European Parliament Adopts Trans-inclusive Resolution on Gender-based Violence

article, protection from violence and hate, women's rights

TGEU welcomes the European Parliament's resolution of 16 September calling on the European Commission to propose identifying gender-based violence as a new area of crime. TGEU celebrates the recognition of violence towards trans people as gender-based violence.

If adopted, the resolution would modify Article 83(1) of the Treaty on the Functioning of the European Union (TFEU) to define specific forms of gender-based violence as a new area of crime of a particular serious nature and with a cross-border dimension. This would serve as a legal basis for the adoption of a directive setting minimum standards for the prosecution of crimes and the protection of victims across the EU. All Member States will need to agree in the voting.

The resolution recognises that trans people are also "victims of gender-based violence because of their gender, gender identity, [and] gender expression." TGEU shares the analysis that gender-based violence is "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 reinforcing gender norms and stereotypes". TGEU has continuously advocated for a definition of gender-based violence that is inclusive of all trans people.

The resolution further clarifies that only an intersectional approach can end gender-based violence, since "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"

The EU LGBTI Survey II (FRA 2020) found that trans people are exposed to high rates of violence and harassment. Trans women people were more likely to experience physical or sexual violence (28%) or harassment (61%) in the past five years than LGBTI people in general (11% and 38%). TGEUs global research found in 2020 that 62% of registered murders of trans people whose occupation was known were sex workers; in Europe every second of those killed was a migrant.

The adopted resolution includes trans people as potential victims of gender-based violence, clarifies that women refers to women in all their diversity, including trans women and non-binary persons, and mentions specific forms of violence trans people face such as forced sterilisation. The text also condemns the actions of anti-gender and anti-feminist movements in Europe and worldwide as systematic attacks on women's and LGBTIQ+ rights. The Parliament also calls for action by the EU Commission and Member States to address all forms of gender-based violence.

Richard Köhler, TGEU Senior Policy Officer, comments:

> "It is urgent that the gender-based violence trans people face is finally recognised as such in the EU. This step will provide a legal framework from which to take action to achieve real social change; to prevent violence, to protect victims, to collect data, to train law enforcement and ultimately to work towards a society

that respects and values trans people.”

TGEU has provided input to an earlier version of the Resolution as well as to numerous consultations this year, including the European Commission’s impact assessment of the “Gender-based and domestic violence initiative” and the proposal “Combating gender-based violence – protecting victims and punishing offenders.”

Read resolution