Question for written answer E-002076/2021

to the Council

Rule 138

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Subject: Conclusion of the EU’s accession to the Istanbul Convention

In May 2017, the Council adopted two decisions – Council Decision (EU) 2017/865 and Council Decision (EU) 2017/866 – which resulted in signing by the EU, in June 2017, of the Istanbul Convention (the Council of Europe Convention on preventing and combating violence against women and domestic violence of 7 April 2011).

The Council has since purported that the ratification process for the EU’s accession to the Istanbul Convention can only be finalised once all Member States have ratified the Convention. Few Member States have not yet done so.

Currently the Polish Parliament is discussing a legislative initiative ‘Yes to family, no to gender’, which envisages Poland’s withdrawal from the Convention. Poland had already signed and ratified the Istanbul Convention.

The Advocate General’s Opinion in Avis 1/19 Istanbul Convention, dated 11 March 2021, states that: ‘The EU’s decision to conclude the Istanbul Convention would be compatible with the Treaties if it were adopted in the absence of a common agreement of all Member States to be bound by that convention’.

In the light of the aforementioned opinion, how does the Council plan to proceed with the process of concluding the EU’s accession to the Istanbul Convention?