

## WAVE Statement on the International Day for the Elimination of Violence against Women 2023

Vienna, 25 November 2023

On this significant occasion, marking the International Day for the Elimination of Violence against Women, the Women Against Violence Europe (WAVE) Network stands resolute in its commitment to advocating for women's rights, particularly in the context of Violence Against Women and Girls (VAWG) and Domestic Violence (DV).

As the collective voice representing more than 1,600 women's organisations including Women's Specialist Services (WSS), Advocacy and Research Feminist Organisations, and Primary Prevention Services across 46 European countries, WAVE remains dedicated to empowering women and ensuring their right to live free from violence. Our mission is to address and prevent Violence Against Women and Girls (VAWG) by enabling WAVE members to access financial resources. Additionally, we strive to enhance the capabilities and significance of Women's Support Services (WSS) while emphasizing the pivotal role of feminist WSS in aiding women and girls who are victims of violence.

In 2023, our advocacy efforts centred on closely monitoring European Legislation, notably the draft EU Directive on combatting violence against women and domestic violence<sup>1</sup>, and revising the Victims' Rights Directive<sup>2</sup>. We are deeply concerned about the absence of a comprehensive prevention approach within these directives. Furthermore, we are troubled by the persistent questioning of the legal basis of the proposed EU Directive on VAW and DV which has led some Member States to argue that the Directive is too detailed and goes beyond the EU competencies, in particular when it comes to the inclusion of the criminalisation of rape, primarily due to concerns regarding the "Yes means Yes" approach to consent<sup>3</sup>. Additionally, we are alarmed by unfounded assertions suggesting potential adverse effects, such as fragmentation, competition, or service coherence issues, arising from explicitly acknowledging WSS within the VAW as well as the Victims' Rights Directive.

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<sup>1</sup> Draft EU Directive on Combating Violence Against Women and Domestic Violence, 2022/0066(COD) [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2022/0066\(COD\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2022/0066(COD)&l=en)

<sup>2</sup> Proposal for a Directive amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA [https://commission.europa.eu/document/42e8087e-96ea-4e7a-aa4c-981a9ced6b6f\\_en](https://commission.europa.eu/document/42e8087e-96ea-4e7a-aa4c-981a9ced6b6f_en)

<sup>3</sup> The affirmative approach to consent asserts that consent is genuine only when it is clearly expressed through actions that reflect a person's voluntary intentions, considering the specific circumstances. Situations where an individual is under the influence of substances, lacks the physical or mental capacity to consent, or experiences coercion or intimidation cannot be deemed as freely given consent. This perspective contrasts with the "no means no" concept, which assumes that a person, particularly a woman, should explicitly refuse any sexual contact to indicate non-consent. However, the "no means no" model overlooks a critical aspect: during incidents of sexual violence, nearly 90% of victims experience tonic immobility, with 70% facing severe tonic immobility, rendering them unable to physically respond to the assault. This paralysis, a natural physiological response, inhibits their ability to actively refuse or physically resist, challenging the notion that explicit refusal is always possible or effective in instances of sexual violence.

The proposed directives aim to address violence against women as a distinct crime, ensuring the right of victims of violence against women to specialised support tailored to their unique needs. Advocating for the inclusion of Women's Specialist Services does not diminish the significance of general support services. Instead, it emphasises the necessity of recognising the specialised needs of violence against women and domestic violence victims, akin to how specialised doctors complement general practitioners. Moreover, our advocacy aligns with the Istanbul Convention, promoting a multi-agency and comprehensive approach to assisting victims/survivors of gender-based violence against women.

For WAVE and all women and girls across Europe and globally, there is #NoExcuse for European governments to persist in obstructing progress toward gender equality within the EU and beyond. The assertion that effectively preventing and prosecuting VAWG and DV, as well as challenging existing stereotypes about women and men, is an insurmountable or overly challenging task, or that women should settle for the current inadequate realisation of their fundamental rights, is unacceptable.

In 2023, the persistent reality for women and girls involves enduring harassment, sexual assault, femicide, and systematic exclusion from positions of influence, often being subjected to targeted hate speech. However, despite these ongoing challenges, individuals in influential positions tend to advocate that setting stringent laws to combat VAWG and DV at the European level is unattainable. Establishing solely minimum standards to address these forms of violence is insufficient. What is truly needed is a deeper commitment from governments and a fundamental transformation of the patriarchal structures ingrained within our society, as proposed by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, also known as the Istanbul Convention.

There is #NoExcuse for perpetuating these patriarchal arguments and obstructing women's progress. It's imperative to reject these notions and work towards creating comprehensive and effective measures to eradicate VAWG and DV, dismantle harmful stereotypes and ensure genuine gender equality across Europe and beyond. Hence, on the International Day for the Elimination of Violence Against Women, WAVE underscores the critical need for comprehensive prevention to be the cornerstone of all efforts aimed at eradicating such violence.

Amidst these persistent challenges, it becomes evident that robust activism and collaborative efforts among feminist organisations become paramount. As legislation and societal structures often prove inadequate in advancing genuine gender equality for women and girls, the need for proactive engagement and coordinated action becomes ever more apparent. In line with this, during the 16 Days of Activism, WAVE, in collaboration with WAVE Youth Ambassadors and our Austrian and European partners, aims to highlight diverse approaches to activism.

This includes nurturing relationships with key stakeholders, such as policymakers and community leaders, advocating for change from within these institutions, and leveraging artistic expressions to challenge societal norms, particularly those perpetuating VAWG.

Embracing the diverse experiences of all women, we offer support and strengthen the feminist movement through purposeful collaboration.

Our WAVE 16 Days of Activism [calendar of activities](#) celebrates and amplifies diverse forms of feminist activism, empowering women and all members of society to advocate for gender equality and women's human rights. In the spirit of unity and strength within the feminist movement, we express our gratitude to all our dedicated partners, including the WAVE Members, WAVE Youth Ambassadors, Central European University, the Global Network of Women's Shelters and Lila.Help, the EuroCentralAsian Lesbian\* Community, AÖF, Women's Aid, Unsichtbar, aufstehn, and Radio Orange 94.0, with whom we share the honour of turning this year's 16 Days of Activism campaign into a testament to the power of collaborative efforts, showcasing the diversity and resilience of feminist activism. Together, we raise our voices, call for effective positive change, and follow the path of a future free from violence against women and girls.

Come be part of our celebration of feminist activism! Join us in our in-person and online activities and lend your support to our calls for action in urging European governments to invest in prevention measures and endorse feminist legislation. Legislation is pivotal in eradicating violence against women and girls in Europe while ensuring their access to fundamental rights. Every action taken to prevent and combat all forms of VAWG is a stride towards a safer, fairer, and more prosperous world. Let's make a difference together!



#WAVEofChange