## **Committee of the Parties**

**Council of Europe Convention** on preventing and combating violence domestic violence against women and (Istanbul Convention)

## Report of the 15<sup>th</sup> meeting

## Strasbourg, 5 December 2023

IC-CP/Inf(2023)RAP15



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#### Agenda item 1. Opening of the meeting and adoption of the agenda

The Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to, respectively, as "the Committee" and "the convention") held its 15th meeting on 5 December 2023 in Strasbourg. It adopted the draft agenda of the meeting as it appears in document IC-CP(2023)OJ15prov, which is set out in Appendix I.

The Chair welcomed the new members of the Committee, who were invited to introduce themselves. A special welcome was extended to the representatives of the European Union, as it was the first time that they participated in a Committee meeting as a new Party to the convention.

#### Agenda item 2. Administrative and budgetary information

The Executive Secretary informed the Committee about the additional human resources in the Secretariat since the last CoP meeting: a new senior assistant joined the Violence against Women Division in July 2023, and a temporary colleague joined the team in September 2023 so that an additional evaluation visit and report can be completed. The Executive Secretary updated the Committee about other changes in the secretariat staff.

The Executive Secretary thanked Parties for their voluntary contributions to the CoE multicountry project on violence against women, which has allowed the Secretariat to carry out activities other than the monitoring work of GREVIO and the Committee of the Parties, including two round tables organised in 2023 (in Montenegro and Serbia), following on the first one held in Albania last year. The results of the round tables will be assessed next year, before continuing with this new activity, whose main objective is to bring together the main stakeholders in a Party, or group of Parties, including authorities and civil society, to discuss progress and the remaining challenges to fully implement the Istanbul Convention.

Stemming from the EU's accession to the Istanbul Convention, the Executive Secretary informed Parties that EU's annual financial contribution linked to the Istanbul Convention is currently under discussion at senior level between EU and CoE officials.

Finally, the Executive Secretary reported a meeting held at the end of October with representatives of both UN Women's Regional Office for West and Central Africa, and the Economic Community of Central African States, who came to Strasbourg to discuss their initiative to launch the preparation of a regional treaty to combat violence against women in Central Africa. The meeting aimed to "learn lessons" from the Council of Europe's experience on the preparation and negotiation of the Istanbul Convention, as a first draft of this new regional convention is scheduled to be prepared before the end of the year. The Committee will be kept informed of any follow-up and further developments on this issue.

#### Agenda item 3. State of signatures and ratifications of the Istanbul Convention

# a) Action taken by member States of the Council of Europe towards ratification of the Istanbul Convention: tour de table

The Chair invited signatory states to share information on progress towards ratification. The representative of Latvia informed the Committee that, on 30 November 2023, their Parliament had narrowly adopted a bill to ratify the convention, including a declaration stating that the convention will be applied in accordance with the Latvian Constitution. The law will need to be promulgated before a date of deposit of the ratification instrument at the CoE Treaty Office can be set. The representative of the Czech Republic was unable to connect for this agenda item and the Executive Secretary read the information sent to this effect, which indicated that the Government of the Czech Republic had approved the ratification of the Istanbul Convention on 21 June 2023, and then the proposal to ratify it was

submitted to Parliament. Both chambers have to approve the ratification. In the Senate, the proposal was discussed by several committees and a vote in Plenary is expected next year. In the absence of a representative of Lithuania, the Executive Secretary informed the Committee that, on 13 October 2023, the Constitutional Court of Lithuania accepted the Parliament's request to rule on whether the Istanbul Convention is in line with the country's Constitution. The Constitutional Court has been asked to clarify certain issues, including whether the provisions of the convention on gender, gender-based violence against women, and the inclusion of teaching materials on non-stereotypical gender roles in the official education curriculum, are compatible with the Lithuanian Constitution.

## b) Action taken by non-member States of the Council of Europe invited to accede to the Istanbul Convention: tour de table

The Ambassador of Mexico informed the Committee of continued progress in the last phase of the preparation of his country's ratification of the convention. He referred to the recent visit of PACE's President to Mexico and the joint statement issued, which referred to the forthcoming ratification of the convention. Mexico will be holding presidential elections in summer 2024, and therefore this ratification should be completed by April 2024.

Unfortunately, no representatives of Kazakhstan, Israel and Tunisia accepted the invitation to participate in this meeting, and therefore no information could be shared with the Committee regarding steps taken toward ratification.

#### c) Declarations and reservations

As regards declarations, the Executive Secretary informed the Committee that, in July 2023, seven Parties objected to one of the two declarations deposited by Ukraine at the time of ratification, in July 2022 (the one stating that that the convention will be applied in accordance with the Constitution of Ukraine, and that Ukraine "does not consider any of the provisions of the Convention as obliging to amend the Constitution of Ukraine and the Family Code of Ukraine, other laws of Ukraine regarding the institutions of marriage, family and adoption"), as they considered that it amounted to a reservation not compatible with Article 78 of the convention. The Executive Secretary further informed the Committee that these objections would not affect the entry into force of the Convention between Ukraine and each of the seven Parties (i.e., Austria, Finland, Germany, the Netherlands, Norway, Sweden and Switzerland). The Chair underlined how important Ukraine's ratification of the convention had been, while they continue suffering the armed aggression of the Russian Federation.

As regards reservations, the Executive Secretary informed the Committee that a number of reservations made by Parties at the time of ratification are coming to the end of either their five-year period of validity, or the six months of automatic renewal (in the absence of notification). This situation concerns reservations made by Croatia, Greece, Ireland and North Macedonia, and which are due to expire before the next meeting of the Committee. Parties were reminded of the obligation contained in Article 79, paragraph 3, of the convention to provide GREVIO with an explanation on the grounds justifying the continuance of their reservations, before their renewal.

#### Agenda item 4. Exchange of views with Maria-Andriani Kostopoulou, President of GREVIO

The President of GREVIO, Maria-Andriani Kostopoulou, held her first exchange of views with the Committee, as she was re-elected as GREVIO member on 1 June 2023, and then elected as GREVIO's President on 21 June 2023. She informed the Committee about the near completion of GREVIO's baseline evaluation procedure, with 36 evaluation reports adopted and published by the end of 2023. She also referred to the launch of GREVIO's first thematic evaluation round in 2023, using the new questionnaire, and under the theme "Building trust by delivering support, protection and justice". The President of GREVIO also presented some of the main features of GREVIO's 4th General Report of activities, covering GREVIO's work in 2022 and published in September 2023, highlighting the General Report's focus section, which addresses legal and policy changes on the criminalisation and prosecution of sexual violence, including women's access to justice and specialised support services.

The President of GREVIO raised a very practical issue of particular importance for GREVIO, which is the implementation of Article 79, paragraph 3, of the convention, and reminded Parties of the need to provide GREVIO with an explanation of the reasons for the renewal of a reservation upon the expiration of the five-year period of validity. Finally, the President of GREVIO called on all Parties to work together in the promotion of the Istanbul Convention, inside and outside Europe, as discussions continue about a possible global treaty on violence against women. Therefore, and in light of the celebration of the 10<sup>th</sup> anniversary of the entry into force of the Istanbul Convention, there is renewed urgency to inform about the positive impact of the convention on women's lives, as well as about the fact that this treaty is open to accession by any country in the world.

Several delegations took the floor to thank GREVIO's President for the work carried out and to raise issues of common interest, such as the need to adequately address the digital dimension of violence against women; the role of men and boys in preventing and combating violence against women; the forthcoming evaluation by GREVIO of the European Union; the importance of strengthening synergies and exchanges with the Gender Equality Commission; the continuing backlash against women's human rights; and the new to learn lessons from the results of GREVIO's baseline evaluation, which can then be applied to the first thematic evaluation.

#### Agenda item 5. Recommendations on the implementation of the Istanbul Convention

The Chair recalled the procedure for the Committee to adopt recommendations on the implementation of the Istanbul Convention, on the basis of GREVIO's evaluation reports, which was agreed by the Committee at its 4th meeting, and it is described in document IC-CP(2018)6. She reminded Parties that they are given a period of three years to implement the recommendations and report back to the Committee. She further informed the Committee that, as GREVIO's baseline evaluation report on Liechtenstein had been published the day before, the consideration of the draft recommendation addressed to this Party will be postponed to the next meeting of the Committee, in June 2024.

Representatives of each of the six Parties addressed by a draft recommendation on the agenda (Croatia, Greece, Ireland, Luxembourg, North Macedonia, and the Republic of Moldova) took the floor to thank GREVIO for the findings and analysis contained in the respective baseline evaluation reports, and informed the Committee about the latest developments at the national level to prevent and combat violence against women and domestic violence, in line with GREVIO's evaluations. Further to a request from the representative of Georgia, one recommendation issued in respect of Georgia was slightly reworded. The recommendations addressed to Croatia, Greece, Ireland, Luxembourg, North Macedonia, and the Republic of Moldova were adopted by the Committee.

In response to a question about how to manage overlapping monitoring procedures in the Committee, under the baseline and the thematic evaluations, addressed to the same Party, the Executive Secretary informed the Committee that discussions on this would take place between the Secretariat and the Bureau of the Committee in 2024, so that a proposal can be brought to a future meeting of the Committee.

The Chair underlined the importance of recognising the progress made by Parties and the good co-operation between GREVIO, the Secretariat, and national authorities during the dialogue that takes place under each evaluation procedure.

# Agenda item 6. Draft amendments to the Rules of Procedure of the Committee of the Parties, as regards voting, following the accession of the EU to the Istanbul Convention

The Chair again welcomed the EU as a party to the convention. She mentioned that the political importance the EU attaches to the Istanbul Convention led to ratification before the practical consequences of accession of the EU to the convention were decided. The Chair requested everybody's understanding and patience, especially from non-EU parties, while this process is being finalised and agreed upon.

The Chair recalled the first exchange of views on this issue held at the meeting on 1 June 2023, followed by the circulation of information document IC-CP(2023)4, dated 28 August 2023, prior to the extraordinary meeting held on 26 September. She referred to the "possible amendments" to the Committee's Rules of Procedure included in the information document, aimed at integrating the principles of "non-additionality" and "double majority", as explained in that document.

The Chair further recalled that Parties had been invited to submit comments and proposals in writing, in relation to the proposed amendments, and that only the United Kingdom sent feedback, as presented in the document entitled "Comments from Parties on the proposed amendments to the Rules of Procedure following the accession of the European Union to the Istanbul Convention", reference IC-CP(2023)22, of 7 November 2023.

The Chair also called the attention of the Committee to the request it made at their extraordinary meeting on 26 September, asking the secretariat to prepare a written summary of the informal meetings held with the EU to discuss the possible amendments to the Rules of Procedure. This summary had been circulated in document IC-CP(2023)21, of 20 November 2023. The Executive Secretary provided an overview of that document, focusing on the main issues discussed with the EU – both as regards procedure and substance - at the informal online meetings held in October and November 2023.

The representative of the EU welcomed the draft amendments included in the information document prepared at the end of August 2023, and explained that further work on them is needed, including to take into account the situation of Denmark and Ireland, which are not bound by EU law and policy in matters of justice and home affairs. She further explained that modifications to the proposed amendments to Rule 20, paragraph 1, and Rule 20, paragraph 5, were under discussion; and that Rule 21 also needs further amendments. The EU Council is discussing the application and the implications of the "non-additionality" and "double majority" proposals, and they need additional time to reach a position.

In reply to a question by the Chair, the EU delegation could not give a specific indication as to the timing of their proposals and comments, to be sent to the Committee's Secretariat ahead of the next meeting of the Committee, in June 2024. The Executive Secretary invited the EU to submit their written comments and proposals to the Secretariat in April 2024, to ensure that there will be enough time for their translation and circulation to all Parties, in accordance with the Rules of Procedure, i.e., by mid-May 2024, so that they can be considered at the 16<sup>th</sup> meeting of the Committee, in June 2024.

#### Agenda item 7. Election of Bureau members

The Executive Secretary chaired this agenda item and recalled that the current Bureau, elected on 27 September 2023, has a mandate until 31 January 2024, which is the remainder of the term of office of the previous Bureau. She further explained that the Committee needed to hold Bureau elections again, for a fresh term of office of one year, starting on 1 February 2024 (as per Rule 4, paragraph 2, of the Committee's Rules of Procedure).

The Executive Secretary recalled that the current Chair, first Vice-Chair and second Vice-Chair of the Committee wished to stand for re-election, as it had been communicated to Parties by e-mail. She proposed that the re-election be held by acclamation, instead of secret ballot, as there was only one candidate for each of the three Bureau posts. No objection was raised.

Ambassadors Tanja Gonggrijp, Gilberto Jerónimo and Daniela Cujbã were re-elected as Chair, first Vice-Chair and second Vice-Chair of the Committee, respectively, for a term of office from 1 February 2024 to 31 January 2025.

The Executive Secretary further explained that as the first term of office of the Bureau was only four months (from 26 September 2023 to 31 January 2024), the Secretariat had consulted the Legal Service about the possibility for the current Bureau to run for re-election again in a year's time, for a subsequent mandate starting on 1 February 2025. As the Rules of Procedure of the Committee are not detailed on this point, and the CoE rules for intergovernmental committees are applied, *mutatis* 

*mutandis*, it would be possible for the existing Bureau to run for re-election again at the end of December 2024, for a new mandate starting on 1 February 2025. However, this remains an issue to be revisited at the end of 2024, in case the Bureau members would want to stand for re-election. Another issue for possible consideration at the end of 2024 is the changing of the timing of the Bureau's term-of-office of one year, either to align it with the calendar year (January to December), which is the usual practice in the Organisation, or to consider other options. The Bureau can consider this when preparing the 17th Committee meeting, that will be held in December 2024.

#### Agenda item 8: Thematic discussion: "National experience and tools to address femicides"

The Chair introduced this agenda item, explaining her initiative to dedicate some time in every Committee meeting to have an informal discussion on an important topic. She invited members and other participants to contact her or the Secretariat with suggestions about topics/issues to discuss at future meetings. She further explained that some Parties had been approached to contribute to this debate on femicides, but of course all were encouraged to participate actively, share information and ideas about national policies and laws on this issue.

The Chair introduced the expert invited to "set the scene" for the thematic discussion on preventing and combating femicides: Susana Pavlou, the Director of the Mediterranean Institute of Gender Studies, based in Cyprus, with 20 years of experience in research, policy development, monitoring and evaluation, with particular expertise on gender equality and violence against women.

The presentation of Ms Pavlou addressed the origin and definition of the term "femicide"; the legal responses adopted at the national level, either as a form of gender-based violence or as a genderneutral homicide – with only two countries in Europe currently recognising femicide as a specific criminal offence: Malta and Cyprus. Ms Pavlou referred to global estimations of femicides and presented a research project ("FEM-UNITED") comparing data from five European countries (Cyprus, Malta, Germany, Portugal and Spain). She presented the project's recommendations for action, and also addressed the Istanbul Convention as an effective tool to prevent femicides, especially when it is fully implemented

The representatives of 14 Parties took the floor subsequently, to present their national measures to prevent and combat femicides. The interventions from Parties addressed the following issues: the need for a radical change within families and society as a whole, with more awareness-raising and discussions on femicide, and more and better media coverage on gender-based violence against women; the need to deconstruct gender norms and enhance education, in particular targeting boys and gender equality; the need for statistical data on femicides and the challenges of harmonised data collection; the need to review risk assessment and risk management tools; the need for preventive measures to better protect victims – such as better recognition of red flags and combatting certain forms of violence against women such as coercion; the continuous need for training relevant professionals and to develop specific national programmes for children who witness violence; the use of hate crime laws, or gender as an aggravated circumstance, to recognise the gender dimension of femicides; the need to strengthen co-ordination to assess gaps in the system and possible solutions; the benefits of a broadened scope of persons considered as victims of femicides, including ex-partners, relatives and persons that did not cohabit with the woman killed.

The representative of the UK had difficulties connecting and sent her intervention by email after the meeting, which was then circulated to all Committee members, as well as the powerpoint presentation of Ms Pavlou.

The Chair thanked Ms Pavlou and all the interventions from Parties, which had demonstrated the high interest on the topic and the need for further measures at the national level. She reiterated the call for Parties to come forward with themes for future debates during meetings of the Committee.

#### Agenda item 9. Date of next meeting

The Committee decided to hold its next meeting on 6 June 2024.

#### Agenda item 10. Other business

The representative of Liechtenstein took the floor to inform Parties that they will be hosting the second meeting of co-ordinating bodies set up under Article 10 of the Istanbul Convention, which will take place in Schaan, near Vaduz, on 29 April 2024, as part of the events of the Liechtenstein Presidency of the Committee of Ministers of the Council of Europe. The invitations will follow early next year and Parties were invited to make recommendations for the programme of this meeting.

#### Agenda item 11. Adoption of the list of decisions taken

The Committee adopted the list of decisions as set out in document IC-CP/Inf(2023)LD15.

## Appendix I: Agenda

#### 1. Opening of the meeting and adoption of the agenda

#### 2. Administrative and budgetary information

#### 3. State of signatures and ratifications of the Istanbul Convention

- a) Action taken by member States of the Council of Europe towards ratification of the Istanbul Convention: tour de table
- b) Action taken by non-member States of the Council of Europe to accede to the Istanbul Convention
- c) Declarations and reservations

#### 4. Exchange of views with Maria-Andriani Kostopoulou, President of GREVIO

#### 5. Recommendations on the implementation of the Istanbul Convention

- Croatia [IC-CP(2023)15-prov]
- Greece [IC-CP(2023)16-prov]
- Ireland [IC-CP(2023)17-prov]
- Luxembourg [IC-CP(2023)18-prov]
- North Macedonia [IC-CP(2023)19-prov]
- Republic of Moldova IC-CP(2023)20-prov]
- 6. Draft amendments to the Rules of Procedure of the Committee of the Parties, as regards voting, following the accession of the EU to the Istanbul Convention
- 7. Election of Bureau members
- 8. Thematic discussion: ["National experience and tools to address femicides"]
- 9. Date of the next meeting
- 10. Other business
- 11. Adoption of the list of decisions taken

## Appendix II: List of Participants

### 15<sup>th</sup> meeting CoP

### **BUREAU**

Mme Tanja GONGGRIJP Chair Ambassador Extraordinary and Plenipotentiary Permanent Representative of the Netherlands to the Council of Europe

Mr Gilberto JERÓNIMO First Vice-Chair Ambassador Extraordinary and Plenipotentiary Permanent Representative of Portugal to the Council of Europe

Ms Daniela CUJBĂ Second Vice-Chair Ambassador Extraordinary and Plenipotentiary Permanent Representative of The Republic of Moldova to the Council of Europe

#### **MEMBERS / MEMBRES**

#### ALBANIA / ALBANIE

Ms Brunilda KOÇO Deputy to the Pemanent Representative Permanent Representation of Albania to the Council of Europe

#### **ANDORRA / ANDORRE**

Mr Joan Forner ROVIRA Ambassador Extraordinary and Plenipotentiary Permanent Representative of Andorra to the Council of Europe

Mr Aitor Codina Permanent Representation of Andorra to the Council of Europe

#### **AUSTRIA / AUTRICHE**

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#### **EUROPEAN UNION / UNION EUROPEENNE**

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#### **FINLAND / FINLANDE**

Ms Marjatta HIEKKA Legal Counsellor Ministry for Foreign Affairs

#### FRANCE

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Mme Léa CORNU Adjointe au Représentant Permanent Représentation Permanente de la France auprès du Conseil de l'Europe

#### **GEORGIA / GÉORGIE**

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#### **GREECE / GRÈCE**

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#### ICELAND / ISLANDE

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#### **IRELAND / IRLANDE**

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Ms Aoife BYRNE Justice Attaché/ Deputy to the Permanent Representative Permanent Representation of Ireland to the Council of Europe

#### ITALY / ITALIE

M. Roberto MARTINI Ambassadeur extraordinaire et plénipotentiaire Représentant Permanent de l'Italie auprès du Conseil de l'Europe

#### LIECHTENSTEIN

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Ms Naomi LIND Permanent Representation of the Principality of Liechtenstein to the Council of Europe

#### LUXEMBOURG

M. Christopher WITRY Ministère de l'Egalité des genres et de la diversité

Mme Lisa SCHULLER Ministère de la Justice

Mme Mandy da MOTA Ministère de la Justice

#### MALTA / MALTE

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Ms Violeta BERIŠAJ Deputy to the Permanent Representative Permanent Representation of Montenegro to the Council of Europe

#### NETHERLANDS

Ms Georgia-Rae DIJK Deputy to the Permanent Representative Permanent Representation of the Netherlands to the Council of Europe

#### NORTH MACEDONIA

Ms Svetlana CVETKOVSKA Ministry of Labour and Social Policy Sector for Equal Opportunity

#### **NORWAY / NORVEGE**

Ms Hilde Marit KNOTTEN Senior Advisor Ministry of Justice and Public Security Police Department

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Mr Pawel KOSMULSKI Head of Department of Equal Treatment and Human Rights Government Plenipotentiary for Equal Treatment

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#### **SERBIA / SERBIE**

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Mr Andrea DIMOSKI Ministry of Culture

#### **SLOVENIA / SLOVENIE**

Ms Sara SLANA Ministry of Labour, Family, Social Affairs and Equal Opportunities

#### **SPAIN / ESPAGNE**

Mr Daniel JUSDADO BARRIO Deputy to the Permanent Representative Permanent Representation of Spain to the Council of Europe

#### SWEDEN / SUÈDE

Ms Caroline HAMMARBERG Head of Section Division for Gender Equality Ministry of Employment

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M. Gian BEELI Responsable du domaine Violence Département fédéral de l'intérieur DFI Bureau fédéral de l'égalité entre femmes et hommes BFEG

#### **UNITED KINGDOM / ROYAUME-UNI**

Ms Nadia HASHMI Deputy Permanent Representative Permanent Representation of the United Kingdom to the Council of Europe

#### UKRAINE

Ms Angelina OLIINYCHENKO Digital Development and Social Services Directorate Ministry of Social Policy

Mr Viktor NIKITIUK Deputy Permanent Representative Permanent Representation of Ukraine to the Council of Europe

#### \*\*\*

#### **PARTICIPANTS**

#### STATES WHICH HAVE SIGNED BUT NOT YET RATIFIED THE CONVENTION

#### **CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE**

Mrs. Barbora ŠVÁCHOVÁ

apologised

#### LATVIA / LETTONIE

Mr Eduards DZENITIS Deputy to the Permanent Representative Permanent Representation of Latvia to the Council of Europe

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### OTHER

Ms Maria Andriani KOSTOPOULOU GREVIO President

Ms Susana PAVLOU Director Mediterranean Institute of Gender Studies [MIGS] Cyprus

M. José Alfonso SUÁREZ DEL REAL Y AGUILERA Ambassadeur Plénipotentiaire Observateur Permanent Mission Permanente du Mexique auprès du Conseil de l'Europe

### \*\*\*

#### **SECRETARIAT**

Secretariat of the monitoring mechanism of the Council of Europe Convention on preventing and combating violence against women and domestic violence / Secrétariat du mécanisme de suivi de la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique

Ms Carolina LASÉN DIAZ Executive Secretary / Secrétaire exécutive Head of the Violence against Women Division / Cheffe de la Division Violence à l'égard des femmes

Ms Françoise KEMPF Administrator

Ms Francesca MONTAGNA Administrator

Ms Elif SARIAYDIN Administrator

Ms Sabrina WITTMANN Administrator

Mr Mihail STOJANOSKI Administrator

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Ms Valentine JOSENHANS Project officer

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Ms Celia Rawinski