), 122 (Franssen et al.)

*Ej. whereas the Istanbul Convention is the most comprehensive instrument in Europe to combat specific forms of male violence against women and girls, as well as domestic violence; whereas it establishes a comprehensive framework of legal and policy measures for preventing such violence, supporting victims and punishing perpetrators (AM 111, AM 120);*

*Ek. whereas disinformation campaigns to undermine gender equality also block progress on the issue of eliminating violence against women, as has been seen in relation to the Istanbul*

**Convention, leading to public opposition and regrettable political decisions in some Member States; (AM 122)**

### **COMPROMISE 41B**

#### **Recital Recital El (new) - Istanbul Convention**

Amendments covered: 111 part II (co-rapporteurs), 120 (Rodríguez Ramos)

***El. whereas the Istanbul Convention has been signed by all Member States and ratified by 21; whereas Bulgaria, Czech Republic, Hungary, Latvia, Lithuania and Slovakia have not ratified the Istanbul Convention yet; whereas Poland announced its intention to withdraw; whereas Turkey's withdrawal from the Istanbul Convention sets a bad precedent; whereas the Istanbul Convention has not yet been ratified by the EU (AM 111, 120);***

### **COMPROMISE 42**

#### **Recital Em (new), Recital F and Recital F a (new) - actions**

Amendments covered: 91 (Pietikäinen), 112 (co-Rapporteurs), 117 (co-rapporteurs), 118 (Picierno et al.), 119 (Franssen et al.)

Fall: AM 113 (de la Pisa Carrión), AM 114 (Stegrud), AM 116 (Wiśniewska)

***Em. whereas violations of women's rights are international, Europe-wide and cross-border in nature (AM 91); whereas women and girls in Europe and other victims of gender-based violence do not benefit from the same level of protection against violence across the EU, due to different national legislative frameworks, protection and prevention mechanisms between EU countries; (AM 112)***

***F. whereas Union action aiming to eradicate violence against women and girls and other forms of gender-based violence demands that the Commission pursue several parallel avenues, both legislative and non-legislative, including proposing the extension of Eurocrimes to gender-based violence and at the same time proposing a Directive on gender-based violence using Article 83(1) TFEU as a legal basis (AM 117);***

***Fa. whereas combating gender-based violence is a key priority of the EU Gender Equality Strategy and of the European Union's external action (AM 118); whereas in its work programme for 2021, the Commission announced a new legislative proposal to prevent and combat gender-based violence based on articles 82, 83 and 84 of the TFEU, as well as a specific proposal to extend the list of EU crimes to include all forms of hate crime and hate***

*speech; whereas combatting gender-based violence is among the priorities of the Commission's President*<sup>5</sup> (AM 119)

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<sup>5</sup> [https://ec.europa.eu/info/sites/default/files/political-guidelines-next-commission\\_en\\_0.pdf](https://ec.europa.eu/info/sites/default/files/political-guidelines-next-commission_en_0.pdf)