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NOTE

from: General Secretariat of the Council

to: Delegations

Subject: Summary record of the plenary session of the European Parliament, held in
Strasbourg on 8 October 2013

*Oral question to the Council and the Commission - **Convention on preventing
and combating violence against women (Istanbul Convention): state of play
and actions to be taken***

[2013/2876(RSP)]

Speaking on behalf of 134 MEPs who had signed it, Ms Angelilli presented the oral question to the Council and the Commission (see [Annex I](#)). She outlined the main features and objectives of the Istanbul Convention, which was the first international, binding instrument on violence against women. She called for its rapid ratification and entry into force. She also stressed the need for the EU to take a global political approach to the issue of gender-based violence and considered that having good pieces of legislation was not enough – a genuine change in attitudes was needed in this field.

Mr Leškevičius, Lithuania's Deputy Minister for Foreign Affairs, speaking on behalf of the Council, delivered the speech set out in [Annex II](#).

Mr De Gucht, for the Commission, speaking on behalf of Commissioner Reding, pointed out that the approach followed by the Istanbul Convention was very similar to that of the EU, as enshrined in instruments such as the Directive on the rights, support and protection of victims of crime, or the European protection order. He said that the Commission was taking every opportunity to encourage ratification by the Member States. As far as EU accession to the Convention was concerned, he said that this would be possible only in areas where the EU had competence (which was not the case for criminal sanctions). He stressed however that the Commission was active in the field of prevention and awareness-raising, with programmes and funding specifically dedicated to the fight against domestic and gender-based violence. As far as the collection of data was concerned, he indicated that, although crucial, this remained a challenge.

The following MEPs spoke on behalf of political groups:

- Ms Gabriel (EPP, BG) said that ratification should be a simple formality. Violence against women was an obstacle to gender equality and the EU had to break taboos in this area. She also called for greater consistency between internal and external policies: only by stamping out violence against women in Europe could the EU be credible when advocating such action on the international stage and not be accused of lecturing.
- Ms Garcia Perez (S&D, ES) considered it scandalous that the Istanbul Convention, finalized in 2011, had not yet been ratified and called on the Commission to take all possible initiatives to set up a legal framework to combat violence against women in the EU.
- Ms Parvanova (ALDE, BG) stated that violence against women was a violation of human rights and an obstacle to gender equality, but it also had an economic cost. She regretted that the EU still lacked vision as the Commission had not yet put forward a comprehensive strategy, i.e. a directive on violence against women. She said that the EP was going to put forward a specific legislative initiative. On the ratification of the Istanbul Convention, she said that EU Member States should set an example.
- Mr Romeva (Greens/EFA, ES) said that the EU should not just condemn violence against women but put an end to it. He recalled that it was a universal phenomenon, irrespective of geography or social status. While encouraging the ratification of the Istanbul Convention, he argued that that was not enough and specific EU legal instruments were needed.
- Ms Yannakoudakis (ECR, UK) said that although the UK government was at the forefront of efforts to combat violence against women she would oppose any further legislation at EU level because this area was under the sole responsibility of Member States. The EU could only help in sharing best practices.

- Mr Gustafsson (GUE/NGL, SE) welcomed the fact that the Istanbul Convention was both a human rights convention and a criminal law convention. He supported those who had already asked the Commission to put forward a proposal for a directive on violence against women.

Members speaking on an individual basis overwhelmingly called for a rapid ratification of the Convention, some of them considering it scandalous that so far only two Member States had done so. Many recalled the universality and magnitude of the problem, stressing that the true incidence was likely to be higher than the reported figures, because domestic violence was mainly a hidden crime, surrounded by silence. Several MEPs called on the Commission to put forward a specific legislative proposal, so as to make violence against women a crime throughout the EU. Mr Cashman (S&D, UK) said that in a field like human rights the principle of subsidiarity had no place, and that the Commission had to take action. A number of MEPs, while welcoming any legislative initiative, argued that first and foremost attitudes had to change: Mr Coffferati (S&D, IT) called for genuine cultural action, while others insisted on the importance of education and of fighting stereotypes. Finally some MEPs regretted that the chamber was almost empty when debating such a crucial topic.

Mr De Gucht, taking the floor at the end of the debate, defended the role of the Commission. He said that it had encouraged Member States to ratify the Istanbul Convention and facilitated the exchange of good practices. But he also called on MEPs to put pressure on their respective governments and national parliaments to make ratification a national priority. On the repeated call on the Commission to propose a legal instrument on violence against women, he firmly ruled this out because there was no legal basis in the Treaty. He added that, nevertheless, the Commission would support Member States in implementing existing legal instruments such as the directive on the protection of victims.

Mr Leškevičius, on behalf of the Council, recalled that the Istanbul Convention did not apply only to women. He reiterated that tackling violence against women was a priority of the Lithuanian Presidency and of the trio presidency. He added that the Council had called on the Commission and the Member States to consider establishing a European helpline to assist victims of violence against women.

Question for oral answer to the Council - Rule 115:

**Convention on preventing and combating violence against women (Istanbul Convention):
state of play and actions to be taken (O-000083/2013)**

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) was opened for signature in Istanbul on 11 May 2011. It is the first European legal instrument to create a comprehensive legislative framework to protect women against all forms of violence. It is important to note that the Convention does not only apply to women. Parties to the Convention are also encouraged to apply its protective framework to children, men and elderly people who are exposed to domestic violence.

The Convention will enter into force when it has been ratified by 10 countries, 8 of which must be Council of Europe member states. At present, it has been signed by 26 states and ratified by 5 (of which just 2 are EU Member States).

Given that the fight against all forms of violence against women and girls is one of the EU's priorities, could the Council state:

- what steps or measures could be taken in order to speed up signature and ratification by EU Member States, as well as by the European Union itself;
- what measures could be implemented to introduce the ‘six-P’ framework on violence against women (policy, prevention, protection, prosecution, provision and partnership), which the European Parliament has called for on a number of occasions;
- what measures could be taken with a view to developing effective and consistent initiatives to support Member States in eradicating violence against women, and in establishing networks and communication between national authorities to ensure that progress is made in this area.

Honourable Members,

We all agree on the urgent need to tackle the scourge of violence against women. The Council of Europe and its members have done excellent work in this field. But within the EU, there has also been excellent cooperation between the Commission, Parliament and Council. We have established the Daphne Programme, the Directive on trafficking, the European Protection Order and the Directive on the rights, support and protection of victims of crime.

Last year, the Council addressed the issue of domestic violence and called for more to be done to support victims and to bring perpetrators to justice. It asked the Commission and the Member States to consider designating 2015 the European Year on Zero tolerance for Violence against Women.

It is important to remember that, in this field, the Member States are responsible for many of the key policy areas where action needs to be taken. And of course at the EU level, the Commission has the right of initiative.

For too long, violence has remained a hidden phenomenon. But, the European Institute for Gender Equality (EIGE), a body jointly created by the Council and the European Parliament, has included "Violence" as one of the focus areas in its recently launched Gender Equality Index.

I welcome the opportunity this afternoon to respond to the issues raised in your question. Allow me to begin by underlining that the adoption of the Istanbul Convention was a major step forward in our efforts to eradicate all domestic violence, including violence against women.

As far as the ratification of the Convention is concerned, the Council has already called upon the Member States to "Consider signing, ratifying and implementing" this crucial instrument.¹ To date, seventeen Member States have already signed it and two have ratified it.

As regards the possibility of EU accession to this Convention, it would be up to the Commission to propose such a step. The Council would then examine this in accordance with the Treaty rules.

On the issue of implementation, the Council has already called for action on a number of occasions. Last year, the Council asked the Member States and the Commission to develop action plans, programmes and strategies to combat violence against women and girls. The Council explicitly called for measures aimed at the prevention and elimination of violence, the provision of protection and support to victims, and the prosecution of perpetrators. The Council also called for appropriate and sustainable funding.²

As for networks, communication and support for Member States, the Council has repeatedly invited the Commission to consider developing a European Strategy in this area.³ Here, we must of course respect the Commission's right of initiative, as well as the Member States' competences in key areas, including justice and home affairs. But no one, I believe, questions the value of European cooperation and mutual learning in this difficult field.

President, Honourable Members,

¹ 17444/12, para 30.

² 17444/12, para 19.

³ 17444/12, para 20.

Violence against women has to be tackled. It is a complex and broad-ranging issue. The Council has therefore also called on the Member States and the Commission to strengthen and support multi-agency and multidisciplinary co-operation involving all relevant stakeholders. These include women's organisations and NGOs, which play an important role in combating violence against women and providing services to victims of such violence and their children.¹

The Council has also called for the registration and handling of complaints to be improved. Here, too, we can benefit from cooperation, mutual learning and shared practices.²

In addition, the Council has stressed the importance of improving the collection and dissemination of data. Cooperation in this area is vital. The Member States and the Commission have the key competences and resources. National and European statistical offices will all have a role to play. So will EIGE, with its newly launched Gender Equality Index.³

President, Honourable members,

Domestic violence has no place in a civilised society. To rid Europe of this scourge, we need data. We need cooperation. And we need an unflinching political commitment. It is pleasing to note that this is an area where the Council and the Parliament share the same values. We have long pursued the same goals. Let us continue along the same path.

Thank you for your attention.

¹ 17444/12, para 27.

² 17444/12, para 22.

³ 17444/12, para 21.