



# EXPERTISE CO-ORDINATION MECHANISM

<http://horizontal-facility-eu.coe.int>

Horizontal Facility for Western Balkans and Turkey

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Funded  
by the European Union  
and the Council of Europe



EUROPEAN UNION

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CONSEIL DE L'EUROPE

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Implemented  
by the Council of Europe



## WHAT IS THE EXPERTISE CO-ORDINATION MECHANISM?

■ The Expertise Co-ordination Mechanism (ECM) is part of a co-operation programme between the European Union and the Council of Europe, called the Horizontal Facility for the Western Balkans and Turkey (referred to hereafter as the Horizontal Facility), which aims to support Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, North Macedonia, Serbia and Turkey in their compliance with European standards. The Horizontal Facility follows a complementary two-fold approach: technical co-operation tailored to achieve increased compliance with European standards and the provision of Council of Europe expertise to respond to requests for legislative expertise and policy advice. The latter component, legislative expertise and policy advice, is called the ECM.

## WHICH ISSUES CAN A REQUEST FOR AN EXPERT OPINION UNDER THE ECM COVER?

■ The ECM covers requests for ad hoc expert advice on legislative and policy issues, such as providing assessments on whether certain pieces of legislation and/or policy documents are in line with Council of Europe standards (as linked to European Union enlargement-related reforms) in the following areas:

- ▶ ensuring justice;
- ▶ fighting economic crime;
- ▶ anti-discrimination and the protection of the rights of vulnerable groups;
- ▶ freedom of expression and the media;
- ▶ constitutional issues, falling within the area of competence of the European Commission for Democracy through Law (better known as the Venice Commission).

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\* 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.

## WHO CAN MAKE A REQUEST FOR AN EXPERT OPINION UNDER THE ECM?

Ministers (and other members of the government) or the speaker of parliament of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia and Turkey can make a request for an expert opinion under the ECM. Furthermore, specifically for issues which fall within the area of competence of the Venice Commission, the European Union as well as Council of Europe organs (i.e. the Secretary General, Committee of Ministers, Parliamentary Assembly and the Congress of Local and Regional Authorities) can also submit requests for ECM assistance. In addition, requests for *amicus curiae* briefs by the Venice Commission can also be made by constitutional courts.

## HOW ARE REQUESTS FOR AN EXPERT OPINION UNDER THE ECM MADE?

Requests can be addressed in writing by letter or fax to the Secretary General of the Council of Europe, Mr Thorbjørn Jagland and will subsequently be processed by the relevant Council of Europe entity. Requests involving Venice Commission expertise can also be addressed directly to the President of the Venice Commission, Mr Gianni Buquicchio. Requests should preferably include as many details as possible, including the name and type of legislation or policy document on which expertise is being sought, the reasons for seeking expertise or for amending legislation or policies and the envisaged time-line for adoption of the new legislation or policy documents (or amendments to existing legislation and policy documents), following the provision of this expertise.

## WHAT ARE THE CRITERIA FOR GRANTING A REQUEST?

- An ECM request must meet all of the following criteria:
  - ▶ the request must be made by a member of the government or speaker of the parliament or, if it concerns an *amicus curiae* opinion, by the constitutional court of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia or Turkey (or can – in case the request would concern expertise of the Venice Commission – also be made by the European Union or the Secretary General, Committee of Ministers, Parliamentary Assembly or Congress of Local and Regional Authorities of the Council of Europe);



- ▶ the request must fall within an area of expertise of the Council of Europe;
- ▶ the request must fall within the following thematic areas: ensuring justice, fighting economic crime, anti-discrimination and the protection of the rights of vulnerable groups, freedom of expression and the media and/or constitutional issues falling within the area of competence of the Venice Commission;
- ▶ the request cannot be provided within the format of one of the ongoing actions/projects of the technical co-operation component of the Horizontal Facility.

## HOW LONG DOES IT TAKE BEFORE THE EXPERTISE IS PROVIDED?

■ The length of time for the Council of Europe to provide expertise on any type of policy document or legislation can vary and depends on the length and complexity of the document on which expertise is sought. It may take anywhere from one month to up to a year to provide. The time frame will be agreed in consultation with the requesting authorities.

## WHO SHOULD AN ECM REQUEST BE SENT TO?

■ ECM requests can be sent by letter or fax to the Secretary General of the Council of Europe:

- ▶ Mr Thorbjørn Jagland  
Secretary General of the Council of Europe  
Council of Europe  
F-67075 Strasbourg Cedex  
France  
Fax: + 33 3 88 41 27 99



■ ECM requests involving Venice Commission expertise can also be sent by letter, e-mail or fax to the President of the Venice Commission:

- ▶ Mr Gianni Buquicchio  
President of the Venice Commission  
Council of Europe  
67075 Strasbourg Cedex  
France  
Fax: +33 3 88 41 37 38  
e-mail: [venice@coe.int](mailto:venice@coe.int)

## WHERE CAN I GET MORE INFORMATION ON THE ECM?

■ Information on past ECM requests can be found on the Horizontal Facility website (as well as the website of the Venice Commission for requests that have fallen within the remit of the Venice Commission).

■ Questions about the ECM can be directed to the Office of the Director General of Programmes of the Council of Europe, by e-mail, fax or letter:

- ▶ Office of the Directorate General of Programmes  
Council of Europe  
Strasbourg Cedex 67075 FRANCE  
E-mail: [odgp@coe.int](mailto:odgp@coe.int)  
Fax: +33 39 02 14 631

## MORE INFORMATION

► **Website**

<http://horizontal-facility-eu.coe.int>

► **Facebook**

[jp.horizontal.facility](https://www.facebook.com/jp.horizontal.facility)

► **Twitter**

[@CoE\\_EU\\_HF](https://twitter.com/CoE_EU_HF)

► **Contact**

Office of the Directorate General of Programmes

Council of Europe

Strasbourg Cedex 67075

France

Fax: + 33 3 90 21 46 31

E-mail: [Horizontal.Facility@coe.int](mailto:Horizontal.Facility@coe.int)

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[www.coe.int](http://www.coe.int)

The member states of the European Union have decided to link together their know-how, resources and destinies. Together, they have built a zone of stability, democracy and sustainable development whilst maintaining cultural diversity, tolerance and individual freedoms. The European Union is committed to sharing its achievements and its values with countries and peoples beyond its borders.

[www.europa.eu](http://www.europa.eu)

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