

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

2016/0062R(NLE) - 15/02/2023 - Text adopted by Parliament, single reading

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 is 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.