



STATUTORY INSTRUMENTS.

**S.I. No. 78 of 2019**

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COUNCIL OF EUROPE CONVENTION ON PREVENTING AND  
COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC  
VIOLENCE (PRIVILEGES AND IMMUNITIES) ORDER 2019

S.I. No. 78 of 2019

Council of Europe Convention on preventing and combating violence against women and domestic violence (Privileges and Immunities) Order 2019

WHEREAS it is enacted by section 42A (amended by section 6 of the Diplomatic Relations (Miscellaneous Provisions) Act 2017 (No. 33 of 2017)) of the Diplomatic Relations and Immunities Act 1967 (No. 8 of 1967) that the Government may by order make provision to enable -

- (a) international organisations, communities or bodies, their institutions or organs and their property, and
- (b) persons,

to have and enjoy in the State any inviolability, exemptions, facilities, immunities, privileges or rights equivalent or having like effect to those conferred upon, or afforded in relation to, sending states, missions or international organisations under the Vienna Convention, the Convention on the Privileges and Immunities of the United Nations, or the Convention on the Privileges and Immunities of the Specialised Agencies or any other international agreement scheduled to the Diplomatic Relations and Immunities Act 1967 provided for in relation to them by an international agreement or arrangement to which the State or the Government is or intends to become a party;

AND WHEREAS the Group of experts on action against violence against women and domestic violence and other members of delegations carrying out the country visits as set forth in Article 68, paragraphs 9 and 14 of the Council of Europe Convention on preventing and combating violence against women and domestic violence are such an international body and persons, and the Council of Europe Convention on preventing and combating violence against women and domestic violence done at Istanbul on 11 May 2011 is such an international agreement;

NOW, the Government, in exercise of the powers conferred on them by the said section 42A, hereby order as follows:

1. This Order may be cited as the Council of Europe Convention on preventing and combating violence against women and domestic violence (Privileges and Immunities) Order 2019.

2. The Appendix to the Council of Europe Convention on preventing and combating violence against women and domestic violence done at Istanbul on 11 May 2011 (the text of which is, for convenience of reference, set out in the Schedule) shall apply for the purposes of section 42A (amended by section 6 of the Diplomatic Relations (Miscellaneous Provisions) Act 2017 (No. 33 of 2017)) of the Diplomatic Relations and Immunities Act 1967 (No. 8 of 1967).

## SCHEDULE

**Appendix to the Council of Europe Convention on preventing and combating violence against women and domestic violence done at Istanbul on 11 May 2011****Appendix - Privileges and immunities (Article 66)**

1. This appendix shall apply to the members of GREVIO mentioned in Article 66 of the Convention, as well as to other members of the country visit delegations. For the purpose of this appendix, the term “other members of the country visit delegations” shall include the independent national experts and the specialists mentioned in Article 68, paragraph 9, of the Convention, staff members of the Council of Europe and interpreters employed by the Council of Europe accompanying GREVIO during its country visits.

2. The members of GREVIO and the other members of the country visit delegations shall, while exercising their functions relating to the preparation and the carrying out of country visits, as well as the follow-up thereto, and travelling in connection with those functions, enjoy the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and immunity from legal process of every kind in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) exemption from any restrictions on their freedom of movement on exit from and return to their country of residence, and entry into and exit from the country in which they exercise their functions, and from alien registration in the country which they are visiting or through which they are passing in the exercise of their functions.

3. In the course of journeys undertaken in the exercise of their functions, the members of GREVIO and the other members of the country visit delegations shall, in the matter of customs and exchange control, be accorded the same facilities as those accorded to representatives of foreign governments on temporary official duty.

4. The documents relating to the evaluation of the implementation of the Convention carried by members of GREVIO and other members of the country visit delegations shall be inviolable insofar as they concern the activity of GREVIO. No stoppage or censorship shall be applied to the official correspondence of GREVIO or to official communications of members of GREVIO and other members of the country visit delegations.

5. In order to secure for the members of GREVIO and the other members of the country visit delegations complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

6. Privileges and immunities are granted to the persons mentioned in paragraph 1 of this appendix in order to safeguard the independent exercise of their functions in the interests of GREVIO and not for their personal benefit. The waiver of immunities of the persons mentioned in paragraph 1 of this appendix shall be made by the Secretary General of the Council of Europe in any case where, in his or her opinion, the immunity would impede the course of justice and where it can be waived without prejudice to the interests of GREVIO.



Given under the Official Seal of the Government,  
5 March, 2019.

LEO VARADKAR,  
Taoiseach.

Explanatory Note

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

The effect of this Order is to accord various privileges and immunities to the Group of experts on action against violence against women and domestic violence (GREVIO) established pursuant to Article 66 of the Council of Europe Convention on preventing and combating violence against women and domestic violence and other members of delegations carrying out country visits as set forth in Article 68, paragraphs 9 and 14 of the Convention, pursuant to the Diplomatic Relations and Immunities Act 1967 (as amended).

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
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