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ADD 1

ANTIDISCRIM 10
COCON 4
COHOM 8
COPEN 23
DROIPEN 6
EDUC 17
FREMP 35
JAI 114
MIGR 29
SOC 46

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	24 January 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2024) 38 final
Subject:	ANNEX to the proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union in 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

Delegations will find attached document COM(2024) 38 final.

Encl.: COM(2024) 38 final



EUROPEAN
COMMISSION

Brussels, 24.1.2024
COM(2024) 38 final

ANNEX

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to the

proposal for a COUNCIL DECISION

on the position to be taken on behalf of the European Union in 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

ANNEX

Rule 20 – Voting

Amendment no.1: add new text at the end (in bold+underlined)

“1. Each member of the Committee shall have one vote. Where the delegation of a Party is composed of more than one representative, only one of them is entitled to take part in voting.

In matters within its competence, the European Union shall exercise its right to vote with a number of votes equal to the number of those of its Member States which are Parties to the Convention and which are bound by the Union’s exercise of its competence. The Member States of the European Union which are not bound by the Union’s competence can vote separately.

Where the European Union exercises its right to vote, the Member States which are Parties to the Convention and which are bound by the Union’s competence in the matter to be voted upon, shall not vote. The European Union shall not exercise its right to vote in cases where all of its Member States which are Parties to the Convention are entitled to exercise theirs.”

“2. Voting requires a quorum”.

Amendment no.2: add new text (in bold+underlined)

“3. The decisions of the Committee are taken by a two-thirds majority of the votes cast. **Where the European Union participates in a vote in accordance with paragraph 1, subparagraphs 2 and 3, a two-thirds majority shall include a simple majority of the votes cast by the other Parties.**”

“4. Procedural questions shall be decided by a majority of the votes cast”.

Amendment no.3: add new text at the end (in bold+underlined)

“5. If any question arises as to whether a matter is procedural or not, it shall not be treated as procedural unless the Committee so decides by a two-thirds majority of the votes cast **in accordance with paragraph 3.**”

“6. For the purposes of these Rules, “votes cast” shall mean the votes of members cast for or against. Members abstaining shall be regarded as not having cast a vote”.

Rule 21 – Specific rules for the election of GREVIO members

“1. Rules 16, 19 and 20 of the present rules do not apply to the election of members of GREVIO”.

[...]

Amendment no.4: add new text (in bold+underlined)

“4. A Committee decision to request the withdrawal of one or more candidates who do not meet the requirements for membership of GREVIO as set out in Rules 2 to 5 of the rules on

the election procedure of the members of GREVIO requires a two-thirds majority of the votes cast, **including a simple majority of the votes cast by representatives of Parties other than the European Union and its Member States**. For the purposes of the present Rule, “votes cast” shall mean the votes of members cast for or against. Members abstaining shall be regarded as not having cast a vote”.

[...]

Amendment no.5: add new text (in bold+underlined)

“7. Each member of the Committee shall have one vote. Where the delegation of a Party is composed of more than one representative, only one of them is entitled to take part in the voting”.

Rule 25 – Amendments to the Rules of Procedure

Amendment no.6: add new text (in bold+underlined)

“The Committee may amend the Rules of Procedure by a two-thirds majority of the votes cast, **including a simple majority of the votes cast by representatives of Parties other than the European Union and its Member States. For the purposes of the present Rule, Rule 20, paragraph 1, subparagraphs 2 and 3, shall not apply.**”

Rule 2 – Composition

Amendment no.7: delete text

1. Members

a. Pursuant to paragraph 1 of Article 67 of the Convention, members of the Committee shall be the representatives of the Parties to the Convention.

[...]

2. Participants

[...]

b. The following may appoint representatives to participate in the meetings of the Committee without the right to vote or the defrayal of expenses:

i) States which have signed but not yet ratified the Convention;

ii) States which have ratified or acceded to the Convention but for which it has not yet entered into force;

iii) States invited to accede to the Convention.

iv) the European Union.

[...]

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