



Council of the
European Union

008136/EU XXVI. GP
Eingelangt am 17/01/18

Brussels, 17 January 2018
(OR. en)

6150/07
DCL 1

JAI 66
CATS 11
COHOM 14
COEST 37
FIN 46

DECLASSIFICATION

of document: ST 6150/07 RESTREINT UE/UE RESTRICTED

dated: 9 February 2007

new status: Public

Subject: Draft Council Decision authorising the Commission to open negotiations with the Council of Europe, for the conclusion of an agreement concerning co-operation between the European Union Agency for Fundamental Rights and the Council of Europe

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

RESTREINT UE



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 February 2007

6150/07

RESTREINT UE

**JAI 66
CATS 11
COHOM 14
COEST 37
FIN 46**

NOTE

from : General Secretariat of the Council
to : COREPER/Council

No. prev. doc. : 11584/06 JAI 372 CATS 141 COHOM 118 COEST 202 FIN 333
10330/06 JAI 345 COSCE 1 RESTREINT
12887/06 JAI 446 CATS 149 COHOM 136 COEST 229 FIN 420 RESTREINT
15400/06 JAI 604 CATS 167 COHOM 170 COEST 319 FIN 571 RESTREINT

Subject : Draft Council Decision authorising the Commission to open negotiations with the Council of Europe, for the conclusion of an agreement concerning co-operation between the European Union Agency for Fundamental Rights and the Council of Europe

Delegations will find attached the draft negotiating directives with regard to the conclusion of the agreement concerning co-operation between the European Union Agency for Fundamental Rights and the Council of Europe, on which Coreper is invited to recommend to the Council the authorisation for the Commission to negotiate (see doc. 6199/07 JAI 70 CATS 13 COHOM 16 COEST 40 FIN 49).

NEGOTIATING DIRECTIVES

In order to give firmer shape to the cooperation between the Agency and the Council of Europe, it is necessary for the agreement to cover the aspects mentioned below. The positive experience gained under the existing agreement on cooperation between the Monitoring Centre and the Council of Europe should be taken into account when drawing up the agreement.

I. Procedures for mutual cooperation between the Agency and the Council of Europe

The agreement must provide for coordination of activities, particularly with regard to preparation of the Agency's annual work programme and to co-operation with civil society on the exchange of information, and for the possibility of joint activities on subjects of common interest to the Agency and the Council of Europe bodies. In concrete terms, the agreement should envisage:

- (1) regular contacts and meetings between officials at the appropriate level;

DECLASSIFIED

RESTREINT UE

- (2) participation when appropriate, the relevant representatives of the Council of Europe Secretariat, bodies or committees, including the Council of Europe Commissioner for Human Rights, in the meetings of the Management Board of the Agency as observers at the invitation of the Executive Board as well as participation of the representatives of the Agency to the meetings of the relevant bodies or committees of the Council of Europe as observers.
- (3) regular and mutual exchanges of information on the current or planned activities of the two partners;
- (4) consultations on preparation of the annual report, in order to ensure coherent interpretation of Fundamental Rights and
- (5) joint approaches in view of achieving complementarity and guaranteeing the best possible use of resources. Such arrangements should, for example, make provision for:
 - avoiding, wherever possible, duplication in particular in carrying out studies and surveys;

DECLASSIFIED

RESTREINT UE

- synergy in the field of research, with the Agency's research focusing on activities of the Union institutions and covering also the Member States of the European Union when implementing Community law and countries participating in the Agency under Article 27 of the proposed Regulation;
- joint meetings with the experts concerned; and
- reciprocal provision of information and data collected under Article 4 (1)a) of the proposed Regulation.

II. Independent persons appointed by the Council of Europe to sit on the Management Board of the Agency

This will require provisions in the agreement on the:

- appointment of independent persons complying with the criteria in Article 11 of the proposed Regulation by the Council of Europe as a member and an alternate member of the Management Board of the Agency;
- provisions on notifying the Agency and the Commission of the selection of the member and the alternate member.

DECLASSIFIED