



Brussels, 3 February 2020  
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LIMITE

PE-QE 10

## REPLY TO PARLIAMENTARY QUESTION

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From:	General Secretariat of the Council
To:	Permanent Representations of the Member States
Subject:	PRELIMINARY DRAFT REPLY TO QUESTION FOR WRITTEN ANSWER P-003911/2019 - Giorgos Georgiou 'Ratification and implementation of the Istanbul Convention'

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1. Delegations will find attached:
  - the text of the above question for written answer;
  - a preliminary draft reply prepared by the General Secretariat.
2. If no comments have been received from delegations by 19 February 2020 (17.00), this preliminary draft reply will be submitted to the Permanent Representatives Committee (Part 1) and to the Council for approval.

Any comments received will be examined by the Working Party on General Affairs.

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**Priority question for written answer P-003911/2019**  
**to the Council**  
Rule 138  
**Giorgos Georgiou**

Subject: Ratification and implementation of the Istanbul Convention

In Europe, one woman in three has experienced some form of violence, that is to say psychological, physical or sexual abuse.

Women are also victims of grave injustices resulting from infringement of their labour rights, pay and benefit cuts, abolition of all types of welfare, dismissal of pregnant women and general austerity measures exacerbating inequalities.

Violence against women is a key obstacle to gender equality, one of the EU's fundamental values, as set out in Articles 2 and 3 of the Treaty on European Union.

The European Parliament has therefore adopted numerous resolutions calling for full EU accession to the Istanbul Convention, thereby providing a coherent set of European legal framework provisions to prevent and combat violence against women.

In view of this:

1. Why is the European Council not seeking full EU accession to the Istanbul Convention? Why has it decided to sign up to only two areas, namely judicial cooperation in criminal matters on the one hand and asylum and non-refoulement on the other?
2. Why is the European Council dragging its feet and failing to proceed with the ratification and full implementation of the Istanbul Convention?

Pursuant to Article 218(6) TFEU, it is the Council of the European Union, and not the European Council, that is the institution competent to adopt the proposed decision to conclude the Istanbul Convention on behalf of the Union.

The Council of the European Union wishes to stress that through the resolution<sup>1</sup> adopted on 4 April 2019 by the European Parliament, the European Parliament decided to seek an opinion from the Court of Justice under Article 218(11) TFEU on the compatibility with the Treaties of the proposed accession of the EU to the Istanbul Convention and the procedure for that accession.

The Council does not comment on ongoing procedures<sup>2</sup> at the Court of Justice.

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<sup>1</sup> 2019/2678(RSP).

<sup>2</sup> Avis 1/19.