



2025/818

2.5.2025

COUNCIL DECISION (EU) 2025/818

of 28 April 2025

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 the 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 ⁽¹⁾, with regard to institutions and public administration of the Union, and by means of Council Decision (EU) 2023/1076 ⁽²⁾, 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 (the 'Parties'), 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 has one vote. The accession of the Union to the Convention requires certain adjustments to the Rules of Procedure, in particular as regards voting rights.
- (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 to the Convention on the functioning of the Committee (the 'proposed amendments') and asked the Parties to submit drafting suggestions.
- (4) On 22 April 2024, by means of Council Decisions (EU) 2024/1669 ⁽³⁾ and (EU) 2024/1680 ⁽⁴⁾, the Union established its position on the proposed amendments and proposed alternative amendments.
- (5) On 31 May 2024, during the 16th meeting of the Committee, it was not possible to reach an agreement on the proposed amendments and the Committee decided that its Chair would conduct informal consultations to seek a solution agreeable to all members of the Committee.

⁽¹⁾ 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, ELI: <http://data.europa.eu/eli/dec/2023/1075/oj>).

⁽²⁾ 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, ELI: <http://data.europa.eu/eli/dec/2023/1076/oj>).

⁽³⁾ Council Decision (EU) 2024/1669 of 22 April 2024 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 (OJ L, 2024/1669, 12.6.2024, ELI: <http://data.europa.eu/eli/dec/2024/1669/oj>).

⁽⁴⁾ Council Decision (EU) 2024/1680 of 22 April 2024 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 institutions and public administration of the Union (OJ L, 2024/1680, 12.6.2024, ELI: <http://data.europa.eu/eli/dec/2024/1680/oj>).

- (6) In November 2024, following informal consultations, the Chair of the Committee submitted to the Parties a revised proposal for amendments set out in document IC-CP(2024)12 prov. According to that proposal, the current voting rules should continue to apply but be supplemented by a clause providing that every effort is to be made by the Committee to continue its practice of taking decisions by consensus (the 'consensus clause'), and a clause providing that the Committee is to examine the application of the rules within three years after adoption of the amendments (the 'review clause'). The consensus clause codifies the existing practice within the Committee and the review clause clarifies the intention to reassess the Rules of Procedure no later than three years after the adoption of the amendments thereto.
- (7) On 13 February 2025, the Secretariat of the Committee shared with the Parties the 'revised Proposal of the Chair of the Committee of the Parties for the amendment of the Rules of Procedure of the Committee of the Parties to the Istanbul Convention' set out in document IC-CP(2025)1 prov (the 'envisaged act'). The Secretariat invited the Parties to approve the envisaged act through a written procedure and further communicated that, unless objections were submitted in writing to the Secretariat by 30 April 2025, the envisaged act would be deemed adopted.
- (8) It is appropriate to establish the position to be taken on the Union's behalf, as the amendments to the Rules of Procedure will be legally binding on the Union.
- (9) The adoption of the envisaged act would result in the current voting rules essentially continuing to apply, with the Union having one vote in addition to the votes of those Member States which are Parties. The addition of the consensus clause and the review clause should be acceptable to the Union.
- (10) As regards Rule 2.2.b., listing the participants which are not members of the Committee, the reference to the Union should be deleted because it has become obsolete.
- (11) The Union's position should therefore be to not object to the adoption of the envisaged act.
- (12) The position of the Union on the envisaged act 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 Council 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 established under Article 67 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the 'Committee'), with regard to the adoption of amendments to the Rules of Procedure of the Committee, shall be to not object to the adoption of the revised Proposal of the Chair of the Committee for the amendment of the Rules of Procedure of the Committee set out in document IC-CP(2025)1 prov.

Article 2

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

Done at Brussels, 28 April 2025.

For the Council

The President

A. SZŁAPKA