



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Implementation of EU's accession to the Istanbul Convention - state of play
Information from the Presidency and the Commission

Delegations will find attached information from the Presidency and the Commission on the above subject, with a view to the EPSCO Council on 7 May 2024 (Any Other Business item).

Implementation of EU's accession to the Istanbul Convention - state of play**Background**

The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence ('Istanbul Convention') entered into force in 2014. The Convention deals with all acts of violence against women that result in physical, sexual, psychological or economic harm, including domestic violence. All Member States have signed the Convention and 22 Member States have ratified it.

On 28 June 2023, the European Union acceded to the Convention as regards judicial cooperation in criminal matters, asylum and non-refoulement and as regards its institutions and public administration¹. The Convention entered into force for the European Union on 1 October 2023. On 5 December 2023, the European Union, represented by the Commission, participated, for the first time, in the 15th meeting of the Committee of the Parties, as a Party to the Convention.

The entry into force of the Istanbul Convention for the European Union has a number of legal and practical implications that need to be addressed. These include the voting mechanism in the Committee of the Parties, as set out in its Rules of Procedure, the preparation of the meetings of the Committee of the Parties, in particular the meeting scheduled to take place on 31 May, and the EU's financial contribution to the budget of the Convention.

¹ See Council Decision (EU) 2023/1076 on the EU's accession in relation to judicial cooperation in criminal matters, asylum and non-refoulement and Council Decision (EU) 2023/1075 on the EU's accession in relation to its institutions and public administration. The Council also adopted a Declaration on the competence of the European Union with regard to the matters governed by the Convention and a Code of Conduct laying down the internal arrangements for the exercise of rights and the performance of the obligations of the European Union and the Member States arising from the Convention.

Voting mechanism in the Committee of the Parties

The EU's accession to the Istanbul Convention has triggered a revision of the voting mechanism as included in the Rules of Procedure of the Committee of the Parties to the Convention. This revision aims to secure a proper balance between, on the one hand, the EU and its Member States Parties to the Convention, and, on the other hand, non-EU State Parties to the Convention. The main aim of the amendment is to avoid double voting by the EU and its Member States while respecting the division of competences between them.

On 24 January 2024, the Commission adopted two proposals for Council Decisions and their annexes to establish the Union's position on the amendments to the voting rules in the Committee of the Parties.

These proposals were extensively discussed in the FREMP Working Party² and the Council Decisions were adopted on 22 April 2024.

Committee of the Parties meeting on 31 May

The next meeting of the Committee of the Parties will take place on 31 May 2024. Besides the amendment of the voting mechanism in the Rules of Procedure, the Committee of the Parties is scheduled to adopt conclusions on the implementation of the Convention concerning Spain, Belgium, Malta and Andorra, as well as a recommendation on the implementation of the Convention by Liechtenstein.

The Council will have to establish the Union's position on these recommendations and conclusions. This will be done with a decision based on Article 218(9) TFEU, which requires a proposal from the Commission. Since the Council of Europe only circulates the draft documents three weeks ahead of the meeting, the Commission will adopt a proposal for the Council decision in urgent procedure, within 10 working days. This leaves the remaining 10 working days to the Council to formally adopt the decision on the Union's position ahead of the meeting.

² In accordance with the internal arrangements relating to cooperation between the Union and the Member States, questions relating to the preparation of meetings and the exercise of the Union's rights and obligations shall be dealt with by the FREMP Working Party.

The EU's financial contribution

The Commission informed the Council of Europe that the EU is ready to pay its fair share of the costs linked to the operation of the Convention. This would be an amount equal to that of other “large contributors” (FR, DE, IT and UK). The exact amount has been agreed with the Council of Europe Secretariat in March and the Commission launched the necessary internal procedures for authorising the funds via an amendment to the 2023-2024 Work Programme of the Citizens Equality Rights and Values Programme. This amendment is due to be adopted in the second half of 2024.
