



Council of the  
European Union

Brussels, 16 April 2024  
(OR. en)

8482/24

---

---

Interinstitutional File:  
2024/0014(NLE)

---

---

LIMITE

ANTIDISCRIM 52  
COCON 16  
COHOM 77  
COPEN 165  
DROIPEN 85  
EDUC 110  
FREMP 175  
JAI 567  
MIGR 152  
SOC 249

#### LEGISLATIVE ACTS AND OTHER INSTRUMENTS

---

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within 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

---

**COUNCIL DECISION (EU) 2024/...**

**of ...**

**on the position to be taken on behalf of the European Union  
within 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**

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) 2023/1075<sup>1</sup>, with regard to institutions and public administration of the Union, and by means of Council Decision (EU) 2023/1076<sup>2</sup>, with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement, and entered into force for the Union on 1 October 2023. To date, there are 39 Parties to the Convention, including the Union and 22 Member States.
- (2) The Committee of the Parties ('the Committee') is a body of the monitoring mechanism of the Convention. Pursuant to Article 67(3) of the Convention, the Committee has adopted its own rules of procedure ('the Rules of Procedure'). The Rules of Procedure provide that each Party to the Convention has one vote. The accession of the Union to the Convention requires certain adjustments to the Rules of Procedure in order to determine the modalities for the Union exercising its voting rights as a Party to the Convention.

---

<sup>1</sup> 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).

<sup>2</sup> 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).

- (3) In August 2023, the Secretariat of the Committee proposed certain amendments to the Rules of Procedure to reflect the impact of the Union's accession on the functioning of the Committee. It has asked Parties to the Convention and the Union to submit drafting suggestions with a view to adopting the amendments in 2024. The amendments are to be discussed and, if possible, adopted at the 16th meeting of the Committee on 31 May 2024.
- (4) It is appropriate to establish the position to be taken on the Union's behalf in the Committee, as the amendments to the Rules of Procedure will be legally binding on the Union.
- (5) According to the draft amendments proposed by the Secretariat of the Committee, the rules on quorum for the adoption of the Committee's decisions as provided for in the Rules of Procedure would be maintained but supplemented by some new requirements. The Union should propose alternative amendments to the Rules of Procedure to better reflect the scope of the Union's accession to the Convention and protect the Union's interests while showing the Union's willingness to accommodate the concerns of Parties to the Convention which are not Member States of the Union.

- (6) As regards the general rule on voting in Rule 20 of the Rules of Procedure, the Secretariat of the Committee proposes to include a non-additionality clause according to which it would be either the Union or its Member States which are entitled to vote on a particular matter. The principle of non-additionality is already incorporated in other Council of Europe conventions to which the Union has acceded and should also be accepted in this case. However, the wording of the clause should be adapted to reflect the respective competences of the Union and the Member States.
- (7) As regards the general rule on voting in Rule 20 of the Rules of Procedure, the Secretariat of the Committee also proposes to include a double-majority requirement, meaning that a decision will be adopted with a majority of two thirds of the votes cast only if it is supported by a simple majority of the votes cast by Parties to the Convention which are not Member States of the Union. Such a requirement would counterbalance the fact that the Union has a simple majority in the Committee in terms of votes, thereby addressing possible concerns by Parties to the Convention which are not Member States of the Union as to the weight of the Union's vote. The Union should suggest that the double-majority requirement be amended in order to provide that it applies only where the Union participates in a vote and is voting with a number of votes equal to or greater than two thirds of all votes attributed to the members of the Committee, and in order to reflect the respective competences of the Union and the Member States.

- (8) As regards the specific rules for the election of members of the Group of experts on action against violence against women and domestic violence ('GREVIO'), the Union should propose further amendments in addition to the proposed amendment providing for one vote for the Union in addition to the individual vote of each Member State. As regards, more specifically, decisions to request the withdrawal of one or more candidates who do not meet the requirements for membership of GREVIO, the Secretariat of the Committee proposes to apply a double-majority requirement. While such decisions are of an exceptional character, the Union should propose that the two-thirds majority of the votes cast, as required for such decisions, include a simple majority of the votes cast by representatives of Parties other than the Union and its Member States only if the Union and its Member States are voting with a number of votes equal to or greater than two thirds of all votes attributed to members of the Committee.
- (9) As regards amendments to the Rules of Procedure which are to be adopted by a two-thirds majority of the votes cast, with each Party to the Convention having one vote, the Union should propose that the addition of a double-majority requirement as proposed by the Secretariat of the Committee only apply if the Union and its Member States are voting with a number of votes equal to or greater than two thirds of all votes attributed to the members of the Committee, subject to clarifying that the principle of non-additionality does not apply to that situation.

- (10) As regards the Rules of Procedure, the reference to the Union in the list of participants which are not members of the Committee should be deleted since it has become obsolete.
- (11) The position of the Union within the Committee should therefore be based on the attached draft amendments to the Rules of Procedure.
- (12) The position of the Union within the Committee should be 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.
- (13) In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (14) 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 the Union's behalf within the Committee of the Parties ('the Committee'), established under Article 67 of the Council of Europe Convention on preventing and combating violence against women and domestic violence, with regard to the adoption of amendments to the Rules of Procedure of the Committee shall be based on the draft amendments to the Rules of Procedure attached to this Decision.

*Article 2*

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

Done at ..., ...

*For the Council*

*The President*

---