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NOTE

From: Working Party on OSCE and the Council of Europe
On: 18 October 2013
To: Political and Security Committee

Subject: EU priorities for cooperation with the Council of Europe in 2014-2015

Following agreement by the Working Party on OSCE and the Council of Europe at its meeting on 18 October 2013, delegations will find attached draft EU priorities for cooperation with the Council of Europe in 2014-2015, with a view to the PSC meeting on 7 November 2013.

Draft**EU priorities for cooperation with the Council of Europe in 2014-2015****I. Introduction**

Cooperation between the EU and the Council of Europe is multi-faceted, based on complementarity, coherence and added value. The relation has been reinforcing continuously, in particular since the signature of the Memorandum of Understanding in 2007. Cooperation between the two organisations provides a unique opportunity and framework to achieve greater respect for the shared values of human rights, democracy and rule of law. The EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) will deepen this cooperation further. All EU 28 member states are members of the Council of Europe and this has also an impact for cooperation within the EU.

The EU adopted its first document of priorities for cooperation with the Council of Europe (2012-2013) in July 2012. The identification of a set of non-exclusive strategic priorities has fostered a more focused, coordinated and transparent EU approach in cooperating with the CoE. The exercise for the adoption of the priorities, their implementation and more recently the internal mid-term assessment identified, in a more structured way, areas of common interest, where the EU recognises CoE's added value and where we agree to promote reinforced cooperation.

Over the next two years (2014-2015), we will focus on a limited number of non-exclusive geographic and thematic areas¹, following up in most cases the work started with the on-going EU Priorities for cooperation.

In this context, cooperation will centre on: 1°) political cooperation: regular and frequent high level and working level dialogues; 2°) legal cooperation: strengthening coherence between EU law and CoE legal standards, 3°) assistance cooperation: through joint programmes in EU partner countries.

¹ The implementation of priorities will involve action both at the level of the EU itself and, in the area falling within their responsibility, its Member States.

We will also continue to promote a strategic, focused and structured cooperation in Council of Europe fora. Thematic and geographic themes that are foreseen to be debated in CoE groups should, where feasible, be prepared in advance. This will allow the EU to influence the agenda, and/or prepare EU positions, including possible engagement with non-EU partners. Important and positive results have been achieved in implementing this approach in 2012-2013, both as it concerns the EU coordination in Strasbourg and in Brussels (within the COSCE Group).

II. Priorities for cooperation

1. EU priorities

Geographic cooperation

The EU will pursue its cooperation with the CoE notably in the Western Balkans and the Eastern partner countries of the ENP, all CoE members, except Belarus. Focus cooperation areas will be identified as a result of political dialogue and as reflected in the countries annual progress reports.

Specific countries on which the EU is expected to focus its cooperation in the CoE context in 2014-2015 are ***Turkey, the Russian Federation, Azerbaijan, Ukraine, Belarus, Bosnia and Herzegovina, Kosovo***².

In countries neighbouring the Council of Europe, cooperation will continue on the basis of joint EU-CoE needs assessment and the established framework for cooperation.

Thematic cooperation

The thematic areas for cooperation in 2014-2015 will include:

² 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

Human Rights:

1 – Strengthening the respect of European Human Rights standards:

- Enforcement of the ECHR system in Council of Europe member countries.
- Support to/cooperation with Human Rights defenders.
- Reinforced cooperation/coordination with the Commissioner for Human Rights.
- Strengthen cooperation on economic and social inclusion.

2 - Freedom of expression and of assembly:

- Freedom of expression in all its dimensions.
- Special focus on media freedom (situation and protection of journalists in the Russian Federation, Turkey and the South Caucasus - Azerbaijan in particular).
- Information Society: freedom of expression on the internet and in other new communication technologies; internet governance (including specific issues of data protection and of protection of children, ‘safe internet’).
- Fight against intolerance/hate speech.

3 – Fight against discrimination - persons belonging to minorities – vulnerable groups

ROMA

- Socio economic integration of Roma communities.
- Special focus on women, children and actions at local level.
- Special attention on access to education, labour market and social protection.

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

- Freedom of religion or belief for persons belonging to religious minorities remains an important dimension of cooperation.
- Cooperation will focus on implementation of EU guideline.

The Rights of the Child

- Implementation of children's rights, human rights education and training.
- Special focus on fighting violence against children and the elimination of child labour.

LGBTI

- This theme deserves EU's attention in the Council of Europe, as well as in other multilateral fora.
- Support CoE's actions aiming at combating all forms of discrimination on grounds of sexual orientation and gender identity and strengthen cooperation between the two organisations on the basis of complementarity. Cooperation will focus on implementation of EU guidelines.
- EU welcomes the examination in 2013 of the implementation of the Committee of Ministers' Recommendation (2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity and possible opportunities for cooperation the CoE should identify as a follow-up to this assessment.

Violence against women

- Cooperation in particular in the context of the Istanbul Convention on preventing and combating violence against women and domestic violence.

Trafficking of human beings

- Cooperation in particular in the context of the Council of Europe Convention on Action against Trafficking in Human Beings.

Democracy:

- Focus on areas such as: constitutional reform ('Venice Commission'), democratic governance (including participatory democracy and elections), education for democratic citizenship and human rights.
- The promotion of *intercultural dialogue* as a vector of solidarity and cohesion will continue to be considered based on existing instruments.
- **Local and regional democracy:** strengthening cooperation between the Congress of Local and Regional Authorities and the EU Committee of the Regions, within their respective areas of responsibility.
- **Democracy building:** with particular focus on the creation of links and confidence building between communities in post-conflict situations.
- Promote a more structured dialogue between CoE and EU in implementing activities in support of democratisation processes (link with the European Endowment for Democracy).

Rule of Law :

- **Reform of the Judiciary,** with special focus on capacity building and implementation of standards in order to create an effective and independent judiciary (Turkey - police reform; Ukraine or Central Asia - reform of the judiciary and prisons reform) not forgetting the civil-society dimension of judiciary reform.
- **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 the worldwide promotion of the norms of this Convention.

- ***Fight against corruption*** is a shared priority for CoE and the EU as shown by the work of GRECO as well as by the EU 2011 anti-corruption strategic initiative which promotes a reinforced cooperation with existing anti-corruption monitoring mechanisms. Continue strengthening cooperation in this field would therefore help promoting already existing synergies and ensure a coherent and more efficient European policy against economic crime.
- ***Fight against cybercrime***: shared priority for CoE and the EU, in particular in the context of the Budapest Convention on Cybercrime and the EU cyber security strategy.

2. **Transversal Issues**

The EU supports the objectives of the Secretary General (SG) in reforming the Council of Europe to make it an even more relevant and visible organisation for the XXIst century; in particular the EU welcomes the decision taken at the 123rd Ministerial session of the CoE Committee of Ministers (14 May 2013) tasking the SG to present an overview of the state of democracy, human rights and the rule of law in Europe, based on the conclusions of the monitoring mechanisms, and accompanied by concrete proposals for action aiming at optimising efficiency and impact.

The EU will continue to streamline cooperation with civil society throughout all relations with the CoE. The cooperation will endeavour to address the worrying development of the shrinking of space for civil society in a number of member states of the CoE

In cooperating with the CoE, complementarity and coordination with EU agencies or bodies, such as the EU Agency for Fundamental Rights will be sought. In addition complementarity with other international and regional organisations (UN and OSCE in particular) should be ensured to the extent possible.

The EU will seek for visibility of EU support - in relation to cooperation through joint projects in particular - to be efficiently and regularly ensured by the CoE.