

**To: Ms. Hadja Lahbib Minister of Foreign Affairs, European Affairs and Foreign Trade and the Federal Cultural Institutions**  
**Ms. Caroline Gennez, Minister of development Cooperation and of Major cities**

**CC: Ms. Marie-Colline Leroy, State Secretary for Gender Equality, Equal Opportunities & Diversity**

2 February 2024, Geneva

Dear Ministers, Excellencies,

We are contacting you on behalf of the European Women's Lobby (EWL), the largest organisation of women's associations in the EU, and Soroptimist International of Europe (SIE), a global voice for women and advocate for the full implementation of the Istanbul Convention, in view of the recent news on the difficult negotiations on the Directive on violence against women (VAWG) and domestic violence (DV).

The European Women's Lobby members across Europe and Soroptimist International of Europe are outraged by the disgraceful decision of the Council of the EU, led by the Belgian Presidency, to persist in blocking a consent-based definition of rape (based on the standards of the Istanbul Convention) in the proposed Directive. While EWL and SIE acknowledge that the Belgian Presidency might have tried extensively to save the article on a consent-based definition on rape on the Directive before the end of the political mandate, we are extremely disappointed about this outcome and dismayed in view of the negative impact that this decision will have on the lives of women and girls. There are still 15 EU Member States that hold definitions of rape that fall behind the standards of the Istanbul Convention not offering adequate protection for victims of rape (see EWL analysis of the added value of the article 5 [here](#)). Despite the persistent calls of [women's and survivors organisations](#), [citizens](#), and [legal experts](#), the Council of the EU has decided to let down all women and girls to protect them from one of the most heinous crimes of sexual violence and rape. The unacceptable political choice of in particular Germany and France, raises concerns on the Belgian presidency of the Council of the European Union, and its commitment to the fight against violence against women and girls, and also women's rights.

Your action and leadership are required more than ever to bring justice to all victims and survivors of violence against women. We therefore urge the Belgian Presidency to do its utmost in the next week to ensure significant improvements in the last negotiating stages. **We call on the Belgian Presidency to agree on the European Parliament's proposals and red lines on prevention of VAWG crimes, including sexual violence, on protection and early intervention, on specialised support to victims and prosecution, access to justice and reparation, as also on data collection.**

While we welcome the inclusion of **forced marriage and female genital mutilation** in the Directive, we consider that having a Directive on violence against women that – under the scope of the legal basis on “sexual exploitation” - considers only the harmonisation of these two crimes is not a good political choice as it can be wrongly interpreted by extreme right wing forces as a win, as they may interpret that violence against women is something that happens outside of the EU, while we know this is absolutely not the case. Taking into account

the progressive position Belgium has taken during the negotiations on the draft Directive, in particular on Article 5, the EWL and SIE both believe that the Belgian Presidency is well placed to reach an agreement under its presidency on a **strong piece of legislation, refuting any further attempts to weaken the protection of all women**, with a special consideration given to the **most vulnerable women at risk of repeated re-victimisation** (European Parliament proposal on recital 29, Article 13.5; Article 28.1, Article 35 and 36.4).

In this vein, we are also extremely disappointed to learn about the lack of inclusion of the articles on **sexual harassment at the workplace and the article on forced sterilisation**, which are key aspects of the European Parliament's proposal and strong demand from women's organisations, trade unions and disability organisations. These aspects need to be urgently restored into the negotiation of the text.

An adequate **gender-sensitive implementation** of the directive is absolutely essential for the effective protection of women and girls that must be provided by specialist services. In this regard, it is of the utmost importance the recognition in the Directive of the **crucial role and expertise of women's organisations in addressing violence against women and domestic violence and providing specialised support** (EP proposal to article 37a and recital 47). The **definition of the gender-sensitive approach** (Recital 23c as per the European Parliament proposal) is absolutely essential for the adequate implementation of the Directive through the EU and it is a lesson learned from the evaluation of the implementation of the Istanbul Convention and the negative effects of a gender neutral approach ([See here EWL evaluation report](#)).

EWL and SIE call on the Member States to ensure the most **robust package of rights of victims** that lives up to the standards of the Istanbul Convention and updates it on reporting, investigation, individual assessment and early intervention; protection mechanisms, electronic monitoring and barring orders; specialist support services to victims of all forms of violence against women and their children, and adequate measures to ensure access to justice and reparation/compensation to avoid further re-victimisation and institutional violence.

EWL and SIE acknowledge that one of the most crucial aspects of the Directive is the proposed **legal framework to address key forms of cyberviolence against women**. Definitions in place must be effective to ensure no shortfalls. Cyberviolence must therefore be covered in an extensive and comprehensive manner, ensuring the largest scope of protection in all areas of the digital space and that shouldn't be conditioned to any form of reference to "freedom of expression/freedom of arts".

The chapter on **preventative measures** must absolutely address the root causes of violence against women and acknowledge the crucial role of women's organisations in raising awareness and in providing feminist sexuality education and information on consent, mutuality, and free will in sexual and affective relationships.

We consider that including a **review clause** is fundamental to ensure the extension of the scope of the Directive in the near future so that sexual violence should be covered as per the existent legal basis (You can find [here our letter signed by more than 140 Legal experts on the legal basis](#)). It is also of utmost importance for the adequate implementation and review of the Directive to appoint an **EU Coordinator on violence against women** that can lead the process (EP proposal on article 43.2).

Please see the [EWL priorities for the triilogue negotiations](#) that we developed in the early stages of the triilogue phase.

Finally, EWL and SIE are hugely disappointed to see that the crucial informal meeting of Ministers of Justice that took place on 26/01 led by the Belgian presidency did not have the Directive on combating violence against women amongst its priorities. Please, find [here](#) a statement in this regard.

We trust in your ability to reconduct the situation and conclude negotiations towards a Directive that makes Europe a safer place for all women and girls.

Yours sincerely,



Hafdis Karlsdóttir  
President 2024-2025  
Soroptimist International of Europe