

SUMMARY

of the Opinion 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"

COM (2016)109

and

on the "Proposal for a Council Decision on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence"

COM (2016) 111

The Chamber of Deputies :

- Welcomes the conclusion and signature, by the European Union, of the Council of Europe Convention, on preventing and combating violence against women and domestic violence, which is considered to be the most comprehensive international treaty regarding the serious violation of the human rights, underlining the prevention of violence, the victims' protection and the delinquents' putting to trial as well as the adoption of firmer adequate measures which should reduce to minimum the tolerance towards those who resort to any kind of violent acts towards women.
- Supports, has been involved and is permanently and actively involved in speeding up the procedures of signature and ratification of the Convention by the Romanian authorities as well as in promoting the principles and benefits of the adoption of this comprehensive international document in the neighbouring countries.
- Appreciates that this Convention represents an international juridical cooperation treaty which creates the complete and multidimensional juridical framework for protecting women against any form of violence, also aiming at preventing and eliminating the violence against women and young girls and the domestic violence, being the first international treaty which contains a complete definition of the concept of gender and of the domestic violence.
- Considers that the signature, by the European Union, of this Convention permits harmonizing the juridical framework of the measures of prevention, protection and aid for the victims of violence directed against women and family members for all the signatory parties, what will give more consistence to the European system. Due to the fact that a part of the competences of the Convention falls in the responsibility of the Member States and another part in the responsibility of the European Union, the EU should be a signatory side together with the Member States.

- Considers that the approach of mainstreaming type on the stipulations of this international Treaty suits entirely the goals of the problems discussed by the Convention, determining the reevaluation of the necessary policies and measures for implementing them at the European level. The parties should cooperate in order to put in practice the stipulations of the Convention, they should use the relevant regional and international instruments and assure that the complaints concerning the offences committed on the territory of another party can be deposited in the victim's area of residence.

The Chamber of Deputies considers that European Commission should take into consideration the following aspects:

- Clarifications are necessary regarding the interconnected competences aiming at implementing and monitoring the mechanisms through the agency of the coordinating organism (Article 10), the obligations referring to accounting and collecting data by the expert group (Article 11 paragraph (3)), Article 66 and Article 70;
- A more careful analysis of the stipulations of the Convention must be made in order to determine, in a correct way, which competences are exclusively in the EU competence and which are the shared ones;
- The Member States remain competent for incriminating the different offences committed against women, according to the national penal legislation, as stipulated in the Convention, in order to select the most adequate modality to be applied (legislative measures or others) and in order to implement the stipulations of the Convention;
- It is necessary to identify the most adequate modalities between the Commission and the Member States in order to implement and supervise the mechanisms stipulated by the Convention and in order to report on the obligations, according to Chapter IX to the Convention. It follows to select, propose and participate in the nomination of the experts by the Group of experts for the action against domestic violence (GREVIO), in the name of the Union.

The Chamber of Deputies underlines the preliminary efforts made by Romania, which signed and ratified the Istanbul Convention. Also, Romania started the implementation of the Convention in order to prevent and limit the economic violence and its negative effects.