

**DIRECTORATE OF POLICY PLANNING**



DPP (2012)1 *English only*

Strasbourg, 23 March 2012

**THE COUNCIL OF EUROPE AND THE OSCE:  
ENHANCING CO-OPERATION AND COMPLEMENTARITY  
THROUGH GREATER COHERENCE**

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## **EXECUTIVE SUMMARY**

There is a need to co-ordinate activities between the Council of Europe (CoE) and the Organization for Security and Co-operation in Europe (OSCE) to improve effectiveness in reaching common objectives and promote efficiency in the use of resources. The different structure and functions of the two organisations should be seen as assets in increasing complementarity rather than obstacles for co-operation. There is a considerable potential for co-operation since the mandates and the membership of the CoE and the OSCE overlap to a great extent. The differences in mandates and membership may, however, occasionally create difficulties for joint action. The two organisations have developed good co-operation by focusing on four priority areas and establishing co-operative mechanisms. Such co-operation should be further developed.

This study includes the following recommendations:

- The 2005 Warsaw Declaration should continue to form the basis for co-operation
- Co-operation should be dynamic and based on the respective priorities of the two organisations
- New areas of co-operation should reflect the complementarity of the two organisations
- Co-operation outside the four priority areas should continue to be encouraged
- Co-ordination should be included as early as possible in the planning process of the two organisations
- Examples of best practices should be developed and the co-operation should be a learning process, also across different areas of co-operation
- Cooperation in the four prioritized areas should be based on concrete goals, reporting of achievements of these goals, evaluating the progress, and defining new goals for a next period, i.e. establishing a cycle for decision-making
- The co-operation should regularly be subject to a review mechanism
- The Co-ordination Group should become more active in providing guidance to the operational level
- The functions of the different mechanism for co-operation should be assessed.
- The two organisations should enter into an agreement on co-operation on election monitoring
- A study on co-operation in field operations should be undertaken
- The CoE Parliament and the OSCE Parliament should consult with the aim of closer co-ordination and co-operation
- Member and participating states should become more involved in the co-operation
- The contact between national delegations in Vienna and Strasbourg should be increased
- States should improve co-ordination at national level.



## 1. INTRODUCTION

The objective of this study is to compare the *acquis*, the programmes and the procedures of the Council of Europe (CoE) and the Organization for Security and Co-operation in Europe (OSCE) with a view to making proposals on how the two organisations may achieve greater synergies and ensure better coherence and complementarity. The study was commissioned by the Secretary General of the Council of Europe.

The study is based on relevant documents from the two organisations and interviews with staff in Strasbourg, Warsaw, Vienna and The Hague. An initial report with a main outline of preliminary ideas for proposals was submitted on 12 January 2012. This report was presented and discussed in a meeting by the GR-EXT Rapporteur Group on External Relations on 19 January 2012. A workshop was organized in Oslo on 30-31 January 2012 to discuss the issues raised in the study. Surveys of the co-operation based on 'Joint reports by the Council of Europe and the OSCE Focal Points' and on potential overlap between the CoE/OSCE field operations can be found in Annex 1 and 2. The Annexes have been prepared by Sondre Torp Helmersen (LLM).

## 2. THE NEED FOR CO-OPERATION

There is a need to co-ordinate activities between the Council of Europe and the OSCE to the extent that co-ordination and co-operation will increase *effectiveness* in reaching overlapping objectives of the two organisations. This does not mean that all activities of the two organisations should be co-ordinated. There is ample room for separate activities of the CoE and the OSCE. But co-operation may prevent forum shopping and inconsistencies and contradictions in adopted standards, recommendations and decisions. This is of particular importance in relation to states in crisis or in transition.

Furthermore, co-operation may promote *efficiency* in the use of resources. This is of special importance in times of limited available resources among contributing states. But it may be also be important for receiving states to concentrate their efforts rather than spread attention and resources to co-operation with both organisations in overlapping fields.

## 3. THE POTENTIAL FOR CO-OPERATION

The *mandates* of the Council of Europe and the OSCE are not identical. The CoE shall protect human rights, the rule of law and democracy. The OSCE, on the other hand, is an instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation. It deals with three dimensions of security: the politico-military; the economic and environmental; and the human dimension. Especially the human dimension overlaps with the work of the CoE since it aims to ensure full respect for human rights and fundamental freedoms; to abide by the rule of law; to promote the principles of democracy by building, strengthening and protecting democratic institutions; and to promote tolerance throughout the OSCE region. But while the protection of human rights, the rule of law and democracy are ends in themselves for the CoE, they are means to prevent conflicts for the OSCE. This will not usually make much difference in practice, but may mean a somewhat different focus by the two organisations.

The *membership* of the two organisations differs also. The CoE has 47 member states, while the OSCE has 56 participating states, including the USA and Canada, and states in Central Asia. The

different membership means that the OSCE has a wider geographical reach. The CoE has also 'partial agreements' with different membership, including the Venice Commission for Democracy through Law (the Venice Commission). There is considerable overlap in membership of the two organisations since all CoE members are also participating in the OSCE. But the difference may occasionally lead to different standards (e.g. the death penalty), but also to different priorities of the CoE and the OSCE.

The *structure* and *functions* of the CoE and the OSCE are different. While the CoE is characterised by its legal standards, monitoring bodies, and the European Court of Human Rights, the OSCE is characterised by its political standards, operational institutions and field presence. The political standards of the OSCE may more easily be adopted since they do not require subsequent ratification by participating states, and may be more ambitious than legal standards. The OSCE's field presence is important in building national capacity for implementation of the standards. The legal standards of the CoE, on the other hand, have the advantages of being subject to formal monitoring and dispute settlement through judgments by the Court. The Venice Commission provides expert advice to be used by both organisations. These differences should represent a potential for complimentary functions rather than problems for co-operation.

In short, the overlapping mandates and membership and their complementary structure provide ample room for co-operation. Such co-operation must, however, take into account that the different mandates and membership may lead to different focus and priorities of the two organisations.

#### **4. DECISIONS ON CO-OPERATION**

The need to co-ordinate and avoid duplication of work has been on the agenda of the two organisations since the beginning, especially since the CoE opened its doors to Central and European states in the historic year of 1989 and the establishment of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in 1992.

The Committee of Wise Persons, in its Final Report to the CoE Committee of Ministers (1998), stated that '[t]he existence of a multi-institutional Europe should be seen and declared to be a positive fact'. They stressed 'the importance of co-ordination and co-operation in national capitals, between those responsible for allocating tasks to the different European organisations, in order to ensure complementarity and to avoid unnecessary duplication and overlap. It is equally essential for the organs and secretariats of the international organisations concerned to improve their co-ordination' (paragraph 28).

As regards the particular relationship between the CoE and the OSCE, the Committee stated:

36. Co-operation with the OSCE needs to be considered in the light of all circumstances, and bearing in mind the specificities of the two organisations' objectives. Existing co-operation should be improved in order to ensure that the international community sends a coherent message in conflict situations. Such co-operation should be based on better co-ordination within foreign ministries of the activities of the two organisations with the aim of ensuring the most efficient use of their comparative advantages – OSCE's operational capabilities in conflict management on the one hand, and the Council of



Europe's extensive experience in standard setting and control, legal and policy co-operation on the other. *Co-operation and co-ordination of activities, basically complementary and mutually reinforcing, should be on an equal footing and results-oriented.* They should include, *inter alia*:

- a recognised role for the respective chairperson of the other organisation at ministerial meetings;
- immediate consultation in times of crisis (for instance between the Secretary General of the Council of Europe and the Chairman-in-Office of the OSCE) and in the event of any significant new initiative in the fields of democracy and human rights;
- systematic pooling of relevant information in the spheres where the organisations' responsibilities overlap.

*37. These provisions could be contained in a general memorandum of understanding to be concluded between the two organisations.*

*38. Specific arrangements should also be agreed between the international organisations concerned as regards the observation of elections to ensure a coherent assessment of their results.*

A Common Catalogue of Co-operation Modalities was agreed in 2000 between the secretariats of the two organisations on the request of a high-level meeting in 1999. The Catalogue 'aims at guaranteeing the institutional memory and ensuring that existing good practice is not forgotten or lost. It also shows perspectives for the future.' It contains sections on consultations, representation and liaison, and co-operation. It concludes by stating that the Catalogue 'reflects the co-operation achievements in early 2000. It will have to be kept under regular review to include new developments reflecting the flexible and pragmatic character of co-operation between the Council of Europe and the OSCE.'

In parallel decisions of the CoE Committee of Ministers (Decision CM/865/01122204) and the OSCE Permanent Council (Decision No. 637, 2 December 2004) the two organisations established a Co-ordination Group consisting of 'Permanent Representatives from the Troika of the OSCE (preceding, current and incoming Chairmanship of the OSCE), the current and incoming chair of the CoE, open to Permanent Representatives of the countries in the Bureau of the CoE, the chair of the CoE GR-OSCE, as well as representatives from the Secretariats of the two organizations'. It was further decided that 'High-level "2+2/3+3" [see below] meetings will take into account the feedback from the Co-ordination Group'.

A Joint Statement, with a Declaration on Co-operation between the CoE and the OSCE, was signed by the Chairman of the CoE Committee of Ministers and the OSCE Chairman-in-Office in Warsaw on 17 May 2005. The Declaration establishes the mutual desire to further strengthen co-operation between the CoE and the OSCE on the basis of 'complementarity, transparency and democratic accountability, while respecting the autonomy, different membership and distinctive tasks of each Organization'.

More specifically the Declaration calls on the Co-ordination Group established by the two organisations (emphasis added):

- to give *priority* in its work to the *formulation of concrete recommendations* on how to foster co-ordination and co-operation between the two Organizations in areas of common interest, taking into account their respective work in the field, and

- *starting with questions concerning the fight against terrorism, the protection of the rights of persons belonging to national minorities, combating trafficking in human beings, as well as promoting tolerance and non-discrimination.*

The two organisations:

- Agree that, to this end, *various forms of co-operation between the two Organizations should be explored* such as joint meetings and joint activities, with *more active involvement of the Member and participating States*, in order to produce synergies and avoid unnecessary duplication, giving the fullest account however to the different nature and membership of the two Organizations, and *make best use of their comparative advantages*;
- Call for *better co-ordination within the national administrations of the Member and participating States* in order to ensure that the above principles are effectively implemented;
- Decide to bring this Declaration to the attention of both the Council of Europe and the OSCE Parliamentary Assemblies and would *welcome their intention to enhance co-operation between the two Assemblies.*

The Warsaw Declaration represents the current formal framework for the co-operation between the two organisations.

## **5. CO-OPERATION MODALITIES**

### **5.1. JOINT MEETINGS OF THE COE MINISTERS' DEPUTIES-OSCE PERMANENT COUNCIL**

The following four meetings have taken place: Strasbourg 1997 (exchange of views and experience on methodology of implementation of commitments and monitoring mechanisms), The Hague 1998 (relationship between the CoE and the OSCE - a broader look), Vienna 1999 (monitoring of commitments) and Strasbourg 2005 (finalisation of the draft text of a declaration on co-operation between the CoE and the OSCE).

### **5.2. PARTICIPATION IN MEETINGS OF THE OSCE MINISTERIAL COUNCIL AND THE COE COMMITTEE OF MINISTERS**

The two Secretaries General are regularly invited to the respective annual ministerial meetings and have the right to address the meetings. At seven meetings held between 2005 and 2011, the CoE was represented four times by the Secretary General and three times by a Secretariat Senior Official, whilst the OSCE was represented three times by Secretary General, once by the Director of the Conflict Prevention Centre and three times by the External Co-operation Officer of the Secretariat.

### **5.3. PARTICIPATION IN MEETINGS OF THE OSCE PERMANENT COUNCIL, THE COE MINISTERS' DEPUTIES AND THEIR SUBSIDIARY STRUCTURES**

The representative of the CoE Secretariat (liaison officer, Head of the Liaison Office) has the possibility to join the delegation of the country which chairs the Committee of Ministers in the plenary and informal meetings of the OSCE Permanent Council, however without the right to take the floor. At the invitation of the respective Chairman, the CoE representative may inform subsidiary structures of the OSCE Permanent Council about relevant CoE activities.

Since October 1998, the OSCE (representative of the country holding the OSCE Chairmanship assisted, if necessary, by a member of the OSCE Secretariat) has been invited by the Ministers' Deputies to participate in the meetings of the CoE Ministers' Deputies working group on relations with the OSCE (GR-OSCE, GR-EXT). The Secretary General of the CoE has requested that the Head of the CoE Office in Vienna be invited on a regular basis to attend the meetings of the OSCE Permanent Council.

#### 5.4. 2+2 HIGH-LEVEL MEETINGS

These meetings take place once or twice per year. They are organised in turn by the Chairs-in-Office of the CoE and the OSCE respectively. These meetings provide a forum to discussing topical political issues of mutual interest, reviewing the relations, assessing the on-going co-operation and devising orientations for future co-operation.

The participants are the Chair of the CoE Committee of Ministers, the OSCE Chairman-in-Office and the two Secretaries General. The Presidents of the two Parliamentary Assemblies have also been invited to some meetings. Seven 2+2 High-Level meetings took place between 2005 and 2011 (two meetings in 2006 but no meeting in 2009). With one exception, all meetings were attended by both Secretaries General.

#### 5.5. SENIOR OFFICIALS' MEETINGS

Meetings at Senior Officials level have taken place, with some exceptions, once a year. They are organised in turn by the CoE and the OSCE Secretariats respectively. The main aim of these meetings is to have a "desk-to-desk" informal discussion on concrete topics of co-operation, in particular in the field. They are chaired alternatively by the heads of the respective external relations units.

#### 5.6. CO-ORDINATION GROUP

The CoE/OSCE Co-ordination Group set up in 2004 focuses on the four priority areas agreed upon in the Warsaw Declaration:

- the fight against terrorism
- the protection of persons belonging to national minorities
- combating trafficking in human beings
- promotion of tolerance and non-discrimination

Focal Points for each theme have been appointed within each organisation. The Group meets twice per year. Since the autumn of 2009, the protection of persons belonging to national minorities and promotion of tolerance and non-discrimination have been on the agenda of a "spring" meeting held in Strasbourg, and the fight against terrorism and combating trafficking in human beings have been on the agenda of the "autumn" meeting held in Vienna.

The participants are as follows:

Council of Europe:

- Chairman of the Ministers' Deputies, Chairman of GR-EXT, members of the Bureau of the Committee of Ministers

- Focal Points (Permanent Representatives/Ambassadors appointed by the Committee of Ministers)
- Secretariat

OSCE:

- Members of the OSCE Troika
- Focal Points (representatives of OSCE Institutions, namely HCNM, ODIHR, the Representative on trafficking in human beings, the Anti-Terrorism Unit)
- Secretariat

#### 5.7. TRIPARTITE HIGH-LEVEL MEETINGS CoE-OSCE-UN/UNOG

Since July 1993, High-level "Tripartite" meetings have been organised regularly once a year, in turn, by the CoE, the OSCE and the United Nations Office at Geneva. The Secretaries General of the CoE and the OSCE and the Director General of the UN Office at Geneva are the main participants.

The aim of the Tripartite consultations is to build mutual awareness of the organisations' respective activities in order to facilitate practical co-operation in conflict prevention and democratic institution-building, to share information and to improve practical co-operation by drawing on each other's expertise and know-how.

No meeting was held in 2011. At the initiative of the CoE, the three organisations are currently re-thinking the concept of the Tripartite meetings in order to make it more relevant and efficient.

#### 5.8. EXCHANGES OF VIEWS WITH THE OSCE PERMANENT COUNCIL AND THE CoE MINISTERS' DEPUTIES AND THEIR SUBSIDIARY STRUCTURES

The representative of the OSCE Chairman-in-Office, the Secretary General, the Heads of OSCE Missions, the Director of ODIHR, the Representative on Freedom of the Media and the Representative on Trafficking in Human Beings have had exchanges of views with the CoE Ministers' Deputies or their working groups. The Secretary General of the CoE has addressed and answered questions from the OSCE Permanent Council in Vienna.

The CoE Secretary General addressed the OSCE Permanent Council four times from 2005 to 2011 (2005, 2007, 2008 and 2010). The OSCE Secretary General had two exchanges of views with the CoE Ministers' Deputies (2006 and 2010). The CoE working groups' (GR-DEM) have exchanged views with representatives from the OSCE four times (2006 (two times), 2008 and 2011) in the same period.

## 6. CO-OPERATION IN PRACTICE

### 6.1. INTRODUCTION

The 2005 Warsaw Declaration calls on the Co-ordination Group established by the CoE and the OSCE in 2004 to 'give priority in its work to the formulation of concrete recommendations on how to foster co-ordination and co-operation'. The reference to 'concrete recommendations' shows that the parties were eager to implement measures that would make a difference in practice.

Furthermore, the Declaration sets out that this co-operation should be ‘starting with’ questions concerning ‘the fight against terrorism, the protection of the rights of persons belonging to national minorities, combating trafficking in human beings, as well as promoting tolerance and non-discrimination’. Thus, the parties determined that the co-operation in the Co-ordination Group should focus on these four identified areas, but that they were only meant as a starting point for the co-operation.

The Declaration emphasizes the importance of involving Member and participating States by establishing that ‘various forms of co-operation should be explored such as joint meetings and joint activities, with more active involvement of the Member and participating States’. It calls for ‘better co-ordination within the national administrations of the Member and participating States’. Finally, the Declaration would welcome the ‘intention to enhance co-operation’ between the Council of Europe and the OSCE Parliamentary Assemblies.

The following analysis focuses on the four priority areas. It should, however, be kept in mind that the two organisations benefit from co-operation also outside these four areas. For example, there are contacts and joint action between the OSCE Representative on Freedom of the Media and the CoE Parliamentary Assembly, the CoE Commissioner for Human Rights and relevant CoE Secretariat entities. Another example is the co-operation on the situation in Georgia, emphasized in the Joint Declarations of the CoE/OSCE high level ‘2+2’ meetings in 2008 and 2010.

## 6.2. THE FOUR PRIORITY AREAS

### 6.2.1. *The fight against terrorism*

There are frequent contacts between the secretariats of the two organisations in the field of counter-terrorism. There is also regular participation in and contributions to each other’s activities. It is of particular interest to note that the ODIHR and the OSCE Secretariat’s Action against Terrorism Unit (ATU) participate in their capacity as observers in the CoE Committee of Experts on Terrorism (CODEXTER) and in the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL). The Council of Europe’s Convention on the Prevention of Terrorism establishes legally binding commitments on counter-terrorism.

There has been CoE/OSCE cross-participation in workshops and conferences on cyber security and the use of Internet for terrorist purposes (2009). The CoE and the OSCE organized a joint Expert Workshop on Preventing Terrorism (Vienna 2006) and with UNODC a national workshop for Turkey Enhancing International Legal Co-operation related to Terrorism, including the Drafting of Request for Extradition and Mutual Legal Assistance (Ankara 2008). The two organisations have jointly prepared concrete proposals for amendments to the criminal code of Montenegro. Despite these notable examples, there are, however, not many examples of joint events or publications. Furthermore, in autumn 2011 the OSCE and the CoE planned to hold separate events on cybercrime in Baku, Azerbaijan. But the CoE contributes to the monthly OSCE Counter-Terrorism Newsletter. MONEYVAL has also contributed to the OSCE Counter-Terrorism Network Journal on Preventing the Abuse of Non-Profit Organizations for Terrorist Financing.

The two organisations agree that there is a potential for synergies and possible joint action in counter-terrorism. But the co-operation has also experienced problems in agreeing on common efforts. A joint action plan to combat terrorism was stopped since it could not obtain unanimous support from all OSCE participating states. A Workshop on Combating Incitement to Terrorism on the Internet (Vienna 2007) could not be organised as a joint event due to strong reservations from OSCE participating States non-members of the Council of Europe.

#### *6.2.2. The protection of persons belonging to national minorities*

The informal contact between the OSCE High Commissioner on National Minorities (HCNM) and the CoE monitoring bodies, especially the Advisory Committee on the Framework Convention for the protection of National Minorities (ACFC) and the Committee of Experts of the European Charter for Regional or Minority Languages (CELC) should be emphasized. The HCNM has also extensive contact with the CoE Commissioner for Human Rights.

The two organisations have organized several joint activities and have concluded joint publications. They have organized seminars on the Framework Convention and the Language Charter. They have co-operated on the human rights of Roma by joint studies, seminars and statements. They co-operated on the process of implementation of the 2007 Law of Georgia on the Repatriation process of Meskhetian Turks.

The HCNM has also co-operated with the European Commission against Racism and Intolerance (ECRI), including comments in preparing the ECRI General Policy Recommendation No. 11 on Combating Racism and Racial Discrimination in Policing. The two organisations have jointly prepared the reference book National Minority Standards. A Compilation of OSCE and Council of Europe texts. The HCNM and the CoE co-operated in Kosovo to draft a text book on Civil and Intercultural Education for use in secondary schools. The HCNM and the Commissioner for Human Rights has published the study Recent Migration of Roma in Europe. The two organisations find that exchange of information, consultation and co-operation is effective in avoiding duplication and strengthening complementarity.

#### *6.2.3. Combating trafficking in human beings*

The significance of regular exchange of information is also important in this field of co-operation. The two organisations participate in each other's events, especially representatives from the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings. The OSCE has obtained observer status with the Committee of the Parties to the Council of Europe Anti-Trafficking Convention. The two organisations are participating actively at the multilateral level in the Alliance against Trafficking in Persons. There is cross-participation in events of mutual interest.

The CoE Committee of Ministers, at the 1067<sup>th</sup> meeting of the Deputies (7 October 2009), 'stressed the importance of an effective working relationship and better co-operation between the two organisations in the area of the fight against trafficking in human beings, avoiding unnecessary duplication and achieving greater synergy, and asked the Coordination Group to consider the matter and report back.'

In a meeting between the President and First Vice-President of GRETA and the OSCE Special Representative in 2010 it was agreed a) to hold regular informal meetings between the two organisations for co-ordination; b) that OSCE assessment activities will take into account GRETA's monitoring calendar; c) that the CoE will take into account activities on thematic issues conducted by the OSCE; d) to exchange information to identify priorities and needs where co-operation programmes could facilitate implementation of anti-trafficking standards; and e) that cross participation in events would be beneficial for the two organisations.

It is difficult to find much of joint activities, but it is early to assess the effects of this co-operation agreement. A joint publication on action against trafficking in human beings incorporating the most important CoE legal instruments and the OSCE political commitments was cancelled due to financial constraints. The CoE has noted that '[d]ue to limited financial and human resources, the Council of Europe needs to concentrate its efforts on the work of GRETA and the preparation of its reports and conclusions as well as on the Committee of the Parties' (10<sup>th</sup> Meeting of the Co-ordination Group, paragraph 4 (2009)).

#### *6.2.4. Promotion of tolerance and non-discrimination*

There are extensive informal contacts between the two organisations, especially ODIHR, ECRI and the Venice Commission, as well as participation in each other's activities, and a number of joint activities and publications in the promotion of tolerance and non-discrimination. A special mechanism set up between ECRI and ODIHR shall ensure complementarity between the recommendations made by ECRI and ODIHR's Tolerance and Non-Discrimination Department.

The two organisations have co-operated on an Azerbaijani education project, a CoE opinion on a discrimination draft law in Montenegro on hate crimes, and ECRI's General Policy recommendation combating Roma discrimination, and they have, with the EU, made common statements on the International Day for the Elimination of Racial Discrimination.

The common publications between ODIHR and the CoE include:

- Guidelines for Review of Legislation Pertaining to religion or Belief
- Guidelines on Freedom of Peaceful Assembly
- Guidelines for Educators on Countering Intolerance and Discrimination against Muslims.

ODIHR and the Venice Commission have adopted joint assessments of legislation in a number of states, including the following adopted in 2011: Joint Opinions on The Constitutional Law on the Judicial System and Status of Judges of Kazakhstan; The Law on the Protector of Human Rights and Freedoms of Montenegro; and The Draft Law on Freedom of Peaceful Assembly of Ukraine.

#### *6.2.5. Assessment of the four priority areas*

The importance of informal contacts between the two organisations should not be underestimated, but is difficult to measure. Such contact exists in all the four areas of co-operation. Furthermore, there are many examples of cross-participation in events, joint activities and joint publications.

The two organisations have been able to utilize the complementarity in their respective normative frameworks and institutional structures, with, on the one hand, the CoE's binding

legal standards, its Court of Human Rights, its monitoring bodies, and the Venice Commission, and, on the other hand, the OSCE's political standards, and institutions in the form of the HCNM, ODIHR, the Action against Terrorism Unit (ATU), and the Special Representative and Co-ordinator for Combating Trafficking in Human Beings.

It seems, however, that the co-operation on national minorities and the promotion of tolerance and non-discrimination have more fully exploited the potential for co-ordination and mutual action. There may have been political constraints (terrorism) or financial limitations (trafficking). But, although the co-operation should be tailored to the specific field, it is difficult to see that there is less potential for co-operation in the fields of counter-terrorism and combating trafficking. The 2010 agreement on trafficking between representatives of GRETA and the OSCE Special Representative may be a good example of how co-operation may be enhanced. Such more general commitments on co-operation should be welcomed.

The co-operation between the two organisations must take place at the operational level in order to have effect. The Co-ordination Group has, however, an important function in providing political support to the co-operation, and to give guidance to how it can be enhanced and improved. It could also serve to cross-fertilize experiences between the four fields of co-operation.

There are few examples of the Co-ordination Group taking clear initiatives in the promotion of further co-operation. One reason may be that the information provided to the Group is based on the self-reporting of the two organisations. A more active political control by the Co-ordination Group could be facilitated through some form of mechanism for continuous review of the co-operation. Such review should serve the need for political accountability, but without being too bureaucratic or costly.

### 6.3. MONITORING OF ELECTIONS

Election observations take the form of long-term observations from ODIHR, and observation by parliamentarians from the CoE, OSCE and the EU (and, on occasion from the NATO Parliamentary Assembly and/or the Congress of Local and Regional Authorities of Europe). The co-operation generally works well, but there have been incidents of separate assessments. This is especially unfortunate in countries with strong political tensions.

Monitoring of elections is governed by the multilateral Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, commemorated at the United Nations in 2005. These instruments have been endorsed by over 20 institutions, including the CoE Parliamentary Assembly and ODIHR, but unfortunately not the OSCE Parliamentary Assembly.

OSCE observers are also committed to the Code of Conduct for ODIHR Observers (Election Observation Handbook, 6<sup>th</sup> ed., pp. 33-34) and Ministerial Council Decision No. 19/06 Strengthening the Effectiveness of the OSCE, especially paragraphs. 12, 13 and 14. The OSCE Parliamentary Assembly and ODIHR have entered into a Co-operation Agreement (1997). Reference should also be made to the Venice Commission's Guidelines on an Internationally Recognised Status for Election Observers, CDL-AD(2009)059, 14 December 2009. Finally, the



CoE Parliamentary Assembly has adopted Guidelines for the observation of elections by the Parliamentary Assembly (as revised by the Bureau of the Assembly on 8 October 2010).

The Committee of Wise Persons recommended in their Final Report of 1998 that 'specific arrangements should also be agreed between the international organisations concerned as regards the observation of elections to ensure a coherent assessment of their results' (paragraph 38). There is, however, no agreement between the OSCE and the CoE Parliamentary Assembly on the co-ordination of election observation. Of course, it is not possible to prevent different assessments of elections through an agreement. But an agreement could reduce the risk of conflicting statements through mutually recognised procedures.

It seems that observation of local elections is mainly seen as the responsibility of the Congress of Local and Regional Authorities of the Council of Europe.

#### 6.4. FIELD OPERATIONS

The 19<sup>th</sup> High-level '2+2' meeting between the CoE and the OSCE (2010) 'underlined the need for strengthened co-operation and co-ordination between the two organisations in the field.' The field operations of the OSCE and the CoE differ both regarding the number of countries where they are present, the size of the operations and their mandates. Generally, the OSCE has far larger missions in more countries. But the two organisations have both presences in the following countries: Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Kosovo (not recognised by all States), Moldova, Montenegro, Serbia and Ukraine. As is shown in Annex 2, the mandates of the missions from the two organisations seem to overlap in several respects. For example, the OSCE is supporting Albanian institutions in preventing, reporting and fighting corruption, while the Coe has a project against corruption in Albania. The OSCE does justice sector monitoring and advocacy in Bosnia and Herzegovina, while the CoE supports judicial and prosecutorial training centres.

The existing terms of reference of CoE Offices in member and non-member states require the Office to 'co-ordinating activities in the country with other international organisations and institutions (EU, OSCE, UN), as well as other international and local partners active in the country (Resolution CM/Res(2010)5 and CM/Del/Dec(2010)1090/1.9), but no further guidance is provided about such co-ordination. Whether and how the co-ordination and co-operation could be improved both at headquarters level and in the field may merit a separate study.



## 7. RECOMMENDATIONS

### 7.1. INTRODUCTION

There is a need for co-operation between the Council of Europe and the OSCE, both to ensure effectiveness in achieving results and efficiency in the use of available resources. The mandates and the membership overlap to a significant extent, although the differences may in certain contexts represent a hinder for co-operation. The different normative basis in the form of the CoE's binding obligations and the OSCE's political commitments is not a problem for the co-operation. The same applies to the different organisational structures of the two organisations. These differences should rather be seen as assets for a co-operation based on complementarity. The focus should be on implementation of existing instruments and commitments, rather than developing new normative standards. Generally, there is a considerable potential for co-operation, beyond current efforts.

### 7.2. THE FORMAL BASIS FOR CO-OPERATION

The Warsaw Declaration on Co-operation of 2005 establishes a firm basis for co-operation between the two organisations. The identification of four priority areas (the fight against terrorism; protection of persons belonging to national minorities; combating trafficking in human beings; and promotion of tolerance and non-discrimination) means that co-operation in these areas has a political backing at the highest level, and that such co-operation is reported to and discussed at meetings of the Co-ordination Group.

It could be considered to raise the formal basis of co-operation from the Warsaw Declaration to a Memorandum of Understanding (MOU) between the two organisations. The Committee of Wise Persons suggested in their Final Report of 1998 that a general memorandum of understanding could be concluded between the two organisations (paragraph 37). A MOU has been concluded between the Council of Europe and the European Union.

A MOU would serve as a stable political commitment on co-operation. It could be designed to promote a dynamic and real co-operation, rather than a static and formal co-operation. But the potential difficulties in reaching agreement on the content of a MOU could take the focus away from enhancement of co-operation in practice. The Warsaw Declaration represents a firm basis for co-operation and allows sufficient flexibility. Therefore, this Declaration should continue to form the basis for the co-operation, and the two organisations should not initiate negotiations of a MOU.

#### *Recommendation*

- The 2005 Warsaw Declaration should continue to form the basis for co-operation.

### 7.3. AREAS OF CO-OPERATION

The Warsaw Declaration establishes that the co-operation should be 'starting with' the four prioritized areas, clearly indicating that more areas should be added. The co-operation should be based on the respective priorities of the two organisations and be dynamic, taking into account the respective mandates and membership of the two organisations. The existing areas of co-operation are flexible and leave considerable room for expansion. But it should be considered whether other areas should be added to the co-operation.

The Warsaw declaration says that the two organisations should ‘make best use of their comparative advantages’ in their co-operation. The co-operation between the OSCE High Commissioner on National Minorities and the CoE Framework Convention for the Protection of National Minorities is a good example of co-operation based on such comparative advantages, where the High Commissioner can benefit from the expertise of the monitoring bodies of the Council of Europe. Another example of complementarity is the joint guidelines developed by ODIHR and the Venice Commission, making use of the specialist expertise of the Commission. The judgments of the European Court are a reference point for the work of both organisations. Any new areas of co-operation, for example on the freedom of the media, should be assessed in terms of whether they are founded on complementarity of the two organisations.

The four priority areas should in no way prevent extensive co-operation also in other fields. On the contrary, such co-operation should be encouraged. But the two organisations have a special responsibility in maintaining and enhancing co-operation in the prioritized areas.

#### *Recommendations*

- Co-operation should be dynamic and based on the respective priorities of the two organisations
- New areas of co-operation should reflect the complementarity of the two organisations
- Co-operation outside the four priority areas should continue to be encouraged.

#### 7.4. EARLY PLANNING OF CO-OPERATION

When the budgets and operational plans of the two organisations have been adopted, there may be limited room for co-operation. Thus, there is a need for co-ordination and co-operation as early as possible in the planning process. The two organisations should consult in order to find at what time in the planning process of budgets and operational activities of the respective organisations co-operation could be initiated. The consultation should include both the political and the administrative level and become a regular feature of the planning process of the CoE and the OSCE. Such early planning must, however, take into account the respective procedures of the two organisations.

#### *Recommendation*

- Co-ordination should be included as early as possible in the planning process of the two organisations.

#### 7.5. CO-OPERATION IN PRACTICE

The 19<sup>th</sup> High-level ‘2+2’ meeting between the CoE and the OSCE (2010) invited the Co-ordination Group ‘to step up its efforts to identify specific issues where the two organisations could further complement each other’s work’ in the four priority areas.

The Co-ordination Group has an important role in providing guidance on such issues. But, the essential parts of the co-operation are executed at the operational level. The following aspects should be taken into account:

- The forms of co-operation should be assessed, taking into account that the Warsaw Declaration sets out that ‘various forms of co-operation should be explored’.

- The focus should be on practical measures resulting in optimal effects, whether they are the result of informal contacts or jointly organised events or publications.
- Examples of best practices should be developed and the co-operation should be a learning process, also across different areas of co-operation.
- Well organized conferences attended by several actors may facilitate networking between representatives of the two organisations.
- While co-operation in some areas is well developed without any general agreement or joint action plan between the different operational entities, such instruments may be useful in other contexts. The 2010 agreement on trafficking between representatives of GRETA and the OSCE Special Representative may serve as an example.

#### *Recommendations*

- Examples of best practices should be developed and the co-operation should be a learning process, also across different areas of co-operation.

#### 7.6. MECHANISMS FOR CO-OPERATION

The different mechanisms referred to in section 5 above cover a wide range of venues for co-operation, both of at political and the administrative level. The mechanisms for co-operation should promote co-operation in practice. The Co-ordination Group has a special responsibility for the four priority areas. The other mechanism can facilitate co-operation on a wide range of common issues. The Joint Meetings of the CoE Ministers' Deputies-OSCE Permanent Council is, however, an example of a mechanism that has not met since 2005.

- Co-operation in the four prioritized areas should be based on concrete goals, reporting of achievements of these goals, evaluating the progress, and defining new goals for a next period, i.e. establishing a cycle for decision-making in the priority areas.
- The co-operation should regularly be subject to evaluation by some form of mechanisms in order to assist the two organisations in improving co-operation, and to serve as an accountability mechanism for member and participating states. The modalities of such an evaluation mechanism should be explored in order to ensure maximum effect, but without being too bureaucratic or costly.
- The Co-ordination Group should become more active in providing guidance to the operational level.
- The functions of the different mechanism for co-operation should be assessed. The functions of the Tripartite High-Level meetings are already under consideration by the three organisations.

#### *Recommendations*

- Cooperation in the four prioritized areas should be based on concrete goals, reporting of achievements of these goals, evaluating the progress, and defining new goals for a next period, i.e. establishing a cycle for decision-making in the priority areas
- The co-operation should regularly be subject to a review mechanism
- The Co-ordination Group should become more active in providing guidance to the operational level
- The functions of the different mechanism for co-operation should be assessed.

## 7.7. MONITORING OF ELECTIONS

It is essential that monitoring of elections is well organized and, as far as possible, that conflicting assessments are avoided. Election monitoring is governed by multilateral instruments, as well as OSCE regulations, the CoE Parliamentary Assembly's Guidelines for the observation of elections, and the Venice Commission's Guidelines on an Internationally Recognised Status for Election Observers.

The co-operation on election observation between the Council of Europe and the OSCE should be continued and improved. The Committee of Wise Persons recommended that specific arrangements should be agreed between international organisations concerned to ensure a coherent assessment of their results. An agreement between the CoE and the OSCE could contribute to preventing conflicting assessments of elections and should be concluded, although such different assessments cannot be entirely prevented.

### *Recommendation*

- The two organisations should enter into an agreement on co-operation on election monitoring.

## 7.8. FIELD OPERATIONS

The High-level '2+2' meeting between the Council of Europe and the OSCE in 2010 'underlined the need for strengthened co-operation and co-ordination between the two organisations in the field.'

The 2000 Common Catalogue of Co-operation Modalities lists the following forms of co-operation (section 3.1.):

- The Council of Europe Offices on the ground (Tirana, Sarajevo, Pristina and Mostar), maintain close contacts with the OSCE Missions. They provide also liaison with the authorities and international organisations present in the field and support in the implementation of Council of Europe projects;
- Sharing of information and assessments by officials of the Council of Europe Secretariat and Heads of OSCE Missions and their staff through regular informal contacts and visits;
- Participants of the Council of Europe Secretariat in planning meetings organised by the CPC to prepare co-operation in the field;
- Participation of the Council of Europe Secretariat in the annual meetings of Heads of OSCE Missions in Vienna;
- Co-ordination of action in conflict prevention and post-conflict rehabilitation, Council of Europe contribution to monitoring and advice. Provision of Council of Europe legal expertise;
- Joint organisation and contribution to seminars;
- Joint assessment teams;
- Participation of Council of Europe experts and staff members in short and medium term missions; Long-term secondment of Council of Europe experts to the OSCE Mission in Kosovo;
- Joint training courses;
- Provision of logistical support by OSCE Missions to delegations of the Council of Europe Parliamentary Assembly, CLRAE and Secretariat;

- Since its creation in September 1998, the Council of Europe participates in the “Friends of Albania”, whose meetings are co-Chaired by the OSCE and EU Presidencies;
- Joint initiative of the Council of Europe, OSCE, European Commission and the Office of the UN High Commissioner for Human Rights (OHCHR) on human rights training of members of Field Missions: elaboration of pedagogical tools, including a manual giving practical advice on how to handle Human Rights violations. Continuation of this initiative, applying it to specific regions and operations, in co-ordination with Heads of OSCE Missions and taking into consideration the initiatives of EU and OHCHR and eventually the OSCE REACT programme.

The two organisations have presently field operations in the same 10 countries. There are many examples of good co-operation in the field between the two organisations. It seems, however, that the overlap in mandates by field representations of the CoE and the OSCE in the same countries could merit stronger co-ordination and co-operation both at headquarters and field level. A separate study on co-ordination and co-operation of field operations should be undertaken.

#### *Recommendation*

- A study on co-operation in field operations should be undertaken.

### 7.9. INVOLVEMENT OF THE TWO PARLIAMENTARY ASSEMBLIES

The Warsaw Declaration calls for enhanced co-operation between the CoE and the OSCE Parliamentary Assemblies.

The 2000 Common Catalogue of Co-operation Modalities refers to the following forms of co-operation (section 3.1):

- Delegations of the Bureaus of the two Parliamentary Assemblies meet periodically to exchange views on questions of common interest and to review co-operation between the two Assemblies.
- The Chairperson-in-Office of the OSCE addresses regularly the Parliamentary Assembly of the Council of Europe.
- The Presidents of the Parliamentary Assemblies of the Council of Europe and the OSCE speak at the sessions of the other Assembly.
- The Parliamentary Assembly of the Council of Europe, as well as the Parliamentary Assembly of the OSCE, invite regularly representatives of the other Assembly to participate in committee meetings, seminars, conferences, etc.
- In 1998, the Parliamentary Assembly of the Council of Europe adopted Recommendation 1381(1998) on “General Policy: Council of Europe and the OSCE”.

These are examples of ways of co-operation that should be encouraged and further developed between the two parliamentary assemblies. The CoE Parliament and the OSCE Parliament should consult with the aim of closer co-ordination and co-operation. An important area of co-operation is obviously the monitoring of elections, where an agreement on co-operation should be negotiated (see section 7.7. above).

### *Recommendation*

- The CoE Parliament and the OSCE Parliament should consult with the aim of closer co-ordination and co-operation.

### 7.10. INVOLVEMENT OF NATIONAL CAPITALS

The Warsaw Declaration calls for ‘more active involvement of the Member and participating States’ and ‘better co-ordination within the national administrations of the Member and participating States’. The responsibility for taking decisions on co-ordination and co-operation between the two organisations, as well as making priorities and allocating resources, lies ultimately with the member and participating states. It is furthermore important with co-ordination within each state, but also between national delegations in Strasbourg and Vienna.

The co-operation modalities referred to in section 5 above provide several possibilities for involvement of member and participating states in the co-operation of the two organisations. However, possible arrangements for better co-ordination between the CoE Committee of Ministers and the OSCE Permanent Council should be discussed. For example, direct contacts and dialogue between the Ministers’ Deputies and the OSCE Permanent Council at the level of plenary meetings and/or Bureau/Troika and/or Chairs or the subsidiary structures could be considered. It may also be useful to revisit the internal structure and procedures of each of the two organisations. For example, ‘Co-operation with the OSCE’ could be a regular item on the agenda of GR-EXT meetings. This would also allow for regular exchanges of views on the co-operation with OSCE representatives.

Co-ordination within national administrations is primarily a challenge for the individual state. But it is obvious that lack of national co-ordination will spill over to the international level. Therefore, it is essential with strong national co-ordination.

### *Recommendations*

- Member and participating states should become more involved in the co-operation
- The contact between national delegations in Vienna and Strasbourg should be increased
- States should improve co-ordination at national level.



## **ANNEX 1      CO-OPERATION ON THE FOUR PRIORITY AREAS**

### **Methodology**

This is a summary of the “Joint reports by the Council of Europe and OSCE Focal Points” on progress in the CoE/OSCE Coordination Group.

The information is taken from the reports of meetings 2 to 14. The meetings are referred to as “M2”, “M3”, etc. Meetings 2 to 9 focused on all four of the Group’s focus areas, meeting 10 to 14 focused on two areas per meeting.

The document is divided into four parts, one for each Coordination Group focus area. Each part has a chapter on “cooperation” and a chapter on “evaluation”. “Cooperation” contains activities that are “suggested” and activities that are “achieved”. Where reports say who made a specific suggestion, this is noted in the document (for example: “M2, OSCE, suggested: ...”)

Activities are grouped in subchapters. When a “suggested” activity is reported to be “achieved”, the achievement is noted beneath the suggestion, with indentation. This means that suggestions without indented text beneath them have not had any follow-up mentioned in the reports.

All four focus areas have some form of “cross-participation in events”. This is listed as a single activity within each focus area, regardless of the number of events.

Some reports have thematic subdivisions (e.g. a report on cooperation in tolerance has chapters on cooperation on Roma, on freedom of belief, etc.), but this is not reflected in the document. The focus of the document is not on the areas of the cooperation, but on its forms and quality.

## 1. MINORITIES

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### 1.1 COOPERATION

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#### 1.1.1 Activities

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- M2, OSCE, suggested: cooperation on country-based reviews
- M8, M9, M11, M13, suggested: (continue) close cooperation on monitoring activities, including consultations and information exchange
  - M13, achieved: sharing of information and informal consultations between HCNM and CoE monitoring bodies
- M2, CoE, suggested: OSCE take part in activities
  - M2, achieved: DH-MIN involved in HCNM's work
  - M3, achieved: OSCE provides continuous input to CoE bodies
  - M3, achieved: HCNM took part in plenary of Advisory Committee on Framework Convention and follow-up seminar
  - M3, achieved: CoE contributions to OSCE discussions and initiatives
  - M3, achieved: HCNM and CoE Human Rights Commissioner discussed mandates and plans
  - M4, M5, M6, M7, M8, M9, achieved: HCNM provided valuable input to CoE expert committees
  - M4, achieved: OSCE involvement in conferences and meeting
  - M6, M8, achieved: cooperation on Ukraine-Romania monitoring exercise
    - M9, M11, M13: Ukraine-Romania monitoring exercise temporarily suspended
  - M11, achieved: cooperation on implementation of Georgian repatriation law
  - M13, achieved: cooperation and consultations on thematic issues
- M8, suggested: HCNM participate in 8<sup>th</sup> DH-MIN meeting
- M13, suggested: more cooperation on civic and intercultural education
- M2, CoE, suggested: CoE SG participate in Human Dimension Implementation Meetings
- M2, suggested: keep a list of events, and invite the other organization

#### 1.1.2 Framework Convention

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- M3, M4, achieved: cooperation on monitoring under Framework Convention
- M3, achieved: complementary messages on the need to ratify Framework Convention
- M4, achieved: joint organisation of Framework Convention training seminar
- M6, M7, M8, M9, M11, achieved: HCNM exchange of information and views with Framework Convention advisory committee
- M6, M7, M9, M11, achieved: cooperation on country-monitoring and -visits
- M6, M7, achieved: HCNM submitting observations on draft commentary concerning minority public participation
- M8, M9, M11, achieved: HCNM exchange of information and views with Committee of Experts on the Language Charter
- M8, achieved: CoE and OSCE support to implementation of Framework Convention in Kosovo

- M8, suggested: giving HCNM prominent role at conference to review impact of Framework Convention
  - M9, achieved: representative of the HCNM presented a paper at the conference

### *1.1.3 Venice Commission*

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- M3, M4, M5, M6, M7, achieved: HCNM followed Venice Commission and made submissions
- M8, achieved: reports on non-citizens and minority rights and on dual voting rights for minorities completed after cooperation between HCNM and Venice Commission
- M9, achieved: HCNM consulted Venice Commission members on draft Recommendations on National Minorities in Inter-State Relations
- M8, suggested: regular information exchange between HCNM and Venice Commission
  - M9, achieved: regular information exchange between HCNM and Venice Commission “has been pursued”
  - M13, achieved: “on the ground” input from HCNM to Venice Commission

### *1.1.4 Publications*

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- M2, M3, suggested: publish compilation
  - M4, achieved: agreement on content and format of compilation
  - M5, achieved: preparatory work is at “advanced stage”
  - M6, achieved: compilation published
  - M7, achieved: further work towards Russian and French editions
  - M8, achieved: continued work on translating into Russian
  - M11, achieved: finalised editorial work on Russian edition
  - M13, achieved: Russian edition published
  - M13, achieved: pooling of resources to draft text book on “Civic and Intercultural Education”

### *1.1.5 Specific issues*

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- M2, suggested: joint considerations on certain issues
  - M3, achieved: planned exchange of views on HCNM’s Guidelines on the use of minority languages in broadcast media
  - M4, achieved: CoE contributions to OSCE discussions and initiatives
  - M4, achieved: joint Informal Contact Group on Roma, plus input and information exchange
  - M8, achieved: mutual consultations on thematic issues
  - M9, achieved: consultations between HCNM and CoE bodies on the HCNM’s draft Recommendations on National Minorities in Inter-State Relations

- M13, achieved: CoE and HCNM providing assistance to government in elaboration and implementation of law regulating the use of majority and minority languages
- M7, suggested: closer cooperation between HCNM and CoE commissioner for Human Rights on Roma issues
  - M8, achieved: CoE participation in OSCE Roma meeting
  - M8, achieved: agreement on possible joint Roma migration study and report
  - M8, M9, achieved: CoE participation in OSCE Roma field visit to Italy
  - M9, achieved: HCNM and CoE commissioned study on Roma migration by two international experts
  - M11, M13, achieved: Roma study completed and jointly launched
  - M11: joint statement with the EU on human rights violations against Roma in Europe
  - M11, achieved: joint seminar and conference with the EU on Roma freedom of movement and human rights

#### *1.1.6 Specific actors*

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- M3, M7, suggested: cooperation between HCNM and CoE Committee of Experts of the European Charter for Regional and Minority Languages
  - M5, achieved: organisation of technical seminar on ratification of European Charter on Regional and Minority Languages
- M7, suggested: closer cooperation and improved exchange of information between HCNM and CoE commissioner for Human Rights
  - M4, M5, M6, achieved: (continued) exchange of information between HCNM and CoE Commissioner for Human Rights
  - M5, achieved: informal consultation and series of meetings between focal points and advisers
  - M7, achieved: regular consultations between secretariats
- M3, OSCE, suggested: more cooperation with CoE Parliamentary Assembly
  - M4, M5, M7, achieved: HCNM follows PA's minority work, including exchange of view and hearing
  - M5, M7, achieved: HCNM contribution to PACE initiatives

#### 1.2 EVALUATION

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- M2, OSCE: complementary nature – CoE standard setting, OSCE implementing
- M2, OSCE: room for improvement
- M2, both: satisfaction with progress
- M5: close cooperation

- M8, M9, M11: HCNM exchange of information and consultation with CoE monitoring bodies “has proven to be an effective working method to avoid duplication and strengthen complementarity”.
- M8: HCNM satisfied with fruitful cooperation with Venice Commission
- M8, M9, M11, M13: cooperation is well-established and constructive
- M11: informal exchanges of information on monitoring have been useful
- M11: HCNM’s Lund Recommendations and ACFC’s Commentary on the effective participation of persons belonging to national minorities do not compete, but complement each other
- M11: the cooperation is “instrumental in addressing new challenges to minority protection”
- M13: in monitoring activities, sharing of information “effectively avoids duplication and ensures efficiency”

## 2. TOLERANCE

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### 2.1 COOPERATION

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#### 2.1.1 Activities

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- M2, CoE, suggested: closer and more regular contact
  - M3, M4, M5, M6, M7, M8, M9, M11, M13, achieved: a “special mechanism for bilateral cooperation” has been established
  - M3, M4, achieved: participation at each other’s events and meetings
  - M3, M4, M8, achieved: working level meetings between staff
  - M4, M5, M6, M7, M8, M9, M11, M13, achieved: identification of areas for cooperation: legislation, law enforcement, data collection, anti-Semitism, intolerance against Muslims, freedom of belief, civil society, intercultural/interreligious education
  - M6, M8, achieved: ODIHR regularly consulted on CoE information system
  - M6, achieved: OSCE project on education has taken steps to ensure complementarity with CoE work
  - M6, achieved: OSCE cooperating closely with CoE on Azerbaijani education project
  - M13, achieved: OSCE cooperating closely with CoE on Roma genocide website
  - M13, achieved: OSCE provided input to a chapter of a CoE report on discrimination on the basis of sexual orientation and gender identity
- M7, suggested: cooperation on legislative reviews
- M3, M4, M5, M6, M7, M8, M9, M11, M13, suggested: invite each other to all relevant conferences and meetings
  - M4, M5, M6, M7, M8, M9, M11, M13, achieved: ECRI and ODIHR invited each other to relevant conferences and meetings
- M3, M4, M5, M6, M7, M8, M9, M11, M13, suggested: (continued) ODIHR support follow-up of ECRI country specific recommendations

- M2, suggested: involve OSCE in CoE youth campaign
  - M5, achieved: cooperation initiated on youth-related issues (meetings and discussions)
- M6, M7, suggested: cooperate with CoE on possible series of training modules for government officials on freedom of religion
- M2, OSCE, suggested: greater visibility to cooperation

### 2.1.2 *Venice Commission*

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- M5, M7, M8, M9, suggested: joint country visits for ODIHR and Venice Commission on freedom of religion and belief
  - M8, M9, M11 achieved: close contact between ODIHR Adviser on Freedom of Religion or Belief and Venice Commission Head of Constitutional Cooperation Division
  - M8, M9, M11, M13, achieved: joint assessments of legislation in a number of countries
- M11, M13, suggested: enhanced cooperation between Venice Commission and ODIHR working group to revise guidelines for legislative reviews
  - M11, achieved: representatives of Venice Commission participated in meeting of ODIHR working group to revise guidelines for legislative reviews
  - M13, achieved: two meetings between ODIHR and Venice Commission to work on the guidelines
- M9, suggested: joint country visit to FYR Macedonia to assess law on religious freedom

### 2.1.3 *Publications*

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- M3, M4, M5, M6, M7, suggested: planned 2007 CoE white paper on tolerance shall include institutional partners such as the OSCE.
  - M6, M7, achieved: OSCE represented at and addressed symposium related to the white paper
- M11, suggested: CoE and ODIHR promotion of the book on good practice in human rights education
- M5, suggested: joint compendium of good practice in human rights and diversity education
  - M6, achieved: ODIHR has initiated development of compendium, with CoE and OHCHR
  - M7, achieved: ODIHR consulting with CoE and UN
  - M8, achieved: ODIHR, CoE, OHCHR, and UNESCO continued cooperation
- M8, M9, suggested: ODIHR will promote good practices together with CoE and UN when compendium is completed
- M5, suggested: involve CoE in OSCE's Toledo Guiding Principles on teaching about religion in public schools
  - M6, M7, M8, achieved: OSCE placed particular importance on CoE coordination when preparing the guidelines
  - M7, achieved: engaged Professor Robert Jackson to ensure synergy and complementarity between OSCE and CoE
- M6, M7, M8, suggested: cooperate with CoE in Toledo Guiding Principles follow-up

- M9, M11, achieved: continued CoE cooperation in spreading awareness of guidelines, e.g. at events
- M5, suggested: ODIHR contribution to ECRI General Policy Recommendations on combating racial discrimination in policing
  - M6, achieved: ODIHR contribution to ECRI General Policy Recommendations on combating racial discrimination in policing
- M7, suggested: have focus on CoE's work in an upcoming OSCE internal HRE/EMRU study that shall provide overview of relevant action taken by IGOs in the OSCE region

#### *2.1.4 Specific issues*

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- M2, OSCE, suggested: common indicators for monitoring racism
- M2, suggested: more attention to inter-faith dialogue
  - M3, achieved: adoption of strategic document on intercultural dialogue
  - M3, achieved: "platform" for cooperation on intercultural dialogue
  - M4, M5, M7, achieved: CoE nominated expert to serve on ODIHR expert group on diversity education
  - M11, achieved: ODIHR participation in CoE exchange on the religious dimension of intercultural dialogue
- M9, M11, suggested: further cooperation on legislation related to hate crime and anti-discrimination
  - M9, M11, achieved: Venice Commission and ECRI comments on ODIHR Hate Crime Laws publication
  - M11, achieved: for logistical reasons, Venice Commission and ODIHR gave separate opinions on anti-discrimination law in FYR Macedonia
  - M11, achieved: ODIHR involved in follow-up to CoE opinion on discrimination draft law in Montenegro
  - M13, achieved: cooperation on hate crime, benefiting from each other's expertise
- M7, suggested: CoE cooperation on ODIHR human rights education and education for mutual respect project in Azerbaijan
- M9, suggested: CoE cooperation in OSCE project on education on intolerance against Muslims (with guidelines for teachers)
  - M11, achieved: CoE contribution to ODIHR directory on education on intolerance against Muslims
  - M13, achieved: ODIHR, CoE, and UNESCO in expert meeting
- M11, M13, suggested: CoE comments on OSCE draft guidelines on education on intolerance against Muslims
- M9, suggested: better communication and exchange of information on Holocaust remembrance and education, anti-Semitism, and other discrimination and intolerance
  - M9, achieved: ODIHR has put CoE publications on its TANDIS information system
  - M11, achieved: cross-participation in events related to Holocaust remembrance

- M13, achieved: CoE's Strasbourg Declaration on Roma calls for cooperation with actors such as OSCE
- M13, achieved: OSCE provides input to next ECRI General Policy Recommendation combating Roma discrimination

### 2.1.5 *Specific actors*

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- M2, Chairs, suggested: cooperation with EU and UN
  - M3, M4, M6, M7, achieved: three inter-agency meetings with EU (and sometimes UN) bodies
  - M3, achieved: joint international conference on Roma, with CoE, OSCE, and EU
  - M4, achieved: published common message on International Day for the Elimination of Racial Discrimination (EUMC)
  - M5, achieved: OSCE expert-level meeting on hate crime, with ODIHR, EUMC, ECRI, and UNOHCHR
  - M6, achieved: meetings on hate crime data collection meeting with ODIHR, EUMC, UNOHCHR, and ECRI
  - M7, achieved: Regional Meeting on the World Programme for Human Rights education organised by CoE, UNHCHR, UNESCO, and OSCE
  - M8, achieved: tripartite meetings devoted to intercultural dialogue, with joint communiqué
  - M11, achieved: joint event with UN on human rights education
  - M11, M13, achieved: ODIHR, CoE, OHCHR, and UNESCO cooperated on book on good practice in human rights education. CoE to publish French translation.
  - M13, achieved: CoE, ODIHR, EC, UNESCO, UNICEF et al established International Task Force for the Education of Roma
  - M13, achieved: OSCE contributed to EU/CoE project in Kosovo regarding Roma, Ashkali and Egyptian education
- M7, suggested: CoE and UNESCO contributions to ODIHR's report on Education for Mutual Respect
- M7, suggested: joint statement on International Day for the Elimination of Racial Discrimination
  - M8, M11, M13, achieved: joint ECRI/ODIHR/EU statement on International Day for the Elimination of Racial Discrimination

## 2.2 EVALUATION

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- M2, OSCE: praise of cooperation
- M2, OSCE: room for improvement
- M2, CoE: much room for improvement
- M3: so far minimal overlap between respective activities
- M3: room for improvement
- M6: structural cooperation and complementarity of mandate has served to increase the effectiveness of project activities



- M7: cooperation until now “has led to their joint message on the promotion of tolerance and non-discrimination being strengthened with a view to achieving more rapid results in terms of fostering tolerance and non-discrimination”.

### 3. TRAFFICKING

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#### 3.1 COOPERATION

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##### 3.1.1 Activities

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- M2, OSCE, suggested: raise awareness on human trafficking
- M3, suggested: joint information and awareness-raising seminar
- M2, OSCE, suggested: joint assessment missions
- M2, suggested: involving OSCE in 2006 CoE Campaign
  - M4, M7: OSCE unable to attend some meetings
  - M6, M7, achieved: OSCE representation at information and awareness raising seminars
  - M3, M4, M5, M6, M7, M12, M14, achieved: cross-participation in events, including CoE in OSCE’s AECT
  - M8, M10, achieved: CoE participation in OSCE events, including AECT
  - M9, achieved: CoE participation in OSCE events
- M10, suggested: invite each other to events
- M4, suggested: CoE participation in OSCE human dimension implementation meeting
  - M7, M9, M11, achieved: CoE participation in OSCE human dimension implementation meetings
- M4, suggested: CoE participation in 5<sup>th</sup> High-Level Conference of OSCE Alliance against trafficking
- M3, M4, M5, M6, M7, suggested: developing regular exchange of information
  - M5, M6, M7, achieved: OSCE special representative on (a single) CoE visit
  - M5, achieved: consultations between OSCE special representative and CoE bodies
  - M12, achieved: agreement to exchange information on implementation of Framework Convention
  - M14, achieved: the two organizations regularly exchange information
- M5, M6, M7, suggested: going beyond participation in events, to joint programs, co-organizing fora, joint publications (“extremely high potential and willingness” indicated)
  - M12, achieved: CoE thematic debate with OSCE and EC on partnership among international organizations active in the field of trafficking
- M5, suggested: joint statement on the anniversary of the end of slavery in the UK

- M8, OSCE, suggested: cooperate with CoE in development of follow-up activities to ODIHR compensation study

### 3.1.2 CoE Convention

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- M2, OSCE, suggested: encourage states to sign CoE Convention
  - M3, achieved: letter from CoE to OSCE inviting OSCE to support and endorse Convention
  - M3, achieved: OSCE draft decision being prepared
  - M4, M5, achieved: OSCE decision called on members to consider signing instruments, including the CoE Convention
  - M5, M6, M7, achieved: OSCE special representative sent a letter to OSCE Parliamentary Assembly regarding CoE Convention handbook
  - M9, achieved: OSCE annual report mentioned the Convention
- M2, CoE, suggested: use forthcoming CoE events to raise awareness of Convention
- M3, M8, M9, suggested: cooperation between CoE, OSCE, EU, and UN on implementing the Convention's monitoring mechanism
  - M12, achieved: consultation meeting between CoE and OSCE secretariats to discuss the programme of activities of the monitoring mechanism and the work plan of the OSCE special representative
  - M12, achieved: meeting between president and first vice-president of GRETA and OSCE Special representative and coordinator for combating trafficking
  - M12, achieved: agreement to hold regular informal meetings to coordinate activities, to take each other's activities into account, and to exchange information
  - M14, achieved: OSCE supports and promotes the work of GRETA
- M10, suggested: OSCE as observer in Committee of the Parties to CoE's Convention
  - M14, achieved: OSCE has observer status in Committee of the Parties to CoE's Convention

### 3.1.3 Publications

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- M6, M7, suggested: joint publication in 2008
  - M8, M9, achieved: agreement in principle to prepare joint publication
    - M10: publication cancelled due to financial constraints
  - M8, achieved: CoE standards in OSCE's Legislationline
- M14, suggested: OSCE special representative to cooperate with CoE in the preparation of online compilation and promotion of anti-trafficking treaties and OSCE political commitments

### 3.1.4 Specific actors

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- M7, achieved: CoE participated at UN.GIFT (a UN+OSCE project) conference and forum

## 3.2 EVALUATION

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- M2, OSCE: already working together
- M2, OSCE: could be enhanced further
- M12, CoE: “concern over possible adverse effects of unnecessary duplication by different international organizations”, and there is “a need to co-ordinate the activities of these organizations and to create partnerships with a view to achieving greater complementarity and synergies between them”.
- M12, both: cross-participation in events is beneficial
- M14: AECT is considered significant by CoE, UNODC, UNICEF, ILO et al
- M14: cooperation continues to be in line with agreements reached in 2010

## 4. TERRORISM

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### 4.1 COOPERATION

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#### 4.1.1 Activities

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- M2, suggested: (continued) regular cooperation between focal points
  - M2, M3, M4, achieved: frequent exchanges and consultations, including between focal points
  - M10, achieved: regular contact between secretariats
  - M10, achieved: prompt information exchange
- M2, suggested: cooperation on specific projects: internet and terrorism, suicide bombers, refugee status
- M2, suggested: identify areas for joint activities
  - M3, achieved: areas identified: human rights, legal cooperation, financing, victims, incitement/recruitment/training, internet, law enforcement
  - M4, M5, achieved: joint organisation of expert workshop on incitement
  - M5, M6, M7, achieved: informal CoE consultation on OSCE manual on human rights and terrorism
  - M7, M8, achieved: CoE/OSCE/UNODC workshop on legal cooperation
  - M8, achieved: CoE contributions to two texts by OSCE’s Strategic Police Matters Unit
  - M9, achieved: joint preparation of proposals for amendments to Montenegrin criminal code
  - M9, achieved: collaboration on MONEYVAL-meeting
  - M12, achieved: CoE monthly contribution to OSCE Counter-Terrorism Newsletter
  - M14, achieved: CoE submitted materials to ODIHR training sessions on terrorism and human rights in FYR Macedonia and Kosovo

- M2, suggested: mutual participation in thematic meetings and working bodies
  - M3, M5, M6, M7, M8, M9, M10, M12, M14, achieved: regular participation in and contributions to activities and committees
- M3, suggested: invite OSCE to CODEXTER
  - M4, M5, M6, M7, M8, M9, M10, M12, M14, achieved: OSCE participated in CODEXTER
- M2, suggested: joint action plan
  - M2, rejected: not supported by all OSCE members
- M2, suggested: list of projects, to determine who is best suited
- M2, suggested: CoE contribute financing expertise to OSCE economic forum
- M7, M8, suggested: OSCE observer status in MONEYVAL
  - M9, achieved: OSCE observer status in MONEYVAL
  - M10, M12, M14, achieved: OSCE contributed to MONEYVAL as observer
  - M14, achieved: MONEYVAL contributed to OSCE Journal on Preventing the Abuse of NGOs for Terrorist Financing
  - M3, achieved: political initiatives in OSCE to support CoE standards
- M12, suggested: involve OSCE in follow-up mechanism to CoE Convention on the Prevention of Terrorism
  - M14, achieved: cross-participation and contributions to various events related to terrorism prevention

#### *4.1.2 Publications*

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- M2, Chairs, suggested: consultations on OSCE draft decision on CoE Terrorism Convention
- M3, M4, suggested: cooperation on CoE Country Profiles on Counter-terrorism capacity and OSCE's Legislationline

#### *4.1.3 Specific issues*

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- M14, suggested: consider further for avenues of cooperation in the area of terrorism victims
- M4, suggested: OSCE and ODIHR take active part in CoE intergovernmental cyberterrorism work
  - M14, achieved: two joint projects against cybercrime
- M14, suggested: avoiding duplication of efforts when holding separate events on cybercrime in Baku during autumn 2011
- M2, M10, suggested: enhanced cooperation in the field of technical assistance

- M4, achieved: CoE participation in OSCE-sponsored technical workshops
- M2, suggested: enhanced cooperation in assistance, training, and information activities on terrorism and human rights
  - M8, achieved: CoE contribution to OSCE terrorism and human rights training module
- M9, M10, suggested: cooperation in new areas: cyber security, terrorist use of the internet, countering radicalization and extremism, promoting public-private partnerships
  - M10, M12, achieved: cross-participation in events related to these areas
  - M14, achieved: positive developments in these areas

#### 4.1.4 *Specific actors*

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- M2, Chairs, suggested: cooperation with UN
  - M5, achieved: CoE contribution to OSCE/UNODC/UNHCHR workshops on counter-terrorism/corruption/organized crime
  - M5, M8, achieved: tripartite meetings have concerned terrorism
  - M6, achieved: CoE contribution to OSCE/UNODC workshops on criminal matters related to terrorism
  - M7, M8, achieved: joint CoE/OSCE/UNODC workshop on legal cooperation
  - M9, achieved: joint CoE/OSCE/UNODC workshop on legal cooperation in Bosnia

## 4.2 EVALUATION

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- M2, both: significantly more contact since spring
- M3: on terrorism and human rights, close coordination at projects' inception is important to achieve more than "token" cross-participation
- M4: since M3, cooperation "has continued to be enhanced"
- M5: first major joint event was "a new stage in the development of cooperation"
- M6: increase in the cooperation and planning of events at working level
- M7: co-organizing workshop on internet incitement not possible due to "strong reservations" from CoE non-members
- M9, M10: cooperation was "further enhanced and developed"
- M9: cooperation in human rights and terrorism "remains strong"
- M9: excellent cooperation at events
- M12: cooperation in new areas "is an important new development"
- M14: further synergies and possible joint action could be explored in the traditional areas of counter-terrorism

- M14: the issue of terrorism prevention provides excellent opportunities for interaction and joint work
- M14: regarding cyber-terrorism, options for more systematic coordination could be explored in order to maximize synergies, pending internal OSCE discussions

## ANNEX 2      FIELD OPERATIONS OF THE COUNCIL OF EUROPE AND THE OSCE

### Methodology

The following two documents are an examination of potential overlap between the CoE and the OSCE on the level of field operations.

The first of the two documents lists the locations of the two organizations' field operations, and the locations where both are present.

The second document lists the thematic work of each field operation, and shows where it may overlap. Areas with possible overlap are set in **bold**, with small numbers behind corresponding areas. Most of the entries in the list are copied from the organizations' websites, with spellings and capitalizations kept intact.

Information on OSCE field operations is taken from <http://www.osce.org/item/43692>.

Information on CoE field operations is taken from [http://www.coe.int/t/dgap/fieldOf\\_en.asp](http://www.coe.int/t/dgap/fieldOf_en.asp).

There is no website for the Kosovo operation. The website for the Montenegro operation does not work. The website for the Armenia operation does not say what the CoE does there.

For Armenia and Kosovo, information has instead been gathered from the 2011-reports found here: [http://www.coe.int/t/dgap/field\\_missions\\_en.asp?y=2011](http://www.coe.int/t/dgap/field_missions_en.asp?y=2011). Montenegro is not mentioned in the reports, so the documents contain nothing about the CoE's work there.

## 1. THE LOCATIONS OF CoE/OSCE FIELD OPERATIONS AND THE LOCATIONS WHERE BOTH ARE PRESENT

### 1.1. *OSCE Field Operations:*

- Centre in Astana [Kazakhstan]
- Centre in Ashgabat [Turkmenistan]
- Centre in Bishkek [Kyrgyzstan]
- Mission to Bosnia and Herzegovina
- Mission in Kosovo
- Mission to Moldova
- Mission to Montenegro
- Mission to Serbia
- Mission to Skopje [FYR Macedonia]
- Office in Baku [Azerbaijan]
- Office in Tajikistan
- Office in Yerevan [Armenia]
- Office in Zagreb [Croatia]
- Personal Representative of the Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference [Georgia]
- Presence in Albania
- Project Co-ordinator in Ukraine
- Project Co-ordinator in Uzbekistan

### 1.2. *CoE Field Offices:*

- Albania
- Armenia
- Azerbaijan
- Bosnia and Herzegovina
- Georgia
- Kosovo
- Moldova
- Montenegro
- Russian Federation
- Serbia
- Ukraine

### 1.3. *Places where both are present:*

- Albania
- Armenia
- Azerbaijan
- Bosnia and Herzegovina
- Georgia



- Kosovo
- Moldova
- Montenegro
- Serbia
- Ukraine

## 2. THE THEMATIC WORK OF EACH FIELD OPERATION AND POSSIBLE OVERLAP

- Albania
  - OSCE does
    - Address and civil registry modernization
      - National Register of Citizens
      - National Register of Addresses
      - Data protection
      - Public awareness
    - Electoral reform
    - Parliamentary support
    - Civil society and gender
    - Media development
    - Rule of law/Human rights
      - Rule of law
      - Legislative support
      - Judicial reform
      - Human rights
    - Economic and environmental governance
    - Property reform
    - Anti-trafficking
    - Police support
      - Integrated border management
      - Demilitarization
    - Projects
      - Security Co-operation
        - Demilitarization of Albanian surplus conventional ammunition
        - Assistance to the Government in eliminating liquid rocket fuel component (Mélange) stocks
        - Advanced Police Instructor Course III
        - Police defensive tactics training project
        - Cross-border co-operation project
      - Governance in Economic and Environment Issues
        - Immovable property registration and road signage in priority coastal areas in Albania
        - Initiative against trafficking in women and girls in South-Eastern Europe
        - Ensuring public participation in environmental impact assessment/strategic environmental assessment
        - **Supporting Albanian institutions in preventing, reporting and fighting corruption<sup>1</sup>**
        - **Supporting multi-level participatory consultative planning mechanisms to increase the number of local government units with community plans that guide the effective delivery of decentralized public services<sup>2</sup>**
        - Facilitating the implementation of the Aarhus Convention in Albania
        - Supporting anti-child trafficking measures through the establishment of a child protection unit in the city of Vlora
      - Democratization
        - Training local media
        - Creation of a self-regulatory organization of the Albanian media
        - Enhancing women's role in governance

- Albanian Parliamentary Support Project Phase II
    - Technical assistance to the Government of Albania in the modernization of administrative address and civil registration systems
  - Rule of Law and Human Rights
    - Protection of children in the justice system
    - Drafting child protection legislation
    - Development of a probation education system in Albania
    - Fair Trial Development Project Phase II
- CoE does
  - Execution of ECHR decisions
    - Coordination among national bodies improved
    - Knowledge of the ECHR requirements strengthened among national officials
    - Strengthening the capacity of specific agencies to steer reforms
  - **Project against Corruption<sup>1</sup>**
    - Implementation of anti-corruption policies and strategies (Anti-corruption Strategy and Action Plan 2007-2013)
    - Drafting/providing expert opinions and technical support to anti-corruption legislation in line with international standards
    - Promoting the participation of civil society in monitoring of the implementation of anti-corruption initiatives
    - Capacity building of the anti-corruption and law enforcement agencies and the judiciary to ensure that they efficiently meet their obligations under applicable laws and apply international best practices
    - Contribute to the prevention of corruption in the education sector by improving transparency, accountability and social participation in the education system
    - Carrying out risk analyses and awareness raising with regard to opportunities of corruption in the education system
    - Providing mechanisms to increase integrity and regulate conflicts of interest with regard to the administration of staff in the education system
    - Developing the anti-corruption education modules for primary and secondary schools
  - **Reinforcing the Local and Regional Government Structures in Albania<sup>2</sup>**
    - Improve the framework for Inter-Municipal Co-operation (IMC) and strengthen local government capacity in this area
    - Support the effective implementation of the new legislation on Territorial Planning
    - Develop and implement a set of modern tools on Human Resources Management (HRM)
  - Albanian School of Political Studies
- Armenia
  - OSCE does
    - Anti-trafficking and migration
      - Anti-trafficking
      - National referral mechanism
      - Anti-trafficking training for law enforcement
      - Migration management
    - Democratic control of the security sector
      - Parliamentary oversight

- Civilian oversight
  - The Ombudsman's role
  - **Promoting the Code of Conduct in the Armed Forces<sup>1</sup>**
- Economic activities
  - Programme Implementation Presence (PIP) in Syunik
- **Electoral reform<sup>2</sup>**
  - Supporting electoral reform
  - Promoting freedom of assembly
- Environmental activities
  - Aarhus network
  - Environment and Security Initiative
  - Recycling of toxic rocket fuel (mélange)
- Gender
  - Empowerment of women
  - Implementation of gender-related legislation
  - Gender issues in the media
- Human rights
  - Human rights monitoring
  - Supporting the Office of the Human Rights Defender (Ombudsman Institution)
  - **Criminal justice and judicial reforms<sup>3</sup>**
  - **Monitoring places of detention<sup>4</sup>**
  - Human rights mainstreaming
- Good governance
  - Fighting corruption
  - Capacity building for civil servants
    - National Assembly
    - Armenian Foreign Ministry
    - Yerevan Municipality
- **Media/Access to information<sup>5</sup>**
  - Media freedom
  - Monitoring of the working environment for journalists and media outlets
  - Access to information
- Police development activities
  - Police reform
  - Community policing
  - Police-media relations
  - Police education
  - Public order management
- Youth
  - Regional youth centres
  - University students
  - Model OSCE
- CoE does
  - **Oversight of electoral code [with Venice Commission]<sup>2</sup>**
  - **CoE/EU joint two-year Programme on Promoting Freedom, Professionalism and Pluralism of Media in the South Caucasus and Moldova<sup>5</sup>**
    - Media legislation reform
  - Joint EC – CoE Project (DG-HL) “Support to Access to Justice”
    - **Justice Sector Reforms<sup>3</sup>**
    - The execution of ECtHR judgments

- Promoting European standards for the effective investigation of allegations of ill-treatment
  - Strategic Municipal Planning (co-ordinated by DG-DPA/DDI)
  - Oversight of LSG [Local Self-Government] reforms
  - Human rights
    - Political opposition members in prison
    - March 2008 unrest [with OSCE]
    - Freedom of expression and the media
    - Freedom of assembly
    - **The human rights situation in the army<sup>1</sup>**
  - **Possible future project: penitentiary reform<sup>4</sup>**
- Azerbaijan
  - OSCE does
    - Democratization
      - Democratic governance
      - Media freedom and development
      - Electoral assistance
      - Gender equality
      - Civil society support
    - Economic and environmental activities
      - Promoting economic good governance
      - Environmental security
    - Rule of law and human rights
      - Monitoring court proceedings and detention facilities
      - Strengthening the capacity of justice and law enforcement actors
      - Regional legal resource centres
      - **Providing human rights advice<sup>1</sup>**
      - Support to legal reforms and the implementation of legislation
    - Politico-military
      - Community policing
      - Public assembly management and the intersection between security and human rights
      - Counter-terrorism and organized crime
      - Countering human trafficking and forced labour
  - CoE does
    - Translation, publication and dissemination of Council of Europe texts and other related documents of particular interest in Azerbaijani, in order to reach the Azerbaijani public at large and provide full access to such documents in the native language
    - Dissemination of information on the Council of Europe, its activities and standards
    - Helping individuals, NGOs or political institutions to contact the Council of Europe
    - **Build greater awareness of Council of Europe rules and standards in different professional fields<sup>1</sup>**
    - Contributing and supporting the implementation of co-operation programmes and other Council of Europe projects in Azerbaijan
    - Facilitating the co-operation of the Council of Europe with other international organisations active in similar fields
    - Selection and multiplication of Council of Europe documents on the interest themes requested by the public institutions and NGOs

- Active participation in different events and arrangements that take place within the context of the Council of Europe
  - Organising seminars, round tables and conferences and interviews with representatives from the press and state bodies, etc. on the Council of Europe's activities
  - Helping to organise Council of Europe campaign activities at national level
  - Helping to promote the Council of Europe through the media (both the print media and the broadcast media) in the form of press conferences, translation and distribution of press releases, regular contributions to newspapers and radio programmes, to ensure informed and accurate dissemination of CoE related news to a broader audience
  - Establishing contacts and partnerships with prominent bodies and figures in civil society and other international and local organisations working in the fields of democracy, the rule of law and human rights
  - **Provide information about the European Court of Human Rights (ECHR)<sup>1</sup>**
  - **Providing application forms and explanatory guidelines to potential applicants to the European Court of Human Rights, as well as introducing basic procedural information on how to apply to the European Court<sup>1</sup>**
- Bosnia and Herzegovina
  - OSCE does
    - Community Engagement
      - Promoting Diversity
      - Local Communities
      - Youth Participation
      - Youth Access to Employment
    - Diversity and Inclusion in Schools
      - Building Bridges
      - Curricular Reform
      - Index for Inclusion
    - Parliamentary Support and Monitoring
      - Effective Parliament
      - Monitoring
      - Parliamentary Outreach and Public Relations
      - Regional Co-operation and Euro-Atlantic Integrations
    - Economic, Social Rights and Equality
      - Economic and Social Rights
      - Equality and Non-discrimination
      - Human Rights Institutions
      - National Minorities
      - Property Repossession and Sustainable Return
    - Education Institutions and Legislation
      - School Boards
      - School Network Optimization
      - School Directors
      - Education Inspectors
    - Judicial and Legal Reform
      - Accountability For War Crimes
      - Combating Trafficking In Human Beings
      - **Justice Sector Monitoring and Advocacy<sup>1</sup>**

- Vulnerable Individuals in the Justice System
- Governance Development and Support
  - Inter-Municipal Learning and Support
  - Media and Communication
  - Municipal Assembly/Council Support
  - Municipal Management and Accountability
  - Project Management
  - The BiH Beacon Scheme
- Security Co-operation
  - Inter-Municipal Learning and Support
  - Media and Communication
  - Municipal Assembly/Council Support
  - Municipal Management and Accountability
  - Project Management
  - The BiH Beacon Scheme
- CoE does
  - Rule of law
    - **Efficient Prison Management in Bosnia and Herzegovina (February 2003 - December 2010)<sup>1</sup>**
    - Review of the Faculties of Law in Bosnia and Herzegovina
    - **Judicial and Prosecutorial Training Centres<sup>1</sup>**
  - Education
    - Joint EC/CoE project 2009-2011 – “Strengthening Higher Education in BiH” (SHE III)
    - Joint EC/CoE project 2006-2008 – “Strengthening Higher Education in BiH II” (SHE II)
    - Joint EC/CoE project 2003-2005 – “Modernising the Management and Governance Capacities of Universities in BiH” (SHE I)
    - Higher Education Working Group / Bologna process committee for BiH
    - Implementing the revised core curriculum for modern language in Bosnia and Herzegovina
  - Human rights
    - Dosta! Campaign School and civil society Awards
  - School of Political Studies
- Georgia
  - OSCE does
    - Represent the OSCE Chairman-in-Office in issues related to the Nagorno-Karabakh conflict, assist the CiO in achieving an agreement on the cessation of the armed conflict and in creating conditions for the deployment of an OSCE peace-keeping operation, in order to facilitate a lasting comprehensive political settlement of the conflict in all its aspects
    - Report on all aspects of his activities to the CiO of the OSCE, report through the CiO to the Co-Chairmanship of the OSCE Minsk Conference and, as appropriate, to the Minsk Group, and receive instructions from the CiO
    - Assist the Co-Chairmanship at its request
    - Assist the High-Level Planning Group in planning an OSCE peace-keeping operation in accordance with the Budapest Summit Decisions
    - Assist the parties in implementing and developing confidence-building, humanitarian and other measures facilitating the peace process, in particular by encouraging direct contacts

- Co-operate, as appropriate, with representatives of the United Nations and other international organizations operating in the area of conflict
  - CoE does
    - Denmark's Georgia Programme 2010-2013 - Promotion of Judicial Reform, Human and Minority Rights
      - Improving the Capacity of the Penitentiary System
      - Improving the Capacity of the Judiciary System
      - Enhancing the Capacity of the Public Defender of Georgia
    - European Union Joint Programme: Combating ill-treatment and impunity in South Caucasus, Moldova and Ukraine
    - European Union Joint Project: Promoting freedom, professionalism and pluralism of the media in the South Caucasus and Moldova
- Kosovo
  - OSCE does
    - **Human rights protection<sup>1</sup>**
      - Communities
      - Property rights
      - Human rights compliance
      - Ombudsperson institution
      - Human rights and the police
      - Mission field teams
    - Municipal governance
      - Strengthening legislative oversight
      - Improving the quality of municipal legal acts
      - Supporting the local government reform process
      - Increasing public participation in decision making
    - Central governance
      - Assembly support
      - Political party development
      - Supporting independent institutions
    - Legal system development
      - Kosovo Centre for Public Safety Education and Development
      - **Combating organized crime<sup>2</sup>**
      - Community policing and safety awareness
      - Police oversight
    - Public safety
    - Anti-trafficking
    - Elections
    - Media standards
      - Media legislation and regulation
      - Assisting the public service broadcaster
    - Higher education
  - CoE does
    - EU/CoE's joint project "Support to the promotion of cultural diversity in Kosovo"
    - **International Human Rights Contact Group meetings [with OSCE]<sup>1</sup>**
    - Joint CoE/EU Observation of the population census in Kosovo
    - Interculturalism and the Bologna Process (IPB) project (DGIV)
    - Contribution to the Roma, Ashkali and Egyptian (RAE) Conference being organised at the initiative of the EU Enlargement Directorate-General.
    - Contacts and consultations:



- UNMIK on the Cultural Heritage in the context of the Pristina-Belgrade Dialogue;
    - **OSCE on parliamentary co-operation possibilities;**
    - European Commission Liaison Office (ECLO) on advancement of DGHL joint programme proposals and concerning practical follow-up to the EU-organised Roma, Ashkali and Egyptian (RAE) conference
  - **Project against Economic Crime in Kosovo (PECK), an EU/CoE Joint Programme<sup>2</sup>**
  - CoE project “Threats to the Rule of Law (Corruption): Assisting the KAA in the process of drafting the Anti-corruption Strategy and Action Plan (2012-2017)”.
  - **Joint Programme with European Commission: Enhancing Human Rights Protection in Kosovo<sup>1</sup>**
- Moldova
    - OSCE does
      - Anti-trafficking and gender equality
        - Combating trafficking in human beings and domestic violence
        - Gender equality and women’s empowerment and political participation
        - Combating discrimination
        - Co-ordination and publications
      - Arms control and disarmament
      - Conflict resolution and negotiation
        - Settlement negotiations
        - Confidence Building
        - Joint Control Commission
      - **Freedom of the media<sup>1</sup>**
        - Broadcasting reform in Moldova
        - Media Support
        - Media in Transdnistria
      - Human rights and democratization
        - Moldovan Schools in Transdnistria
        - Freedom of assembly
        - **Promotion of the rights of detainees<sup>2</sup>**
        - Individual complaints
        - Reform of the judiciary
        - Rule of law co-ordination
        - **Legislative support<sup>3</sup>**
        - Electoral Reform
    - CoE does
      - Council of Europe and European Union Joint Programme on Democracy Support in the Republic of Moldova
        - **Legislative assessment of existing and proposed legislation<sup>3</sup>**
        - Ensuring accountability for human rights violations
        - **Safeguarding pre-trial guarantees<sup>2</sup>**
        - Support to the Centre for Human Rights of Moldova (Ombudsman)
        - **Support to the development of pluralist media<sup>1</sup>**
        - Support to the administrative and policy procedures of the Parliament of Moldova
        - Support to the establishment of facts and reconciliation efforts

- Montenegro
  - OSCE does
    - Democratization
      - Strengthening democratic governance
      - Promoting an active civil society
      - Promoting human rights, tolerance and non-discrimination
    - Rule of law/Human rights
      - Judicial reform
      - Administration of criminal justice
      - Combating organized crime and corruption
      - Strengthening human rights institutions
      - Prison reform
      - Human rights education
    - Law enforcement
      - Community policing
      - Police accountability
      - Organized crime
      - Border policing
      - Crime scene investigation and forensics
      - Police education and development
      - Strategic development
    - Media
      - Media legislation
      - Public Broadcasting Services
      - Institution and capacity development
      - Professional standards
      - Media and institutions
    - Economics and environment
      - Promoting reconciliation and regional co-operation
      - Maintaining stability and security
      - Helping the country meet and implement international standards
  - CoE does
    - ???
- Serbia
  - OSCE does
    - Democratization
      - **Democratic governance**<sup>1</sup>
      - Security and defence
      - Human rights
        - Assisting with refugees and internally displaced persons (IDPs)
        - Combating trafficking in human beings
        - Promoting human rights.
      - **Equal opportunities**<sup>2</sup>
      - Environmental issues
    - External co-operation
      - **Council of Europe (CoE)**
      - Delegation of the European Union to the Republic of Serbia
      - The UN Refugee Agency (UNHCR)
      - United Nations Development Programme (UNDP)

- Bilateral co-operation
  - Co-operation with other institutions
  - Outreach
- **Law enforcement<sup>3</sup>**
  - Police accountability
  - Organized crime
  - Community Policing
  - Police education and development
  - Strategic planning and development
  - Public Relations and Communication
- **Media**
  - Media legislation
  - Freedom of the media
  - Support to public service broadcasting
  - Media Programmes
  - Strengthening local and regional media
  - Enhancing communication between media and authorities
- **Rule of law/Human rights**
  - **Judicial reform<sup>4</sup>**
  - Organized crime
  - Anti-corruption activities
  - War crimes trials
  - **Prison reform<sup>5</sup>**
  - Human rights institutions
  - Legal document translation
- **Security-building**
  - Destruction of small arms
  - Communications network
  - Other areas of activity
- CoE does
  - **Projects in Serbia**
    - **Project on Criminal Assets Recovery in Serbia<sup>3</sup>**
    - **Removing the obstacles to the non-enforcement of domestic court judgments / Ensuring an effective implementation of domestic court judgm [sic]<sup>4</sup>**
    - **Support to the Reform of the Judiciary in Serbia in the light of CoE standards<sup>4</sup>**
    - **Local Self-Government<sup>1</sup>**
    - **Project against Money Laundering and Terrorist Financing in Serbia<sup>3</sup>**
  - **Regional CoE projects**
    - The Regional Programme for Cultural and Natural Heritage in South East Europe 2003-2007
    - **Advancing equality, tolerance and peace: equal rights and treatment for Roma in SEE2006-2007<sup>2</sup>**
    - **Development of Reliable and Functioning Policing Systems, and Enhancing of Combating Main Criminal Activities and Police Co-operation (CARPO)<sup>3</sup>**
    - **Development of a reliable and functioning Prison system respecting fundamental rights and standards, and enhancing of regional co-operation in the Western Balkan<sup>5</sup>**

- Ukraine
  - OSCE does
    - Economic-environmental & politico-military
      - Promotion of energy efficiency and alternative energy use
      - Environmental education at primary and secondary schools
      - Sustainable socio-economic development and environmental security
      - Clean-up of areas contaminated with explosive remnants of war
      - Disposal of the rocket fuel component mélange
      - Transboundary co-operation and sustainable management of the Dniester River basin
      - Capacity building for combating illegal transboundary transportation of hazardous waste and other environment-sensitive commodities in Eastern Europe
      - Social adaptation of discharged military personnel;
      - Strengthening security of Ukrainian borders
    - Democratization and good governance
      - **Strengthening electoral processes<sup>1</sup>**
      - Promoting gender equality
      - **Ensuring an independent media environment<sup>2</sup>**
      - Assisting civil society development
    - Rule of law and human rights
      - Development of administrative justice
      - Improving legal education in universities
      - Raising awareness of human rights and protection mechanisms
      - **Strengthening rule of law and human rights protection<sup>3</sup>**
      - **National preventive mechanisms against torture and ill-treatment<sup>4</sup>**
      - Identifying and combating corruption
      - Appropriate remedy standards in human rights violation cases
    - Combating trafficking, domestic violence
      - Combating trafficking in human beings
      - Combating domestic violence
  - CoE does
    - **Troubleshooting non-enforcement of court / Ensure effective implementation of decisions of national courts<sup>3</sup>**
    - **Promoting European Standards in the Ukrainian Media Environment<sup>2</sup>**
    - **Transparency and efficiency of the judicial system of Ukraine (TEJSU)<sup>3</sup>**
    - **European Union and Council of Europe Joint Programme “Reinforcing the fight against ill-treatment and impunity” in Armenia, Azerbaijan, Georgia, Moldova, Ukraine in Armenia, Azerbaijan, Georgia, Moldova, Ukraine<sup>4</sup>**
    - **Strengthening local democracy and support reform of local government in Ukraine<sup>1</sup>**