



Brussels, 23 July 2018
(OR. en)

11324/18

FREMP 127
JAI 798
DROIPEN 106
COHOM 102

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
On:	12 and 13 July 2018
To:	Delegations
Subject:	Outcome of the Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP)

1. Draft Council Conclusions on the application of the EU Charter of Fundamental Rights in 2017 (10756/18) - Presentation and exchange of views

The Presidency presented the first draft of the Council Conclusions, a comprehensive text including several different subjects, from women's rights to combating racism and xenophobia, promoting non-discrimination, Roma integration, LGBTI rights, rights-based approach to ageing, Social Rights Pillar, data protection, protection of civil society, democracy and the rule of law. General support was expressed, but several scrutiny reservations placed. The Presidency concluded inviting delegations to send written drafting proposals by 20 July. A revised text will be distributed ahead of the next FREMP meeting on 10-11 September.

2. Conclusion by the European Union of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

a) Presidency non-paper containing the elements for a Code of Conduct laying down the arrangements regarding the exercise of rights and obligations of the European Union and Member States (WK 11626/7/17 REV 7) - Endorsement of the Presidency compromise proposal

The Presidency presented the revised text jointly drafted with the Bulgarian Presidency. Almost all delegations endorsed the Presidency proposal. The Presidency will work on a possible compromise proposal on points 3 and 4, and will also reflect on the way forward.

b) Proposals for Council Decisions

- on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to Articles 60 and 61 pertaining to Gender-based asylum claims and Non-refoulement (WK 8199/18)

- on the conclusion, by 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 (WK 8201/18) - Presentation and initial exchange of views

The Presidency presented two draft Decisions revising the initial Commission proposal, in line with the signing Decisions. Several delegations placed positive scrutiny reserves and clearly expressed the wish to advance fast and conclude the accession as soon as possible. The Commission reiterated the same concerns as those for the signing Decisions. One delegation recalled its opposition to the EU accession to the Istanbul Convention. Another delegation recalled its position that the EU could only accede after all Member States have ratified the Convention. The Presidency concluded inviting delegations to send written comments by 20 July. A revised text will be circulated with a view to discussion at the next FREMP meeting on 10-11 September.

3. Proposal for a Directive of the European Parliament and of the Council on the protection of persons reporting on breaches of Union law (8713/18) - Examination of the text (preliminary discussion of Chapter I, discussion of Chapters II-III)

FREMP devoted one day and a half to the examination of Chapters I, II and III of the Commission proposal. The proposal was generally supported by delegations. However, delegations had a lot of questions regarding the implementation and enforcement of certain provisions related to the personal scope and material scope. Several delegations had problems with the inclusion of corporate taxation. The Council legal Service indicated that it would scrutinise the legal basis. Delegations also insisted on finding a balance between protection of whistleblowers and national security/business secrets. The Presidency concluded inviting delegations to send written comments by the end of July/beginning of August. Discussions will continue at the next FREMP meeting on 10-11 September.

4. AOB

Expert Seminar on the Rule of Law in the EU on 11 July 2018 - Information by the Presidency

The Presidency debriefed on the informal Rule of Law seminar that took place on 11 July 2018 in Brussels, on “Trust in Public Institutions and the Rule of Law”.
