



**STATEMENT OF INTENT
FOR THE COOPERATION BETWEEN**

THE COUNCIL OF EUROPE

AND

THE EUROPEAN COMMISSION

**IN THE EU ENLARGEMENT REGION AND
THE EASTERN PARTNERSHIP AND
SOUTHERN MEDITERRANEAN
COUNTRIES (EU NEIGHBOURHOOD
REGION)**

The Council of Europe (CoE) and the European Union (EU) are committed to building a strategic and programmatic cooperation aiming at establishing law-based resilient democratic societies, fostering democratic governance, human rights, democracy and rule of law in the most effective and efficient way, and in accordance with their respective mandate and expertise. To this end, the Council of Europe and the European Commission (EC) are committed to mobilize their capacities and resources to further coordinate the implementation of their policy goals in the neighbourhood and enlargement regions. This cooperation is based on their respective strategic frameworks and the Memorandum of Understanding between the Council of Europe and the European Union of 23 May 2007, as well as on their long-standing collaboration.

The Council of Europe is a key organisation based on legally-binding instruments and convention-based monitoring mechanisms at a pan-European scale. These tools developed into a unique working method which establishes a direct link between legally binding standards, which are monitored by independent mechanisms and bodies and supplemented by cooperation and assistance activities where necessary. Where applicable, the “triangle” of standard-setting, monitoring and cooperation represent the Council of Europe’s strongest comparative advantage.

As highlighted in the 2012 Evaluation Report of the Commission’s cooperation with the CoE, a more specific and predictable cooperation framework is needed to contribute to concrete results and impacts, building on the CoE expertise. The need to "foster a more focused, coordinated and transparent EU approach in cooperating with the CoE", "searching for added value and better use of existing resources" in areas of common interest, was also reflected in the adoption by the Foreign Affairs Council of the EU of priorities for cooperation with the Council of Europe in 2012-2013¹ and in 2014-2015.

This new framework of cooperation responds to this ambition, with the aim to reinforce the link between the Council of Europe's standard-setting and monitoring tools and its cooperation activities. It also aims at ensuring predictable and flexible long-term CoE-EC engagement through reinforced upstream coordination on assistance to partner countries and through an increased coordination in policy definition and implementation of cooperation in mutual fields of interest. Moreover, where applicable, measurable result-oriented objectives should be jointly defined by the Council of Europe and the European Commission and pursued through projects.

The European Commission support should strengthen the Council of Europe’s capacity to make the best use of its expertise to accompany the partner countries in the implementation of the provisions of the Council of Europe’s conventions, other legal instruments and monitoring body's results. At the same time, the Council of Europe should mobilise its activities in coordination with, in complementarity to and in support of EU specific interventions in partner countries, working closely with the EU Delegations. As a result, projects implemented by the Council of Europe should be directly linked to its relevant core expertise, and staff from both organisations, including at the level of the Council of Europe Offices and of the EU Delegations, should be encouraged to cooperate closely and to share information as appropriate, keeping each other informed about policy initiatives in areas of joint interest.

¹ http://eeas.europa.eu/delegations/council_europe/documents/press_corner/20120725_en.pdf

Whereas the overall cooperation with the Council of Europe aims at focussing more on results, the concrete modalities should be adapted to the specific situations in the regions concerned.

In the EU enlargement countries, both political and operational cooperation should be strengthened. Operational cooperation should continue to follow the "programme approach", while ensuring predictable and flexible long-term engagement through better upstream coordination.

Cooperation in the Eastern neighbourhood should be upgraded into a more structured approach, leading to a "Programmatic Cooperation Framework" (PCF) consisting of a predefined and jointly agreed result framework and successive annual programmes of activities. Adjustment of the PCF and its programmes of activities should be ensured through the implementation of the PCF in two phases and via an independent mid-term evaluation which should recommend any necessary amendment of the PCF for the second phase. The details of this new approach are set out in the PCF working document.

In the Southern neighbourhood, the strategic cooperation should continue to be implemented in the form of a "programme approach", objectives and expected results being jointly defined for each programme, with the long term goal to also develop a Programmatic Cooperation Framework.

In order to avoid duplication and ensure flexibility in the response to needs and demands, cooperation with the Council of Europe in the Neighbourhood region should be coordinated through the regional portfolio, an approach that should contribute to enhancing the strategic partnership between the Council of Europe and the EC in this region.

The Council of Europe and the European Commission, hereinafter jointly referred to as "the Sides", intend to enhance their strategic co-operation while respecting the following principles and arrangements:

Strategic cooperation in the EU enlargement countries

- (1) The Sides intend to increase their cooperation in areas of common interest, which include, in particular: i) efficient and independent judiciary, ii) fight against corruption, organised crime and economic crime, iii) freedom of expression/media, iv) anti-discrimination and protection of the rights of vulnerable groups (including the rights of lesbian, gay, bisexual, transgender and intersex persons (LGBTI) and protection of minorities, in particular Roma).
- (2) In line with their mandates, the Sides intend to cooperate, inter alia, within the following frameworks:
 - a. Annual high level meeting (Brussels) focused on strategic discussions on priorities and cooperation for the upcoming year, following the December Council conclusions on enlargement.
 - b. Annual consultations in the preparation for the Enlargement Package (Strasbourg): The Sides should ensure participation and engagement of all relevant staff / experts to maximise mutual benefits. As appropriate, the meetings should be prepared by written contributions.

- c. The Council of Europe should make available its expertise to the European Commission to the extent possible including for short-term assignments such as the assessment of legislation. Under the Instrument for Pre-Accession for the period 2014-2020, DG Enlargement should engage with the Council of Europe as a strategic partner in the implementation of assistance within the agreed priority areas of cooperation.
- d. Projects implemented by the Council of Europe should be directly linked to the relevant core expertise of the Council of Europe, namely deriving from the treaty-based control mechanisms, its resolution based control mechanism and other bodies (in particular the Venice Commission, GRECO, MONEYVAL, CEPEJ, FCNM, ECRI). Experienced Council of Europe staff should lead project implementation and ensure the necessary expertise during the implementation of the project.

The Programmatic Cooperation Framework for the Eastern Partnership countries (EU Eastern Neighbourhood)

The Council of Europe and the European Commission intend to:

- (1) Further develop their cooperation in areas of common priority, which include:
 - i) protecting and promoting human rights and fundamental freedoms; ii) ensuring an efficient and independent judiciary; iii) combating threats to the rule of law; iv) addressing challenges of the information society; v) promoting democratic governance; and vi) building sustainable democratic societies.

The priority areas relevant for the European Commission, more specifically for the Eastern Neighbourhood region in the context of the Eastern Partnership (EaP), are detailed in a Programmatic Cooperation Framework. In this context, measurable result-oriented objectives have been jointly defined in a separated Matrix or Result Framework with a description of activities, expected results and related indicators, supporting a swift implementation of European Neighbourhood Policy agreements.

- (2) Participate in the relevant in-country, regional and global planning processes and support the development and use of shared benchmarks/results frameworks and joint processes for monitoring and assessment of short-, medium- and long-term needs, trends and perspectives.

Strategic Cooperation in the Southern Neighbourhood Region

- (1) The Council of Europe's cooperation in the Southern Neighbourhood will be implemented in the shape of a "programme-approach" with the aim at a longer term to develop a Programmatic Cooperation framework for the Southern Neighbourhood.
- (2) In this regard, cooperation in the region should focus on the following areas:
 - a. Human Rights, with the possible following sub-themes (non-exhaustive): i) strengthening human rights institutions; ii) prevention of torture, including improved treatment and rehabilitation of prisoners and detainees; iii) freedom

of expression, media freedom and internet governance; iv) protection of children from sexual exploitation and abuse;

- b. Rule of Law, with the possible following sub-themes (non-exhaustive): i) efficient and independent judiciary; ii) anti-corruption and fight against financial and economic crimes; iii) improve cooperation against cybercrime;
- c. Democracy, with the possible following sub-themes (non-exhaustive): i) continued assistance to drafting of new constitutions and organic laws deriving from new constitutions (Venice Commission); ii) promote integration of Human Rights issues in national educational systems and increase capacities in democratic citizenship and human rights education; iii) promote democratic capacities of young people.

The Sides accept to periodically review and evaluate the progress in implementing the present statement of intent and may provide modifications to it by common consent.

Focal points for the implementation of this statement of intent should be selected respectively by the Office of the Directorate General of Programmes of the Council of Europe, and the Directorate Generals Enlargement and Development and Cooperation-EuropeAid of the European Commission.

Done in Brussels on 1 April 2014 in two originals in the English language.

FOR THE COUNCIL OF EUROPE

FOR THE EUROPEAN COMMISSION

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