



Council of the  
European Union

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ADD 1

LIMITE

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#### NOTE

From:	Presidency
To:	Delegations
Subject:	ANNEX to the proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union in the Committee of the Parties of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, on amendments to the Committee's Rules of Procedure, with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement - Presidency's compromised text

With a view to the FREMP meeting on 27 February 2024, delegations will find in the Annex to this Note a Presidency compromise on the amendments to the Rules of Procedure of the Committee of the Parties of the Istanbul Convention with regard to matters related to matters related to judicial cooperation in criminal matters, asylum and non-refoulement. These proposed amendments will be annexed to the draft Council decision about the position to be taken on the Union's behalf regarding these Rules of Procedure at the meeting of the above Committee which will be held on 31 May 2024.

The changes compared to the previous document 5815/24 ADD1 on the proposed amendments are marked in **bold/underline** for additions and in ~~striketrough~~ for deletions.

The position to be taken on the Union's behalf in the Committee of the Parties, established under Article 67 of the Convention, on the amendments to the Rules of Procedure of the Committee of the Parties, at the meeting of the Committee of the Parties on 31 May 2024.

## ANNEX

The European Union recalls that it acceded to the Istanbul Convention in order to prevent and fight violence against women and domestic violence. The Union collaborates genuinely with non-EU Member States in all international treaties to which it accedes full stock. The Union wishes to affirm that in respect to double majority requirement, this requirement applies only when the Union – alone or together with its Member States – reaches a two-thirds majority of the votes cast.

### **Rule 20 – Voting**

*Amendment no.1: add new text at the end (in bold+underlined)*

“1. Each member of the Committee shall have one vote. Where the delegation of a Party is composed of more than one representative, only one of them is entitled to take part in voting.

In matters within its competence, the European Union shall exercise its right to vote with a number of votes equal to the number of those of its Member States which are Parties to the Convention and which are bound by the Union's exercise of its competence. The Member States of the European Union which are not bound by the Union's competence can vote separately.

Where the European Union exercises its right to vote, the Member States which are Parties to the Convention and which are bound by the Union's competence in the matter to be voted upon, shall not vote. The European Union shall not exercise its right to vote in cases where all of its Member States which are Parties to the Convention are entitled to exercise theirs.”

“2. Voting requires a quorum”.

*Amendment no.2: add new text (in bold+underlined)*

“3. The decisions of the Committee are taken by a two-thirds majority of the votes cast. Where the European Union participates in a vote in accordance with paragraph 1, subparagraphs 2 and 3 and reaches alone a two-thirds majority of the votes cast, a two-thirds majority shall include a simple majority of the votes cast by the other Parties.”

“4. Procedural questions shall be decided by a majority of the votes cast”.

*Amendment no.3: add new text at the end (in bold+underlined)*

“5. If any question arises as to whether a matter is procedural or not, it shall not be treated as procedural unless the Committee so decides by a two-thirds majority of the votes cast in accordance with paragraph 3.”

“6. For the purposes of these Rules, “votes cast” shall mean the votes of members cast for or against. Members abstaining shall be regarded as not having cast a vote”.

#### **Rule 21 – Specific rules for the election of GREVIO members**

“1. Rules 16, 19 and 20 of the present rules do not apply to the election of members of GREVIO”.

[...]

*Amendment no.4: add new text (in bold+underlined)*

“4. A Committee decision to request the withdrawal of one or more candidates who do not meet the requirements for membership of GREVIO as set out in Rules 2 to 5 of the rules on the election procedure of the members of GREVIO requires a two-thirds majority of the votes cast, including a simple majority of the votes cast by representatives of Parties other than the European Union and its Member States **when the European Union and its Member States reach alone a two-third majority of the votes cast**. For the purposes of the present Rule, “votes cast” shall mean the votes of members cast for or against. Members abstaining shall be regarded as not having cast a vote”.

[...]

*Amendment no.5: add new text (in bold+underlined)*

**7.** Each member of the Committee shall have one vote. Where the delegation of a Party is composed of more than one representative, only one of them is entitled to take part in the voting”.

#### **Rule 25 – Amendments to the Rules of Procedure**

*Amendment no.6: add new text (in bold+underlined)*

“The Committee may amend the Rules of Procedure by a two-thirds majority of the votes cast, including a simple majority of the votes cast by representatives of Parties other than the European Union and its Member States **when the European Union and its Member States reach alone a two-third majority of the votes cast**. For the purposes of the present Rule, Rule 20, paragraph 1, subparagraphs 2 and 3, shall not apply.”

#### **Rule 2 – Composition**

*Amendment no.7: delete text*

1. Members

a. Pursuant to paragraph 1 of Article 67 of the Convention, members of the Committee shall be the representatives of the Parties to the Convention.

[...]

2. Participants

[...]

b. The following may appoint representatives to participate in the meetings of the Committee without the right to vote or the defrayal of expenses:

i) States which have signed but not yet ratified the Convention;

ii) States which have ratified or acceded to the Convention but for which it has not yet entered into force;

iii) States invited to accede to the Convention.

~~iv) the European Union.~~

[...]

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