

## **VIOLENCE AGAINST WOMEN: TIME TO ACT!**

### **An alarming observation: increase in violence, lack of means. It is time to act!**

In 2019, 146 women were killed by their "partner", 25 more than in 2018, an increase of more than 20%. In ten years, nearly 1400 women were killed, which is equivalent to more than 80% of domestic crimes. 225,000 women on average suffer violence within their couple every year in France, while more than 80,000 are victims of rape or attempted rape. 80% of victims have difficulty filing a complaint or being heard and 80% of complaints of domestic violence are closed without follow-up. The health crisis and confinement have amplified this violence (+35%). Behind these figures, there are lives that will be destroyed forever, abused children who will carry a truncated image of love, risking to reproduce violence indefinitely. We socialists must break this spiral of hatred and violence.

For too long, government action has fallen short of a genuine policy to combat femicide and violence against women. In November 2019, France was singled out by the Council of Europe for the inadequacy of the legal and material resources deployed to combat this scourge. The Council points in particular to the inadequacy of shelters for women victims of rape or violence. According to feminist associations, there is a shortage of 2,000 emergency accommodation places. The Council also deplores the fact that "the definition of sexual assault and rape is not based on the absence of free consent but requires the use of violence, coercion, threat or surprise." The inadequacies of our criminal and legal system are also highlighted when too often rape is reclassified as a misdemeanor even though it is a crime, when a violent father retains visitation rights to his children and uses them to continue to exercise his control and domination over his wife and children, or when a third of femicide victims were reported to the authorities before they died.

### **Faced with the macronist "reformettes", it is time to act!**

The President of the Republic has made the fight against domestic violence the "great cause of the quinquennium" and a Grenelle on this subject has been organized in the fall of 2019. A lot of communication but little action. Even if it should be noted that some tools (bracelets anti rapprochement, lifting of medical secrecy in some cases of "immediate danger",

A portal for reporting violence has been set up online, but it is still very inadequate. No additional budget has been made available and no strong measures have been taken in the areas of education, prevention and training. Moreover, a real legislative deficiency and a lack of consistency in the penal responses remain. Currently there is no "framework law" that addresses all aspects of this violence. It is essential to create a comprehensive policy to combat violence against women. This policy must first of all include a penal qualification of the term femicide, it must accompany witnesses and victims, and it must provide for the treatment of the perpetrators of violence, as is done in other countries.

### **Like other countries, it's time to act!**

**In Spain**, the left-wing government created proactive legislation in 2004 with: "compulsory" training for the chain of care; support for victims, including housing assistance;

the creation of specific courts for rapid procedures; the possibility for the State to take the place of the victim to file a complaint; the generalization of the anti-reconciliation bracelet (since 2009).

In 2017, the State launched a national pact to combat femicides with 200 million euros dedicated per year for 5 years, i.e. a total of 1 billion euros.

Above all, femicides are generally highly publicized, there has been a great awareness of the problem in Spanish society as a whole. Violence against women is no longer considered "marital dramas" or "murders of passion".

Since the implementation of this legislation, femicides have decreased by 15% and the number of complaints has more than doubled (victims file complaints more easily).

Several **Latin American** countries have recognized femicide since 2007 as murder with aggravating circumstances and provide for heavier sentences than for "simple" homicide. According to the World Health Organization, the term femicide refers to "any murder of girls or women for the simple reason that they are women". In France and in Europe, femicide is invisible in most legislations. Including a reference to femicide in the penal code would not make the murders disappear, but it would be an important symbolic step, because as the association "Dare Feminism" says, "to fight femicide, we must start by naming it".

In 1995, in **Canada**, the deployment of a 5-year plan was launched with substantial financial resources and cross-departmental work. This plan is accompanied by awareness-raising activities, the creation of reception centers and training for police officers.

In 2018, 600 million Canadian dollars will be added to fight against violence and feminicides with new measures: listening to victims in order to co-construct solutions; developing shelters for victims and perpetrators; taking care of perpetrators to prevent recidivism; the possibility for the police to take the place of the victim who would be too afraid to file a complaint; the possibility to investigate potential perpetrators.

**Sweden** has proposed a new definition of rape. Putting an end to sexual violence already involves defining the crimes themselves. While in France, rape is defined as "any act of sexual penetration, of whatever nature, committed against another person by violence, coercion, threat or surprise," Sweden amended the law last July, retaining a simple notion: a "sexual act" is defined as "any act of sexual penetration, of whatever nature, committed against another person by violence, coercion, threat or surprise.

The law now makes a person guilty of rape if the partner did not participate freely in the sexual intercourse. Any sexual act without explicit agreement is punishable by 6 years in prison. No need to justify threats or violence, it is the notion of consent that prevails.

**Faced with this observation, with the inadequacy of government responses, and inspired by the commitments of these countries against violence, we socialists believe that it is time to act and to bring true equality in our society. We propose :**

**- The establishment of a national pact to combat violence against women**

A priority must not simply be stated as the President of the Republic did at the beginning of his five-year term, it must be politically driven and served by appropriate means. This is why we propose that the ministry in charge of equality between women and men implement a national pact over several years that will be carried by a framework law. A substantial budget, also programmed over several years and broken down between the State and the various local authorities involved, should be established.

**- A framework law against violence**

Our legislation is not up to date and a major reform is needed if we really want to achieve results in the fight against the

violence against women. This framework law will have to carry both this update of our penal code and the set of measures that we are formulating.

The qualification or at least the reference to femicide must be added to our penal code.

We would like the definition of rape to be modified and based on the notion of consent and that this crime can no longer be reclassified as a misdemeanor. This requires the establishment of a special jurisdiction to deal specifically and quickly with cases of violence against women.

**- A rapid and appropriate response to violence**

We must improve the care of victims. The process for filing a complaint is tedious and too long. Women victims of violence are not properly taken care of by judicial police officers, often due to a lack of training. As a result, they are often wrongly stigmatized or blamed and many of them give up filing a complaint. We propose that the entire chain of care for the victim (health care personnel, law enforcement, judges, etc.) be subject to specific mandatory training. Beyond that, we propose that the State can take the place of the victims to file a complaint and that dedicated structures be set up in the major hospitals that allow victims to have access in the same place to a complete medical and psychological device: forensic samples, support and psychological follow-up and even filing a complaint with trained specialized inspectors present in the structure.

**- Better support for victims, child witnesses, and perpetrators**

We will make it mandatory to set up emergency accommodation facilities in municipalities with more than 80,000 inhabitants, intended for women victims of violence within their families and accompanied by their children. This response, deployed throughout the country, will offer accommodation under tripartite management (State-Territorial Communities-Associations) for a minimum of 6 months. More broadly, we will support and encourage other communities to also create these structures because violence does not only concern large cities, they are also present in less urban areas. The issuance of protection orders and the wearing of an anti-matching bracelet will become mandatory for all convictions in order to protect victims of violence.

Access by abusive fathers to their children must be suspended or restricted and supervised from the moment a complaint is filed.

Child witnesses (also victims) of conjugal violence and, in some cases, of femicide, who often suffer from post-traumatic stress, must be accommodated in specialized units in order to receive multidisciplinary support. We will also create shelters for the perpetrators of violence with care in order to prevent recidivism. Convicted men, perpetrators of conjugal violence, will have the obligation of a medical follow-up and to participate in adapted discussion groups. Those who refuse any follow-up will see their sentence transformed into a period of incarceration.

**- Education and prevention actions**

We must educate from an early age by fighting gender stereotypes. It is therefore necessary to train the supervising staff (teachers, animators, educators...) but also to raise awareness among children and young people in schools and associations.

Preventive actions must also be put in place, especially for young girls who are all too often unaware of their rights and of structures such as family planning.

***"Socialists therefore feminists", a real commitment beyond words***

Like all the major societal advances that have taken our country forward, it is up to us socialists to truly and sustainably reduce violence against women. We must not simply mobilize on November 25 (November 25 is the International Day for the Elimination of Violence against Women) and March 8 (International Women's Rights Day). Our party must be on the bridge every day and give each femicide, each act of violence, a repercussion commensurate with the dramas that these women experience.

**Contribution of the Haute-Garonne's commission for equality between women and men and the fight against discrimination.**