

Ministerie van Volksgezondheid,
Welzijn en Sport

> Return address Postbus 20350 2500 EJ Den Haag (NL)

EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE AND CONSUMERS
Directorate D: Equality and Union citizenship
Ms. Irena Moozová, Director

Visitors' address:
Parnassusplein 5,
2511 VX
Den Haag (NL)
www.rijksoverheid.nl

Reference
DMO-1007262

Enclosure(s)
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Date May 6, 2021

Subject General response to targeted consultation (legislative) proposal
European Commission on preventing and combating gender-based and domestic
violence

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correspondence
exclusively to the return
address, stating the date and
reference of this letter.*

Dear Ms. Irena Moozová,

On 12 March 2021, I received your questions with regard to the proposal you are working on for the approach to violence against women and domestic violence at the European level. Further to the targeted consultation, with this letter I aim to provide you, also on behalf of the Minister for Legal Protection, with a general response in addition to the answers to your questions. In doing so, I am bringing the Dutch position to your attention, as well as some points of attention regarding your initiative. Once the (legislative) proposal has been published, the Netherlands will determine its position in accordance with national procedure.

I sincerely appreciate the European Commission's efforts in the approach to violence against women and domestic violence. Your ambitions are visible in the efforts for the accession of the European Union to the 'Council of Europe's Convention on preventing and combating violence against women and domestic violence' (hereinafter referred to as the Istanbul Convention), in the adopted 'EU 2020-2025 Gender Equality Strategy' and in the initiative you are currently working on for a (legislative) proposal to prevent and combat violence against women and domestic violence.

Your initiative reinforces the ambitions and standards described in the Istanbul Convention, for which I express my support. This is a clear signal that can contribute to combating this type of violence. Combating violence against women and domestic violence is a complex issue that requires an integrated approach. In addition to previous EU legislation for victims, establishing a solid (legal) foundation for the protection of every victim of violence against women or domestic violence is desirable. I therefore welcome your initiative for a (legislative) proposal at the EU level.

The announced (legislative) proposal also offers an opportunity to better tackle cross-border forms of this type of violence jointly, such as harmful practices and digital violence. I therefore encourage the exploration you are undertaking regarding these forms of violence towards

legislation at European level. I would like to draw your attention to problems arising as a result of divorces that are pronounced within the EU, but which are not always being recognised in third countries. This causes significant problems in certain individual cases, and this issue would benefit from a European approach.

I understand that finding a balance between where legislation and regulations at the European level have a reinforcing effect at the various national levels and where these unintentionally complicate this approach, is rather challenging. Individual member states that have ratified the Istanbul Convention will need time to fulfil the obligations of the treaty. At the same time, several individual member states have not ratified the Istanbul Convention or have even hinted towards leaving it. Legislation and regulations at the European level can have a reinforcing or, conversely, a complicating effect. Differences between member states and national authorities therefore need to be part of this consideration. Although you are undoubtedly familiar with the importance and impact of the choices arising from these considerations, I would like to take this opportunity to draw your attention to them.

Finally, I would like to reiterate my support for the principle that your initiative reinforces the ambitions and standards set out in the Istanbul Convention.

Yours sincerely,

State Secretary of Health,
Welfare and Sport,

Paul Blokhuis, MSc