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COVER NOTE

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

Subject: Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union in the Committee of the Parties to the Council of Europe Convention on preventing and combating violence against women and domestic violence, at its 19th meeting, on the recommendations and conclusions addressed to certain Parties on their implementation of that Convention, with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement

Delegations will find attached document COM(2025) 712 final.

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2025/0366 (NLE)

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union in the Committee of the Parties to the Council of Europe Convention on preventing and combating violence against women and domestic violence, at its 19th meeting, on the recommendations and conclusions addressed to certain Parties on their implementation of that Convention, with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement

2.3. The monitoring mechanism of the Istanbul Convention

The Istanbul Convention establishes a monitoring mechanism to ensure its effective implementation by the Parties⁷. The purpose is to assess how the Convention is put into practice and to provide guidance to the Parties. The monitoring mechanism consists of two distinct but interacting bodies: an independent expert body (the Group of Experts on Action against Violence against Women and Domestic Violence ‘GREVIO’) and the CoP.

GREVIO is an independent group of experts tasked with monitoring the Convention’s implementation on a country-by-country basis, in accordance with Article 66(1) of the Convention. The monitoring procedure is set out in Article 68 of the Convention. In accordance with Article 68(1) of the Convention, new Parties are required to submit a report (based on a questionnaire prepared by GREVIO) that details the legislative and other measures they have taken to give effect to the Convention. GREVIO prepares a report on the measures taken by that Party concerned to implement the Convention, and makes suggestions and proposals on how that Party may deal with problems that have been identified⁸.

The CoP, based on GREVIO’s report and in accordance with Article 68(12) of the Convention, may adopt recommendations addressed to the Party concerned on the implementation of the Convention and set a deadline for the Party to submit a response on their implementation of the recommendations. Based on this provision, the CoP has been adopting recommendations to Parties which differentiate between actions that should be taken as soon as possible, with a requirement to report back within a three-year period, and actions that while important, do not carry the same level of immediacy. At the end of the three-year period, the Party must report back to the CoP on the progress made in implementing the recommendations that were addressed to it. On the basis of this information, and any additional information obtained, the secretariat of the Committee⁹ prepares the conclusions on the implementation of the recommendations in relation to each Party under review, which the CoP adopts.

As the baseline evaluation procedure has been completed for nearly all Parties, GREVIO decided in late 2022 to move to the next phase in its evaluation. Under Article 68(3) of the Convention, GREVIO’s evaluation procedures following the baseline evaluation shall be divided into rounds (‘thematic evaluation rounds’). The first thematic evaluation round is entitled ‘Building Trust by Delivering Support, Protection and Justice’ which runs from 2023 to 2031. While the baseline evaluation covered around 60 articles of the Istanbul Convention, the new thematic evaluation procedure addresses 20 articles, namely Articles 3, 7, 8, 11, 12, 14, 15, 16, 18, 20, 22, 25, 31, 48, 49, 50, 51, 52, 53 and 56. These articles set out standards for law enforcement agencies, criminal justice actors, the provision of general and specialist support services for victims, and an overall victim-centred approach. The aim is to provide a more in-depth assessment of these areas, focusing on the progress made under each article. At its meeting in December 2024, the CoP adopted a Decision on the recommendations to be adopted by the Committee of the Parties in light of GREVIO’s reports adopted as part of its first thematic round of evaluation¹⁰.

⁷ Article 1(2) of the Istanbul Convention.

⁸ Article 68(10) of the Istanbul Convention.

⁹ The applicable procedure for supervising the implementation and the reporting is defined in the ‘Framework for supervising the implementation of the recommendations addressed to state parties’, adopted by the CoP on 13 April 2021, IC-CP/Inf(2021)2.

¹⁰ Contained in document IC-CP(2024)10 rev.

To date, the CoP's practice has been to adopt recommendations and conclusions based on consensus at its meetings which take place upon request ¹¹, by one third of the Parties, the President of the Committee of the Parties or the Secretary General, usually twice a year.

2.4. The envisaged acts of the Committee of the Parties

On 11 December 2025, during its 19th meeting, it is foreseen that the CoP will proceed with the adoption of eight draft recommendations (one based on the baseline evaluation procedure and seven based on the first thematic evaluation round) as well as one conclusion (respectively the 'draft recommendations' and the 'draft conclusions', and jointly the 'envisaged acts')):

- (1) Recommendation on the implementation of the Istanbul Convention by the United Kingdom, contained in document IC-CP(2025)22prov;
- (2) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Andorra, contained in document IC-CP(2025)23prov;
- (3) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Belgium, contained in document IC-CP(2025)24revprov;
- (4) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by France, contained in document IC-CP(2025)25prov;
- (5) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Italy, contained in document IC-CP(2025)26prov;
- (6) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by the Netherlands, contained in document IC-CP(2025)27prov;
- (7) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Portugal [IC-CP(2025)28prov];
- (8) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Serbia, contained in document IC-CP(2025)29prov; and
- (9) Conclusions on the implementation of recommendations in respect of Poland adopted by the Committee of the Parties, contained in document IC-CP(2025)30prov.

3. POSITION TO BE TAKEN ON THE UNION'S BEHALF

The envisaged acts concern the implementation of provisions of the Convention which relate to judicial cooperation in criminal matters, such as matters on the protection of victims and support for victims of violence against women and domestic violence, and the implementation of provisions on asylum and non-refoulement. These matters are covered by the Union acquis,

¹¹ Article 67(2) of the Convention.

in particular the Directive on combating violence against women and domestic violence¹², the Victims' Rights Directive¹³, the Asylum Procedures Regulation¹⁴, the Reception Standards Directive¹⁵ and the Family Reunification Directive¹⁶. They fall within the EU's exclusive competence insofar as the relevant provisions of the Convention may affect common rules or alter their scope within the meaning of Article 3(2) of the Treaty on the Functioning of the European Union (TFEU). As the envisaged acts are capable of decisively influencing the content of Union law in that they may affect the interpretation of relevant provisions of the Convention in the future, it is appropriate to establish the position to be taken on the Unions behalf in the CoP with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement.

The draft recommendations and the draft conclusions on matters falling within the competence of the Union are in line with the Union's objectives and policies in the areas of judicial cooperation in criminal matters, asylum and non-refoulement and do not raise any concerns with respect to Union law. It is therefore proposed that the Union does not object to the adoption of the draft recommendations and conclusions at the 19th meeting of the CoP.

4. LEGAL BASIS

4.1. Procedural legal basis

4.1.1. Principles

Article 218(9) of the Treaty on the Functioning of the European Union (TFEU) provides for decisions establishing 'the positions to be adopted on the Union's behalf in a body set up by an agreement, when that body is called upon to adopt acts having legal effects, with the exception of acts supplementing or amending the institutional framework of the agreement.'

The concept of 'acts having legal effects' includes acts that have legal effects by virtue of the rules of international law governing the body in question. It also includes instruments that do not have a binding effect under international law, but that are 'capable of decisively influencing the content of the legislation adopted by the EU legislature'¹⁷.

4.1.2. Application to the present case

The CoP is a body set up by the Istanbul Convention. The envisaged acts which the CoP is called upon to adopt constitute acts having legal effects. The envisaged acts are capable of decisively influencing the content of Union law, because they may affect the interpretation of

¹² Directive 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence (OJ L, 2024/1385, ELI: <http://data.europa.eu/eli/dir/2024/1385/o>).

¹³ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, ELI: <http://data.europa.eu/eli/dir/2012/29/oj>).

¹⁴ Regulation 2024/1348 of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU (OJ L, 2024/1348, ELI: <http://data.europa.eu/eli/reg/2024/1348/oj>).

¹⁵ Directive 2024/1346 EU of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection (OJ L, 2024/1346, ELI: <http://data.europa.eu/eli/dir/2024/1346/oj>).

¹⁶ Directive 2003/86 of 22 September 2003 on the right to family reunification (OJ L 251, ELI: <http://data.europa.eu/eli/dir/2003/86/oj>).

¹⁷ Judgment of the Court of Justice of 7 October 2014, Germany v Council, C-399/12, ECLI:EU:C:2014:2258, paragraphs 61 to 64.

the relevant provisions of the Istanbul Convention in the future. Therefore, the procedural legal basis for the proposed decision is Article 218(9) TFEU.

4.2. Substantive legal basis

4.2.1. Principles

The substantive legal basis for a decision under Article 218(9) TFEU depends primarily on the objective and content of the envisaged act in respect of which a position is taken on the Union's behalf. If the envisaged act pursues two aims or has two components and if one of those aims or components is identifiable as the main one, whereas the other is merely incidental, the decision under Article 218(9) TFEU must be founded on a single substantive legal basis, namely that required by the main or predominant aim or component.

With regard to an envisaged act that simultaneously pursues a number of objectives, or that has several components, which are inseparably linked without one being incidental to the other, the substantive legal basis of a decision under Article 218(9) TFEU will have to include, exceptionally, the various corresponding legal bases.

4.2.2. Application to the present case

As regards the substantive legal basis, the EU has acceded to the Istanbul Convention as regards matters falling within its exclusive competence, namely with regard to matters related to institutions and public administration of the Union¹⁸ and with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement¹⁹. The EU's accession to the Istanbul Convention was split into two separate Council decisions to take into account the special position of Denmark and Ireland with respect to Title V TFEU. Consequently, the decision establishing the position to be taken on the Union's behalf in the CoP also needs to be split into two decisions, when the relevant recommendations or conclusions concern both matters.

The envisaged acts pursue objectives and have components in the area of judicial cooperation in criminal matters (Article 82(2) and Article 84 TFEU), as well as on asylum and non-refoulement (Articles 78(2) TFEU). They are inseparably linked without one being incidental to the other. Therefore, the substantive legal basis for the proposed decision comprises the following provisions: Article 78(2), Article 82(2) and Article 84 TFEU.

4.3. Conclusion

The legal basis of the proposed decision should be Article 78(2), Article 82(2) and Article 84, in conjunction with Article 218(9) TFEU.

¹⁸ Council Decision (EU) 2023/1075 of 1 June 2023 on the conclusion, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to institutions and public administration of the Union (OJ L 143 I, 2.6.2023, p. 1, ELI: <http://data.europa.eu/eli/dec/2023/1075/OJ>).

¹⁹ Council Decision (EU) 2023/1076 of 1 June 2023 on the conclusion, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement (OJ L 143 I, 2.6.2023, p. 4, ELI: <http://data.europa.eu/eli/dec/2023/1076/OJ>).

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union in the Committee of the Parties to the Council of Europe Convention on preventing and combating violence against women and domestic violence, at its 19th meeting, on the recommendations and conclusions addressed to certain Parties on their implementation of that Convention, with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2), Article 82(2) and Article 84, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Council of Europe Convention on preventing and combating violence against women and domestic violence (‘the Convention’) was concluded by the Union by means of Council Decision (EU) 2023/1075²⁰ with regard to institutions and public administration of the Union, and by means of Council Decision (EU) 2023/1076²¹ with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement, insofar as such matters fall within the exclusive competence of the Union, and entered into force for the Union on 1 October 2023.
- (2) Pursuant to Article 66(1) of the Convention, the Group of experts on action against violence against women and domestic violence (‘GREVIO’) is to monitor the implementation of the Convention by the Parties to the Convention (the ‘Parties’). In accordance with Article 68(11) of the Convention, GREVIO is to adopt its report and conclusions concerning the measures taken by the Party concerned to implement the provisions of the Convention.
- (3) The Committee of the Parties (the ‘Committee’) is able to adopt recommendations addressed to the Party concerned, in accordance with Article 68(12) of the Convention, on the basis of the report and conclusions of GREVIO. Such recommendations are to differentiate between measures to be taken as soon as possible, with a requirement to report back to the Committee within a three-year

²⁰ Council Decision (EU) 2023/1075 of 1 June 2023 on the conclusion, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to institutions and public administration of the Union (OJ L 143 I, 2.6.2023, p. 1), [Decision - 2023/1075 - EN - EUR-Lex](#).

²¹ Council Decision (EU) 2023/1076 of 1 June 2023 on the conclusion, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement (OJ L 143 I, 2.6.2023 p. 4), [Decision - 2023/1076 - EN - EUR-Lex](#).

period, and measures which, while important, do not carry the same level of immediacy. At the end of that three-year period, the Party must report back to the Committee on the measures taken, within 10 specific areas of the Convention. Based on that report, and any additional information, the Committee is to adopt conclusions on the implementation of the recommendations, prepared by the secretariat of the Committee.

- (4) Pursuant to Article 68(3) of the Convention, the evaluation procedures following GREVIO's initial baseline evaluation procedure are to be divided into rounds ('thematic evaluation rounds'). The first thematic evaluation round is entitled 'Building Trust by Delivering Support, Protection and Justice' and addresses 20 articles of the Convention, namely Articles 3, 7, 8, 11, 12, 14, 15, 16, 18, 20, 22, 25, 31, 48, 49, 50, 51, 52, 53 and 56. At its 17th meeting on 17 December 2024, the Committee adopted a Decision on the recommendations to be adopted by the Committee of the Parties in light of GREVIO's reports adopted as part of the first thematic evaluation round contained in document IC-CP(2024)10 rev.
- (5) The Committee, during its 19th meeting on 11 December 2025, is expected to adopt the following draft recommendations (one based on the baseline evaluation round and seven based on the first thematic evaluation round) and draft conclusions, on the implementation of the Convention by nine Parties (respectively the 'draft recommendations' and the 'draft conclusions', and jointly the 'envisaged acts'):
 - (1) Recommendation on the implementation of the Istanbul Convention by the United Kingdom, contained in document IC-CP(2025)22prov;
 - (2) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Andorra, contained in document IC-CP(2025)23prov;
 - (3) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Belgium, contained in document IC-CP(2025)24revprov;
 - (4) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by France, contained in document IC-CP(2025)25prov;
 - (5) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Italy, contained in document IC-CP(2025)26prov];
 - (6) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by the Netherlands, contained in document IC-CP(2025)27prov;
 - (7) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Portugal, contained in document IC-CP(2025)28prov;
 - (8) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Serbia, contained in document IC-CP(2025)29prov; and
 - (9) Conclusions on the implementation of recommendations in respect of Poland adopted by the Committee of the Parties, contained in document IC-CP(2025)30prov.

- (6) The envisaged acts concern the implementation of provisions of the Convention which relate to judicial cooperation in criminal matters, such as matters relating to the protection and support of victims of violence against women and domestic violence. The draft recommendations and conclusions also concern the implementation of provisions of the Convention relating to asylum and non-refoulement. Those matters are covered by the Union *acquis*, in particular Council Directive 2003/86/EC²², Directives 2012/29/EU²³, (EU) 2024/1346²⁴ and (EU) 2024/1385²⁵ of the European Parliament and of the Council, and Regulation (EU) 2024/1348 of the European Parliament and of the Council²⁶. The envisaged acts will have legal effects, as they are capable of decisively influencing the content of Union law in that they could affect the interpretation of relevant provisions of the Convention in the future. It is therefore appropriate to establish the position to be taken on the Union's behalf in the Committee for matters related to judicial cooperation in criminal matters, asylum and non-refoulement.
- (7) It should be noted that recommendations relating to certain articles of the Convention are only partly covered by the Union's competence. Regarding those articles, this decision should be without prejudice to Member States' competence, so that, for example: as regards recommendations on Articles 49 and 50 of the Convention, this decision should be without prejudice to Member States' competence for the internal organisation and administration of their justice systems; as regards recommendations on Articles 11 and 20 of the Convention, this decision should be without prejudice to Member States' competence for the organisation and delivery of healthcare services and medical care; as to recommendations on Article 14 of the Convention, this decision should be without prejudice to Member States' competence for the content of teaching and the organisation of education systems, and as regards recommendations on Article 31 of the Convention, this decision should be without prejudice to Member States' competence in the area of family law.
- (8) As regards the United Kingdom, the draft recommendation on its implementation of the Convention includes the need to: harmonise existing legal definitions in line with the Convention (Article 3 of the Convention); ensure that the provisions of the Istanbul Convention are implemented without discrimination and integrate the perspectives and needs of women exposed to intersectional discrimination into policies (Article 4 of the Convention); ensure appropriate and sustainable financial resources for all policies aimed at combating violence against women and sustainable funding for relevant civil society organisations (Article 8 of the Convention); reinforce

²² Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003, p. 12, ELI: <http://data.europa.eu/eli/dir/2003/86/oj>).

²³ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57-73, <http://data.europa.eu/eli/dir/2012/29/oj>).

²⁴ Directive (EU) 2024/1346 EU of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection (OJ L, 2024/1346, ELI: <http://data.europa.eu/eli/dir/2024/1346/oj>).

²⁵ Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence (OJ L, 2024/1385, 24.5.2024, ELI: <http://data.europa.eu/eli/dir/2024/1385/oj>).

²⁶ Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU (OJ L, 2024/1348, ELI: <http://data.europa.eu/eli/reg/2024/1348/oj>).

recognition of and support for civil society organisations (Article 9 of the Convention); equip the national coordinating bodies with the necessary mandate and competences and ensure the coordination and implementation of policies and measures to prevent and combat all forms of violence against women and ensure their independent monitoring and evaluation, supported by relevant data (Article 10 of the Convention); harmonise data-collection systems and ensure the systematic collection of disaggregated data on violence against women (Article 11 of the Convention); ensure training for relevant professionals on how to adequately respond to and investigate violence against women (Article 15 of the Convention); remove barriers to accessing general support services (Article 20 of the Convention); provide adequately staffed and resourced specialist support services to all victims, and increase the number and capacity of shelters for victims of violence against women and domestic violence (Articles 22 23 of the Convention); ensure that violence against a child can be regarded as an aggravated circumstance regardless of the relationship of the perpetrator to the child (Article 46 of the Convention); reduce secondary victimisation by ensuring persons investigating and prosecuting acts of violence against women have adequate expertise in those matters and ensure cases are handled efficiently without delay (Article 50 of the Convention); ensure the introduction and implementation of emergency barring orders where needed (Article 52 of the Convention); and ensure access to adequate and safe accommodation for all women and girls during the asylum procedure and gender-sensitive standards in reception facilities (Article 60 of the Convention). As the draft recommendation on those matters is in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters, asylum and non-refoulement and does not raise any concerns with respect to Union law, the position of the Union should be to not object to its adoption.

- (9) As regards Andorra, the draft recommendations on its implementation of the Convention include the need to: develop a long-term comprehensive strategy to prevent and combat all forms of violence against women covered by the Convention; ensure that women's rights organisations are fully involved in policymaking and to regularly assess these policies on the basis of detailed indicators (Article 7); ensure that women's rights NGOs are granted sufficient subsidies and time to carry out activities entrusted to them (Article 8); continue to extend the collection of disaggregated data on all forms of violence covered by the Istanbul Convention and that full data is available on judicial decisions relating to violence against women and domestic violence (Article 11); extend prevention campaigns to all forms of violence covered by the Istanbul Convention (Article 12 of the Convention); ensure sufficient human resources and adequate qualifications of professional working on programmes for perpetrators, devise minimum standards and introduce a specific programme for perpetrators of sexual violence (Article 16); ensure that specialist support services meet victims' needs and that migrant women, refugee women and women asylum seekers have full access to these services (Articles 22 and 60); set up efforts to improve police operations by taking into account all the forms of violence against women covered by the Istanbul Convention and raise the awareness of professionals concerned (Articles 49 and 50); take measures to guarantee that all stakeholders carry out risk assessments for all the forms of violence covered by the Convention and repeat this regularly (Article 51); ensure that emergency barring orders can be issued without delay where there is an immediate danger and establish a clear legal framework that guarantees the proper management of emergency barring orders (Article 52); and ensure that victims of all the forms of violence covered by the

Convention can benefit from protection orders and that breaches are punished (Article 53). As those draft recommendations are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters, asylum and non-refoulement and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.

- (10) As regards Belgium, the draft recommendations on its implementation of the Convention include the need to: ensure greater consistency of policies and measures in relation to preventing and combating violence against women between the different levels of authorities in the country (Article 7 of the Convention); ensure that collected data are disaggregated and harmonise data collection (Article 11 of the Convention); ensure to impart knowledge on the notion of freely given consent in sexual relations (Article 14 of the Convention); introduce initial and in-service training for all levels of law-enforcement officials and all relevant healthcare professionals, and adopt and disseminate quality standards for training courses (Article 15 of the Convention); step up the support for the recovery and economic independence of women victims of violence through relevant measures and implement standardised care paths in the healthcare sector to ensure the identification of victims and their referral to appropriate specialist support services (Article 20 of the Convention); increase the number and capacity of women-only shelters and ensure that fees are not a barrier in accessing shelters, and set up a state-wide helpline that serves as a single point of contact for all victims (Article 22 of the Convention); ensure that supervised visitation facilities provide for the safety of children and their mothers and avoid secondary victimisation (Article 31 of the Convention); ensure efficiency, that the prosecution prioritise these cases and applies a gender-based and victim-centred understanding of violence against women, ensure that effective safeguards are in place to prevent the inappropriate use of mediation and take measures to avoid disparities in the judicial response to all cases of violence against women (Articles 49 and 50 of the Convention); remove obstacles to the use of emergency barring, protection and restraining orders, ensure that such orders are available and accessible to all victims and that they can be applied for independently of other procedures (Articles 52 and 53 of the Convention); and evaluate the implementation of existing protection measures and ensure that all measures in place are implemented in practice for victims of all forms of violence covered by the Convention (Article 56 of the Convention). As those draft recommendations are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.
- (11) As regards France, the draft recommendations on its implementation of the Convention include the need to: develop a long-term overarching strategy to prevent and combat all forms of violence against women covered by the Convention, ensure that adequate resources are allocated to the body coordinating the policies to prevent and combat violence against women; ensure that women's rights associations are fully involved in policymaking and regularly assess these policies on the basis of predefined indicators (Articles 3 and 7 of the Convention); continue efforts to ensure adequate funding for policies to prevent and combat all forms of violence against women and ensure women's rights organisations have sufficient and stable financial resources to carry out their work (Article 8 of the Convention); ensure that data collected by the judicial services are disaggregated (Article 11 of the Convention); improve efforts and assess the impact of measures in primary prevention (Article 12 of the Convention); ensure all professionals in contact with victims and perpetrators receive training on all forms of violence against women and that such training is assessed (Article 15 of the

Convention); adopt and implement minimum standards for programmes for perpetrators of violence and assess their impact (Article 16 of the Convention); ensure that coordination bodies are set up across the country and that the new one-stop-shop facilities set up to provide support for women victims involve all the bodies concerned (Article 18 of the Convention); ensure that all women victims of violence have access to a forensic examination and the possibility of preserving evidence and take further measures to prevent and combat violence against women with disabilities (Article 20 of the Convention); ensure that specialist support is available across the country, including for women victims of violence and their children residing in shelters, and ensure that such services respond to the digital dimension of violence against women (Article 22 of the Convention); provide victims of sexual violence with medical care, trauma support, forensic examinations and psychological assistance (Article 25 of the Convention); ensure the safety of victims and their children when deciding on custody and visitation rights by broadening the application of measures to strengthen cooperation between civil and criminal courts and ensure that there are enough facilities for supervised visits (Article 31 of the Convention); strengthen the measures taken to encourage women victims of all forms of violence covered by the Istanbul Convention to report such violence and ensure appropriate reception and support services; take measures to ensure more sexual violence cases reach the prosecution stage and continue efforts to ensure a proper judicial response to all forms of violence against women (Articles 49 and 50 of the Convention); ensure that risk assessments are conducted systematically in all cases of violence against women (Article 51 of the Convention); make increased use of protection orders and ensure breaches are punished (Article 53 of the Convention); and limit the secondary victimisation to which women victims of violence can be exposed during proceedings (Article 56 of the Convention). As those draft recommendations are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.

- (12) As regards Italy, the draft recommendations on its implementation of the Convention include the need to: introduce definitions of domestic violence and violence against women that are in line with Article 3 in order to ensure a common use of these concepts (Article 3 of the Convention), ensure that the national action plan on violence against women addresses all forms of violence against women and is supported by a timeline, financial resources and indicators to measure progress; ensure effective consultation with civil society and better coordinate the implementation of the relevant policies (Article 7 of the Convention); ensure sustainable and long-term funding for all the policies and measures to prevent and combat violence against women, and provide shelters with sufficient and sustainable funding (Article 8 of the Convention); ensure the collection and disaggregation of data by all relevant stakeholders and harmonise the collection of data (Article 11 of the Convention); ensure the teaching of the notion of freely given consent in sexual relations (Article 14 of the Convention); introduce initial and in-service training for all relevant professionals on all forms of violence against women (Article 15 of the Convention); increase the number and capacity of shelters in an adequate geographical distribution and ensure accommodation for all victims, ensure that victims of female genital mutilation have access to helpline support, and ensure psychological counselling to children exposed to domestic violence or other forms of violence against women is not subject to the approval of both parents (Articles 22, 23, 24 and 26 of the Convention); provide safe premises for supervised visits with the support of professionals trained in domestic violence

(Article 31); ensure that restorative justice services in cases of offences under the scope of the Istanbul Convention are used with caution, and are based on the victim's free and informed consent (Article 48 of the Convention); ensure timely and adequate responses from law enforcement agencies to reports relating to all forms of violence against women, and effective investigation and prosecution in such cases (Articles 49 and 50 of the Convention); ensure systematic risk assessments for victims of all forms of violence against women that are grounded in manuals and guidelines and address the need to include children and their individual risks in the assessment (Article 51 of the Convention); and ensure that emergency barring orders are issued in practice when needed, monitor orders and react in case of breach and include children in the scope of the emergency barring and restraining orders (Article 52 and 53 of the Convention). As those draft recommendations are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.

- (13) As regards Netherlands, the draft recommendations on its implementation of the Convention include the need to: ensure that definitions in policy documents reflect the fact that domestic violence affects women disproportionately and to align the definitions in legislation with Article 3b of the Istanbul Convention (Article 3 of the Convention); ensure that policies and measures taken in relation to preventing and combating violence against women and domestic violence are coordinated and that they cover all forms of violence against women covered by the Istanbul Convention, assign the role of coordinating body to fully institutionalised entities with clear mandates, competences and necessary resources and ensure the involvement of non-governmental organisations (NGOs) in policymaking (Article 7 of the Convention); introduce appropriate and sustainable funding for policies and measures on all forms of violence against women and domestic violence and ensure appropriate and sustainable funding for women's rights organisations (Article 8 of the Convention); adapt data categories for use by the justice sector and law enforcement agencies and ensure disaggregation (Article 11 of the Convention); step up the training of all professionals dealing with victims of violence against women on all forms of violence covered by the Istanbul Convention while drawing on the expertise of women's rights organisations (Article 15 of the Convention); step up efforts to increase the number of and capacity of shelters and their ability to cater to the needs of women subject to intersectional discrimination (Article 22 of the Convention); ensure effective investigation and prosecution in cases of violence against women covered by the Convention and take measures to encourage women victims to report, including women at risk of intersectional discrimination (Articles 49 and 50 of the Convention); take measures to ensure gender-sensitive risk assessments in cases of domestic violence and other forms of violence against women as part of a multiagency response (Article 51 of the Convention); and review and expand the system of restraining and emergency barring orders in line with the Convention, to ensure that relevant authorities can issue such orders immediately in cases of imminent danger (Article 52 of the Convention). As those draft recommendations are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.

- (14) As regards Portugal, the draft recommendations on its implementation of the Convention include the need to: ensure appropriate financial resources for the implementation of national strategies and action plans, and sustainable funding for

women's rights organisations (Article 8 of the Convention); ensure initial and in-service training for members of the judiciary on all forms of violence against women covered by the Convention and ensure that all relevant professionals receive continuous training on violence against women (Article 15 of the Convention); ensure that programmes for perpetrators of domestic and sexual violence are sufficiently available, adopt minimum standards and are evaluated (Article 16 of the Convention); develop a multiagency coordinated response to all forms of violence against women (Article 18 of the Convention); set up a helpline for women victims of different forms of violence, increase the number and capacity of women-only shelters for victims of all forms of violence against women and ensure the availability of specialist support services and remove the requirement for women victims to report a crime in order to gain access to a shelter (Article 22 of the Convention); prioritise the safety and respect of the rights of women victims and their children in the implementation of supervised visitation (Article 31 of the Convention); ensure a swift and gender-sensitive response by law enforcement officers in all cases of violence against women, including in their digital dimension; ensure cases are investigated effectively (Articles 49 and 50 of the Convention); and align the system of emergency barring orders and the system of protection and restraining orders with the Convention; ensure that the scope and duration of protection orders are determined on a case-by-case basis, that the monitoring of protection orders is strengthened and breaches of such orders subject to dissuasive sanctions (Articles 52 and 53 of the Convention). As those recommendations are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.

- (15) As regards Serbia, the draft recommendations on its implementation of the Convention include the need to: harmonise the definition of domestic violence across laws in line with the Convention, ensure the effective implementation and monitoring of the national strategy, and allocate sufficient resources to the competent body or bodies responsible for the coordination, implementation, monitoring and independent evaluation of policies and measures addressing all forms of violence against women (Articles 3 and 7); ensure appropriate and sustainable financial resources for legislation, policies and measures to prevent and combat violence against women and domestic violence and guarantee sustainable funding for women's organisations providing specialist support for victims (Article 8 of the Convention); ensure that collected data are disaggregated by relevant factors and harmonise data collection (Article 11 of the Convention); ensure regular preventive measures to eradicate gender stereotypes, promote awareness-raising campaigns that address all forms of violence against women, including the digital dimension, targeting society as a whole (Article 12 of the Convention); ensure systematic initial and in-service training for all relevant professionals (Article 15 of the Convention); expand and provide adequate resources for domestic violence perpetrator programmes and adopt common standards (Article 16 of the Convention); improve victims' access to financial support, housing and employment and ensure free forensic examinations (Article 20 of the Convention); increase the number of shelter places to ensure safe accommodation for all victims, including those facing intersectional discrimination (Article 22 of the Convention); ensure rape crisis or sexual violence referral centres across the country, available independent of the victim's willingness to report the crime (Article 25 of the Convention); encourage the reporting of all forms of violence against women, raising law enforcement authorities' awareness to ensure gender-sensitive responses, strengthen evidence collection and take measures to ensure the efficient case handling

(Articles 49 and 50 of the Convention); ensure training and guidance for police officers on risk assessments and involve all relevant institutions in the assessment (Article 51 of the Convention); improve the monitoring and compliance with emergency and extended protective measures, including through electronic monitoring; ensure consistency in the process and systematically include children in both emergency protective measures and long-term protection orders (Article 52 and 52 of the Convention); and ensure the effective implementation of all victim protection measures throughout investigations and judicial proceedings and safeguard victims from intimidation, reprisals and re-victimisation by upholding their right to be properly informed when orders are issued or perpetrators released or escape (Article 56 of the Convention). As those draft recommendations are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.

- (16) As regards Poland, the draft conclusions on its implementation of the Convention include the need to: ensure the provisions of the Convention are implemented without discrimination and to address the multiple forms of discrimination certain groups of victims face when accessing protection and support (Article 4 of the Convention); develop nationwide, comprehensive and coordinated policies to prevent and combat all forms of violence against women covered by the Convention, strengthen interinstitutional cooperation mechanisms between authorities to ensure victims' access to support and protection mechanisms (Article 7 of the Convention); increase financial resources to prevent and combat all forms of violence against women, provide funding for NGOs, and ensure their participation in the implementation and monitoring of all relevant policies (Article 8 of the Convention); allocate the necessary human and financial resources to the coordinating body for the Istanbul Convention and ensure the involvement of women's rights organisations (Articles 9 and Article 10 of the Convention); ensure the collection of disaggregated data and harmonise data collection between relevant services (Article 11 of the Convention); ensure emergency barring, restraining and protection orders can be issued for all forms of violence under the Convention and ensure sanctions in case of breach (Articles 52 and 53 of the Convention); ensure swift access to asylum procedures for women asylum seekers, ensure gender-sensitive procedures and uphold the principle of non-refoulement (Articles 60 and 61 of the Convention). As those draft conclusions are in line with the Union's policies and objectives in the area of judicial cooperation in criminal matters, asylum and non-refoulement and do not raise any concerns with respect to Union law, the position of the Union should be to not object to their adoption.
- (17) Ireland is not bound by Council Decision (EU) 2023/1076 and is therefore not taking part in the adoption of this Decision.
- (18) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the Union within the Committee of the Parties established under Article 67 of the Council of Europe Convention on preventing and

combating violence against women and domestic violence, at its 19th meeting, shall be to not object to the adoption of the following acts:

- (1) Recommendation on the implementation of the Istanbul Convention by the United Kingdom, contained in document IC-CP(2025)22prov;
- (2) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Andorra, contained in document IC-CP(2025)23prov;
- (3) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Belgium, contained in document IC-CP(2025)24revprov;
- (4) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by France, contained in document IC-CP(2025)25prov;
- (5) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Italy, contained in document IC-CP(2025)26prov];
- (6) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by the Netherlands, contained in document IC-CP(2025)27prov;
- (7) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Portugal, contained in document IC-CP(2025)28prov;
- (8) Recommendations on building trust by delivering support, protection and justice on the basis of the Istanbul Convention by Serbia, contained in document IC-CP(2025)29prov; and
- (9) Conclusions on the implementation of recommendations in respect of Poland adopted by the Committee of the Parties, contained in document IC-CP(2025)30prov.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

*For the Council
The President*