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Basic information		
NLE - Non-legislative enactments	<a href="#">2016/0062(NLE)</a>	Preparatory phase in Parliament
Council of Europe Convention on preventing and combating violence against women and domestic violence		
Subject		
4.10.09 Women condition and rights		
7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 <a href="#">Civil Liberties, Justice and Home Affairs</a>	 <a href="#">KOHUT Łukasz</a>	15/10/2020
		Shadow rapporteur	
		 <a href="#">ARŁUKOWICZ Bartosz</a>	
		 <a href="#">TOOM Yana</a>	
		 <a href="#">REINTKE Terry</a>	
		 <a href="#">FEST Nicolaus</a>	
		 <a href="#">KANKO Assita</a>	
		 <a href="#">BJÖRK Malin</a>	
	Former committee responsible		
 <a href="#">Civil Liberties, Justice and Home Affairs</a>	 <a href="#">REVAULT D'ALLONNES BONNEFOY Christine</a>	25/04/2016	
Committee for opinion	Rapporteur for opinion	Appointed	
 <a href="#">Women?s Rights and Gender Equality</a>	 <a href="#">KOKALARI Arba</a>	30/09/2019	
 <a href="#">Legal Affairs</a>	The committee decided not to give an opinion.		
Former committee for opinion			
 <a href="#">Women?s Rights and Gender Equality</a>	 <a href="#">CORAZZA BILDT Anna Maria</a>	24/05/2016	

Council of the European Union	<a href="#">JURI</a> <a href="#">Legal Affairs</a>	Meeting	Date
	<a href="#">JURI</a> <a href="#">Legal Affairs</a>	<a href="#">3533</a>	11/05/2017
European Commission	Council configuration <a href="#">Agriculture and Fisheries</a>	Commissioner	
	Commission DG <a href="#">Justice and Consumers</a>	JOUROVÁ Věra	

### Key events

04/03/2016	Preparatory document	<a href="#">COM(2016)0109</a>	Summary
11/07/2017	Vote in committee		
19/07/2017	Committee interim report tabled for plenary	<a href="#">A8-0266/2017</a>	Summary
11/09/2017	Debate in Parliament		
12/09/2017	Results of vote in Parliament		
12/09/2017	Decision by Parliament	<a href="#">T8-0329/2017</a>	Summary

### Technical information

Procedure reference	2016/0062(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 082-p2; Treaty on the Functioning of the EU TFEU 084; Treaty on the Functioning of the EU TFEU 218-p6a
Stage reached in procedure	Preparatory phase in Parliament

### Documentation gateway

Document attached to the procedure		<a href="#">COM(2016)0111</a>	04/03/2016	EC	
Preparatory document		<a href="#">COM(2016)0109</a>	04/03/2016	EC	Summary
Committee draft report		PE601.176	24/03/2017	EP	
Committee opinion	<a href="#">JURI</a>	<a href="#">PE601.097</a>	31/05/2017	EP	
Committee interim report tabled for plenary		<a href="#">A8-0266/2017</a>	19/07/2017	EP	Summary
Interim resolution adopted by Parliament		<a href="#">T8-0329/2017</a>	12/09/2017	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2017)780</a>	21/02/2018	EC	

## Council of Europe Convention on preventing and combating violence against women and domestic violence

**PURPOSE:** to conclude, by the European Union, the Council of Europe Convention on preventing and combating violence against women and domestic violence.

**PROPOSED ACT:** Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** the Council of Europe Convention on preventing and combating violence against women and domestic violence was adopted

on 7 April 2011 and it came into force on 1 August 2014. As of 1 February 2016, 12 EU Member States have ratified the Convention, and 25 Member States have signed it.

The Convention is the first international instrument aiming to eliminate violence against women, including girls under the age of 18, as a root cause of persisting inequality between men and women, by setting up a comprehensive framework of legal and policy measures to prevent violence against women and protect and assist victims of such violence.

Equality between men and women is a fundamental value and objective of the European Union, as recognised in the Treaties:

- the EU has taken firm positions on the need to eradicate violence against women and is funding specific campaigns and grass-roots projects to combat it;
- existing legislation in the areas of protection of crime victims, childrens sexual exploitation and abuse, asylum and migration takes account of the particular needs of victims of gender based violence.

Despite the efforts at both national and EU level, the extent of violence against women is still a matter of serious concern:

- according to a survey by the Fundamental Rights Agency published in 2014, one in three women in the EU has experienced physical and/or sexual violence since the age of 15, one in twenty women has been raped, 75% of women in qualified professions or top management have been victims of sexual harassment, and one in ten women has experienced stalking or sexual harassment through new technologies;
- the European Institute for Gender Equality estimates that gender-based violence against women generates costs in the EU of approximately EUR 226 billion per year.

The Conventions approach is fully in line with the Unions multifaceted approach to the phenomenon of gender-based violence and the thrust of measures in place through internal and external EU policies. The Commission considered that the conclusion of the Convention would send a strong political message about the EUs commitment to combating violence against women, create coherence between its internal and external action, as well as complementarity between national and EU levels, and reinforce its credibility and accountability towards its international partners.

CONTENT: under this draft Decision, the Council is called upon to approve, on behalf of the Union, the Council of Europe Convention on preventing and combating violence against women and domestic violence.

The Convention creates a comprehensive legal framework to protect women and girls against all forms of violence. It seeks to prevent, prosecute and eliminate violence against them, including domestic violence. It covers a broad range of measures from data-collection and awareness-raising to legal measures on criminalising different forms of violence against women. It includes measures for the protection of victims and the provision of support services, and addresses the gender-based violence dimension in matters of asylum and migration.

The Convention obliges Parties:

- to condemn all forms of discrimination by ensuring that the principle of equality between men and women is applied in their legal orders and it is made clear that positive action may be taken;
- to ensure that state actors refrain from engaging in any act of violence and to exercise due diligence so that acts of violence committed by non-state actors are prevented, investigated and punished, and that reparation be provided for such acts. The Convention explicitly applies in times of peace and in situations of armed conflict.

With respect to matters falling within the Unions competence, the Commission shall represent the Union at meetings of the bodies created by the Convention. In particular, the Commission shall select, propose and participate in the nomination of experts to the Group of experts on action against violence against women and domestic violence (GREVIO), on behalf of the Union.

The Commission and the Member States shall cooperate closely, in particular as far as questions of monitoring, reporting, voting arrangements and the functioning of the coordinating body referred to in Article 10 of the Convention are concerned.

## Council of Europe Convention on preventing and combating violence against women and domestic violence

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The Committee on Civil Liberties, Justice and Home Affairs, together with the Committee on Womens Rights and Gender Equality, adopted the interim report by Anna Maria CORAZZA BILDIT (EPP, SE) and Christine REVAULT D'ALLONNES BONNEFOY (S&D, FR) on the proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence.

The committee asked the Estonian Presidency to speed up the ratification by the Union of the Istanbul Convention, stressing that the accession of the Union to the Convention will ensure the establishment of a coherent European legal framework to prevent and combat violence against women and gender-based violence

While welcoming the signing of EUs accession to the Istanbul Convention on 13 June 2017, Members regretted the fact that the limitation to two areas, namely matters relating to judicial cooperation in criminal matters and those related to asylum and non-refoulement, raised legal uncertainties as to the scope of the EUs accession.

The report invited the Council, the Commission and the Member States to take account of a series of recommendations, including:

- initiating a constructive dialogue with the Council and Member States, in cooperation with the Council of Europe, so as to address reservations, objections and concerns expressed by Member States, and in particular to clarify misleading interpretations of the Istanbul Convention;
- keeping Parliament fully informed at all stages of the negotiations and ensuring that it is involved in the monitoring process of the Convention;
- ensuring that Member States ensure the proper application of the Convention and allocate adequate financial resources to preventing and combating violence against women;
- drawing up a holistic EU strategy on combating violence against women and gender-based violence;

- designating an EU Coordinator to act as representative of the EU to the Committee of the Parties at the Council of Europe once the Istanbul Convention is ratified by the EU;
- producing practical guidelines and strategies for the application of the Istanbul Convention;
- taking the necessary measures pursuant to Articles 60 and 61 of the Convention on migration and asylum, taking into account the fact that migrant women and girls have the right to live free from violence.

Members also called on the Commission to present a legal act to support Member States in their efforts to prevent and eliminate all forms of violence against women and to set up a European Monitoring Observatory on gender-based violence.

For its part, the Council should activate the passerelle clause by adopting a unanimous decision to identify violence against women and girls (and other forms of gender-based violence) as an area of crime under Article 83(1) TFEU.

## Council of Europe Convention on preventing and combating violence against women and domestic violence

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The European Parliament adopted by 489 votes to 114, with 69 abstentions, a resolution on the proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence.

Members recalled that gender-based violence should be treated as a serious and urgent issue as it concerns more than 250 million women and girls in the EU alone.

Some groups of women and girls, such as migrant women, women refugees and asylum seekers, women and girls with disabilities, LGBTI women and Roma women, are at risk of multiple discrimination and are therefore even more vulnerable to violence.

Condemning all forms of violence against women, Parliament welcomed the signing of the EUs accession to the Istanbul Convention on 13 June 2017. It urged the Estonian Presidency to speed up the EUs ratification of the Convention, the first comprehensive legally binding international instrument on preventing and combating violence against women and gender-based violence, including domestic violence.

Members stressed that the EUs accession to the Convention will ensure a coherent European legal framework to prevent and combat violence against women and gender-based violence and to protect and support victims in the EUs internal and external policies.

Parliament invited the Council, the Commission and the Member States to take account of a series of recommendations, including:

- initiating a constructive dialogue with the Council and Member States, in cooperation with the Council of Europe, so as to address reservations, objections and concerns expressed by Member States, and in particular to clarify misleading interpretations of the Istanbul Convention;
- keeping Parliament fully informed at all stages of the negotiations and ensuring that it is involved in the monitoring process of the Convention;
- ensuring that Member States ensure the proper application of the Convention and allocate adequate financial resources to preventing and combating violence against women;
- drawing up a holistic EU strategy on combating violence against women and gender-based violence;
- designating an EU Coordinator to act as representative of the EU to the Committee of the Parties at the Council of Europe once the Istanbul Convention is ratified by the EU;
- producing practical guidelines and strategies for the application of the Istanbul Convention;
- taking the necessary measures pursuant to Articles 60 and 61 of the Convention on migration and asylum, taking into account the fact that migrant women and girls have the right to live free from violence.

The Commission was also called upon to:

- present a legal act to support Member States in their efforts to prevent and eliminate all forms of violence against women;
- revise the [EU framework decision](#) currently in force on combating certain forms and expressions of racism and xenophobia by means of criminal law, in order to include sexism, bias crime and incitement to hatred on grounds of sexual orientation, gender identity and sex characteristics.

Lastly, Parliament called for the creation of a European Monitoring Observatory on gender-based violence.