
















Procedure file

Basic information		
NLE - Non-legislative enactments	2016/0062R(NLE)	Procedure completed
Council of Europe Convention on preventing and combating violence against women and domestic violence: EU accession		
Accompanying procedure 2016/0062A(NLE)		
Accompanying procedure 2016/0062B(NLE)		
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	Joint Committee Responsible		Rapporteur
	LIBE Women's Rights and Gender Equality		Appointed
	Civil Liberties, Justice and Home Affairs		16/03/2022
			16/03/2022
			 KOKALARI Arba
			 KOHUT Łukasz
			Shadow rapporteur
			 ARŁUKOWICZ Bartosz
			 PICIerno Pina
			 RODRÍGUEZ RAMOS
			María Soraya
			 TOOM Jana
			 SPUREK Sylwia
			 ANDERSON Christine
			 FEST Nicolaus
			 DE LA PISA CARRIÓN
			Margarita
			 KANKO Assita
			 BJÖRK Malin
			 RODRÍGUEZ PALOP
			Eugenia

Council of the European Union European Commission	FEMM Women's Rights and Gender Equality		
	Civil Liberties, Justice and Home Affairs		
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs	The committee decided not to give an opinion.	
	Commission DG	Commissioner	
	Justice and Consumers	DALLI Helena	

Key events

17/02/2022	Committee referral announced in Parliament		
17/02/2022	Referral to joint committee announced in Parliament		
25/01/2023	Vote in committee		
02/02/2023	Committee report tabled for plenary	A9-0021/2023	Summary
14/02/2023	Debate in Parliament		
15/02/2023	Results of vote in Parliament		
15/02/2023	Decision by Parliament	T9-0047/2023	Summary

Technical information

Procedure reference	2016/0062R(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Interim report under consent procedure
Legal basis	Rules of Procedure EP 105-p5; Rules of Procedure EP 58
Stage reached in procedure	Procedure completed
Committee dossier	CJ01/9/08352

Documentation gateway

Committee draft report		PE737.351	16/11/2022	EP	
Amendments tabled in committee		PE739.709	08/12/2022	EP	
Committee report tabled for plenary, single reading		A9-0021/2023	02/02/2023	EP	Summary
Text adopted by Parliament, single reading		T9-0047/2023	15/02/2023	EP	Summary
Commission response to text adopted in plenary		SP(2023)219	25/05/2023	EC	

domestic violence: EU accession

The Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality adopted the interim report by ?ukasz KOHUT (S&D, PL) and Arba KOKALARI (EPP, SE) 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.

One in three women in the EU, totalling around 62 million women, have experienced physical and/or sexual violence, while more than half of women (55%) in the EU have been sexually harassed at least once since the age of 15.

Members welcomed the Commission's proposal on 4 March 2016 for the EU to accede to the Istanbul Convention, the most comprehensive legally binding instrument at international level on preventing and combating violence against women and gender-based violence, including domestic violence.

While welcoming the signing of the Istanbul Convention by the EU on 13 June 2017, Members regretted that, six years later, the EU has still not ratified the Convention due to the refusal of some Member States in the Council of the European Union. The Council is urged not to delay any longer the EU's accession to the Istanbul Convention, which should be considered as the minimum standard to eradicate gender-based violence.

The report strongly condemned all forms of gender-based violence against women and girls and LGBTIQ+ people and called on the Commission to ensure that the Convention is fully integrated into the EU legislative and policy framework.

The Commission and the Member States are asked to:

- refer to the Istanbul Convention's definition on violence against women in their relevant legislation;
- appropriately address, through legislative and non-legislative means, issues such as custody and visitation rights to children, civil consequences of forced marriages, stalking, denial of rights and access to reproductive health care, and to protect victims;
- carry out information campaigns on the Istanbul Convention and its provisions, as well as programmes to facilitate the implementation of the Convention's provisions;
- ensure the development of gender-sensitive training, procedures and guidelines, as well as specific victim-centred support and protection measures for all relevant professionals, including law enforcement, judiciary and prosecutors.

The report stressed the responsibility of Member States to combat impunity in cases of violence against women and other forms of gender-based violence, including domestic violence, and to preserve the dissuasive function of penalties and prosecutions. It acknowledged the extensive work of the GREVIO (body of independent experts) in monitoring the implementation of the Convention and called on all parties to follow the recommendations addressed to each country.

Given the important role played by the Istanbul Convention during the COVID-19 pandemic, Members called for an EU protocol on violence against women in times of crisis and emergency.

Members strongly condemned the political instrumentalisation of the Convention by some Member States and attempts to disparage the Convention and its positive impact on the eradication of gender-based violence. Member States are invited to speed up the negotiations related to the ratification and implementation of the Istanbul Convention and to strongly condemn all attempt to reverse measures already taken under the Istanbul Convention to combat violence against women. Parliament should be fully involved in the Convention's monitoring process after the accession of the Union to the Convention.

The report also condemns Poland's attempt to denounce the Istanbul Convention. It called on national authorities to fight against disinformation and launch awareness campaigns to dispel all doubts about the Convention and its benefits for society as a whole. The six remaining Member States that have not yet done so - Bulgaria, Hungary, Latvia, Lithuania, Slovakia and the Czech Republic - are called upon to ratify the convention without delay. Members reiterated their call on the Council to urgently conclude the ratification of the Istanbul Convention by the EU, on the basis of broad accession and without any limitations, and to encourage all Member States to ratify it.

Members called on the Commission to draw up a holistic EU strategy on combating violence against women and gender-based violence that includes a comprehensive plan to prevent and combat all forms of gender inequalities, integrating all EU efforts to eradicate violence against women.

The Council is invited to activate the passerelle clause by adopting a unanimous decision identifying gender-based violence as one of the areas of crime listed in Article 83(1) TFEU.

Council of Europe Convention on preventing and combating violence against women and domestic violence: EU accession

The European Parliament adopted by 469 votes to 104, with 55 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.

One in three women in the EU, totalling around 62 million women, have experienced physical and/or sexual violence, while more than half of women (55%) in the EU have been sexually harassed at least once since the age of 15. Members considered that at this rate, the EU will take around 60 years to reach gender equality at the current pace; whereas the eradication of gender-based violence and especially violence against women and girls is a prerequisite to achieving real gender equality.

EU's accession to the Istanbul Convention

Parliament welcomed the Commission's proposal on 4 March 2016 for the EU to accede to the Istanbul Convention, the most comprehensive legally binding instrument at international level on preventing and combating violence against women and gender-based violence, including domestic violence.

While welcoming the signing of the Istanbul Convention by the EU on 13 June 2017, Members regretted that, six years later, the EU has still not ratified the Convention due to the refusal of some Member States in the Council of the European Union. The Council is urged not to delay any longer the EU's accession to the Istanbul Convention, which should be considered as the minimum standard to eradicate gender-based violence.

Right to safe and legal abortion

Strongly condemning all forms of gender-based violence against women and girls and LGBTIQ+ people, Parliament affirmed that the denial of sexual and reproductive health and rights services, including the right to safe and legal abortion options, is a form of violence against women and girls.

Members condemned the fact that in some Member States women's sexual and reproductive rights, in particular the right to safe and legal abortion, are constantly under threat. They welcomed the initiatives of some Member States, such as France, to enshrine the right to abortion in their constitutions and called for the right to a safe and legal abortion to be enshrined in the EU Charter of Fundamental Rights.

Ensuring the proper implementation of the Convention

Parliament called on the Commission to ensure that the Convention is fully integrated into the legislative and policy framework of the EU and asked all Member States to ensure that measures arising from the Convention are fully implemented in their national laws and policies. It condemned attempts by some Member States to revoke measures already taken to implement the Istanbul Convention and to combat violence against women and domestic violence.

The Commission and the Member States are called on to refer to the Istanbul Convention's definition on violence against women in their relevant legislation accordingly.

Concrete implementation proposals

Parliament called on the Commission and the Member States are asked to:

- refer to the Istanbul Convention's definition on violence against women in their relevant legislation;
- appropriately address, through legislative and non-legislative means, issues such as custody and visitation rights to children, civil consequences of forced marriages, stalking, denial of rights and access to reproductive health care, and to protect victims;
- implement preventive measures, including enhanced primary prevention of gender-based violence in schools, as well as an approach to victim support services and protection measures for survivors such as financial assistance, psychological support, helplines, shelters and access to social housing, and safe leave, as well as measures helping victims to continue living in their homes safely, such as restraining orders for perpetrators and specialist support for children;
- conduct information campaigns on the Istanbul Convention and ensure the development of appropriate gender-sensitive training, procedures and guidelines, as well as specific victim-oriented support and protection measures for all relevant professionals, including law enforcement, judiciary and prosecutors.

Disinformation

Members condemned the growing opposition to the Istanbul Convention in some Member States and the attempts to disparage the Convention and its positive impact on the eradication of gender-based violence. While condemning all disinformation campaigns about the Istanbul Convention, Parliament called on national authorities to fight against disinformation and launch awareness campaigns to dispel all doubts about the Convention and its benefits for society as a whole.

Urgent conclusion of the Convention

Parliament stressed that there are no legal obstacles to the Council's proceeding to ratify the Convention, as a qualified majority is sufficient for its adoption. Members called on the Council to urgently conclude the EU ratification of the Istanbul Convention on the basis of a broad accession without any limitations, and to advocate its ratification by all Member States. The remaining six Member States that have not yet done so - Bulgaria, Hungary, Latvia, Lithuania, Slovakia and the Czech Republic - are called upon to ratify the Convention without delay.

Members called on the Commission to draw up a holistic EU strategy on combating violence against women and gender-based violence that includes a comprehensive plan to prevent and combat all forms of gender inequalities, integrating all EU efforts to eradicate violence against women.

The Council is invited to activate the passerelle clause by adopting a unanimous decision identifying gender-based violence as one of the areas of crime listed in Article 83(1) TFEU.

Transparency				
KOKALARI Arba	Rapporteur	FEMM	05/12/2022	Gömda Kvinnor
KOKALARI Arba	Rapporteur	FEMM	29/06/2022	Ukrainian Embassy
TOLLERET Irène	Member	08/06/2022	attenti	