



Council of the  
European Union

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LIMITE

ANTIDISCRIM 52  
COCON 16  
COHOM 77  
COPEN 165  
DROIPEN 85  
EDUC 110  
FREMP 175  
JAI 567  
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**NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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

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**ANNEX**

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.

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 the double majority requirement, this requirement applies only when the Union is voting with a number of votes equal to or greater than two-thirds of all votes attributed to the members of the Committee (rule 20) or reaches such a number of votes together with the Member States of the European Union when both the Union and its Member States are entitled to vote (rules 21 and 25).

The European Union points out that its present position on the amendments of the Rules of Procedure in the Committee of the Parties is without prejudice to future positions concerning Rules of Procedure in relation to other Council of Europe Conventions or Union agreements with third countries or international organisations.

## **Rule 20 – Voting**

### *Amendment no.1:*

“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.

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 exercise of its competence can vote separately.

Where the European Union is entitled to exercise its right to vote, the Member States which are Parties to the Convention and which are bound by the Union’s exercise of its competence in the matter to be voted upon, shall not vote. When all its Member States that are Parties to the Convention are entitled to exercise their right to vote, the European Union shall not vote.”

“2. Voting requires a quorum”.

*Amendment no.2:*

“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, a two-thirds majority shall include a simple majority of the votes cast by the other Parties if the number of votes with which the Union shall exercise its right to vote is equal to or greater than two-thirds of all votes attributed to the members of the Committee.”

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

“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.3:*

“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 if the number of votes attributed to the European Union and its Member States is equal to or greater than two-thirds of all votes attributed to the members of the Committee. 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”.

[...]

“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.4:**

“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 if the number of votes attributed to the European Union and its Member States is equal to or greater than two-thirds of all votes attributed to the members of the Committee. For the purposes of the present Rule, Rule 20, paragraph 1, subparagraphs 2 and 3, shall not apply.”

## **Rule 2 – Composition**

### **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.

[...]