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COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE COURT OF JUSTICE OF THE EUROPEAN UNION, THE EUROPEAN CENTRAL BANK, THE COURT OF AUDITORS, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE EUROPEAN COMMITTEE OF REGIONS AND THE EUROPEAN INVESTMENT BANK

on the baseline evaluation procedure of the European Union's implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention)

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I. Context and background

Equality between men and women and non-discrimination are fundamental rights and core values of the EU. Violence against women and domestic violence endanger those very values and rights, undermining women's and girls' rights to equality in all areas of life and hindering their equal societal and professional participation. Violence against women and domestic violence are severe violations of human rights and a persisting manifestation of structural discrimination against women. Combating them remains a key priority for the EU and is part of its action to protect the core EU values and ensure that the EU Charter on Fundamental Rights is upheld.

The **Istanbul Convention** (¹) establishes a comprehensive framework of legal and policy measures aimed at preventing violence against women, prosecuting perpetrators, and protecting and supporting victims. Parties to the Convention are required to implement a broad range of measures structured around four key pillars – the '4 Ps': prevention, protection, prosecution and coordinated policies. The Convention entered into force on 1 August 2014. The EU signed the Convention on 13 June 2017 and completed the accession process on 28 June 2023, bringing the Convention into force for the EU on 1 October 2023.

All EU Member States have signed the Convention and 22 have ratified it (²). The EU has acceded to the Convention with regard to matters related to the institutions and public administration of the Union (³) and matters related to judicial cooperation in criminal matters, asylum and non-refoulement (⁴). This means that the Convention is only binding for the EU with regard to those matters (without prejudice to the obligations of the 22 Member States which have ratified the Convention). By acceding to the Convention, the EU confirmed its engagement in combating violence against women and domestic violence within the EU and beyond. The EU, as a whole, is therefore bound to implement the Convention and to abide by the monitoring process established by the Convention. At the time of the EU's accession, a Code of Conduct (⁵) was agreed between the Council, the Member States [that are parties to the Convention] and the Commission, and a Declaration of Competence was submitted (⁶).

This **Communication** outlines the monitoring process set out by the Convention and the procedures that the Commission intends to put in place to comply with this process. Aiming to serve as a reference point throughout the process, it outlines the Commission's role, details the steps involved along with the expected timeline, and describes how the Commission plans to engage with EU institutions, agencies and bodies to gather their input, in line with the principle of sincere cooperation and with respect for the administrative autonomy of the other EU

⁽¹⁾ CETS 210 - Council of Europe Convention on preventing and combating violence against women and domestic violence.

⁽²⁾ Status of ratifications on 27.03.2025: AT (2013); BE (2016); CY (2017); DE (2017); DK (2014); IE (2019); EL (2018); ES (2014); EE (2017) FI (2015); FR (2014); HR (2018); IT (2013); LU (2018); MT (2014); NL (2015); PL (2015); PT (2013); RO (2016); SI (2015); SV (2014), LV (2024).

⁽³⁾ Council <u>Decision</u> (EU) 2023/1075.

⁽⁴⁾ Council Decision (EU) 2023/1076.

^{(5) 2023/}C 194/03 of 2.6.2023, available online.

^{(6) 2023/}C 194/02 of 2.6.2023, available online.

institutions. The establishment of a transparent, inclusive and well-defined procedure will ensure that the EU provides comprehensive information within the timeline set.

II. Modalities and organisation of the baseline evaluation procedure of the EU's implementation of the Convention

The Convention sets up a monitoring mechanism to assess how its provisions are put into practice and to provide guidance to the parties. This **mechanism** comprises two distinct, but interacting, bodies: the independent Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and the political body set up by the Convention, the Committee of the Parties (CoP).

Shortly after the entry into force of the Convention, the Party should submit a report detailing legislative measures and other measures taken to give effect to the provisions of the Convention and prepared on the basis of a questionnaire issued by GREVIO.

Based on the report submitted by the Party and additional information from other relevant actors, GREVIO prepares a report that includes proposals for measures that the Party should take to fulfil its obligations under the Convention. This procedure, referred to as the **baseline evaluation procedure**, provides a first comprehensive overview of the Party's implementation of nearly all provisions of the Convention. On the basis of this baseline evaluation, the CoP adopts recommendations addressed to the Party. These highlight the actions that the Party concerned should take as soon as possible, with a requirement to report back on the steps taken within a three year-period. GREVIO initiated its baseline evaluation procedure of the EU's implementation of the Convention on 14 January 2025 (see Annex).

Under Article 17(1) of the Treaty on European Union, the Commission exercises coordinating, executive and management functions in implementing international agreements to which the Union is a party and ensures the Union's external representation. When the EU acceded to the Convention, the Commission was designated as the EU's coordinating body, in accordance with Article 10 of the Convention, and it was agreed that the Commission should fulfil the reporting obligations under the monitoring mechanism (7). The Commission is therefore the **designated contact point** within the EU for this baseline evaluation.

a. The GREVIO questionnaire

The Commission received the GREVIO questionnaire on 14 January 2025. The EU is now required to submit an official report of max. 100 pages on the legislative measures and other measures taken to give effect to the provisions in Chapters I to VII of the Convention by 28 November 2025 (EU report). GREVIO adapted the standard baseline evaluation questionnaire for the EU in order to account for differences between state parties and the EU as a supranational organisation.

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⁽⁷⁾ Article 3, Council <u>Decision (EU) 2023/1075</u> and Council <u>Decision (EU) 2023/1076</u>.

The questionnaire is structured into seven parts: (i) introduction; (ii) integrated policies and data collection; (iii) prevention; (iv) protection and support; (v) substantive law; (vi) investigation, prosecution and procedural law and protective measures; and (vii) migration and asylum. Although questions are formulated in broad terms, requests for information are to be understood as pertaining only to those areas where the EU has competence to act through legislative measures, policy, strategic measures or other measures (see the Declaration of Competence (8) for guidance). The evaluation will not address implementation of EU law by Member States⁹, which is covered by their own review processes. It focuses instead on action taken at the level of EU institutions, agencies and bodies and any legislative measures or other measures taken by the EU to place obligations on EU Member States and ensure their effective implementation. Unless otherwise indicated in the questionnaire, all requests for information and data apply since the entry into force of the Convention for the EU (1 October 2023). Any data requested by the questionnaire should refer to the period 2023-2024 and, where available, 2025. The EU is nonetheless welcome to provide any relevant earlier information. Due to space constraints, the EU has been asked not to include lengthy excerpts from relevant legislation and policies, using hyperlinks instead where appropriate.

The Commission has been tasked with distributing the questionnaire to the relevant EU **institutions, agencies and bodies**, coordinating their responses and submitting a consolidated version of the EU report to GREVIO by 28 November 2025. This process involves four steps:

- <u>Step 1</u>: The Commission will prepare a **first draft** of the report based on input from all relevant Directorates-General (DGs) within the Commission. The report will explain that the EU has established a comprehensive framework, including policies, legislation and funding, aiming to tackle violence against women and domestic violence within the EU and beyond. Before submitting its input, each DG will reach out to the relevant agencies for which they are responsible and include their contribution in the DG's response to the questionnaire.
- <u>Step 2</u>: The Commission will pursue a **double track procedure** to incorporate contributions from other EU institutions, agencies and bodies:
 - For the first track, the Commission will establish a dedicated contact group with representatives from all EU institutions (**the Istanbul Convention Contact Group**). The group will discuss general cross-cutting and procedural matters and will focus on the parts of the questionnaire that fall within the area of judicial cooperation in criminal matters, asylum and non-refoulement (¹⁰). The group will serve as the main point of contact for these issues.
 - The second track will cover the EU's implementation of the Convention as regards matters related to the institutions and public administration of the Union (11) (i.e.: in relation to the staff in its administration, the personnel directly or indirectly in its

^{(8) 2023/}C 194/02 of 2.6.2023, available online.

⁽⁹⁾ Only relevant for the 22 Member states who have ratified the Istanbul Convention.

⁽¹⁰⁾ Council <u>Decision - 2023/1076 - EN - EUR-Lex.</u>

⁽¹¹⁾ Council Decision - 2023/1075 - EN - EUR-Lex.

employment and the visitors to its premises and buildings). Due to its horizontal nature, it is expected that this track will be of most relevance for most EU institutions, agencies and bodies. The Commission will establish a dedicated group with representatives from all relevant EU institutions, agencies and bodies that will coordinate and serve as the main point of contact for these parts of the questionnaire (the Public Administration Contact Group).

The Chair of each respective group will share the Commission's **first draft** of the EU report with their group and request that the representatives in the respective groups coordinate their internal responses and submit their contributions to the Chair within a given deadline.

In this context, the first draft will cover horizontal rules, including rules applicable to EU institutions, agencies and bodies (such as the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants). For areas where EU institutions, agencies and bodies have implemented different rules and measures, they should set out these rules in their response to the questionnaire.

- <u>Step 3</u>: The Commission will incorporate all feedback into a **revised draft** of the EU report. The Istanbul Convention Contact Group and the Public Administration Contact Group will have the opportunity to submit any final comments. Additionally, the Commission will share the revised draft with the Council Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP) for information in due time before the report is submitted (¹²). The revised draft will also be shared with the Committee on Women's Rights and Gender Equality and the Committee on Civil Liberties, Justice and Home Affairs in the European Parliament.
- <u>Step 4</u>: The Commission will finalise the report and **submit** it to the GREVIO Secretariat by 28 November 2025.

Recognising the valuable expertise of **civil society organisations** (CSOs), particularly in relation to policies on violence against women and domestic violence, the Commission has established a dedicated network with CSOs to help the EU implement the Convention. The Commission will keep this network informed throughout the evaluation process. Following the shadow reporting procedures outlined in Article 68(5) of the Convention, GREVIO encourages non-governmental organisations, civil society and national institutions for the protection of human rights to independently share their input on (EU) implementation of the Convention directly with GREVIO.

b. The evaluation visit

After the EU report has been submitted, a GREVIO delegation will conduct an evaluation visit to gain a thorough understanding of the EU's implementation of the Convention (13). GREVIO

⁽¹²⁾ See p. 8 in the Code of Conduct, note 5.

⁽¹³⁾ Article 68 (9) of the Convention.

has tentatively scheduled its evaluation visit for **May or June 2026**. GREVIO will outline a programme specifying the EU institutions, agencies and bodies it would like to meet during the visit, and the Commission will be responsible for organising and facilitating the visit. The programme will include a multi-entity meeting at the beginning and a closing meeting at the end, with representatives from relevant EU institutions, agencies and bodies. The multi-entity meeting will focus on the coordination of policies on violence against women and measures between the relevant EU institutions, agencies and bodies, while the closing meeting will allow the GREVIO delegation to present its preliminary findings orally. All meetings will be confidential. In addition, GREVIO will independently organise a confidential meeting with CSOs and non-state stakeholders during the evaluation visit.

The Commission will share relevant information about the evaluation visit with the other EU institutions, agencies and bodies through the Istanbul Convention Contact Group and the Public Administration Contact Group.

c. Publication of the baseline evaluation report by GREVIO

At the end of the evaluation process, GREVIO will prepare a baseline evaluation report based on all the information collected. The report will include a comprehensive and detailed assessment of the level of compliance of EU legislative measures, policy, strategic measures or other measures with the provisions of the Istanbul Convention within the area of EU competence. The finalisation of the report consists of two stages:

- Stage 1: The Commission is expected to receive the draft baseline evaluation report by the end of March 2027. The EU will have the opportunity to correct any factual errors or provide new important factual information, within a deadline tentatively set for early September 2027. The Commission will share the report with the other EU institutions, agencies and bodies through the Istanbul Convention Contact Group and the Public Administration Contact Group so they can contribute. The Commission will then coordinate the responses and compile a consolidated version of the EU's comments on the draft report to be submitted to the GREVIO Secretariat. GREVIO will review the comments and determine whether any amendments are necessary before submitting the report to the GREVIO Plenary for final adoption in October 2027.
- <u>Stage 2</u>: After GREVIO has adopted the baseline evaluation report, the GREVIO Secretariat will initiate the confidential dialogue with the EU by sending the adopted report with an official letter and requesting the submission of any final comments within a six-week deadline. No amendments to the report will be possible at this stage, however the EU will have the opportunity to submit official comments. The Commission will share the adopted report with the Istanbul Convention Contact Group and the Public Administration Contact Group for comments. It will then draft the official comments based on the discussions and share the report with the GREVIO Secretariat. The Commission will also submit the report to FREMP in line with the

Code of Conduct and to the European Parliament in line with Article 70(2) of the Convention (14).

The report will then be published by GREVIO on the dedicated website (¹⁵), alongside the EU's official comments on it, and transmitted by the GREVIO Secretariat to the CoP, currently scheduled for December 2027.

d. Recommendation and conclusions by the Committee of the Parties

Based on the GREVIO baseline evaluation report, the CoP may adopt a recommendation addressed to the EU in accordance with Article 68(12) of the Convention (¹⁶). Such recommendation may be adopted in May/June 2028 and will include GREVIO's most pressing concerns. Those concerns relate to shortcomings that GREVIO considers require immediate action, covering the whole Convention, as well as those issues that GREVIO considers should be remedied in the near future, covering Chapters I and II of the Convention.

The EU will be asked to submit a written report to the CoP Secretariat on the measures taken within a three-year period after the adoption of the recommendation, within 10 specific areas of the Convention (¹⁷). On the basis of this information and any additional information obtained from non-governmental organisations, civil society and national institutions for the protection of human rights, the CoP may issue conclusions to the EU on its implementation of the recommendation, prepared by the Secretariat of the Committee, provisionally scheduled for December 2031. Given that the recommendation and conclusions will be adopted by a body set up by an agreement (the CoP) and that their adoption may affect the interpretation of the Istanbul Convention under Union law, a Union position on the recommendation and on the conclusions to the EU will have to be established in accordance with the procedure set out in Article 218(9) Treaty on the Functioning of the European Union ahead of the respective CoP meetings, when the EU, as a CoP member, will participate in their adoption.

e. EU follow-up to the baseline evaluation report, the recommendation and the conclusions

The Commission will develop the first draft of the EU's written report on the measures taken to implement the recommendation to the EU, which will serve as the basis for the conclusions to the EU. As the EU must submit this report within a three-year period after the adoption of the recommendation, this is scheduled for 2031. The Chairs of the Istanbul Convention Contact Group and the Public Administration Contact Group will share the Commission's draft of the written report with their group and request that the representatives in the respective groups

(15) Country-monitoring work – Istanbul Convention, Action against violence against women and domestic violence.

⁽¹⁴⁾ See point 8 in the Code of Conduct, note 5.

⁽¹⁶⁾ The applicable procedure for issuing recommendations was settled by the CoP at its 4th meeting on 30 January 2018 and is described in the discussion paper on the adoption of recommendations by the Committee of the Parties in light of GREVIO's reports and proposals/suggestions, IC-CP(2018)6.

⁽¹⁷⁾ The applicable procedure for supervising the implementation and 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, CoP Supervision Framework adopted.

coordinate their internal responses and submit their contributions to the respective Chair within a given deadline. As envisaged in the Code of Conduct, the EU's follow-up to GREVIO's baseline evaluation report as well as to the recommendation and conclusions adopted by the CoP based on it will also be discussed in FREMP. The Commission will finalise the EU's written report and submit it to the CoP Secretariat.

III. Conclusion

Preventing and combating violence against women and domestic violence at the EU level is a joint effort. Therefore the Commission invites the EU institutions, agencies and bodies to fully participate and cooperate at all stages of the process in a timely manner.

Annex: Provisional timetable for EU baseline evaluation procedure

Date	Step
14 January 2025	Launch of evaluation (EU received the questionnaire)
28 November 2025	Deadline for submission of EU report to GREVIO
May/June 2026	Evaluation visit by GREVIO delegation
March 2027	Commission to receive draft baseline report for correcting factual errors or adding new information
September 2027	Commission to submit revised baseline report to GREVIO Secretariat
October 2027	Final adoption by GREVIO Plenary
October 2027	Commission to receive adopted report for final comments
November/December 2027	Commission to submit final comments to GREVIO
December 2027	Publication of final report and transmission to the CoP
May/June 2028	Adoption of the recommendation to the EU by the CoP
May/June 2031	Deadline for EU report on the implementation of the recommendation
December 2031	Adoption by the CoP of the conclusions on the EU's implementation of the recommendation