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Opinion on the draft Council of Europe Convention on preventing and combating violence against women and domestic violence

Report[1]
Committee on Equal Opportunities for Women and Men
Rapporteur: Mr José MENDES BOTA, Portugal, Group of the European People's Party (EPP/CD)

Summary

The Parliamentary Assembly has consistently, repeatedly and forcefully condemned violence against women as one of the most serious violations of human rights in Europe, finding its roots in unequal power relations between women and men and discrimination against women.

The Assembly, therefore, warmly welcomes the draft Council of Europe Convention on preventing and combating violence against women and domestic violence, as the first international binding instrument specifically devoted to this issue and as an important step forward in the promotion of substantive equality between women and men.

While supporting this draft convention, the Committee on Equal Opportunities for Women and Men wishes to propose amendments, with a view to further strengthening the standards set out in the text.

1. 2011 - March Standing Committee

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A. Draft opinion[2]

1. The Parliamentary Assembly has consistently, repeatedly and forcefully condemned violence against women as one of the most serious violations of human rights in Europe, finding its roots in unequal power relations between women and men and discrimination against women. The Assembly, therefore, warmly welcomes the draft Council of Europe Convention on preventing and combating violence against women and domestic violence, as the first international binding instrument specifically devoted to this issue and as an important step forward in the promotion of substantive equality between women and men.

2. The Assembly welcomes the comprehensive and holistic approach of the draft convention, which encompasses simultaneously the prevention of violence against women, the protection of victims, the prosecution of perpetrators and integrated policies.

3. It also commends the strong monitoring mechanism foreseen by the draft convention, as well as the innovative provisions setting out a specific role for national parliaments and the Assembly in the context of monitoring the implementation of the convention.

4. Having had the opportunity to take part in the entire negotiation process in the Ad hoc committee on preventing and combating violence against women and domestic violence (CAHVIO), the Assembly is aware that the text of the draft convention is the result of a delicate compromise between diverging views, interests and concerns.

5. The Assembly notes that the scope of the draft convention itself is the result of a compromise, as it primarily covers all forms of violence against women, including domestic violence, which affects women disproportionately, while the states parties are encouraged to apply the convention also to other victims of domestic violence.

6. Although such a wide scope goes beyond the mandate of the Council of Europe campaign "Stop domestic violence against women", and was not clearly defined in the terms of reference of the CAHVIO, the Assembly does not think it appropriate, at this stage, to call it into question, because of the risk of altering a balance which has been very carefully negotiated.

7. The Assembly, however, wishes to propose amendments, with a view to strengthening the standards set out in the draft convention.

8. In particular, the Assembly expresses its concern with regard to the inadequate protection of some specific vulnerable groups, such as children, elderly people and migrant women without a legal residence status. These women are mentioned only in the case of their losing their residence status as a result of the dissolution of a relationship with a spouse or partner as a consequence of their being victims of violence.

9. In addition, the Assembly points out that, in the field of prosecution, too much flexibility is left to the states parties on how to sanction some of the forms of violence covered by the draft convention, whether through administrative, civil or criminal law. The Assembly would have preferred a much stronger emphasis on the obligation to criminalise certain acts of violence, even if this created the need for some member states to make additional efforts to adapt their domestic law to the draft convention.

10. It is likewise regrettable that exceedingly broad latitude to make reservations is left to the states parties, with the result that a considerable proportion of the convention could be made inoperative. This is all the more worrying considering that reservations could be made to important provisions such as those concerning the victims' right to compensation, the exercise of jurisdiction, the statute of limitations, residence status and the obligation to provide for criminal sanctions for certain acts, as opposed to non-criminal sanctions.

11. In the light of the above, the Assembly recommends to the Committee of Ministers that the draft convention be amended so as to replace the expression "gender-based violence against women" with "gender-based violence" in Article 3.d, Article 14, paragraph 1 and Article 60, paragraph 1.

12. In addition, with a view to addressing the situation and needs of specific vulnerable groups, the Assembly invites the Committee of Ministers to consider drafting two additional protocols to the draft convention, respectively on children and elderly people. It also recommends the following amendments to the draft convention:

12.1. in Article 15, paragraph 2, replace "encourage" with "ensure";

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2. Draft opinion adopted unanimously by the committee on 17 February 2011.

12.2. in Article 22, at the end of paragraph 2, add the following words: “taking into account their specific needs”;

13. Moreover, in order to make it explicit that the convention applies also to migrant women without a regular residence status and to reinforce measures aimed at protecting them and encouraging them to report violence to the relevant authorities, the Assembly recommends to the Committee of Ministers that the draft convention be amended as follows:

13.1. in Article 4, paragraph 3, after the words “migrant or refugee status” add the words “, absence of legal residence status”;

13.2. in Article 18, paragraph 1, after the words “victims” add “, irrespective of their legal status,”;

13.3. in Article 59,paragraph 1, delete the words “in the event of particularly difficult circumstances”;

13.4. after Article 59, add the following new article:

“Irregular migrant status

1. Parties shall take the necessary legislative or other measures to ensure that victims without regular residence status are granted a residence permit in the following cases:

a. where the competent authority considers that their stay is necessary owing to their personal situation;

b. where the competent authority considers that their stay is necessary for the purpose of their co-operation with the competent authorities in an investigation or criminal proceedings.

2. Parties shall apply all the provisions of the present Convention to victims without regular residence status, without discrimination.”

14. With a view to reinforcing substantive law provisions and protection measures, the Assembly recommends to the Committee of Ministers the following amendments:

14.1. in Article 34, replace the words “repeatedly engaging in threatening conduct directed at” with “following, harassing or threatening”;

14.2. in Article 36, paragraph 3, delete the words “as recognised by internal law”;

14.3. in Article 40, delete the words “or other legal”;

14.4. in Article 46, paragraph 1.a, delete the words “as recognised by internal law”;

14.5. in Article 56, paragraph 1.f, replace the words “may be” with “are”.

15. With a view to further reinforcing the monitoring mechanism foreseen by the draft convention, and involving more closely specialised non-governmental structures, national parliaments and the Assembly, the Assembly recommends to the Committee of Ministers that the draft convention be amended as follows:

15.1. reword Article 68, paragraph 5 as follows:

“GREVIO may receive information on the implementation of the Convention from national human rights institutions and equality bodies, civil society and non-governmental organisations, especially women’s organisations”;

15.2. in Article 70, after paragraph 2, add a new paragraph worded as follows:

“Parties shall consult their national parliaments when drafting the comments to be submitted to GREVIO in accordance with Article 68 of the Convention”;

15.3. in Article 70, after paragraph 3,add a new paragraph as follows:

“The Parliamentary Assembly shall be entitled to participate in the meetings of GREVIO and the Committee of the Parties as an observer”.

16. With a view to reducing the current exceedingly broad latitude for the states parties to enter reservations, the Assembly recommends the following amendments:

16.1. in Article 78, rephrase paragraph 2 as follows:

"Any state or the European Union may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, declare that it reserves the right not to apply or to apply only in specific cases or conditions the provisions laid down in:

– Article 44, paragraph 1.e;

– Article 55, paragraph 1 in respect of Article 35 regarding minor offences";

16.2. in Article 78, delete paragraph 3.

17. Finally, the Assembly recommends to the Committee of Ministers the following amendments to the draft convention:

17.1. in Article 78, delete paragraph 3.

"Contribute to the elimination of all forms of discrimination against women and promote equal dignity for all women and substantive equality between women and men, including by empowering women";

17.2. in Article 10, paragraph 1, after the words "one or more official bodies", add "involving all decision-making levels (governments, parliaments and local and regional authorities)";

17.3. in Article 11, paragraph 1.a, after the word "relevant", add the word "harmonised";

17.4. in Article 12, paragraph 1, replace the word "inferiority" with "subordinate position";

17.5. in Article 13, paragraph 1, after "increase awareness and understanding among the general public of", insert the words "the dignity and value of women and";

17.6. reword Article 20, paragraph 1 as follows:

"Parties shall take the necessary legislative or other measures to ensure that victims have access to services facilitating their recovery from violence. These measures should include,where appropriate, services such as legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment or setting up a business. The Parties are encouraged to set up special measures to facilitate the victims' access to employment";

17.7. in Article 29, paragraph 2, replace "state authorities" with "public authorities".

18. The Assembly also invites the Committee of Ministers to establish a close dialogue with the European Union on the issue of violence against women, with a view to avoiding double standards or contradictions between the draft Council of Europe convention and European Union legislation in this field, and encouraging European Union accession to the Convention.

19. In the light of the urgency of effective legal standards to prevent and combat violence against women and domestic violence, the Assembly calls on member states:

19.1. not to place hurdles to the process leading to the opening for signature of the convention as soon as possible, giving a strong political signal of their commitment to eradicating violence against women;

19.2. to sign and ratify the convention as soon as possible;

19.3. to ensure the application of the convention "to all victims of domestic violence", as they are encouraged to do under Article 2, paragraph 2 of the draft convention;

19.4. refrain from entering reservations and, in any case, not to renew them after a period of five years from the entry into force of the convention in respect of the state party concerned.

20. Recalling the activities conducted from 2006 to 2008 when embodying the parliamentary dimension of the Campaign on "Stop domestic violence against women", the Assembly affirms its commitment, through its Network of the contact parliamentarians of the Parliamentary Assembly committed to combating violence against women, to conducting campaigning and awareness-raising activities in support of the promotion of the signature and ratification of the convention.

B. Explanatory memorandum by Mr Mendes Bota, rapporteur

1. Introduction

1. On 19 January 2011, the Ministers' Deputies invited the Parliamentary Assembly to give an opinion on the draft Council of Europe Convention on preventing and combating violence against women and domestic violence, as soon as possible.

2. The Bureau of the Assembly entrusted the Committee on Equal Opportunities for Women and Men with this task. I was appointed as rapporteur, having already been rapporteur for Resolution 1635 (2008) and Recommendation 1847 (2008) on combating violence against women: towards a Council of Europe convention, and Resolution 1582 (2007) and Recommendation 1817 (2007) on Parliaments united in combating domestic violence against women: mid-term assessment of the Campaign. I also had the privilege to attend all the nine meetings of the Ad hoc committee on preventing and combating violence against women and domestic violence (CAHVIO), as the Assembly representative.

2. The Assembly's commitment to combating violence against women

3. Violence against women, including domestic violence, is one of the most serious forms of gender-based violations of human rights in Europe. The Assembly has taken a firm political stance against all forms of violence against women, by adopting a wealth of resolutions and recommendations, including on female genital mutilation (Resolution 1247 (2007)), domestic violence (Resolution 1582 (2007) as well as the above-mentioned texts from 2007 and 2008)), so-called "honour crimes" (Resolution 1327 (2003)), forced and child marriages (Recommendation 1723 (2005)), rape (Recommendation 1777 (2007) on sexual assaults linked to "date-rape drugs" and Resolution 1691 (2009) on rape of women including marital rape) and, more recently, the issue of feminicides (Resolution 1654 (2009)).

4. In addition, from 2006 to 2008, the Assembly played a major role in embodying the parliamentary dimension of the Council of Europe campaign "Stop domestic violence against women" through the establishment of a network of contact parliamentarians committed to combating violence against women. By organising parliamentary debates and hearings on violence against women, but also in interviews and public statements, parliamentarians have greatly contributed to raising awareness of this topic, both amongst legislators and the general public.

5. At the same time, the Assembly has repeatedly expressed its support to the elaboration of a Council of Europe legal instrument setting out the highest standards to prevent and combat all forms of violence against women including domestic violence.

3. General assessment of the draft convention

6. The Assembly should support the draft Council of Europe Convention on preventing and combating violence against women and domestic violence, as the first legally binding instrument in the world specifically aimed at preventing, protecting against and prosecuting the most severe and widespread forms of gender-based violence.

7. Violence against women, including domestic violence, undermines the core values on which the Council of Europe is based. Such a convention is necessary and long overdue, and the Assembly should do its best to adopt an opinion as soon as possible, as requested by the Committee of Ministers.

8. In doing so, however, the Assembly has the right and duty to raise a number of issues of concern.

9. The current scope of the convention is ambitious and far-reaching, as it includes "all forms of violence against women, including domestic violence, which affects women disproportionally"; in addition, "Parties are encouraged to apply this Convention to *all* victims of domestic violence [emphasis added].[3]

10. I do not think it is appropriate, at this stage, for the Assembly to question the delicate compromise which was reached by the CAHVIO. However, I am afraid that such a broad scope might affect the consistent implementation of the convention for victims of different types of violence and overlook their specific needs. In

3. Article 2.

this context, I find that the adoption of two separate protocols to the convention, respectively on children and elderly people, would be advisable, in order to ensure that specific support and protection mechanisms are available for these vulnerable groups as victims of gender-based or domestic violence.

11. The draft convention should be praised for its comprehensive and holistic approach, encompassing, at the same time, the prevention of violence against women, the protection of victims, the prosecution of perpetrators and integrated policies (the so-called "4 Ps").

12. It should also be commended for its unprecedented innovative character: for the first time in the world, an international convention recognises a specific role for national parliaments in the context of the monitoring procedure. In fact, parliamentary monitoring will be twofold: it will be ensured by national parliaments at national level and, at the European level, by the Parliamentary Assembly, which will be called to regularly take stock of the implementation of the convention.[4]

13. It is regrettable, however, that the specific situation of migrant women who do not hold a regular residence permit has not been adequately addressed. In addition, it is worrying that the broad latitude for states parties and the European Union to enter reservations might result in an implementation of the Convention *à la carte*.

14. In the contacts between the committee and the European Parliament, the issue of the accession of the European Union to the convention should be raised, as well as the need to ensure synergy, coherence and the same high level of standards in the activities that the Council of Europe and the European Union undertake in the field of violence against women and domestic violence.

15. The draft Council of Europe Convention on preventing and combating violence against women and domestic violence is an important step forward in the right direction. It is, however, also a compromise between divergent views and concerns of the 47 member states which participated in the negotiations. This compromise, unfortunately, has in some respects weakened the standards that one could have hoped for.

16. For this convention to be a landmark and progressive instrument, confirming the Council of Europe vocation to be at the forefront in combating violence against women and domestic violence, some amendments are necessary.

17. I call on the Committee of Ministers to take on board the Assembly's proposals, with a view to ensuring that the Council of Europe Convention on preventing and combating violence against women and domestic violence reflects the highest standards in the field of human rights and that the Council of Europe is, once again, the organisation leading the way.

18. I would also like to make an appeal to Council of Europe member states: I hope that also those who cannot accept every single provision of the convention will nevertheless support politically the process leading to its final adoption and entry into force as soon as possible.

4. Comments on specific articles in the draft convention

4.1. Article 1 – Purposes of the convention

19. Dignity is a pivotal element in the eradication of violence against women and should inspire the convention. It is therefore important that it is explicitly mentioned. In addition, it should be made clear that there cannot be any discrimination in recognising women's dignity.

Proposed amendment: Reword sub-paragraph *b* as follows: "Contribute to the elimination of all forms of discrimination against women and promote equal dignity for all women and substantive equality between women and men, including by empowering women."

4. Article 70.

4.2. Article 3 – Definitions

20. The expression “gender-based violence against women”, currently used in the convention, is not in line with the commonly accepted definition “gender-based violence”, which is referred to in a great number of international binding and non-binding instruments, such as:

– General Recommendation 19 of the United Nations Committee on the Elimination of All Forms of Discrimination against Women (1992);

– United Nations General Assembly Resolution 48/104 of 20 December 1993 (Declaration on the Elimination of Violence against Women);

– the Beijing Declaration and Platform for Action (1995);

– Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence.

21. The expression “gender-based violence” is also used in Assembly texts, such as Resolution 1662 (2009) and Recommendation 1868 (2008) on action to combat gender-based human rights violations, including abduction of women and girls.

22. Similarly, it is normally used in all European Union documents.

23. The addition of the element “against women” in the convention, on the contrary, is misleading, as it might be interpreted to mean that “gender-based violence” and “gender-based violence against women” are distinct legal concepts.

24. Finally, the current wording of Article 3.d is not logical, as it says that “‘gender-based violence against women’ … affects women *disproportionally*”. [emphasis added]

Proposed amendment: In Article 3.d, delete the words “against women”.

25. A similar amendment should be moved to Article 14, paragraph 1, and article 60, paragraph 1.

4.3. Article 4 – Fundamental rights, equality and non-discrimination

26. The convention should make it clear that migrant women without regular residence status are covered by the convention.

Proposed amendment: In Article 4, paragraph 3, after the words “migrant or refugee status” add the words “, absence of legal residence status”.

4.4. Article 10 – Co-ordinating body

27. Local and regional authorities should be explicitly mentioned in this article because they play an important role.

Proposed amendment: In Article 10, paragraph 1, after the words “one or more official bodies”, add “involving all decision-making levels (governments, parliaments and local and regional authorities)”.

4.5. Article 11 – Data collection and research

28. Data on violence would be greatly improved if it was harmonised.

Proposed amendment: In Article 11, paragraph 1.a, after the word “relevant”, add the word “harmonised”.

4.6. Article 12 – General obligations

29. This article refers to “inferiority of women” to describe the prejudices and patterns of behaviour that the convention aims to eradicate. Other expressions would be more appropriate, such as “subordinate position”, which is also used in the Preamble.

Proposed amendment: In Article 12, paragraph 1, replace the word “inferiority” with “subordinate position”.

4.7. Article 13 – Awareness raising

30. Awareness-raising activities should be organised with a view to spreading information about the convention and underscoring the centrality of the dignity of women in the convention.

Proposed amendment: In Article 13, paragraph 1, after the words “increase awareness and understanding among the general public of”, insert the words “the dignity and value of women and”.

4.8. Article 14 – Education

31. The expression “gender-based violence against women” might create confusion, as explained above.

Proposed amendment: InArticle 14, paragraph 1, delete the words “against women”.

4.9. Article 15 – Training of professionals

32. In the current wording too much latitude is left to the parties, whereas the adequate training of professionals is essential to ensure justice and assistance in cases of violence against women and domestic violence. The obligations of the parties should therefore be reinforced.

Proposed amendment: In Article 15, paragraph 2, replace “encourage” with “ensure”.

4.10. Article 18 – General obligations

33. It should be made explicit that the obligation to protect victims of violence and domestic violence applies irrespective of the legal status of the victim. This is to avoid loopholes in the protection framework foreseen by the convention.

Proposed amendment: In Article 18, paragraph 1, after the word “victims” add “, irrespective of their legal status,”.

4.11. Article 20 – General support services

34. This article should focus more on the responsibility for the parties to help victims find employment, in order to achieve economic independence.

Proposed amendment: Reword Article 20, paragraph 1, as follows:“Parties shall take the necessary legislative or other measures to ensure that victims have access to services facilitating their recovery from violence. These measures should include,where appropriate, services such as legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment or setting up a business. The Parties are encouraged to set up special measures to facilitate the victims’ access to employment”.

4.12. Article 22 – Specialist support services

35. This article should clarify that victims of violence might have different needs according to the kind of violence they have suffered, and should be able to benefit from specific support and assistance.

Proposed amendment: In Article 22, at the end of paragraph 2, add the following words: “taking into account their specific needs”.

4.13. Article 29 – Civil lawsuits and remedies

36. Not only state authorities but also regional and local authorities have a duty to take necessary preventive or protective measures and should be accountable for any failure to do so.

Proposed amendment: In Article 29, paragraph 2, replace “state authorities” with “public authorities”.

4.14. Article 34 – Stalking

37. It would be appropriate to describe types of conduct amounting to stalking.

Proposed amendment: In Article 34, replace the words “repeatedly engaging in threatening conduct directed at” with “following, harassing or threatening”.

4.15. Article 36 – Sexual violence, including rape

38. Marital rape should be criminalised whether the relation between the victim and the perpetrator is recognised by the law or not. The current wording is too restrictive.

Proposed amendment: InArticle 36,paragraph 3, delete the words “as recognised by internal law”.

4.16. Article 40 – Sexual harassment

39. This conduct should be criminalised. The option of making it subject to non-criminal legal sanctions appears inappropriate.

Proposed amendment: In Article 40,delete the words “or other legal”.

4.17. Article 46 – Aggravating circumstances

40. Whether between the victim and the perpetrator there is a de facto relationship or a relationship recognised by the law should be irrelevant for the purposes of this provision.

Proposed amendment: In Article 46,paragraph 1.a, delete the words “as recognised by internal law”.

4.18. Article 56 – Measures of protection

41. In the current wording, measures to protect the privacy and the image may be adopted. It would be preferable to say that they should be adopted.

Proposed amendment: In Article 56, paragraph 1.f, replace the words “may be” with “are”.

4.19. Article 59 – Residence status

42. The current wording of this article limits migrant women’s legal possibilities to obtain an autonomous residence permit compared to former versions of the draft, due to the requirement of the “particularly difficult circumstances”. This expression is vague, as it gives states parties an excessive leeway to exclude a number of migrant women from protection.

Proposed amendment: In Article 59,paragraph 1, delete the words “in the event of particularly difficult circumstances”.

4.20. Addition of a new article on “Irregular migrants”, after Article 59

43. The lack of consideration of the specific situation of migrant women in an irregular situation is a major lacuna of the draft convention. This is a matter of serious concern, especially considering that migrant women are a group at high risk of being subjected to violence, as described in Assembly Resolution 1697 (2009) on migrant women at particular risk from domestic violence. Moreover, those who lack regular immigration status might be particularly reluctant to report violence to the competent authorities, for fear of being expelled. Special protective measures are therefore necessary with a view to encouraging these victims of violence to speak out and co-operate with the investigation and judicial proceedings.

Proposed amendment: After Article 59, add the following new article:

“Irregular migrant status:

1. Parties shall take the necessary legislative or other measures to ensure that victims without regular residence status are granted a residence permit in the following cases:

a. where the competent authority considers that their stay is necessary owing to their personal situation;

b. where the competent authority considers that their stay is necessary for the purpose of their co-operation with the competent authorities in an investigation or criminal proceedings.

2. Parties shall apply all the provisions of the present Convention to victims without regular residence status, without discrimination.”

4.21. Article 60 – Gender-based asylum claims

44. As already mentioned, the expression "gender-based violence against women" is misleading. In addition, the current wording of the draft convention would not be consistent with the wording used in Assembly Resolution 1765 (2010) and Recommendation 1940 (2010) on gender-related claims for asylum.

Proposed amendment: In Article 60, paragraph 1, delete the words "against women".

4.22. Article 68 – Procedure

45. The language in paragraph 5 should be brought in line with that in Article 13, to avoid inconsistencies.

Proposed amendment: Reword Article 68, paragraph 5, as follows: "GREVIO may receive information on the implementation of the Convention from national human rights institutions and equality bodies, civil society and non-governmental organisations, especially women's organisations."

4.23. Article 70 – Parliamentary involvement in monitoring

46. The draft convention includes innovative provisions on monitoring, setting out the involvement of national parliaments in monitoring the implementation of the convention at national level. This should apply to the different stages of monitoring and not only to the final step.

47. In addition, in order to ensure that the Assembly can fully undertake the role foreseen for it in paragraph 3 ("regularly take stock of the implementation of this Convention"), it should be allowed to participate in the meetings of GREVIO as well as of the Committee of the Parties.

Proposed amendments:

– In Article 70, after paragraph 2, add a new paragraph worded as follows: "Parties shall consult their national parliaments when drafting the comments to be submitted to GREVIO in accordance with Article 68 of the Convention."

– In Article 70, after paragraph 3,add a new paragraph as follows: "The Parliamentary Assembly shall be entitled to participate in the meetings of GREVIO and the Committee of the Parties as an observer".

4.24. Article 78 – Reservations

48. During the successive meetings of the Ad Hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO), the number of articles potentially subjected to reservations has progressively increased. In the present draft, the scope for states parties to enter reservations is too broad, and leads to a convention "à la carte", in which states might potentially opt out from 12% of the articles. This weakens the standards of protection and prosecution set out in the convention.

49. This is all the more worrying considering that reservations could be made to important provisions such as those concerning the victims' right to compensation, the exercise of jurisdiction, the statute of limitations, residence status and the obligation to provide for criminal sanctions for certain acts, as opposed to non-criminal sanctions.

Proposed amendments:

– In Article 78, rephrase paragraph 2 as follows: "Any state or the European Union may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, declares that it reserves the right not to apply or to apply only in specific cases or conditions the provisions laid down in:

  - Article 44, paragraph 1.e;
  - Article 55, paragraph 1 in respect of Article 35 regarding minor offences."

– In Article 78, delete paragraph 3.

5. Conclusions

50. I hope that, first the Assembly and then the Committee of Ministers will endorse the amendments which I have proposed in the present opinion, which aim to ensure that the future Council of Europe Convention is a beacon in the prevention and fight against gender-based violence.

51. Finally, I hope that the Assembly will stand ready, through its Network of contact parliamentarians of the Parliamentary Assembly committed to combating violence against women, to conduct campaigning and awareness-raising activities in support of the promotion of the signature and ratification of the draft convention.