



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 July 2012

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**COSCE 23
PESC 895
COHOM 175**

“I/A” ITEM NOTE

From: Political and Security Committee
To: Coreper / Council
Subject: EU Priorities for cooperation with the Council of Europe in 2012-2013

1. The Working party on Council of Europe and OSCE affairs (COSCE) examined at several occasions the above-mentioned draft document and, on 2 July 2012, reached an agreement at the end of a silence procedure.
2. The Political and Security Committee (PSC) endorsed the text on 10 July 2012.
3. Coreper is therefore invited to advise the Council to adopt as an “A” item the EU priorities for cooperation with the Council of Europe in 2012-2013 as they appear in the Annex.

EU PRIORITIES FOR COOPERATION WITH THE COUNCIL OF EUROPE IN 2012-2013**I. Introduction**

The cooperation between the EU and the Council of Europe provides a unique opportunity to achieve greater respect for the common values of human rights and fundamental freedoms, democracy and the rule of law, based on complementarity, mutual support to each other's activities in areas of common interest, the search for added value and a better use of existing resources. Following the obligation in the Treaty on European Union that "The Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms." (Art 6 (2) TEU), intensive work has started between both organisations to reach this objective which will, according to the Memorandum of Understanding signed between the two organisations in 2007, "contribute greatly to coherence in the field of Human Rights in Europe".

Taking into account the respective competences and expertise of the two organisations, and with a link to the Council of Europe biennial Programme of Activities, we will over the coming 2-year period, focus particularly on a number of non-exclusive strategic priorities in a limited number of geographic and thematic areas, in order to help improve the effectiveness of our cooperation with the Council of Europe.

The list of priorities below does not prevent us from agreeing with the CoE on cooperation in other areas of common interest, on the basis of the 2007 "Memorandum of Understanding between the Council of Europe and the European Union".

In this context, cooperation will continue to follow two important paths: 1°) the preparation and implementation of joint programmes in EU partner countries (participating in the EU's Neighbourhood Policy – in particular *the Eastern Partnership, (Eastern Partnership Facility)* - the EU Enlargement process, or in Council of Europe neighbouring regions (*programme Strengthening democratic reform in the southern neighbourhood*), and 2°) the further development of legal cooperation with a view to ensuring coherence between the two organisations laws, norms or standards.

Throughout our cooperation, the civil society dimension will be a horizontal concern which we will take into account.

We will also start developing a more strategic approach to our cooperation in Council of Europe fora, by, each time this is feasible, preparing in advance of meetings thematic/geographic themes to be debated in CoE groups in order to influence the agenda, and/or prepare the EU position, including possible engagement with non-EU partners. Such an approach to the implementation of cooperation with the Council of Europe will be developed primarily in EU coordination in Strasbourg.

II. Priorities for cooperation

1. EU priorities

A) The specific countries or geographical areas on which the EU should focus its cooperation in the CoE context in 2012-2013 are: Azerbaijan, Belarus, Kosovo¹, Bosnia & Herzegovina, Ukraine, the Russian Federation and Turkey. In countries neighbouring the Council of Europe, cooperation will continue on the basis of joint EU-Council of Europe needs assessment and the established framework for cooperation (CoE cooperation dialogue with its neighbours; close cooperation between the EU priorities, in particular ENP action plans, and the CoE Neighbourhood Cooperation Priorities; the CoE Parliamentary Assembly Partners for Democracy Status, progress towards the accession to selected CoE conventions, EU-CoE joint programmes).

B) The thematic areas we will focus cooperation on in 2012-2013 are:

- Human Rights:

- ECHR:

Continued support to enforcing the ECHR system in Council of Europe member countries;

- Freedom of expression (with focus on Media Freedom):

All dimensions of freedom of expression will be considered, including freedom of expression on the internet and in other new communication technologies, with a special focus on media freedom and the situation and protection of journalists in the Russian Federation, Turkey and the South Caucasus (Azerbaijan in particular); Cooperation/coordination with the Commissioner for Human Rights is here an important element;

¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

- Persons belonging to minorities – marginalised communities

ROMA

Socio economic integration of Roma communities will remain a priority for cooperation, via actions such as the mediator programme (launched by DG EAC with the CoE) aimed at training Roma “mediators, or in the field of education, as well as the “Alliance of regions and cities” initiative launched by the CoE; particular attention will be paid to actions at local level.

Persons belonging to religious minorities/Freedom of religion or belief (FORB):

The situation of persons belonging to religious minorities will be a dimension of cooperation, linked to the important context of the promotion and protection of FORB.

- The Rights of the Child:

The rights of the child are a common priority of CoE and EU and therefore deserve particular attention also in EU’s Strategy in the CoE. In this context, human rights education and training, in particular for children and youth, is one of the ways towards realizing and promoting human rights.

- Democracy:

Dialogue with the Council of Europe in the area of democracy should focus on two dimensions: progress in developing the relevant in-house expertise and in implementing activities in support to democratisation processes. This would facilitate dialogue with the EU on key challenges to democracy on one side, and the development of adequate means for actions, thus reflecting the development of CoE cooperation with its neighbouring regions.

Assistance and cooperation concerning the Western Balkans, EaP beneficiary countries, and the South Mediterranean will focus on areas such as: constitutional reform, elections, democratic citizenship, education for democratic citizenship and human rights, democratic governance, ethical standards in journalism/media;

Promotion of the CoE Parliamentary Assembly “Partnership for Democracy” would create a useful framework for promoting the values of human rights and fundamental freedoms, democracy and the rule of law in Council of Europe neighbouring regions;

The promotion of intercultural dialogue as a vector of solidarity and cohesion will be considered based on existing instruments.

- Rule of Law

We will enhance cooperation, with special focus on capacity building in the field of the Judiciary, (for example in Ukraine, or in Central Asia: reform of the Judiciary systems + prisons reform), not forgetting the civil-society dimension of Judiciary reform (NGOs, citizens);

We will also cooperate on data protection, in particular in the context of the Convention for the Protection of Individuals, with regard to Automatic Processing of Personal Data in conformity with the updating of the EU Directive, and support worldwide promotion of the norms of this Convention.

Fight against corruption is a shared priority for CoE and the EU (e.g. Moldova) as shown by the valuable work of GRECO in this field, as well as by the recent EU anti-corruption strategic initiative adopted in 2011 which promotes a stronger focus on corruption across the board in a wide range of EU internal and external policy areas, as well as reinforced cooperation with existing anti-corruption monitoring mechanisms. Close cooperation in this field would therefore create synergies and ensure a coherent and more efficient European policy against corruption.

2. Other Key Issues

(i.e. Issues of particular importance that should be taken into account and followed closely).

The EU supports the objectives of the Secretary General in reforming the Council of Europe to make it a more relevant and visible organisation for the XXIst century; in particular the EU would welcome progress towards a comprehensive monitoring from the CoE on a country based approach.

- **Human Rights:**

In cooperating with the CoE, complementarity with EU agencies or bodies, such as the EU Agency for Fundamental Rights, will be sought.

LGBT is a theme which deserves EU's attention in the CoE as well as in other (UN) multilateral fora;

- **Democracy:**

An important aspect of democracy- building is the special attention which should be given to the creation of links and confidence between communities in post-conflict situations; the EU will follow this closely in the CoE context, as well as in the OSCE one;

Other dimensions of democratisation should be taken into account, including the Parliamentary and Local/Regional ones; this should be done in particular via further strengthening of cooperation between the European Parliament and the Parliamentary Assembly of the CoE, and between the Congress of Local and Regional Authorities and the EU Committee of the Regions;

- **Rule of Law**

Particular attention should be paid to the area of judicial cooperation both in the EU and CoE specialised agencies.