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COUNCIL DECISION (EU) 2025/805

of 22 April 2025

on the position to be taken on behalf of the European Union within the Committee of Ministers of the Council of Europe on the extension of the deadline for accession of Tunisia to 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, asylum and non-refoulement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2), Article 82(2) and Article 84, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Council of Europe Convention on preventing and combating violence against women and domestic violence (the 'Convention') was concluded by the Union by Council Decision (EU) 2023/1075 ([1]) with regard to institutions and public administration of the Union, and by Council Decision (EU) 2023/1076 ([2]) with regard to matters related to judicial cooperation in criminal matters, asylum and non-refoulement, and entered into force for the Union on 1 October 2023. There are currently 39 parties to the Convention (the 'Parties'), including the Union and 22 Union Member States.

(2) Pursuant to Article 14 of the Statute of the Council of Europe, each member of the Council of Europe shall be entitled to one representative on the Committee of Ministers of the Council of Europe (the 'Committee of Ministers'), and each representative shall be entitled to one vote. All Union Member States are members of the Council of Europe and thus represented in the Committee of Ministers.

(3) Pursuant to Article 76(1) of the Convention, the Committee of Ministers is able, after consultation of the Parties and obtaining their unanimous consent, to invite a non-member State of the Council of Europe to accede to the Convention, by a decision requiring a two-thirds majority of the Committee of Ministers, as provided for in Article 20.d of the Statute of the Council of Europe, and by the unanimous vote of the representatives of the Parties entitled to sit on the Committee of Ministers.

(4) On 22 April 2020, the Committee of Ministers decided to invite Tunisia to accede to the Convention. Pursuant to that decision, that invitation remains valid for five years from its adoption, that is until 23 April 2025 (the 'deadline').

(5) By a letter dated 20 February 2025, Tunisia requested an extension of the deadline until 23 April 2027, to be able to complete its internal procedures.

(6) The Committee of Ministers, at its meeting on 23 April 2025, is expected to adopt a decision on the extension of the deadline until 23 April 2027.

([1]) Council Decision (EU) 2023/1075 of 1 June 2023 on the conclusion, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to institutions and public administration of the Union (OJ L 143 I, 2.6.2023, p. 1, ELI: http://data.europa.eu/eli/dec/2023/1075/oj).

([2]) Council Decision (EU) 2023/1076 of 1 June 2023 on the conclusion, on behalf of 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, asylum and non-refoulement (OJ L 143 I, 2.6.2023, p. 4, ELI: http://data.europa.eu/eli/dec/2023/1076/oj).

(7) It is appropriate to establish the position to be taken on the Union's behalf within the Committee of Ministers, as the extension of the deadline could have legal effects on the Union. The effect of that extension would be to renew the invitation to Tunisia to accede to the Convention and therefore would imply the establishment of treaty relations between the Union and Tunisia in the framework of the Convention. The decision on the extension of the deadline could also influence the way in which decisions are taken within the Committee of the Parties.

(8) The accession of Tunisia to the Convention would be beneficial for the Union since it would extend the Convention's ambitious standards to that country. The Union's position should therefore be to grant Tunisia two more years to complete its internal procedures.

(9) As the Union is not a member of the Council of Europe but all its Member States are, the Union's position is to be expressed by its Member States, acting jointly.

(10) In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Council Decision and is not bound by it or subject to its application.

(11) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf at the meeting of the Committee of Ministers of the Council of Europe on 23 April 2025 shall be to support the extension of the deadline for accession of Tunisia to the Council of Europe Convention on preventing and combating violence against women and domestic violence until 23 April 2027.

Article 2

The position referred to in Article 1 shall be expressed by the Member States of the Union that are members of the Committee of Ministers of the Council of Europe, acting jointly.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 22 April 2025.

For the Council

The President

A. SZŁAPKA