EVALUATION OF THE CONTRIBUTION OF NGOS TO STANDARD SETTING AND MONITORING IN THE COUNCIL OF EUROPE

Final report

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

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EXECUTIVE SUMMARY

The 2015 Work Programme of the Directorate of Internal Oversight (DIO) of the Council of Europe (CoE) included an evaluation of the contribution of Non-Governmental Organisations (NGOs) to standard setting and monitoring in the CoE. This evaluation has focused on the added value and effectiveness of the contributions of NGOs through the steering committees, monitoring bodies and Conference of International NGOs.

The evaluation found that NGOs bring significant added value to standard setting and monitoring, as they channel professional expertise and practical experience on the implementation of standards in the field. NGOs also diversify the sources of information and the points of views considered by standard setting and monitoring bodies. Finally, NGOs are key actors for advocating the ratification, adoption and implementation of CoE standards.

The added value of their contribution is highest where NGOs are well integrated into the standard setting and monitoring processes, and can tailor their contributions to the CoE's functioning. The CoE has tested positive frameworks such as co-management in the youth field or multi-stakeholder approach in the media field, which are made possible by the community of values between the CoE and most of its partner NGOs. As a result, NGOs overall highly appreciate their cooperation with the CoE.

However, the CoE does not fully avail itself of NGOs' potential to contribute. Budgetary and human resource constraints limit the CoE's capacity to solicit and absorb NGOs' input. The selection of NGOs who contribute also lacks a systematic approach and periodic updates. To a certain extent, the institutional capacity of NGOs conditions their access to the standard setting and monitoring processes, without guarantee that partner NGOs are always the most relevant to the needs of the organisation.

In addition, NGOs face practical challenges to contribute to standard setting and monitoring in the best possible way. Providing tailored input to standard setting and monitoring represents an investment for NGOs, especially in view of the scarcity of their resources. The complexity of the CoE's structures and functioning also creates a challenge for NGOs' to access the necessary information. Most NGOs are ready to make this investment, but they need to rely on sufficient clarity of the standard setting and monitoring processes, and to know about their impact.

In order to durably secure high added value of NGO contributions, the CoE must therefore optimize its selection of NGOs, utilise good practices for cooperation with NGOs in a flexible manner, and facilitate the contribution of NGOs by easing access to information and reaching out to NGOs.

1. INTRODUCTION

1.1. Evaluation approach

1.1.1 Evaluation scope, objectives and questions

As set out in its Work Programme for 2015, and noted by the Committee of Minister' Rapporteur Group on Programme, Budget and Administration (GR-PBA) on 19 March 2015, the Directorate of Internal Oversight (DIO) conducted in 2015 an evaluation of the co-operation of NGOs with the Council of Europe in standard-setting and monitoring.

In accordance with its Concept Note, the evaluation focuses on NGOs' contribution to standard setting in steering committees, and monitoring through convention-specific monitoring bodies.

The purpose of this evaluation report is to inform decision-makers on the added value of the cooperation with NGOs by:

1) Analysing the state of cooperation with NGOs in standard setting and monitoring in the CoE, with particular emphasis on good practices and existing obstacles;
2) Identifying the added value and the potential of the cooperation with NGOs;
3) Identifying possibilities for optimising this cooperation.

In line with this, the main evaluation criteria of this evaluation are added value and effectiveness. To this end, this report seeks to answer three evaluation questions:

Table 1: Evaluation questions

Question 1	Question 2	Question 3
To what extent do NGOs contribute to the CoE's standard setting and monitoring activities?	To what extent do internal and external obstacles constrain this contribution?	Which conditions are most conducive to achieving optimal added value of NGOs' contributions to standard setting and monitoring?

The evaluation process, from the drafting of the Concept Note to the finalisation of this report, has been accompanied by a Reference Group composed of members of the CoE Secretariat working with the steering committees and monitoring bodies analysed as case studies, and from the Secretariat of the Conference of INGOs.

1.2.1 Background information

As early as 1951, the CM recognized the importance of cooperation with NGOs by adopting a Resolution on Relations with International Organisations, both Intergovernmental and Non-governmental. This document foresees cooperation through, in particular, consultations, exchange of information and opinions.

In March 1972, the PACE adopted a Recommendation on Relations between the Council of Europe and international non-governmental organisations (consultative status), swiftly followed on 16 October 1972 by the adoption of a CM Resolution on Relations between the Council of Europe and International Non-governmental Organisations (Rules for consultative status), revised towards more flexibility and inclusion of INGOs with a CM Resolution in 1993.

In 2003 a CM Resolution changed the consultative status into a participatory status for INGOs, outlining the conditions for granting such status and outlining for the first time the participation of INGOs through their collective bodies in Council of Europe standard setting work.[1] The Secretariat maintains an online database of all INGOs enjoying participatory status.

Since the mid 1970s, the INGOs created their structures to better interact with the Council of Europe, by establishing a Liaison Committee and thematic groupings and holding regular plenary conferences. Since 2005, the INGOs having participatory status constitute the Conference of INGOs. Currently, the Conference has a membership of 320 INGOs, structured into a Standing Committee, a Bureau and three thematic Committees which include subordinate working groups.

In 2005, at the 3rd Council of Europe Summit in Warsaw, with the official participation of its President, the Conference of INGOs was recognized as one of the four political pillars of the Council of Europe, alongside the Committee of Ministers, the Parliamentary Assembly and the Congress of Local and Regional Authorities.

This report does not evaluate the Conference of INGOs as such, however it evaluates its involvement in the work of steering committees and monitoring bodies, alongside with that of individual NGOs.

Currently, NGOs chiefly contribute to the CoE's **standard setting** through their participation in the CM steering committees and their subsidiary bodies, which is governed by the 2011 CM

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[1] Resolution Res(2003)8 on Participatory status for international non-governmental organisations with the Council of Europe

Resolution on Intergovernmental Committees and Subordinate Bodies, their Terms of Reference (ToR) and Working Methods.[2] This Resolution offers two options:

- "Participant status" for the Conference of INGOs: Participants shall take part in the meetings of committees with no right to vote nor defrayal of expenses;
- "Observer status" for individual NGOs: They shall be admitted upon their request on the basis of a unanimous decision of the intergovernmental committee; in the event where unanimity is not reached, the matter may be referred to the Committee of Ministers. Observers shall have no right to vote nor defrayal of expenses.

The representatives of the Conference of INGOs in the steering committees are expected to carry the voice of the civil society at large, rather than the opinion of their individual NGO. Therefore, the contribution of the Conference of INGOs to standard setting bodies is distinct from that of individual observer NGOs. The latter contribute in their own name and may, but do not need, to be members of the Conference of INGOs (and have CoE participatory status).

Participation of NGOs and other civil society organisation in the **monitoring work** may be enshrined in the CoE treaties being monitored, for instance the CoE Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as "the Lanzarote Convention" ,[3] the European Charter for Regional or Minority Languages[4] or the CoE Convention on Action against Trafficking in Human Beings.[5] In other cases, this cooperation takes place without particular legal provisions.

1.2. Methodology

1.2.1 Data collection

This report draws on the following data sources:

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[2] Resolution CM/Res(2011)24 on Intergovernmental Committees and Subordinate Bodies, their Terms of Reference (ToR) and Working Methods,

[3] Article 40-3 of the Lanzarote Convention foresees that "*Representatives of civil society, and in particular non-governmental organisations, may be admitted as observers to the Committee of the Parties following the procedure established by the relevant rules of the Council of Europe.*"

[4] Article 16-2 of the European Charter for Regional or Minority Languages provides that "*Bodies or associations legally established in a Party may draw the attention of the committee of experts to matters relating to the undertakings entered into by that Party under Part III of this Charter. After consulting the Party concerned, the committee of experts may take account of this information in the preparation of the report specified in paragraph 3 below. These bodies or associations can furthermore submit statements concerning the policy pursued by a Party in accordance with Part II.*"

[5] Chapter VII, Article 38-3 of the CoE Convention on Action against Trafficking in Human Beings provides that "[the Group of Experts on Action against Trafficking in Human Beings (GRETA)] *may request information from civil society*".

Table 2: Data collection

Data collection method	Number of respondents	Comments
Survey of members of steering committees	184 out of 705 addressees	Survey questionnaires include common questions and specific questions for each group of respondents. In total 376 out of 1162 addressees responded. The rate of response is 32.5%, which is considered relatively high for this type of survey, as respondents receive many requests for participation in surveys. The response rate is lowest for the members of steering committees, however the total number of respondents makes the results statistically reliable.
Survey of members of monitoring bodies	154 out of 378 addresses	
Survey of NGOs with observer status in steering committees	38 out of 79 addressees	
Interviews in Strasbourg	75	Includes Secretariat staff, members of monitoring bodies, members of steering committees, representatives from the Conference of INGOs, representatives from NGOs having observer status with various steering committees.
Interviews in Poland	24	Includes representatives of NGOs having contributed to the work of case study monitoring bodies, Government representatives, representatives of National Human Rights Institutions, members of Field Office Staff.
Interviews in Serbia	36	
Interviews in Spain	14	
Interviews in Ukraine	20	
Focus Groups in the Secretariat	14	One focus group for standard setting, one focus group for monitoring.
Document review	N/A	• CoE conventions foreseeing a monitoring body; • Applicable framework as defined by the CoE statutory organs (CM and PACE documents); • Terms of reference of the steering committees; • Sample of documents produced by steering committees; • Lists of members of steering committees and monitoring bodies; • Rules of procedures, activity and monitoring reports of monitoring bodies; • NGO reports to monitoring bodies; • Calendars and agendas of steering committees and monitoring bodies; • Documents of the Conference of INGOs; • Websites of steering committees, conventions, INGO conference and observer NGOs;

		• Websites of other comparable international organisations (EU, UN, OSCE), documents setting their framework on cooperation with NGOs, and public NGO contributions to the work of these organisations • Websites of NGOs with participatory status in the CoE and/or observatory status in steering committees.

1.2.2 Data analysis

The respective surveys for members of the steering committees and monitoring bodies, and observer NGOs, were analysed separately, in order to avoid any confusion of non-comparable data. In addition to the general analysis of data, the evaluation examined in more detail the contribution of NGOs to the following bodies as case studies, with an end to assessing the distinct models of cooperation with NGOs:

- Group of Experts on Action against Trafficking in Human Beings (GRETA). Out of a total of 169 persons interviewed for this evaluation, 26 were relevant to the GRETA;
- Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM Advisory Committee): out of a total of 169 persons interviewed for this evaluation, 53 were relevant to the FCNM advisory Committee;
- Lanzarote Convention Committee; out of a total of 169 persons interviewed for this evaluation, 37 were relevant to the Lanzarote Convention Committee;
- Steering Committee for Human Rights (CDDH); out of a total of 169 persons interviewed for this evaluation, 11 were relevant to the CDDH;
- Steering Committee for Culture, Heritage and Landscape (CDCPP): out of a total of 169 persons interviewed for this evaluation, 11 were relevant to the CDCPP;
- Steering Committee on Media and Information Society (CDMSI): out of a total of 169 persons interviewed for this evaluation, 8 were relevant to the CDMSI.

All 169 interviews were analysed through a standard analysis grid organised around the evaluation questions and sub-questions in accordance with the Inception report. The following analysis grids were produced, with strict exclusion of double data entry in order to maintain a realistic representation of identified opinions on each evaluation question (each interview extract was affected to one question in one analytical grid only):

- General interviews on standard setting;
- General interviews on monitoring;
- Interviews on the Conference of INGOs;
- Interviews on GRETA;
- Interviews FCNM Advisory Committee;
- Interviews on the Lanzarote Convention Committee;

- Interviews on the CDDH;
- Interviews on the CDCPP;
- Interviews on the CDMSI.

2.   FINDINGS

2.1 Evaluation Question 1: To what extent do NGOs contribute to the CoE's standard setting and monitoring activities?

2.1.1 NGOs as natural partners of the CoE standard setting and monitoring work

Finding 1: NGOs' contributions are needed, and add value to standard setting and monitoring

Almost all steering committees and monitoring bodies have some form of cooperation with NGOs. This could take place through oral input during hearings or field interviews, participation in meetings and debates, and/or submission of written input and reports. In standard setting, this most commonly concerns international NGOs, whether or not they have CoE participatory status and are members of the Conference of INGOs. Monitoring bodies usually receive input from national NGOs – although international NGOs do contribute to monitoring, especially in written form.

All data sources (interviews, survey, documentary review, direct observation) reveal a general agreement among all types of actors (members of monitoring and standard setting bodies, CoE Secretariat, NGOs themselves, Government representatives) that NGOs' contributions do bring significant added value to standard setting and monitoring.

This is due firstly to the perception that cooperation with NGOs is consubstantial standard-setting and monitoring work. As several members of steering committees or monitoring bodies put it, "*NGOs are an indispensible part of our work*".

NGOs often prove to be "*natural allies*" of the CoE (the expression was repeatedly used by interviewees), because they usually share fundamental values and general objectives with the CoE. What is at stake in the dialogue between the CoE and NGOs is rarely whether or not certain rights or values should be protected and upheld, but how to best protect and uphold them. NGOs are therefore mostly perceived, and see themselves as allies of the CoE: in interviews, 19 persons from NGOs, steering committees and the Secretariat emphasized the community of values between the CoE and NGOs, as the fundamental reason why their contributions are needed and useful. This echoes the comments of Secretariat staff in focus groups, which concluded that, in this cooperation *"both sides gain something"*. Notably, NGO representatives

who have experience with several international organisations consider this a major comparative advantage of the CoE.

Respectively 92.9% members of monitoring bodies, and 91.3% members of steering committees who responded to the survey launched by DIO, considered NGOs' contributions as "very useful" or "sometimes useful", while respectively 7.1% respondents from monitoring bodies and 8.2% responding members of steering committees considered these contributions "a bit useful". No member of a monitoring body, and only 0.5% responding members of steering committees considered these contributions "not useful".
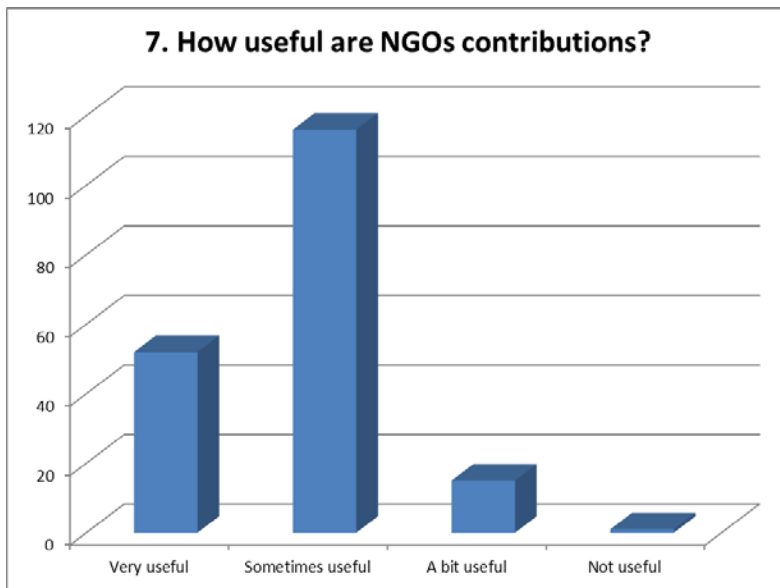

Figure 1: Questionnaire question 7 - Perception of NGOs' contribution by members of steering committees (number of respondents)
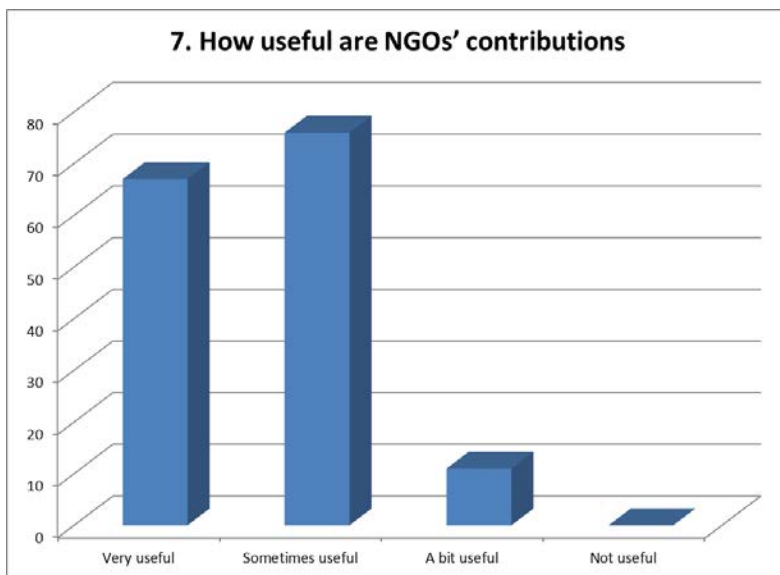

Figure 2: Questionnaire question 7 - Perception of NGOs' contribution by members of monitoring bodies (number of respondents)

NGOs' contribution to standard setting and monitoring is overall vastly positive, with **manifest added value**. The incidences of neutral or negative experiences are rare. The evaluation therefore endeavoured to characterize how useful this contribution is, and in particular in what ways.

Good practice example: during the drafting of the CoE Convention on Action against Trafficking in Human Beings, NGOs have actively contributed their expertise and experience to enhance the provisions on victim protection, which has been appreciated by members of the drafting committee.

Finding 2: NGOs bring expertise, especially in the context of standard setting

The nature of NGOs' contribution depends on the area of work, but **expertise stands out as one of NGOs' key inputs.** This feature is particularly stark in standard setting. 83.7% of steering committee members who responded to the survey considered it fully or partly accurate to say that "NGOs bring topic expertise" to their committee. NGOs clearly place expertise among the top benefits they can bring to steering committees, with 94.7% of survey respondents from NGOs sharing the above opinion. 79.9% responding members of monitoring bodies agree. The review of written contributions and the observation of meetings and events confirms this assessment.

This situation corresponds closely to the expectations of NGOs themselves, who place topic expertise as the first contribution they offer to steering committees, with 73.7% of their survey respondents placing it among the top five inputs NGOs should give. Steering committee members also demand such NGO expertise: 64.1% of them consider topic expertise one of their main expectations towards NGOs, which comes second to "conveying creative proposals". Monitoring body respondents are only 48% to consider topic expertise among the main benefits they expect from NGOs – and topic expertise only ranks fourth among their expectations.

The case studies on the CDDH, CDCPP and CDMSI are particularly illustrative of the added value of NGOs' expertise: in all three cases, topic expertise is the benefit of NGO contribution most frequently quoted by interviewees.

However, both in case studies and other interviews related to standard setting, interviewees often point to a **varying level of expertise depending on the NGOs**. The expertise of specialised NGOs who contribute through their professional staff tends to have impact on the CoE's outputs more often than the contributions of NGOs operating only with volunteers. Such expertise is more available in some thematic areas than others. For instance, the CDCPP notes varying levels of contribution among its three themes of work (culture, heritage, landscape).

The members of monitoring and standard setting bodies also channel NGO expertise. Few of them identify themselves as NGO representatives (5% of steering committee members defined themselves as such in the survey respondents), but case studies show that in some areas where the role of civil society is traditionally important, this proportion is higher: for instance the GRETA has three members from NGOs. Interviews also suggest that a yet larger proportion either are or have been in the past active members of NGOs focusing on the same topic as the monitoring or standard setting body in which they are now a member on behalf of a State. Such situations give increased weight and value to the expertise emanating from the NGOs.

Finding 3: NGOs are key advocates for CoE standards

In line with the community of values existing between the CoE and its partner NGOs, both international and national NGOs **advocate for CoE standards, and contribute to their ratification (where applicable), their dissemination within the member States and beyond, and their implementation**.

> Interview quote: "during the drafting process of the Istanbul Convention within the CAHVIO, NGOs advocated various CoE actors to initiate the process (permanent representations, the PACE, the CDDH…). Then the steering committee launched a comprehensive consultation process, in which NGOs had an active part, and the process was extremely successful. […] NGOs conducted a lot of advocacy in the countries which were reluctant to ratify. They disseminated information and encouraged national NGOs to advocate in many countries. This means implementation modalities were discussed with the domestic authorities of several countries even before ratification, which probably contributes to implementation.

This added value is clearly identified by the stakeholders. 65 interviewees spontaneously mentioned advocacy for CoE standards when asked what NGOs brought to the CoE standard setting or monitoring work, although they were not probed for this specific aspect. This opinion is most common among NGOs themselves, who often report that they currently conduct advocacy activities. It is also widespread among members of the CoE staff, who observe the activity of their partner NGOs and, in interviews and focus groups, praised NGO advocacy as a stimulus for the implementation of CoE standards. Government representatives in the countries visited, as well as some members of monitoring bodies, also emphasized the role of NGOs in advocating their state authorities for CoE standards. The websites of several interviewed NGOs make explicit reference to these standards.This contribution is increasingly relevant for steering committees in particular, as the proportion of their work dedicated to new standard decreases, while they increase their efforts in the diffusion of existing standards.

NGO advocacy targets various actors, some of which are traditional CoE partners, while others are harder to reach by the CoE itself, hence offering complementarity:

- National parliaments (ratification, harmonisation of national legislation);
- Governments at policy making level (ratification, harmonisation of national legislation and by-laws, policies and national strategies for implementation, guidelines for practitioners);
- State authorities at technical level (practical implementation of standards);
- State authorities at local self-governance level (policies, practical implementation for standards, guidelines for practitioners) ;
- General public and media (knowledge of rights and standards, raising expectations towards state authorities);
- Rights holders, and particularly vulnerable groups who need to know their rights to defend them.

When there exists a large array of national and international NGOs interested in a topic, this advocacy takes place at each step of the preparation, adoption, dissemination, implementation and monitoring of standards. Typically, large international NGOs are most involved in lobbying for the drafting and ratification of CoE treaties and the dissemination of non-legally binding standards prepared by the steering committees, while national NGOs are mostly involved in the practical implementation of CoE treaties, which is of high relevance to monitoring bodies.

In the four countries visited, many NGO representatives emphasize the link between their advocacy at national and local levels, and the work of the monitoring bodies. Whether or not they contribute directly to the monitoring process itself, they channel the monitoring reports and their recommendations at all levels. Monitoring body members perceive this added value, as they are 81.6% to consider that it is fully or partly accurate to say that NGOs lobby the member States to implement CoE conventions. Some NGOs regard CoE monitoring reports as their main advocacy tools, along with reports by other international organisations (especially the UN Human Rights Council and, in EU candidate countries, the European Commission reports). As one NGO representative in Serbia put it, "*The GRETA reports are our point of reference, their recommendations our holy book. As soon as it is published, we turn to the Government to discuss the implementation of GRETA recommendations*". Similar expressions are recurrent in interviews and revealing of the level of commitment to CoE standards.

The case studies show that **in some thematic areas**, such as action against trafficking in human beings, environment protection or sports, **NGOs go further to actually take on action for the direct implementation of some aspects of the standards**. For instance, protection shelters for trafficked victims are commonly run by NGOs, with international donor funding. Although such initiatives are usually implemented under agreements with the state authorities, several interlocutors asked whether this might create possible conflicts of interest for these NGOs, who at the same time take on implementation tasks, and contribute to the monitoring of this

implementation of standards. As one interviewee from Serbia put it, "*this places an ever higher responsibility on the monitoring body. They have to be extremely thorough in their research, and they need to keep an impartial and balanced approach*".

2.1.2 NGOs are a positive challenge for the CoE standard setting and monitoring work

Finding 4: NGOs provide standard setting and monitoring activities with "reality checks"

NGOs' contributions add a field perspective to standard setting and monitoring, which would otherwise be less exposed to field realities. They also have a **practical experience of the implementation of standards** from the standpoint of the rights-holders and users: they are therefore useful in flagging potential difficulties or practical solutions for developing draft standards. They also expose concrete difficulties and shortfalls, but also good practices, in the actual implementation of standards, for the benefit of monitoring.

Interviewees from all countries and in all positions recurrently point to "*field knowledge*" and "*knowledge of implementation realities*" when asked what NGOs bring to standard setting or monitoring. Out of 169 interviewees, 65 spontaneously quoted field knowledge, and 44 knowledge of practical implementation of CoE standards as key ways in which NGOs bring added value to standard setting or monitoring. 79.2% members of monitoring bodies and 83.7% members of steering committees consider it fully or partly accurate to say that "NGOs bring the perspective of the field and grass-root levels to the monitoring work."
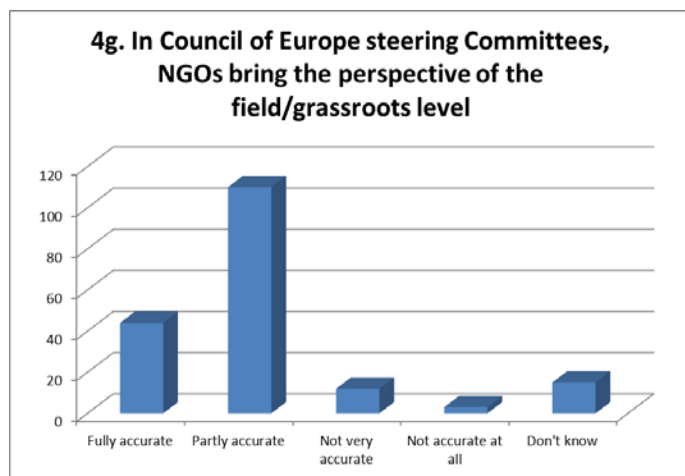

Figure 3 : Questionnaire question 4 g: perception of added value in terms of field knowledge among steering committee members (number of respondents)
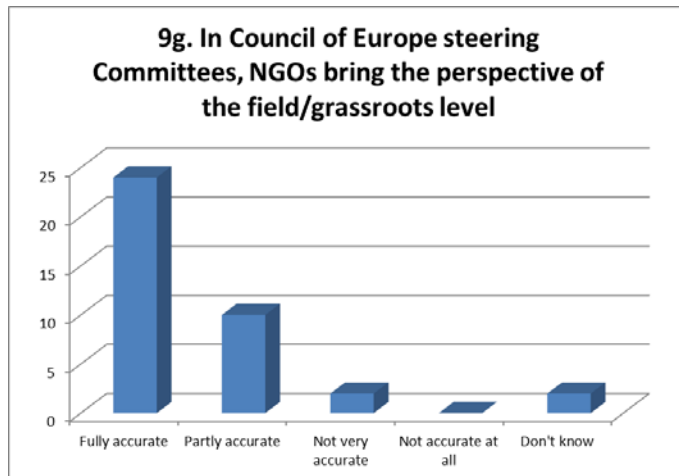
Figure 4: Questionnaire question 9g: perception of added value in terms of field knowledge among observer NGOs in steering committees (number of respondents
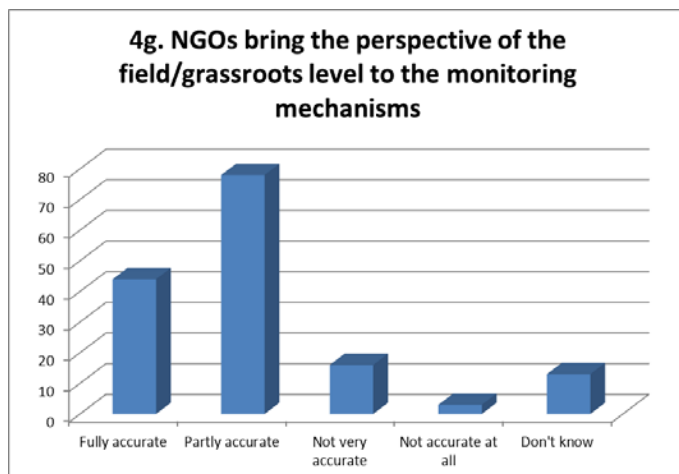

Figure 5: Questionnaire question 4g: perception of added value in terms of field knowledge among members of monitoring bodies (number of respondents)

Interviews reveal that the added value of NGOs' field perspective is particularly significant when it comes to monitoring, because national NGOs tend to have more direct connection with field-level implementation of standards through their daily activities, and because field-level information on implementation is considered by many actors as the corner stone of monitoring. One interviewee from a National Human Rights Institution depicted national and local NGOs as "*understanding the citizens they defend, more than any other institution*". For instance, NGOs assisting victims of human rights violations (such as human rights NGOs providing legal assistance to applicants to the European Court of Human Rights, NGOs providing prevention, assistance and protection to victims of trafficking in human beings, or NGOs offering legal assistance to victims of discrimination, racism or intolerance) are regularly described as conveying unique knowledge of "*real-life*" situation, samples of illustrative cases, knowledge of the needs which new standards must address, or understanding of the practical implications of gaps in the implementation of standards.

36 interviewees describe these benefits as a "reality check" for standard setting and monitoring, without being prompted. This reality check, which also transpires from the analysis of written contributions and the direct observation, contributes to **updating the focus of emerging standards and monitoring findings**. Members of steering committees and their secretariats recurrently state that NGOs "*affect the agenda of the steering committees by bringing up emerging issues*". Interviewees from monitoring bodies mentioned several examples of new issues which were flagged by NGOs, such as the exposure of migrants and refugees to trafficking in human beings in the context of the current crisis.

Based on the interviews, focus groups and documentary review, this reality check by NGOs has two major effects on standards and on their monitoring:

- **It increases the feasibility of implementation of standards** by flagging concrete needs and real-life constraints. This in turn contributes to the adequacy of standards for practical realities.
- **It confirms monitoring findings** by channelling grass-root experience into the analysis of the implementation of CoE treaties. This in turn contributes to the legitimacy of monitoring findings in the eyes of the civil society.

Finding 5: NGOs' inputs channel wider diversity of points of view into intergovernmental work

It is in the very nature of NGOs to propose alternative views and positions which differ from those of the state authorities, and this has a **largely positive effect on the process** of standard setting and monitoring.

Many interviewees from the monitoring bodies and steering committees, as well as the Secretariat, might see NGOs as an intrinsic part of their work or as a subsidiary contribution, but most go further to consider them an added value in the inter-governmental context of their activities. When they describe NGOs' contributions as "*a challenge*", it usually has a positive connotation, because NGOs representatives may have more freedom of speech than representatives of state authorities.

Good practice example: providing guarantees for NGOs. Several monitoring bodies such as GRETA, FCNM and ECRI, guarantee confidentiality to their NGO counterparts during monitoring visits as regards the contents of the meetings, but also concerning the list of NGOs met. However most interviewees regretted that these monitoring bodies routinely meet NGOs jointly, and pledged for individual meetings complemented by roundtables gathering several NGOs to discuss possible

NGOs widen the variety of points of view which contribute to standards and to monitoring reports, either because they represent particular groups of people who have little access to standard setting or monitoring processes, or because they work in favour of these groups. 84.4% of monitoring body members responding to the survey agree fully or partly with the statement that "NGOs lobby for particular groups of citizen such as vulnerable groups or minorities". 77.7% of responding members of steering committees and 81.6% of NGO observers in steering committees share this opinion.

Good practice example: multiplying points of view. The FCNM Advisory Committee uses country visits to meet with organisations representing specific minorities, both at national and at local levels. These NGOs are expected to convey the point of view of minorities themselves about the fulfilment of their rights. The members and Secretariat of the Committee describe this interaction as paramount, because such first-hand information is difficult to obtain otherwise, and because persons belonging to national minorities often have little access and/or capacity to report gaps in the implementation of their rights. In addition, the Committee meets with topic-specific NGOs providing unique knowledge on the fulfilment of particular rights such as education or gender equality, and more generalist human rights NGOs who provide information on the wider context surrounding minority rights.

This enables NGOs to **bring up sensitive yet relevant topics**, especially in monitoring. NGOs'

Interview quote: A member of the Secretariat explained that "NGOs help identify new issues, and go beyond the mere follow up to the issues identified in previous monitoring reports".

input acts as a "*spur*" in standard setting, as one interviewee called it, and in monitoring it is often seen as a necessary to corroborate findings. 72.8% monitoring body members consider that "NGOs balance the input of Government representatives". 70.8% of members of monitoring bodies responding to the survey agree that "NGOs bring forward topics which member States cannot/do not want to address". 56% of steering committee members agree with this opinion, while NGOs perceive themselves as advocates of specific groups or rights, with 86.9% of responding NGOs with observer status thinking NGOs bring forward such topics.

While this challenge is usually welcomed by the persons directly in charge of standard setting and monitoring, it remains somewhat sensitive at the national level. 32 persons among the interviewees relevant to monitoring explained that the state authorities at national or local level did not welcome the involvement of NGOs in monitoring, because it challenged Government reports to the monitoring bodies. Out of these, 18 were NGO representatives. While only a few of these complained of pressures, they still considered that confidentiality was a condition for

monitoring bodies to avail themselves of NGO input. Several members of monitoring bodies or their secretariat which operate through country visits, insist on the necessity to "*make NGOs feel safe*", and to offer guarantees of confidentiality in order to clearly separate the process of contributing to monitoring from the usual activities of these NGOs.

> Finding 6: There is a correlation between the quality of partnership and the usefulness of NGOs' contributions to most standard setting and monitoring bodies

The level and quality of partnership could be measured through the level of NGO access to each stage of the standard setting and monitoring process, in particular access to information. **Overall, the quality of partnership with NGOs is high** in standard setting and monitoring, with some variations.

In standard setting, the relationship is close but the quality of partnership can vary. The majority of interviewees in standard setting describe a close, trust-based relationship between NGOs and the CoE. 71% of survey respondents from observer NGOs of steering committees consider the amount of information received to be good or very good, and 76.6% considers that information and documents are shared in a timely or very timely manner. However, interviews reveal **a contrasted picture as regards access to the standard setting process**. Case studies indicate that the steering committees which entertain the closest partnership are also the ones which enjoy the highest

Good practice example: observer NGOs as "part of the family". Observer NGOs in the CDDH have equal access to documents at the same time as members of the committee, and participate in debates orally and in writing on an equal footing with members. They table suggestions, comments and draft amendments, which are considered like any other, even though observer NGOs do not have a right to vote – which all actors consider normal. NGOs, members of the CDDH and the Secretariat consider this partnership as a determining factor in the quality of cooperation with, and contribution from NGOs. As one interviewee summarized, "the committee is selective when it comes to observers, but once you are a member of the family you are trusted by all and your voice really counts. The only right NGOs do not have is the right to vote in the committee, but everyone understands it is normal. This is a good way to enhance quality." As a result of this approach, the CDDH has a short list of observer NGOs which are considered highly relevant. In addition, the CDDH invites more specialized NGOs on an ad hoc basis to gather topic-specific input.

added value from NGO contribution. The members of steering committees who described a close relationship and a direct dialogue with observer NGOs were usually the same ones who considered that NGOs contributed to the quality of standards. Similar patterns were observable in focus groups and in direct observations of committee meetings.

In contrast, in standard setting bodies which do not usually work with NGO observers (for instance due to the confidentiality of the information they exchange such as the Committee of Experts on Terrorism, the CODEXTER), both the Secretariat and NGOs report certain frictions with NGOs. At the same time, there is a recognition that some flexible forms of NGO participation (for instance by organising in camera committee meetings and additional discussion sessions with several NGOs) could bring high added value if they were used more systematically. There is also a unanimous agreement that speedy standard drafting processes, like for the last Additional Protocol to the Anti-Terrorism Convention, make the inclusion of NGOs more difficult, and interviewees are concerned that such patterns could be reproduced.

Several NGO observers from various steering committees explained in interviews that trust-based relationships which exist in most steering committees are grounded in the length of cooperation, but also and mostly in the values shared between the NGOs and the CoE, including the Secretariat and committee members. The 14 NGO representatives who compared their contribution to the CoE's steering committees with their involvement in EU or the United Nations (UN) Human Rights Council, clearly favoured the situation in the CoE. They valued the rapport they entertain with members of the committees and with the Secretariat, and praised the like-mindedness which enables genuine dialogue. In comparison, they considered that the UN Human Rights Council formalised NGO contributions too much, preventing genuine exchanges (interviewees use the terms "*grand-messe*" or "*pro-forma gathering*"), and that the EU model encouraged lobbying rather than mutually fruitful cooperation geared towards human rights compliance and quality of standards.

In monitoring, the relationship is more distant, but it is also characterized by a high level of trust of NGOs towards the CoE. A recurring expression among interviewees from NGOs involved in monitoring is that "*[their] input is taken seriously by [the relevant monitoring body]*". The quality of this partnership hinges on the legitimacy of the monitoring bodies, and on their ability to strike an impartial and fact-based balance between the various inputs they receive. This essential condition transpires from the majority of field interviews. Again, the feeling that NGOs are safe talking or reporting to CoE monitoring bodies is also paramount to the openness and therefore the quality of their contributions.

2.1.3 The Conference of INGOs as voice of organised civil society at the Council of Europe

Finding 7: The contribution of the Conference of INGOs: views of civil society versus expert input.

The INGO Conference is a statutory participant in the CM steering committees and other ad hoc bodies as per the CM Resolution(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods. It also regularly participates in the Congress and PACE debates. Regular exchanges of views also take place between the Chair of the Conference and the Ministers' Deputies or their Rapporteur Group on Democracry. In monitoring bodies which include civil society participation as envisaged by the relevant legal instruments, the Conference is represented. In addition the Conference seeks to contribute to standard setting and monitoring by issuing resolutions and recommendations, as well as reference documents on civil society (e.g. Code of good practice for civil participation in the decision-making process, or Dialogue toolkit), and thematic research and position papers (e.g. opinions of the Expert Council on NGO Law on NGO) .

Interviewees tend to afford less value to the expertise brought by representatives of the Conference of INGOs, which they often consider to be less topical, and more "militant" as several interviewees put it. In some interviews, the Conference of INGOs is presented by its members as "representing the entire civil society sector, while specialised expertise comes directly from observer NGOs". One of its members explained: "The INGO Conference provides a unified point of view representing the entire civil society sector, while other NGOs bring a specialised perspective to the steering committees and monitoring bodies. There is certain complementarity, which is often under-valued".

The Conference of INGOs is currently reviewing its participation in standard setting and monitoring committees. . Interviewees considered that the most important factor was to ensure more formalised selection of its representatives for each steering committee or, where applicable, monitoring bodies by the Conference of INGOs, with a view to securing a higher level of topic expertise. Another area for improvement concerns the continuity in the delegation of representatives sent by the Conference, as is already the case in the CDDH or CDCPP for instance. There is a need to further mobilize the members of the Conference with the best expert knowledge in the the respective subject matters.

2.2 Evaluation Questions 2 and 3: To what extent do internal and external obstacles constrain this contribution? Which conditions are most conducive to achieving optimal added value of NGOs' contributions to standard setting and monitoring?

As the evaluation shows that NGOs do bring added value to standard setting and monitoring, the key evaluation question becomes: how can the CoE best avail itself of NGOs' contributions, in other words how to lift any obstacles and how to create the best conditions for fruitful cooperation?

2.2.1 Selecting the right NGOs

Finding 8: Selection of partner NGOs is paramount to the added value of their contribution

As presented under Findings 4 and 5, NGOs not only increase the adequacy of standard setting and monitoring outputs by bringing information – they also contribute to the practical application of these outputs by channelling complementary perspectives into intergovernmental work. This supposes that NGOs are capable of conveying information, but also that they are representative of relevant groups of persons or interests. Given the multiplicity of NGOs who work on topics of relevance to the CoE, and the heterogeneity of structure and interests among NGOs, the **CoE's selection of its NGO interlocutors is paramount to securing both quality and legitimacy of NGO input**.

The first priority is to identify and avoid NGOs which are not representative of public interests. In practice, it appears that the basic **vetting process is aptly conducted by CoE standard setting and monitoring bodies.** Steering committees, monitoring bodies and their secretariats, as well as NGO representatives themselves, are vividly conscious that *"NGOs are not angels"* as several interviewees put it: 23 interviewees, including persons from steering committees and monitoring bodies, NGOs, the Secretariat, and state authorities or national human rights institutions, consider that certain NGOs, whether national or international, are driven by private interests, or lack the financial independence from the State or from a single donor to be truly representative of citizens. This perception is corroborated by focus group discussions.

> *Good practice example: Multi-level participation of NGOs. Several steering committees systematically invite a list of specialized partner NGOs, in addition to observer NGOs, based on the theme of the meeting.*

Beyond these basic checks, the **standard setting and monitoring bodies experience limitations ensuring that their NGO partners are the most varied, representative and relevant possible**. All actors recognise that some important segments of the NGO landscape are under-represented, and under-used in standard setting and monitoring:

- Steering committees work almost exclusively with international NGOs. Many actors consider the coverage of several countries to be a normal selection criteria for observer NGOs. Others deplore that national NGOs, who are often considered closest to the citizens and could bring knowledge, expertise and field experience, have almost no access to standard setting. The survey results illustrate this gap: while country coverage is perceived by steering committee members as the third most important known criteria to select NGOs, it ranks only fifth of the criteria that should be used according to them. Interviewees further regret that the NGOs who contribute to standard setting mostly represent a Western European point of view: their representatives rarely come from Central or Eastern European countries, and their input is sometimes considered to focus too much on the situation in Western Europe. Direct observation in the committee meetings, and analysis of documents tend to corroborate this perception.
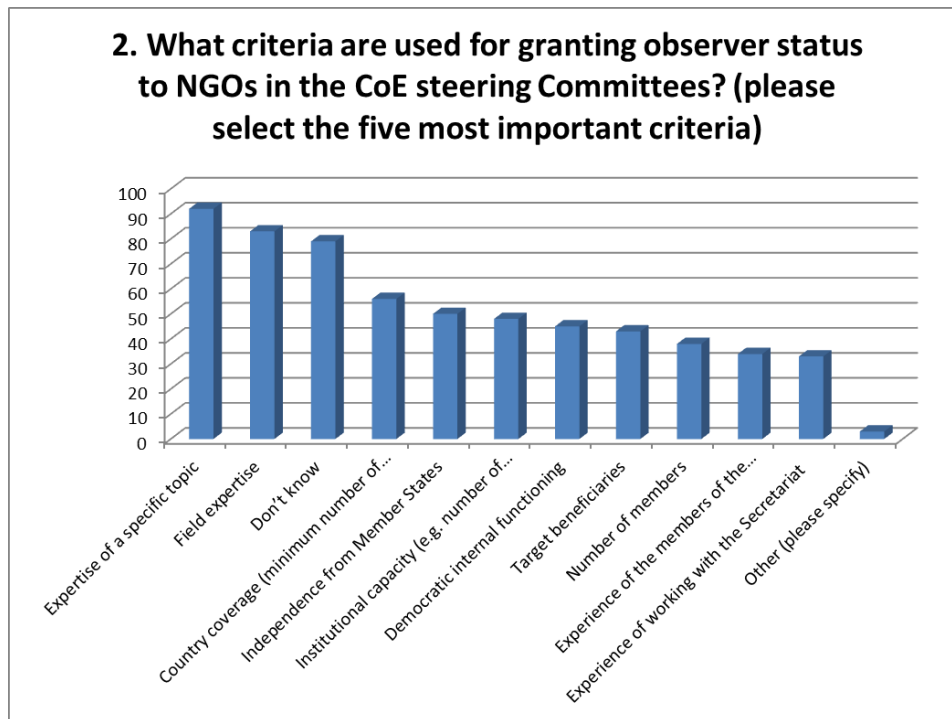
2. What criteria are used for granting observer status to NGOs in the CoE steering Committees? (please select the five most important criteria)

Figure 6: Questionnaire question 2: Steering committee members' perception of criteria used to select observer NGOs (number of respondents)

3 What criteria should be used for granting observer status to NGOs in the CoE steering Committees? (please select the five most important criteria)
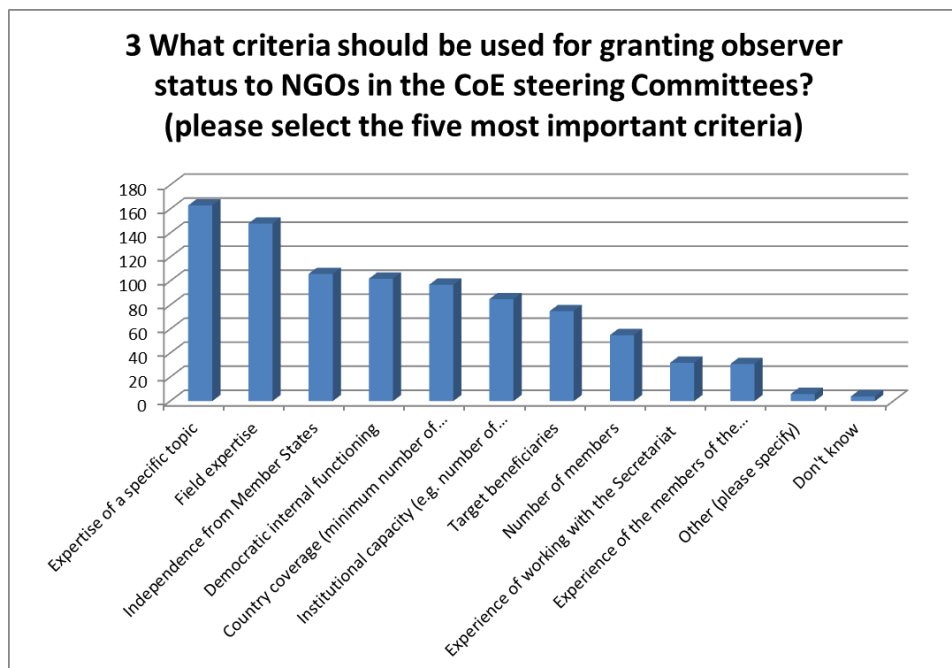
Figure 7: Questionnaire question 3: Steering committee members' perception of criteria that should be used to select observer NGOs (number of respondents)

- Monitoring bodies work both with national and international NGOs. However, focus

group discussions and interviews point to the difficulty to reach out to small, local NGOs who would have the most direct knowledge of the situation of certain hard-to-reach groups of citizens. Youth organisations are also difficult to involve in monitoring, possibly due to lack of information on both parts. Direct observation confirms these challenges, as it was also difficult for the evaluator to meet with such NGOs, despite the support of the monitoring bodies' secretariats, the Field Offices or larger NGOs. Several interviewees, particularly in the field, deplore that monitoring bodies sometimes work with *"the usual suspects"* and do not update and renew sufficiently their list of NGO contacts. Where the CoE has a Field Office, national counterparts often regret that it is not sufficiently involved in the selection of NGOs to suggest new counterparts.

Quotes from interviews in the CoE Secretariat: absorption capacity versus inclusion. "There are thousands of NGOs who work on the same topics as we do, and no one can envisage to include them all. So we need to be very selective". "Processing NGO input is a lot of work. The more NGOs you involve, the more input you have, the more work it is – but the Secretariat has very limited human resource capacity. So ever expanding the number of NGO contributors is not realistic. We either need to select strictly, or to accept that only some NGOs will overcome the difficulties of contributing to our work."

In both cases, the **time and human resources necessary to reach out to new NGO contributors are the key factors which cause gaps and lack of updates** in the selection of NGO counterparts. Whether in standard setting or monitoring, the research involved to identify potentially valuable NGO partners is a sizeable task which rests essentially on the Secretariat. In a context of budgetary pressure to do "more with less", the secretariats of the steering committees and monitoring bodies prioritize the demands of their members and the organisation of their committees' regular activities. Most report that they have limited capacity left for prospective search of NGO partners. NGOs and the members of steering committees and monitoring bodies recognize this constraint.

Another concern is the absence of formal, unified process and well-known set of criteria for the selection of NGOs, particularly in standard setting. 44% of steering committees members declare that they do not know what criteria are used to select observer NGOs, and 73.6% of observer NGOs do not know what criteria were used to select them. However, these results could have been affected by the fact that the individual respondents might have joined the steering committees (as members or as NGO observers) after the observer selection process.

NGOs' understanding of these criteria differs from the understanding of steering committee members, which reveals confusion and potential misunderstanding. Besides, the process for granting observer status differs from committee to committee. The respective roles of the

Secretariat, the Bureau and the plenary vary a lot. While the members of the steering committees have the final word by voting for applicant NGOs, the criteria used to grant observer status are largely defined by the Secretariat. Several members of the Secretariat have expressed discomfort in the level of responsibility this places on them. Interviewees from NGOs pointed that the uncertainty and lack of visibility surrounding the selection process and criteria is a deterrent for NGOs to apply for observer status, and may place a barrier to NGOs which may have relevant

> *Good practice example: publicising selection criteria. The CDMSI publishes on its website its procedure (including written input and hearing) and official criteria for selection of observer NGOs by the steering committee.*

contributions to make. The Secretariats of several steering committees also noted the absence of formal procedures to revoke observers, which complicates the update and fine-tuning of their list of NGO partners.

In monitoring, the situation seems clearer, with only 23.3% of the members of the monitoring bodies declaring they do not know what criteria are used to select partner NGOs. Yet, the limitations of the identification of NGOs, and the lack of visibility of the monitoring process among national NGOs considerably curtails NGOs' access to monitoring, as reported by interviewees.

> Finding 9: The level of adaptation of NGOs to the CoE's standard setting and monitoring work varies widely

Overall, the selection of NGOs which work with steering committees and monitoring bodies **depends to a large extent on the NGOs themselves, and their ability** to enter the standard setting process and remain active in it. The same trend is observed, although to a lesser extent, in the monitoring processes.

Several interviewees described the selection of NGOs who contribute to standard setting, and to a lesser extent to monitoring, as "*natural selection*" or "*a Darwinian process*": only the ones with high institutional capacity (human resources, budget, specific training, language skills, exposure…) are in a position to inform themselves sufficiently and contribute to standard setting and monitoring. While some consider this a fair way to limit the amount of input received in proportion with the absorption capacity of standard setting and monitoring bodies, there is no guarantee at present that the NGOs selected to contribute are the most relevant to the CoE. Some interviewees add that this shortcoming is compounded by a degree of inertia, with limited renewal in the process of selection and in the list of partner NGOs.

One of the key factors that condition NGOs' access to the CoE standard setting and monitoring work is their **level of awareness of the CoE's structures** (in standard setting) and standards (in monitoring). While most observer NGOs have learned throughout the years to tailor their input to the steering committees' work (just in standard setting, 15 interviewees praise this adaptation, stating for instance that "*they know what is expected, they understand the dynamic of intergovernmental work and they fit in*"). Other NGOs know little about standard setting work and do not take the chance to contribute, although interviewees agree that more varied contributions could be useful. In standard setting alone, 10 interviewees pointed out that the CoE would receive much more NGO contribution if it were more proactive in the promotion of its standard setting structures, and the opportunity for NGOs to participate.

Example: the Lanzarote Convention monitoring mechanism would benefit from more intense promotion and better tailoring. Field visits show that, while most NGOs have heard of the Lanzarote Convention, only a small minority of NGOs are aware that it has a monitoring mechanism, of its timing, and of the possibility for NGOs to complete the related questionnaire. Yet, many NGOs interviewed reported that, had they known, they certainly would have wanted to provide some contribution. The few NGOs who had this awareness considered that the questionnaire was too long and too technical for them to fill up, so most of them either did not fill it up, or were not planning on filling it up for the next cycle. One interviewee said "In my NGO we are lawyers specialized in children rights, and it took us a month to answer the questionnaire – imagine the difficulty for practice-oriented NGOs".

In monitoring too, only a limited proportion of potentially relevant NGOs are truly familiar with the CoE conventions and their monitoring mechanisms. Interviewees report that the promotion of standards is insufficient to ensure that relevant NGOs contribute. Besides, most NGOs lack the necessary knowledge and skill to adapt their output to monitoring (in monitoring only, 28 interviewees pointed to this shortfall). This means that they either do not contribute, or their input is not well tailored. The practice of shadow reporting is particularly illustrative: preciously few NGOs send monitoring-tailored shadow reports on a regular basis. The issue is particularly acute when a monitoring mechanism is new, and thematic (rather than country-based), like for the Lanzarote Convention.

The other key factor which limits NGOs' ability to actively participate in standard setting and monitoring, is their **financial capacity**, and perhaps even more their **human resource capacity**. 84% observer NGOs who responded to the survey rank "the time to participate in meetings" in the top five constraints to active contribution in standard setting; 81% quoted budget scarcity among their top five constraints, and 76% quoted "the time for written contributions" (several responses were possible). Among those who reported not attending all meetings of the

committee(s) where they have observer status, 47.6% select costs as their key factor limiting their attendance to meetings, and 42.8% select working time (respectively 26.3% and 23.6% of the total number of NGO respondents). In standard setting only, 21 interviewees consider that lack of funds constitutes a barrier, chiefly because of the costs of travel to Strasbourg, and 15 mention the time required to contribute – but all interviewees who mention both consider time and human resources a more limiting factor.

In monitoring, interviewees overall considered human and financial resources to converge in limiting the capacity of some NGOs', especially small and local ones, to channel input to monitoring bodies, despite the potential relevance of this input. Again, shadow reporting is a good indicator: most interviewees in monitoring share the view that there are fewer and fewer shadow reports. Interviewed NGOs confer that they cannot maintain the capacity to produce tailored shadow reports over time. This is regrettable, as shadow reports are seen by members of the monitoring bodies as the most useful type of contribution from NGOs (top-ranking type of contribution, selected by 36.4% respondents). NGOs often miss the reporting deadlines, or share general reports whose focus is not necessarily relevant. Field meetings, the second most useful contribution as rated by survey participants from monitoring bodies, are a good way to engage NGOs with limited capacity. However the budgetary constraints of monitoring bodies mean field visits are often too short and too few according to interviewees to guarantee optimal input: during short visits, it is difficult to have sufficient meeting time with all partners. Participants to focus groups shared the same impression, and insisted that the capacity to meaningfully contribute to monitoring varies a lot among NGOs.

These shortcomings are partly compensated by NGO coordination in certain cases. In standard setting, larger, professionalised NGOs may promote standard setting and organise consultations with smaller, especially national NGOs, and channel this input in the steering committees. This was the case for instance during the drafting of the Istanbul Convention under the then CAHVIO. However such initiatives are uncommon, because large NGOs consider in interviews that "*it represents a huge responsibility, both in terms of time and efforts, and in political terms*".

In monitoring, coordination of NGO input takes place in certain thematic areas, where a limited number of specialized NGOs are organised in a network. For instance, anti-trafficking NGOs in Ukraine have reported to the GRETA as an NGO platform. Field research shows that such initiatives are typical for specialized topics, and are most frequent in countries where NGOs benefit from international assistance for their institutional development.

2.2.2 Facilitating cooperation

> Finding 10: NGOs are motivated to make a tailored investment to standard setting and monitoring if they expect tangible impact on the implementation of common values

It is clear that **contributing to standard setting and monitoring represents at best an effort**, at worst a burden for NGOs:

- They need to inform themselves about the standard setting and monitoring processes, their focus, their deadlines, their news and their requirements;
- They need to develop their skills, knowledge and capacity to contribute in a tailored way, whether in person or in writing;
- They need to dedicate working time and allocate funds for this contribution.

In a context of shrinking funding, **NGOs manage competing priorities**:

- Fundraising;
- Response to the needs of their constituency (for instance provision of victim support, or direct assistance to their beneficiaries);
- Implementation of projects;
- Participation in various decision-making structures, locally, nationally or internationally (for instance lobbying at local self-governance level, national policy-making processes, parliamentary advocacy, attendance in EU, UN and CoE platforms…)

Therefore, to make this investment and to produce tailored, meaningful contributions for the CoE, **NGOs need a high level of motivation and incentive**. While shared values and common objectives do provide an incentive for NGOs to contribute, this remains insufficient to guarantee sustainable contributions. The other incentive the CoE can offer is the **realistic expectation that NGOs' contributions will have a measurable, predictable impact** on the fulfilment of these objectives: in this area, the CoE has a **margin for improvement**.

Contributing to CoE standard setting and monitoring is important for NGOs because they often feel the CoE is the international institution which embodies the best the values they defend, and because they believe, as one interviewee explained, that "*whatever impact the CoE has, no matter how small, can only be good, unlike other international agencies which sometimes do harm*". For instance, 81.6% of NGO survey respondents consider their observer status in a CoE steering committee "very important", and 15.8% consider it "somewhat important". Only one respondent (2.6%) considered it "not very important", and none considered it "not important at all". The same type of answers appear in interviews with NGOs contributing to monitoring: most of them consider it very important to fulfil this role, despite their doubts and difficulties. They praise the professional standards, the balance and impartiality of monitoring bodies. They feel that monitoring reports reflect their input. However, while they are satisfied about the quality of cooperation, they do not consider its impact sufficient to durably justify their involvement.

1. How important is it for your NGO to be an observer of a Council of Europe steering committee?
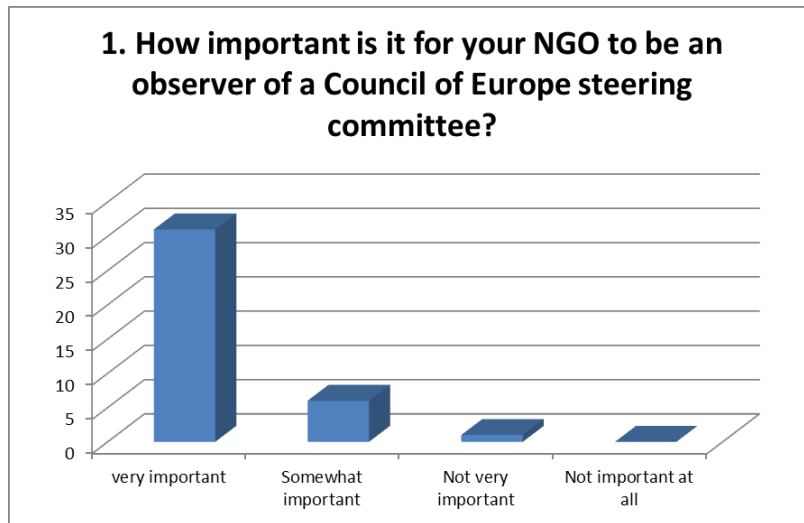
Figure 8: Questionnaire question 1: perceived importance of observer status in steering committees by NGO respondents (number of respondents)

When asked what motivates them, NGO interviewees (40 interviewees representing NGOs, plus 13 interviewees representing other actors such as the CoE Secretariat or members of steering committees or monitoring bodies) mostly quote the expectation that this investment will have a tangible impact to advance the cause they defend, because of the values they share with the CoE.

NGOs measure this impact in various ways:

- The modification of national legislation, regulations or policies in accordance with standards (e.g. harmonisation of a law with a Convention, or with a recommendation of the Committee of Ministers);
- The implementation of standards in the practice of state institutions at the technical level (e.g. through training of practitioners, or administrative instructions on the implementation of standards);
- The pressure placed by the CoE on the States to implement these standards (e.g. through public statements by CoE senior officials);
- The production by the CoE of documents which NGOs can use as effective advocacy tools (e.g. monitoring reports explicitly pointing to gaps in implementation of standards);
- Improvement of funding and cooperation opportunities for projects and programmes which contribute to the implementation of standards, either with the CoE or with other donors.

However, recurring doubts and frustrations expressed by NGOs on the impact of the CoE's work despite its quality show that this capital of motivation and dedication is fragile. It needs to be nurtured by re-motivating NGOs to contribute, and by creating the most suitable possible conditions for their meaningful contribution. NGOs would also like to see some extra effort from

the CoE to smoothen the practicalities of their contribution to standard setting and monitoring, which would reduce the cost of their contribution.

Finding 11: The CoE could improve the added value of NGOs' contributions by increasing the predictability of NGO cooperation in standard setting and monitoring

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NGOs consider impact and uncertainty as the CoE's key shortfalls: it is the most frequently quoted reason why NGOs could be discouraged from contributing, whether in standard setting or monitoring.

Observer NGOs in steering committees complain that they are left alone to promote CoE standards, particularly non-legally binding standards. Along with some members they claim that the CoE does not dedicate sizeable resources to this task. Several interviewees also point to the restructuring of steering committees which took effect in 2014: as several committees were merged, NGOs feel that the focus of some committees has become too wide, too blurry, and the close match between the CoE's and NGO's priorities is reduced. They explain that the agendas of merged steering committees are now very ambitious, which leaves little time for NGOs to take the floor.

Interview quote: It is an investment to contribute [to standard setting]. But we think it is worth it because the CoE is the only organisation really looking at standards from the Human rights point of view. The CoE standards are perfect, they are the best.

The problem is that standard setting is not followed by implementation and monitoring. It is frustrating. It is not enough to know how things should be done, there is a need to have an impact. The CoE needs to promote soft standards and check how they are used. (…) But the CoE is completely disengaged from this process. There are no resources in the CoE for implementation and monitoring of non-legally binding standards. This does not help when NGOs advocate governments for the implementation. This is a strong disincentive for the NGOs who work with the CoE, and it makes it hard for us to convince our board to let us continue our contribution to the steering committee.

NGOs involved in monitoring repeatedly explain that follow up to monitoring reports during the monitoring cycle is direly lacking, and that they lack tangible evidence of the CoE's dedication to promoting the implementation of conventions.

In the short run, the CoE can give **additional incentives to NGOs by increasing the visibility and predictability of the processes** through which they can contribute. As any contribution is an

investment, the CoE must reduce the risk NGOs may perceive that this investment could "*go nowhere*" as described by an interviewee. NGOs need to understand, and easily find out:

- Where they can contribute (which steering committee or monitoring body deals with their issues, what are their respective roles);
- How they can contribute (how they can contact the relevant body, how they can become observers and based on which criteria, which format they should use in their communication and what is expected of them);
- When they can contribute (clearly advertised timelines for the preparation of standards and for monitoring cycles);
- Whom they can contact;
- What happens to their contributions (clear presentation of how NGO input is processed, the level of confidentiality, the procedures for adoption of standards and monitoring findings);
- How they can get involved in the measures taken by the CoE to foster implementation of standards (e.g. cooperation programmes, conferences, high-level events…)

In standard setting, the CoE can also **make more use of the most cooperative models**, such as **co-management in the youth field, or the multi-stakeholder approach** in the media field. The CDMSI, for instance, has two subordinate bodies (Committee of experts on media pluralism and transparency of media ownership, and the Committee of experts on internet intermediaries) each composed of 13 members, comprising seven representatives on behalf of a State designated by the CDMSI, and six independent experts appointed by the Secretary General of the CoE. The latter are usually from NGOs and private entities. **Such models are a guarantee to NGOs that their input will play a role**, that it is a worthy investment of resources.

Good practice example: co-management and co-decision in the Joint Council on Youth (CMJ). The CMJ is composed of the Consultative Council of Youth (made up of 30 youth organisations) and the European Steering Committee for Youth (CDEJ). In this architecture, the states' and youth representatives take decisions on a peer level and on a consensus basis. This regards not only the resolutions on policies, but also the entire preparation of programmes and their budgets, which go to the CM. The PACE support was instrumental in initiating the system.

According to interviewees some landmark CoE standards on youth benefited extensively from this format, such as the recommendation on inclusion of youth from under-privileged backgrounds (Enter) or the Congress Charter on youth participation in local governance. The prerequisite has been strong capacity building for youth organisations from the onset of cooperation.

Stronger links could also be built between standard setting, monitoring, and the cooperation programmes where NGOs can participate. In both standard setting and monitoring, the CoE could systematize the participation of NGOs in conferences which engage the State authorities and civil society into implementation-focused dialogue. In this way, NGOs who contribute to standard setting and monitoring would directly witness, and participate in the CoE's activities which promote the implementation of standards.

In the long run, the CoE can also **increase the visibility of its impact**, by further promoting:

- Key standards in which NGOs had a large contribution, including non-legally binding standards;
- Progress made in implementing CoE standards in the member States and States parties to CoE conventions;
- Measures taken to enhance implementation of standards: as cooperation programmes, high-level statements and conferences.

2.2.3 The role of Conference of INGOs as interface between NGOs, standard setting and monitoring

Finding 12: The Conference of INGOs remains under-utilized as facilitator.

The majority of NGO observers in the steering committees, and where applicable monitoring bodies have CoE participatory status, and are members of the Conference of INGOs. The CDDH even makes this a condition to grant observer status. However in practice interviewees often deplore that the most active NGOs in steering committees are either not members, or not active members of the Conference. For most NGOs, participation in the Conference of INGOs and contribution to standard setting are two separate processes.

Some NGOs who are at the same time observers in steering committes and members of the Conference contribute individually to standard setting. The Conference of INGOs was quoted in two steering committees and one monitoring body as an actor of selection of NGOs in general. It is not formally involved in the selection process of individual observer NGOs in the steering committees, and it is not systematically consulted for the selection of NGOs invited for hearings and conferences on an ad hoc basisor in the

Good practice example: the Conference of INGOs has recently appointed a coordinator for youth issues, whose role is to liaise with all youth NGOs cooperating with the European Steering Committee for Youth, the Advisory Council of Youth and the Joint Council on Youth, and with under-represented international and national youth organisations, in order to facilitate the inclusion of hard-to-reach youth associations.

preparation of country monitoring visits by the monitoring bodies. At the same time, most

interviewees recognise that the Conference of INGOs could develop its potential for contribution: with enhanced capacity for outreach and internal coordination, it could contribute further to the consultation of civil society actors. For instance members of the Conference might facilitate the consultation of national NGOs who are part of their network.

3.   CONCLUSIONS AND RECOMMENDATIONS

3.1.   Conclusions

3.1.1 Question 1: To what extent do NGOs contribute to the CoE's standard setting and monitoring activities?

Conclusion 1: NGO contribution has manifest added value for standard setting and monitoring, because they have value-based and trust-based relationships with the CoE.

See finding   1: NGOs' contributions are needed, and add value to standard setting and monitoring

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Overall, the evaluation findings show a positive relationship between the CoE and its partner NGOs in standard setting and monitoring. This relationship is mostly based on common values and objectives, but also on mutual trust, and a long experience of integration of NGOs in the standard setting and monitoring. There are numerous examples of close partnerships which are particularly satisfactory for both sides, and enable a level of dialogue which is a specific to the CoE. This community of values with NGOs is a comparative advantage of the CoE, which ensures that the contribution of NGOs is issue-based, and mostly focuses on how to achieve common objectives.

The CoE needs to cultivate this specificity, and continue to acknowledge that the contribution of NGOs is essential to its work, including intergovernmental.

Conclusion 2: The NGOs contribute to the validity, legitimacy and impact of the CoE's standard setting and monitoring work.

See findings   2: NGOs bring expertise, especially in the context of standard setting
3: NGOs are key advocates for CoE standards
4: NGOs provide standard setting and monitoring activities with "reality checks"

By their very nature, NGOs constitute a challenge and a "spur" for intergovernmental bodies. Because of the values they share with the CoE, and in many cases because they have adapted over time to the specificities of intergovernmental work, this challenge remains generally constructive.

NGOs clearly add value to the CoE's intergovernmental work by contributing to the validity and adequacy of standards and of monitoring outputs:

- In some important specialized domains, their professional expertise is an indispensible asset to standard setting and monitoring;
- They contribute to checking emerging standards and monitoring conclusions against the reality at the field and practitioner level, hence contributing to their update and adaptation to concrete needs;
- They increase the exposure of standard setting and monitoring bodies to the practical realities of implementation of standards, hence contributing to the implementability of new standards, and the awareness of difficulties and good practices in the implementation of existing ones;

NGOs also contribute to the legitimacy of CoE standards and monitoring results:

- They increase the variety of perspectives and opinions which are taken into account for standard setting and monitoring;
- They channel the point of view of groups of citizens who seldom have access to standard setting and monitoring processes.
- The NGOs' freedom of speech, and sometimes their creativity, have repeatedly been a source of inspiration for the standard setting and monitoring bodies.
- As alternative sources of information, they can help the CoE reach balanced conclusions and compromises.

Finally NGOs contribute to the impact of the CoE's standard setting and monitoring work. They are often found at the forefront of implementation of CoE standards. Through their work, many disseminate and promote these standards, advocate, or even take direct action for their implementation.

However, the overall positive NGO contribution should not hide the disparity among the CoE's partner NGOs. The level of this added value varies greatly from case to case, both because of limitations inherent to the NGOs, and because of certain obstacles they face in accessing the CoE's standard setting and monitoring work.

3.1.2 Question 2: To what extent do internal and external obstacles constrain this contribution?

Conclusion 3: NGOs face challenges in providing high added-value, sustainable contributions.

See finding :   9: The level of adaptation of NGOs to the CoE's standard setting and monitoring work varies widely

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In many cases, NGOs lack the required skills and capacity, particularly in terms of human resources, to contribute meaningfully in a tailored way, whereas relatively limited capacity building could empower them to do so. The complexity of the CoE's structure, and of its standards, also poses some practical obstacles for NGOs to contribute. Before they even start contributing to the CoE's work, it takes NGOs sizeable efforts and time to familiarize themselves with the standards, and to find out where and how to contribute to their elaboration and their monitoring.

The NGO landscape at international and national levels offers almost infinite possibilities to increase contributions and multiply the number of NGO partners. At the same time, budgetary and human resource constraints inside the CoE limit the organisation's capacity to absorb extra NGO input. Besides, despite the values shared between the CoE and many NGOs, the representativeness, professionalism and integrity of NGOs vary greatly and should not be taken for granted. The CoE must therefore ensure it selects the most relevant input possible.

Conclusion 4: The CoE needs to optimize its selection of NGOs.

See findings   5: NGOs' inputs channel wider diversity of points of view into intergovernmental work;
*   8: The selection of partner NGOs in paramount to the added value of their contribution;*
*   7: The contribution of the Conference of INGOs: views of civil society versus expert input .*

While the CoE usually satisfactorily vets out NGOs when their integrity or usefulness is in doubt, it does not sufficiently update and refine its range of NGO partners. The processes used to select NGOs are tailored, which is positive, but they are also suboptimal and unclear, which is risky. Active search for the best possible NGO partners remains an exception, the selection is to a certain extent random, and there are no basic unified criteria among the steering committees. While reference checks take place within the Secretariat on an ad hoc basis, standard setting and monitoring bodies rarely draw on one another to optimize this selection. De facto, certain types of NGOs have little access while they could be valuable, such as national NGOs and NGOs focusing more on Eastern Europe in standard setting, or local NGOs in monitoring. Overall, and despite persistent efforts by the standard setting and monitoring bodies and their Secretariats, there is no guarantee that the NGOs which currently contribute are always the best fitted to do so.

The CoE therefore needs to enhance the identification and selection of NGO partners in order to preserve and optimize in the long run the value of NGOs' contribution.

3.1.3 Question 3: Which conditions are most conducive to achieving optimal added value of NGOs' contributions to standard setting and monitoring?

> Conclusion 5: The CoE needs to create incentives and facilitate NGOs' contribution.
>
> *See findings 6: There is a correlation between the quality of partnership and the usefulness of NGOs' contributions to most standard setting and monitoring bodies;*
> *10: NGOs are motivated to make tailored investment to standard setting and monitoring if they expect tangible impact on the implementation of common value.*

Regularly contributing to standard setting and monitoring represents an important investment in time and efforts.

In addition, while the NGOs praise the quality of the CoE standards and of its monitoring results, they perceive a gap in the implementation of CoE standards which could demotivate them to contribute.

NGOs therefore need sufficient clarity and user-friendliness of the process, and require information about the impact of their contribution in order to dedicate their resources to standard setting and monitoring. In its own interest, the CoE needs to further promote, clarify, and in some cases simplify, the existing avenues for NGOs to contribute. Wherever possible, the CoE also needs to cultivate all formats that encourage NGOs to contribute in a tailored but mutually beneficial way. These formats include consultation formats that place NGOs on an equal footing with other stakeholders, continuity between standard setting, monitoring and cooperation programmes, and events that expose NGOs to potential partners.

> Conclusion 6: The CoE needs to optimize the use of NGOs' contributions.
>
> *See findings 11: The CoE could improve the added value of NGOs' contributions by increasing the predictability of NGO cooperation in standard setting and monitoring*
> *12: The Conference of INGOs remains under-utlized as facilitator.*

The value of NGO contribution is multiplied when the CoE draws on internal synergies, which is not always the case, partly due to budgetary and time constraints. While standard setting bodies do use monitoring reports to inspire their work, there is no systematic signalling by monitoring bodies of emerging needs for standards based on the realities observed in the field. The steering committees do not systematically consult with each other for the selection of NGOs or for the design of NGO contribution formats. The monitoring bodies do not

systematically draw on the knowledge of Field Offices. The potential of the Conference of INGOs as hub and facilitator needs further development and use.

3.2.   Recommendations

Recommendations made are without prejudice to the rules governing the independence and confidentiality of the work of the monitoring bodies. In Recommendations 3 and 4 below, "the Steering Committees" refer to the CDDH, CDMSI and CDCPP, and "Monitoring Bodies" refer to the GRETA, FCNM Advisory Committee and Lanzarote Committee, as pilot bodies. Based on these pilots, satisfactory practices could be extended to other Steering Committees and Monitoring Bodies.

The DIO recommends that:

1) the Secretary General brings the good practices identified in this report to the attention of the steering committees:
   a. Organisation, with the support of the Directorate of Programme, Finance and Linguistic Services, of a a joint meeting to present to each other the modalities for selecting NGO observers, and development of common basic criteria and procedures for future the selection of NGOs;
   b. Publication on the steering committees' websites of the procedure and criteria for selection of observer NGOs;
   c. Organisation of ad hoc hearings and consultations with non-observer NGOs during drafting processes;
   d. d.Dissemination of documents to members and observer NGOs at the same time;
   e. e.Creation of an "NGO contact point and coordinator" among the members of the respective steering committees;
   f. f.Utilisation of secure web-based platforms to facilitate the submission of written inputs by observer NGOs.

2) the Secretary General will evaluate the feasibility of these practices by the end of 2016;

3) the Secretariats of the Steering Committees, Monitoring Bodies and Conference of INGOs, with the technical support from DIT, create a dedicated NGO area in the CoE website, functioning as a portal to NGO-relevant information in the respective websites of the CoE bodies;

4) the Secretariats of Monitoring Bodies bring the good practices identified in this report to the attention of their Bureaus, for their consideration:
   a. Consultation of NGOs active at both national and local levels during country visits;
   b. Combination of individual and collective meetings with NGOs;

c. Regular organisation of awareness-raising seminars and follow-up conferences on monitoring process, findings and progress in implementation, involving NGOs
d. Systematic consultation of Field Offices on NGO selection ahead of monitoring visits;
e. For monitoring bodies using thematic monitoring exclusively (without regular country visits), creation of tailored versions of these questionnaires, for State authorities and NGOs.

5) The Conference of INGOs consider pursuing appointment of coordinators/facilitators for specific topics among the members of the Conference as a good practice.

ANNEX 1. ACRONYMS

CoE	Council of Europe
CDCPP	Steering Committee for Culture, Heritage and Landscape
CDDH	Steering Committee for Human Rights
CDEJ	European Steering Committee for Youth
CDMSI	Steering Committee on Media and Information Society
CODEXTER	Committee of Experts on Terrorism
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
DECS-ENF	Committee of Experts on the Council of Europe strategy for the rights of the child (2016-2019)
DG I	Directorate General of Human Rights and Rule of Law
DG II	Directorate General of Democracy
DIO	Directorate of Internal Oversight of the Council of Europe
ECHR	European Convention on Human Rights
ECRI	European Commission against Racism and Intolerance
EU	European Union
FCNM	Framework Convention for the Protection of National Minorities
GRETA	Group of Experts on Action against Trafficking in Human Beings
INGO	International Non-Governmental Organisation
NGO	Non-Governmental Organisation
UN	United Nations

ANNEX 2. ACTION PLAN

Rec ID	DIO recommends that	Operational suggestions	Management Decision	Planned actions by addressee	Justification by addressee	Person in Charge for consideration	Target Date (month or quarter)
2016-03-01	the Secretary General brings the good practices identified in this report to the attention of the steering committees		□Accepted □Partially accepted □Rejected □Under consideration			Private Office	End 2016
2016-03-02	the Secretary General will evaluate the feasibility of these practices by the end of 2016		□Accepted □Partially accepted □Rejected □Under consideration			Private Office	End 2016

2016-03-03	the Secretariats of the Steering Committees, Monitoring Bodies and Conference of INGOs, with the technical support from DIT, create a dedicated NGO area in the CoE website, functioning as a portal to NGO – relevant information in the respective websites of the CoE bodies	This new area of the website could include basic facts about how NGOs contribute to the CoE, procedures to follow to obtain partnership and observer status, guidelines for contributions to Steering Committees and Monitoring Bodies, links to websites of the respective committees, including upcoming deadlines for monitoring and standard setting processes, and news items highlighting the impact of NGO contributions to be updated by the Secretariats of the relevant bodies.	□Accepted □Partially accepted □Rejected □Under consideration			Heads of Secretariats of CDDH, CDMSI, CDCPP, GRETA, FCNM Advisory Committee, Lanzarote Committee, Conference of INGOs.	End 2016
2016-03-04	the Secretariats of Monitoring Bodies bring the good practices identified in this report to the attention of their Bureaus, for their consideration		□Accepted □Partially accepted □Rejected □Under consideration			Heads of Secretariats of GRETA, FCNM Advisory Committee, Lanzarote Committee	Mid-2016

2016-03-05	the President of the Conference of INGOs consider pursuing appointment of coordinators/facilitators for specific topics among the member of the Conference as a good practice		□Accepted □Partially accepted □Rejected □Under consideration			President of the Conference of INGOs	Continuous

ANNEX 3. CONCEPT NOTE

1. Introduction

As set out in its Work Programme for 2015,[6] noted by the Committee of Minister' Rapporteur Group on Programme, Budget and Administration (GR-PBA) on 19 March 2015, the Directorate of Internal Oversight (DIO) is undertaking an evaluation of the co-operation of NGOs with the Council of Europe in standard-setting and monitoring.

The Work Programme, referring to the thematic debate of the Committee of Ministers (CM) on the relationship of the Council of Europe with civil society, states that "*the evaluation is expected to contribute to better understanding the role of INGOs, NGOs and the Council of Europe INGO Conference in standard-setting and monitoring activities of the Council of Europe.*" This evaluation is expected to serve the identification of added value and assist in organisational learning. In line with this, the main evaluation criteria of this evaluation will be added value and effectiveness.

This Concept Note aims to define the scope, purpose, organisation and overall expectations of this evaluation. It presents the key evaluation questions, methodology and work plan.

2. Background information

2.1 The Contribution of Non-Governmental Organisations (NGOs) to standard setting

The CM Resolution on Intergovernmental Committees and Subordinate Bodies, their Terms of Reference (ToR) and Working Methods foresees the participation of the Conference of INGOs as a participant in steering committees.[7]

In addition, this Resolution foresees two main options for the contribution of national and international NGOs in steering committees and their subsidiary bodies:

- Participant status with a right to participate in discussions but no right to vote nor defrayal of expenses may be granted "*by virtue of a resolution or decision of the CM*";
- Observer status with none of the above-mentioned rights may be granted "*on the basis of a unanimous decision by that steering or ad hoc committee*".

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[6] GR-PBA(2015)7: "Work programme 2015 of the Directorate of Internal Oversight"
[7] CM/Res(2011)24 on Intergovernmental Committees and Subordinate Bodies, their Terms of Reference and Working Methods

Exceptionally, derogations exist such as defrayal of expenses according to the ToR of a sttering committee.[8]

Most steering committees and their subordinate bodies, in their ToR, grant observer status to a number of NGOs in addition to participation by the Conference of INGOs. The ToRs of the steering committees list these NGOs. These are mostly international NGOs, some of which also enjoy participatory status with the CoE. In most cases, these NGOs can contribute to committee discussions in writing; some committees allow full participation of observers in the debates. NGOs with observer status may represent the opinion of a network of national or international NGOs, as is the case for umbrella organisations or NGOs which systematically consult their peer NGOs without observer status. However, the CoE has no influence over this consultative process.

In addition, committees may organise hearings with individual NGOs on an ad hoc basis in order to benefit from niche expertise and information. Some members of the CM steering committees or subsidiary bodies are also members of NGOs. While they participate in their private capacity, they are likely to contribute with the expertise of their respective NGOs.

At this stage, scoping interviews suggest that NGOs mostly contribute information, specialized expertise as well as opinions to standard setting activities. Depending on the case, they may also have the advocacy capacity to contribute to the development of the priorities and agenda of a given committee. The drafting, signature and ratification processes of CoE standards bring together the representatives of the Member States into a substantive dialogue, which can be informed by input from various actors, such as NGOs.

2.2 The Contribution of NGOs to monitoring

According to scoping interviews, although monitoring bodies do cooperate with NGOs on a systematic basis, this form of cooperation is less formalised. With a few exceptions, CoE treaties do not prescribe, prevent nor limit such cooperation. NGOs' contributions to monitoring are essentially channelled in four ways:

- Membership: some monitoring bodies include NGO representatives among their members;
- Shadow reporting: NGOs may send reports to the monitoring bodies, which are complementary to the information provided by States' authorities and to the direct observation of monitoring bodies;

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[8] For instance, the ToR of the Ad-Hoc Committee on of Experts on Roma Issues (CAHROM) foresee defrayal of expenses for one representative of the European Roma and Travellers Forum, having regard to Partnership Agreement of 15 December 2004.

- Continuous consultation: some monitoring bodies entertain a regular dialogue with some NGOs offering specific expertise;
- Consultation during monitoring visits: during their country visits, all monitoring bodies organise meetings with national NGOs, including "umbrella NGOs" federating several organisations or working on general topics of relevance to monitoring (mainly human rights), and specialised NGOs which focus on niche topics or represent the interests of particular groups.

Scoping interviews suggest that NGOs mostly contribute information, expertise, and access to specific groups of interest to monitoring bodies.

2.3 Current debate

At its meeting of 17 February 2015, the Rapporteurs' Group on Democracy (GR-DEM) of the Committee of Ministers (CM) took stock of a continuing debate regarding the role of NGOs in the CoE. The GR-DEM concluded that the CM Secretariat needs to revise its paper on "The Role and Functioning of NGOs in the Council of Europe"[9]. This thematic debate ensued from a Non-Paper by the Permanent Representation of Poland on the same topic, which emphasized the added value of the contribution of NGOs to the CoE, and explored avenues to enhance this contribution.[10] However there are differences within the GR-DEM regarding whether or not enhanced cooperation with NGOs in the CM's standard-setting activities is needed, and if yes what modifications are advisable.

The majority of interviews with Steering Committees and their subordinate bodies, as well as with monitoring bodies, reveal that the role of NGOs in the CoE's standard-setting and monitoring activities varies depending on the case. However, all interviewees valued this role and showed an interest in being better informed of best practices, lessons learned and opportunities to optimize cooperation with NGOs.

3. Evaluation purpose, objectives and criteria

The purpose of this evaluation is to inform decision-makers on the added value of the cooperation with NGOs in standard setting and monitoring for the CoE. The objectives of the evaluation are:

1. To analyse the state of cooperation with NGOs in standard setting and monitoring in the CoE, with particular emphasis on good practices and existing obstacles;
2. To identify the added value and the potential of increasing the cooperation with NGOs;

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[9] GR-DEM(2014)10 of 24 October 2014: Follow up to thematic debate "The role and functioning of NGOs in the Council of Europe".
[10] DD(2014)733: "The role and functioning of NGOs in the Council of Europe" – Non-paper by the Polish Permanent Representation to the Council of Europe.

3. To identify possibilities for optimisation of this cooperation.
The evaluation criteria will be effectiveness and added value.

4. Scope of the evaluation and evaluation questions

Through the following questions, the evaluation will examine the contribution of NGOs, including the Conference of INGOs, to intergovernmental cooperation in standard setting and to monitoring bodies.[11]

Question number	Draft question	Draft sub-questions	Criteria	Evaluation objective
1	To what extent do NGOs contribute to the CoE's standard setting and monitoring activities?	What type of input do CoE standard setting committees and monitoring bodies receive from NGOs? How does this input influence the final CoE standards and monitoring reports? To what extent do NGOs channel wider diversity of positions in CoE standards and monitoring results?	Added value	2
2	To what extent do internal and external obstacles constrain this contribution?	To what extent does the CoE apply inclusiveness, equity and transparency in the selection of relevant NGOs? To what extent do NGOs have access to each step of the CoE's standard setting and monitoring processes? What limits the capacity of NGOs to contribute to the CoE's standard setting and monitoring?	Effectiveness	1; 3

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[11] See the full list in Annex 2

| 3 | Which conditions are most conducive to optimal value added of NGO's contributions to standard setting and monitoring in the CoE? | To what extent do current rules and practices of cooperation fulfil the needs of the CoE standard setting and monitoring bodies?

What incentives does the CoE offer for NGOs to contribute to standard setting and monitoring?

What are successful and replicable experiences of cooperation with NGOs?

What are the conditions for sustainable partnership between NGOs and CoE standard setting and evaluation bodies? | Added value | 1; 3 |

5. Evaluation methodology

5.1 Scoping phase and elaboration of the concept note

5.1.1 Scoping interviews and document review

The evaluation team has collected the basic documentation on all standard setting and monitoring bodies of the CoE in order to identify the evaluation universe and prepare sampling. They have examined the key tasks of these bodies as set out in the ToR of the steering committees, and in the CoE treaties. They have listed the NGOs having observer status with the steering committees.[12]

The evaluation team conducted 21 scoping interviews with representatives of standard setting and monitoring bodies, the INGO Conference, and NGOs which cooperate with the CoE in standard setting and monitoring. The evaluation team has.

5.1.2 Sampling

By cross-referencing the stakeholder maps with the scope of the evaluation, the evaluation team has determined that the evaluation universe will be comprised of all CoE bodies listed in Annex 2. Within this sample, the evaluation will look into up to six case studies:

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[12] See Annex 2

- Standard setting and monitoring bodies should be equally represented (identified through desk review);
- The three pillars (human rights, rule of law and democracy) as defined in the 2014-2015 CoE Programme and Budget should be equally represented (identified through desk review);
- Secretariats of monitoring bodies in DG I and DG II should be equally represented to the extent possible (identified through desk review);
- Substantive experience of cooperation with NGOs (identified through scoping interviews);
- Variety of models of cooperation with NGOs (identified through scoping interviews).

Based on these criteria, the evaluation team has established a tentative sample for case studies:

Human rights	CDDH (DG I)	FCNM Advisory Committee (DG II)
Rule of law	CDMSI (DG I)	GRETA (DG II)
Democracy	CDCPP (DGII)	Lanzarote Convention Committee

5.2 Inception phase

Reference group

The evaluation team will request the MAEs and the Conference of INGOs to appoint representatives to the Reference Group in relation with the case studies. This Reference Group will accompany the evaluation process with feedback to the draft inception and final reports.

The evaluation team will approach NGOs relevant for the case studies for consultation and contributions regarding draft findings and recommendations, either through participation or in writing.

Preliminary desk study

The evaluation team will collect additional documentation on the evaluation universe through a desk study, in order to:

- Complete the mapping of existing landscape of CoE bodies and NGOs covered by the evaluation;
- Refine the evaluation questions, sub-questions and associated data sources;
- Identify areas of inquiry for the evaluation and elaborate the evaluation methods;
- Plan and schedule the implementation of the following phases, with particular attention to missions in the field.

Interviews and focus groups

The evaluation team will also conduct interviews with key stakeholders of the case studies, in order to elaborate preliminary findings which will guide further data collection and analysis, particularly the selection of countries to be visited and the schedule of data collection missions.

The evaluation team will organise focus groups with the representatives of the secretariats of the evaluation universe.

The results of interviews and focus groups will be used to finalise the evaluation questions and sub-questions and elaborate an evaluation matrix linking questions, sub-questions, indicators and data sources.

Inception report

The evaluation team will prepare an inception report, which will be commented and discussed by the Reference Group during its first meeting.

The inception report will elaborate on the evaluation method (evaluation matrix) and work plan, and provide details about case studies (choice of countries for missions, timing of missions, list of stakeholders…). It will present data collection tools (data collection matrix, semi-structured interview questionnaires for case studies, survey questionnaires). It will outline preliminary findings and working hypothesis.

5.3   Data collection phase

Evaluation universe

The following data will be collected from CoE Headquarters for the overall sample of CoE standard setting and monitoring bodies.

Legal and regulatory framework (e.g. relevant treaty, ToR)	Desk review
Documents illustrating NGO contributions (e.g. report quoting NGO input, conference proceeds, activity reports…)	Desk review
Opinion and experience of CoE staff	Focus groups Survey questionnaire addressed to all relevant CoE staff
Opinion of international NGOs	In-person or phone interviews with NGOs having observer status

Case studies

Case studies will be documented through desk review, survey and interviews conducted in Headquarters, and with focus groups and interviews conducted during four missions to a sample of countries. The sample of countries will be elaborated in consultation with the Reference Group. The following data will be collected for the case studies, in addition to data already collected for the entire evaluation universe:

Opinion and experience of members of standard setting and monitoring bodies	Interviews, survey
NGOs' written contributions	Collection of NGO correspondence received by MAEs
Track of NGOs' participation to events (participants' lists, minutes, records)	Collection of event documentation from MAEs
Opinion of international NGOs	Survey questionnaire to NGOs having contributed to sampled bodies
Opinion of national NGOs	Field visits and interviews
Opinion of domestic authorities	Field visits and interviews

5.4   Data analysis and reporting phase

The evaluation team will analyse the data collected for case studies, triangulating the various types of data sources.

The evaluation team will analyse in particular the following aspects:

- Identification and selection of NGOs by the CoE bodies;
- NGOs' access to CoE bodies and processes, and their incentive structure for establishing their priorities in cooperation with the CoE;
- Representation of NGOs contributing to the case studies on CoE bodies (membership, opinions, interests, core values and priorities);
- Patterns of the information flow between CoE bodies and the partner NGOs;
- Capacity and quality constraints characterizing NGOs' contribution;
- Strengths/Weaknesses/Opportunities/Threats (SWOT) of the various models of cooperation with NGOs based on applicable rules and existing practices;
- Identification of positive experiences of cooperation with NGOs.

In consultation with the stakeholders of the case studies, particularly representatives of the standard setting and monitoring bodies, and of the INGO Conference, the evaluation team will analyse the data of case studies and prepare case study reports.

The evaluation team will review, sort and synthesise the data collected using the indicators outlined in the evaluation matrix and the methodology designed in the inception phase. The evaluation team will then analyse the synthesised data to identify trends and processes, draw findings and conclusions, and analyse their root causes, with a view to answering the evaluation questions and fulfilling the evaluation's objectives. As a result of the data analysis phase, the evaluation team will prepare case study reports of a maximum of 15 pages and a draft final report of a maximum of 25 pages plus annexes. The final report may present lessons learned, good practices, and options for the future enhancement of NGOs' contribution to standard setting and monitoring.

The Reference Group will convene to discuss the draft final report, and provide comments and feedback to the evaluation team. After adjustment of the final report, the evaluation will be concluded with a final event presenting the main findings to relevant stakeholders.

6. Evaluation work plan

6.1 Evaluation team

The evaluation team will be composed of a DIO Evaluator, supported by an Intern. It is not envisaged to hire external consulting services for this evaluation.

6.2 Provisional schedule

Event	Date
Establishment of the Reference Group	15 May 2015
Focus groups and interviews in Headquarters	11 – 22 May 2015
Field missions	07 June - 30 September 2015
Draft inception report	15 June 2015
First reference group meeting	28 June – 10 July
Dissemination of survey questionnaires (CoE, NGOs)	07-10 September 2015
Survey results' analysis	30 September 15 October 2015
Submission of draft case study reports	30 October 2015
Consultation and finalization of case study reports	30 October-30 November
Submission of draft final report	20 November 2015
Second Reference Group meeting	10 December 2015
Finalisation of final report	18 December 2015
Follow up event	February 2016

EVALUATION UNIVERSE

Note: this table is indicative, and might be revised as the evaluation proceeds. The thematic classification is for ease of reference, without prejudice to the mandate and activities of the below CoE bodies. In addition to the bodies mentioned in this table, the Conference of INGOs, which has participatory status in steering committees and in some monitoring bodies, is an essential part of the stakeholders' map for this evaluation.

Standard setting bodies	Key tasks defined by the ToR	NGOs with observer status (in addition to the Conference of INGOs, which has participatory statusin all steering committees)
CDDH (Steering Committee for Human Rights)	- Contribute to the protection of human rights by improving the effectiveness of the control mechanism of the European Convention on Human Rights and the implementation of the Convention at national level. - Contribute to the preparation of the Conference of Ministers of Justice and ensure, as appropriate, the follow-up of any decision taken by the Committee of Ministers subsequent to the Conference in co-operation with the CDPC and the CDCJ. - Ensure oversight from the human rights perspective of work on bioethics and follow the human rights activities of other international organisations and institutions, in particular the United Nations and its Human Rights Council, the European Union and the OSCE.	- Amnesty International, (https://www.amnesty.org/en/) - International Commission of Jurists (ICJ) (http://www.icj.org/) - International Federation of Human Rights (FIDH), (https://www.fidh.org/La-Federation-internationale-des-ligues-des-droits-de-l-homme) - European Roma and Travellers Forum (http://www.ertf.org/)
CAHDI (Committee of Legal Advisers on Public International Law)	- Examine questions related to public international law and conduct exchanges and co-ordinate views of member States. - Deepen exchanges of views on the work of the International Law Commission and of the Sixth Committee and continue to update and improve databases managed by the Committee which are related to States practice on immunities of States; organisation and functions of the Office of the Legal Adviser of the Ministry for Foreign Affairs and implementation of United Nations sanctions. - Review recent developments regarding international disputes, namely cases before the European Court of Human Rights involving issues of public	

	international law and maintain contacts with lawyers and legal services of other entities or international organisations.	
CDDJ (European Committee on Democracy and Governance)	- Compilation of best practice and guidelines emanating from administrative and modernisation reforms at all levels. - Peer reviews (up to four) organised upon the request of member States to provide advice and expertise to facilitate modernisation of public administration at any level. - Updated guidance and toolkits for the "Strategy for Innovation and Good Governance" and the "Centre of expertise for local government reform" reflecting the latest governance practices tailored to the circumstances member States faced today, such as strengthening citizens' democratic participation.	
CDDECS (European Committee for Social Cohesion, Human Dignity and Equality)	- Promotes and supports in its field of competence the implementation of standards, in particular through the promotion of the relevant Council of Europe conventions and the work carried out by the European Commission against Racism and Intolerance (ECRI). - Supports the implementation of many programmes, like the Gender Equality transversal programme and the transversal programme "Building a Europe for and with Children" in the framework of the strategy for the Rights of the Child 2012-2015. - Oversees the promotion, implementation, follow-up and final review of the Council of Europe Disability Action Plan 2006-2015, as well as the development of the Council of Europe post-2015 disability framework. - Enhances and promotes many European conventions such as the European Charter for Regional or Minority Languages or the Framework Convention for the Protection of National Minorities.	- Amnesty International http://www.amnesty.fr/ - Children's Rights International Network (CRIN) https://www.crin.org/ - Confederation of Family Organisations in the European Union (COFACE) http://www.coface-eu.org/en/ - End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT international) http://www.ecpat.net/what-we-do - European Association of Service Providers for Persons with Disabilities (EASPD) http://www.easpd.eu/ - European Disability Forum (EDF)

http://www.edf-feph.org/

- European Network of Ombudspeople for Children (ENOC)

http://crinarchive.org/enoc/

- European Roma and Travellers Forum (ERTF)

http://www.ertf.org/

- European Women's Lobby and Women against Violence in Europe (WAVE)

http://www.womenlobby.org/our-work/violence-against-women/?lang=en

- European Youth Forum (YFJ)

http://www.youthforum.org/

- Human Rights Watch;

http://www.hrw.org/

- International Juvenile Justice Observatory (IJJO)

http://www.oijj.org/en

- International Association of Youth and Family Judges and Magistrates

http://www.aimjf.org/en/

- Missing Children Europe

http://missingchildreneurope.eu/

- Save the Children

http://www.savethechildren.org/site/c.8rKLIXMGIpI4E/b.6115947/k.B

		143/Official_USA_Site.htm
		- European Network of Equality Bodies (EQUINET)
		http://www.equineteurope.org/
CDMSI (Steering Committee on Media and Information Society)	Oversees the CoE's work in the field of media, information society and data protection in particular: - oversee the implementation of a Council of Europe Internet Governance Strategy, focusing on the right to freedom of expression on the Internet and the right to impart and receive information regardless of frontiers; (ii) develop co-operation at pan-European level, extend this co-operation to its neighbouring regions and engage other relevant stakeholders, preparing instruments with a view to promoting and protecting human rights, the rule of law and pluralist democracy in the Information Society and Internet Governance; - review, consolidate and update existing instruments and conduct, where necessary, additional standard-setting work in respect of freedom of the media, paying due attention to professional journalism standards, supporting independence, pluralism and diversity in the media, including public service media; - contribute to the implementation of the Committee of Ministers' Declaration of 13 January 2010 on measures to promote the respect of Article 10 of the European Convention on Human Rights; - co-ordinate standard-setting work in respect of the protection of personal	- Access Info Europe http://www.access-info.org/ - Article 19 http://www.article19.org/ - Association of Commercial Television in Europe (ACT) http://www.acte.be/ - Association of European Journalists (AEJ) http://www.aej.org/ - Black Sea Broadcasting Regulatory Authorities (BRAF) http://www.braf.info/menu_goster.php?id=4 - Community Media Forum Europe http://cmfe.eu/ - COPEAM

data and the right to private life, in close association with other relevant Council of Europe bodies (e.g. CAHDATA, T-PD, CDCJ);

- ensure follow-up to Committee of Ministers decisions taken in light of Resolutions adopted at the Council of Europe Conference of Ministers responsible for Media and Information Society (Belgrade, Serbia, 7 and 8 November 2013).

- in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions for which it has been given responsibility1, in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers

http://www.copeam.org/

- European Association for Viewers' Interests (EAVI)

http://www.eavi.eu/

- European Digital Rights (EDRi)

https://edri.org/

- European Federation of Journalists (EFJ)

http://europeanjournalists.org/

- European Internet Service Providers (EuroISPA)

http://www.euroispa.org/

- European Newspaper Publishers' Association (ENPA)

http://www.enpa.be/en/Home_1.aspx

- European Youth Forum

http://www.youthforum.org/

- Interactive Software Federation of Europe (ISFE)

http://www.isfe.eu/

- Internet Corporation for Assigned Named and Numbers (ICANN)

https://www.icann.org/

- Internet Rights and Principle Coalition

http://internetrightsandprinciples.org/site/

- Internet Society

		http://www.internetsociety.org/
		- Internet Watch Foundation
		https://www.iwf.org.uk/
		- Online/More Colour in the Media (OL/MCM)
		http://www.dimitra.gr/online/default.asp?language=en
CAHDATA (Ad hoc committee on data protection)	- Submit to the Committee of Ministers proposals for the modernisation of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108), having regard to the proposals prepared by the Consultative Committee of Convention No. 108 (adopted at its 29th Plenary meeting, 27-30 November 2012) following the mandate it received from the Committee of Ministers (1079th meeting of the Deputies, 10 March 2010). - Draft amending protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) is prepared and finalised.	- International Chamber of Commerce (ICC) http://www.iccwbo.org/ - European Privacy Association (EPA) (think tank) http://europeanprivacyassociation.eu/ - European Association for the Defence of Human Rights (AEDH) http://www.aedh.eu/?lang=en - International Conference of data protection and privacy Commissioners http://www.privacyconference2014.org/en/ - French-Speaking Association of Personal Data Protection Authorities (AFADPD) http://www.afapdp.org/archives/tag/formation - Ibero-American Network of Data Protection (RIPD) http://www.redipd.org/la_red/Organos/index-iden-idphp.php - International Commission on civil status (ICCS) http://www.ciec1.org/

		- Internet Society (ISOC) http://www.internetsociety.org/ - Australian Privacy Foundation (APF) https://www.privacy.org.au/
CAHROM (Ad Hoc Committee of Experts on Roma Issues)	- Study, analyse and evaluate the implementation of policies (national programmes and/or action plans) and identify good practices of member States concerning Roma. - Exchanges information, views and experience on member States' policies, good practices and measures relating to Roma at national, regional and local level, and in the context of relevant instruments of the Council of Europe. - Prepares, reviews and evaluates its programme of activities and working methods and report back to the Committee of Ministers. National policies of at least 12 member States are examined each year through the Committee's thematic work.	- The European Roma Information Office (ERIO) http://www.erionet.eu/ - The European Roma Rights Centre (ERRC) http://www.errc.org/ - the Open Society Foundations (OSF) http://www.opensocietyfoundations.org/ - the Forum of European Roma Young People (FERYP) http://www.feryp.org/ - the Roma Education Fund (REF) http://www.romaeducationfund.hu/ - the International Step by Step Association (ISSA) http://www.issa.nl/ - Amnesty International (AI) https://www.amnesty.org/en/ - the European Roma and Travellers Forum (ERTF) http://www.ertf.org

	- the Decade of Roma Inclusion Secretariat Foundation http://www.romadecade.org - the Financial Mechanisms Office (EEA and Norway Grants) http://eeagrants.org/Who-we-are/Contact/Financial-Mechanism-Office	
CODEXTER (Committee of Experts on Terrorism)	- Follows the implementation of the Council of Europe instruments applicable to the fight against terrorism, co-ordinates the work of all Council of Europe inter-governmental committees as far as action against terrorism is concerned, and identifies possible additional priority activities against terrorism. - Makes appropriate proposals to the Committee of Ministers with a view to intensifying the Council of Europe's action against terrorism, including through preventive measures. - Carries out an examination of some or all of the conventions for which it has been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers. - A Council of Europe counter-terrorism conference is held annually, and reports on the implementation of certain provisions of the Convention on the Prevention of Terrorism have been published. Database of countries profiles on counter-terrorism capacity and on case law of the European Court of Human Rights relevant for the fight against terrorism are being developed.	International Committee of the Red Cross (ICRC).

CDPC (European Committee on Crime Problems), Particularly Ad hoc Drafting Group on Transnational Organised Crime	- Steer the legal co-operation among the Council of Europe member States in order to assist member States in developing modern penal policies. It is responsible, in co-operation with the CDDH and CDCJ, for the preparation of the Conferences of the Ministers of Justice and ensure, as appropriate, for the follow-up of any decision taken by the Committee of Ministers subsequent to the Conferences. - Ensure the regular collection of the Council of Europe Annual Penal Statistics (SPACE). - Co-operation and transversal activities are conducted with other Council of Europe relevant bodies, such as GRECO, MONEYVAL, Pompidou Group, CODEXTER, CEPEJ, CCPE, CCJE and CPT. - Elaborates activities related to the statute of the public prosecutor services in the criminal justice system, in co-operation with the Consultative Council of European prosecutors (CCPE) and GRECO.

CDCPP (Steering Committee for Culture, Heritage and Landscape)	- Encourage European platforms and networks to collect best practice of, and exchange experiences on, policies and strategies on culture, heritage and landscape. - Evaluate the impact of technical assistance and pilot projects implemented in the field in the framework of the Co-operation Programme for technical assistance. - Member States are assisted in the development of democratic policies in the fields of culture, heritage and landscape through thematic policy reviews and the Compendium, HEREIN, ELCL6 and Culture WatchEurope information systems. - Follow-up given to the 10th Council of Europe Conference of Ministers of Culture "Governance of Culture – Promoting access to Culture" - Preparation of the 8th Council of Europe Conference for the European Landscape Convention in 2015.	- European Cultural Foundation (ECF) http://www.culturalfoundation.eu/ - European Cultural Centre in Delphi http://www.grect.com/european-cultural-centre-of-delphi/presentation-and-facilities - Culture Action Europe http://cultureactioneurope.org - European Network of Cultural Administration Training Centres (ENCATC) http://www.encatc.org/pages/index.php - European Roma and Travellers Forum (ERTF) http://www.ertf.org/ - European Association of Archaeologists (EAA) http://e-a-a.org/ - Europae Archaeologiae Consilium (EAC) http://european-archaeological-council.org/ - Europa Nostra; http://www.europanostra.org/ - International Council of Monuments and Sites (ICOMOS) http://www.icomos.org/en/ - Organisation of World Heritage Cities (OHWC)

		http://www.ovpm.org/en
		- International Federation for Housing and Planning (IFHP)
		http://www.ifhp.org/
		- European Federation of Landscape Architects (EFLA)
		http://iflaonline.org/about/ifla-regions/ifla-europe/
		- European Council of Town Planners (ECTP)
		http://www.ectp-ceu.eu/index.php/en/
		- European Council of Landscape Architecture Schools (ECLAS)
		http://www.eclas.org/
		- International Association of the European Heritage Network (AISBL)
CDCJ (European Committee on legal Co-operation)	- Plan, supervise and evaluate standard-setting activities. - Contribute (if necessary) to the preparation of the next Conference of the Ministers of Justice (subject to invitation), in co-operation with the CDDH and the CDPC. - Contribute to standard-setting work in respect of the protection of personal data and the right to private life, in close association with other relevant Council of Europe bodies (e.g. T-PD, CDSMI). - Legislative advice, training and awareness-raising is provided to national authorities and other relevant bodies on Council of Europe public and private law standards relating to public interest disclosures and the protection of whistleblowers, and integrating a child-friendly perspective into the administration of justice.	- Transparency International - Atlatszo http://english.atlatszo.hu/ - Centre for investigative Journalism http://www.tcij.org/ - European Network of Ombudspersons for Children (ENOC) - Child Rights International Network (CRIN)

CMJ (Joint Council on Youth)	- Co-decisional body composed by the CDEJ (European Steering Committee for Youth) and the CCJ (Advisory Council on Youth) which develop standards of European youth policy and establish the priorities, the structure and programme policy of the Council of Europe youth sector. - Evaluate on a regular basis the implementation of CMRes(2008)23 on the CoE policy in the field of youth. - Contribute to effective mainstreaming of youth policies across the CoE programme of activities and to transversal activities involving youth. - Contribute to the preparation of the CoE Conference of Ministers responsible for Youth and ensure decisions by the CM subsequent to the ministerial conferences. - Identify opportunities for CoE input and/or complementary CoE action and programmes, taking into account activities of the EU and those of other international organisations.	- European Youth Information and Counselling Agency (ERYICA) http://eryica.org/ - European Youth Card Association (EYCA) https://www.eyca.org/ - European Youth Forum http://www.youthforum.org/
CDPPE (Steering Committee for Educational Policy and Practice)	- Prepare reference guidelines for developing competences necessary for active participation in democracy, human rights and intercultural dialogue. - Exchange ideas, information and good practice among its members, associating, as appropriate, observers and participants, on issues concerning education, making the most of available electronic means. - Develop several programmes on promoting democratic competences, building capacity for dialogue and strengthening participation (through quality education).	- the Conference of European Churches (CEC) http://www.ceceurope.org/ - Education International (EI) http://www.ei-ie.org/ - European Association of Institutions in Higher Education (EURASHE) http://www.eurashe.eu/ - European Council of Doctoral Candidates and Junior Researchers (EURODOC) http://eurodoc.net/ - European Cultural Foundation (ECF) http://www.culturalfoundation.eu/

		- European Federation of Catholic Universities (FUCE) http://www.moveonnet.eu/directory/network?id=FUCE - European Science Foundation (ESF) http://www.esf.org/ - European Students' Union (ESU) http://www.esu-online.org/ - European University Association (EUA) http://www.eua.be/Home.aspx - the European Wergeland Centre http://www.theewc.org/ - the International Association of Universities (IAU) http://www.iau-aiu.net/
CAHAMA (Ad hoc European Committee for the World Anti-Doping Agency)	- Co-ordinate the positions of all the States Party to the European Cultural Convention on issues relating to anti-doping policy development. - Support the work of the 6 representatives of the European Public Authorities in the Executive Committee and Foundation Board of the World Anti-Doping Agency (WADA) - Guidelines for common action of Council of Europe and Position papers summarising European consensus are developed and addressed to WADA	World Anti-Doping Agency (WADA) https://www.wada-ama.org/
EPAS Governing Board	- Preparation of standards for CM consideration in the area of sports - Cooperates with NGOs through its Consultative Committee	

Monitoring bodies	Key monitoring tasks
Congress of Local and Regional Authorities	- Monitor the implementation of the Charter, in a context of on-going political dialogue with the different levels of governance - Regular country monitoring missions and fact-finding missions.
ECSR (European Committee of Social Rights)	- Handle collective complaints on the European Social Charter. - Adopt conclusions in respect of national reports. - Adopt decisions in respect of collective complaints.
GREVIO (Group of Experts on Action against Violence against Women and Domestic Violence)	- Draw up and publish reports evaluating legislative and other measures taken by the Parties to give effects to the provisions of the Convention. Recommend action to prevent a serious, massive or persistent pattern of any acts of violence - Promote international co-operation and provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach.
Lanzarote Convention committee	- Monitor the implementation of the Lanzarote Convention. - Facilitate the effective use and implementation of this Convention, including the identification of any problems and the effects of any declaration or reservation made under this Convention. - Express an opinion on any question concerning the application of this Convention and facilitate the exchange of information on significant legal, policy or technological developments.
Standing Committee on the European Convention on Transfrontier Television	- Monitor the European Convention on Transfrontier Television
Group of Specialists on Access to Official Documents	- Finalize the explanatory report of the draft European Convention on access to official documents.
Advisory Committee of the Framework for the Protection of National Minorities	- Examine State reports and adopt Opinions. - Organise meetings and follow-up dialogue bringing all the actors concerned by the implementation of the

	convention.
	- Country visits
Committee of Experts of the European Charter for Regional or Minority Languages	- Examine the state's periodical reports.
	- Where necessary, addresses a number of questions to the Party on any unclear areas of the report.
	- Organise an "on-the-spot" visits in order to evaluate the implementation of the Charter.
	- Examine any further information submitted by associations and other bodies legally established in the state concerned and with an interest in the field of languages.
	- Prepare evaluation reports to the Committee of Ministers, including proposals for recommendations.
European Committee on Crime Problems (CDPC)	- Identify priority elements for intergovernmental legal cooperation (scientific advice, collect of information, conduct activities).
	- Draft CDPC document/guidelines containing "Model provisions" clearly defining a certain number of rules to be duly considered by the expert committees.
	- Draft reports with a view to identifying new forms of behavior that have emerged in the recent past in connection with the use of modern technologies.
Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)	- Evaluate domestic systems to counter money laundering and terrorist financing and their comply with the relevant standards, in particular the CoE Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism and its explanatory report – 2005
	- Provide recommendations on ways to improve the effectiveness of domestic measures to combat money laundering and terrorist financing and states' capacities to co-operate internationally in these areas.
	- Conducts typologies studies of money laundering and terrorist financing methods, trends and techniques.
Conference of the Parties to the Convention on Laundering, Search Seizure and Confiscation of the Proceeds from Crime, and on the Financing of Terrorism	- Provides States with enhanced possibilities to prosecute money laundering more effectively.
	- Provide important investigative powers including measures to access banking information for domestic investigations and for the purposes of international co-operation.
	- Covers preventive measures, and the role and responsibilities of financial intelligence units and the principles for international co-operation between financial intelligence units.

GRETA (Group of Experts on Action against Trafficking in Human Beings)	- Monitor the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings through monitoring cycles - Collect information from States (including through a questionnaire) and civil society - Organise country visits - Adopt recommendations indicating the measures to be taken by the Party concerned to implement GRETA's conclusions
Monitoring body of the Council of Europe Convention on the counterfeiting of medical products and similar crimes involving threats to public health (Medicrime Convention)	- Facilitate the effective use and implementation of this Convention, including the identification of any problems and the effects of any declaration or reservation made under this Convention. - Express an opinion on any question concerning the application of this Convention and facilitate the exchange of information on significant legal, policy or technological developments. - Make recommendations to Parties concerning the implementation of this Convention.
Working group on the Granada Convention	- Contribute to have an integrated, accessible approach to monitoring the protection of cultural heritage in Europe, in the spirit of the Faro Framework Convention. - Participation in the HEREIN network (Observatory on policies and values of the European heritage). - Establish key indicator statistics for the health of the architectural heritage should be identified in the long term. - Conduct preliminary investigation for pilot studies on the roles of the public, community, private sectors and other actors in identifying and sustaining heritage.
ECRI (European Commission against Racism and Intolerance)	- In the light of the European Convention on Human Rights, its additional protocols and related case-law, review member states' legislation, policies and other measures to combat racism, racial discrimination, xenophobia, anti-Semitism and intolerance, and their effectiveness. - Examine in each country the legal framework for combating racism and racial discrimination, its application, the existence of independent bodies to assist victims of racism and intolerance, the situation of "vulnerable groups" in specific areas and the tone of political and public debate around issues relevant for these groups. - Examine the situation concerning manifestations of racism and intolerance in each of the Council of Europe member states.

	- Issue country reports.
GRECO (Group for States against corruption)	- Monitor compliance with Council of Europe anti-corruption standards, especially Criminal Law Convention on Corruption Civil Law Convention on Corruption and the Additional Protocol to the Criminal Law Convention on Corruption through a dynamic process of mutual evaluation.
CEPEJ (consultative body)	- Improve the efficiency and functioning of justice in the member States, and the development of the implementation of the instruments adopted by the Council of Europe to this end
CCJE (Consultative Council of European Judges - consultative body)	- Advisory body of the Council of Europe on issues related to the independence, impartiality and competence of judges. - Adopt opinions for the attention of the Committee of Ministers on issues regarding the status of judges and the exercise of their functions.
CCPE (Consultative Council of European Prosecutors – consultative body)	- Ensure the follow-up of the Recommendation Rec(2000)19 on the role of public prosecution in the criminal justice system.
Standing Committee of the European Convention on Spectator Violence	- Monitor the application of the European Convention on Spectator Violence and Misbehaviour at Sports Events.
Monitoring Group of the Anti-Doping Convention	- Monitor the implementation of the Anti-Doping Convention.

ANNEX 4. INCEPTION REPORT

1.   Introduction

The 2015 Work programme of Directorate of Internal Oversight (DIO) of the Council of Europe (CoE) foresees the evaluation of the CoE's cooperation with NGOs in standard setting and monitoring bodies.

The purpose of this evaluation is to inform decision-makers on the added value of the cooperation with NGOs in standard setting and monitoring for the CoE. The objectives of the evaluation are:
1.   To analyse the state of cooperation with NGOs in standard setting and monitoring in the CoE, with particular emphasis on good practices and existing obstacles;
2.   To identify the added value and the potential of the cooperation with NGOs;
3.   To identify possibilities for optimisation of this cooperation.

The evaluation focuses on NGOs' contribution to steering committees and monitoring bodies under CoE conventions.

2.   Data collection methodology

The evaluation team combines several sources of data for triangulation (cross-checking of findings through at least three different sources).

Type of data	Data collection method
Legal and regulatory framework (e.g. relevant treaty, ToR)	Desk review
Documents illustrating NGO contributions (e.g. report quoting NGO input, conference proceeds, activity reports…)	Desk review
Opinion and experience of CoE staff	Focus groups
Opinion of international NGOs	In-person or phone interviews with NGOs having observer status in steering committees
Opinion of domestic NGOs (on monitoring)	In-person interviews during field visits (case studies)
Opinion of domestic authorities (on monitoring)	In-person interviews during field visits (case studies)
NGO participation processes during events	Direct observation of steering committees and monitoring bodies meetings (case studies, where possible)

2.1 Desk review

The evaluation team has collected and reviewed the following types of documents:
   a) CoE conventions foreseeing a monitoring body;
   b) Applicable framework as defined by the CoE statutory organs (CM and PACE documents);
   c) Terms of reference of the steering committees;
   d) Sample of documents produced by steering committees;
   e) Lists of members of steering committees and monitoring bodies;
   f) Activity and monitoring reports of monitoring bodies;
   g) NGO reports to monitoring bodies;
   h) Calendars and agendas of steering committees and monitoring bodies;
   i) Documents of the Conference of INGOs;
   j) Websites of steering committees, conventions, INGO conference and observer NGOs;
   k) Websites of other comparable international organisations (EU, UN, OSCE), documents setting their framework on cooperation with NGOs, and public NGO contributions to the work of these organisations.

2.2 Interviews in Strasbourg

The evaluation team has interviewed 43 persons in Strasbourg, including:

   a) 29 interviews with members of the Secretariat
   b) 6 members of steering committees and monitoring bodies (from case studies)
   c) 13 representatives of international NGOs.

The lesson learned is that it is challenging to reach out to members of steering committees and monitoring bodies through interviews, because their availability during meetings is extremely constrained. Besides, some meetings take place outside of Strasbourg. The challenge is similar for representatives of international NGOs. These respondents will therefore be approached through surveys and field visits.

2.3 Surveys

The evaluation team will dispatch three web-based surveys in September 2015. These surveys will be anonymous, nevertheless the evaluation team will be able to disaggregate results according to specific criteria such as the gender of the respondent, or the steering committee/monitoring body they belong to.

Survey of members of steering committees and monitoring bodies

Surveys for the members of steering committees and monitoring bodies respectively, will reach a total of approximately 1500 persons. The survey questionnaire will be operated by the DIT through a CoE-specific and secure survey tool. The respondents will receive individual emails containing a summary of the evaluation and the survey, as well as a link to the questionnaire.

The purpose of these surveys will be to gather statistically significant data on the opinion of members of steering committees and monitoring bodies regarding the added value of NGO contributions, shortfalls characterizing these contributions, and ways to improve cooperation with NGOs.

Survey of observer NGOs

In parallel, the evaluation team will conduct a web-based survey for members of NGOs having observer status with at least one steering committee, and to the Bureau of the Conference of INGO, as the Conference has observer status in all steering committees. This survey will also use the DIT platform, and be addressed to respondents by email. The purpose of this survey is to understand what motivates NGOs to contribute to CoE standard setting, what added value they believe they can bring, and what obstacles they may encounter in this process. It should be noted than many of the observer NGOs are also members of the INGO Conference.

Members of the Conference of INGO

The Secretariat of the Conference of INGOs conducted a consultation of the Conference members in January 2015. The key findings of this consultation will be used, in addition to the results of the survey of observer NGOs, which will cover the member organisations of the INGO Conference who are observers in steering committees.

2.4 Focus groups with programme staff in Strasbourg

The evaluation team has organized in May and June two focus groups with members of various committees in Strasbourg. These focus groups included mainly, though not exclusively, those who are not already involved in the evaluation through the case studies and the Reference Group. Focus group are moderated by one evaluator, while another DIO member observes and takes notes. One more focus group will be organized before the end of the evaluation.

The focus group methodology will enable to enrich the information obtained through interviews and surveys, with the more creative input that group discussions tend to yield. The focus group results will be used to discuss and challenge the observations of the team and explore possible recommendations.

2.5 Direct observation

Wherever the rules of the steering committees and monitoring bodies allowed, the evaluation team has directly observed their meetings, in priority when the topics on the agenda were conducive to NGO participation. The evaluation team has taken standardized notes on the type of NGO contributions, and on the way they were channelled into the debates of the steering committees and monitoring bodies.

2.6 Case studies

The evaluation team has selected three case studies for each category (standard setting and monitoring bodies):

Pillar	Standard setting body	Monitoring body
Human rights	CDDH	FCNM Advisory Committee Lanzarote Convention Committee
Rule of law	CDMSI	GRETA
Democracy	CDCPP	

For these case studies, the evaluation team will use the full combination of data sources to produce a qualitative analysis of the various models of cooperation with NGOs. This analysis will outline the factors that influence this cooperation, typical contributions of NGOs, and the possible outcomes of this cooperation.

In-country missions

The scoping phase has illustrated that the monitoring bodies, in particular the GRETA and FCNM Advisory Committee, cooperate with domestic NGOs in the member states. Interviews with CoE staff have exposed that it would not be realistic to reach out to these actors through indirect communication (e.g. via internet surveys or phone/skype interviews). Besides, the scoping phase has shown that the perception of cooperation between NGOs and monitoring bodies varies depending on cases and countries, and that it would be valuable to gather the opinion of the contact points of these monitoring bodies within domestic institutions such as line ministries and independent national human rights institutions.

The evaluation team will therefore conduct in-country missions to a sample of countries, in order to ensure the validity of findings regarding monitoring bodies. To select these countries, the following criteria were considered:

a) One country per big geographic area (Western Europe, Central Europe, South-Eastern Europe, Eastern Europe);
b) Prioritization of countries reported as most representative by the Secretariats of the monitoring bodies;
c) Budgetary implication (maximum of four countries; prioritization of missions within a 2000 Euros budget);
d) Prioritization of countries with recent monitoring activities (2012-2015)
e) Prioritization of countries where no or limited interpretation is required

Country	Area	Last reports/opinions involving visits	Interpretation	Acceptable budget implications
Spain	Western Europe	GRETA: 2013 FCNM: 2014	No	Yes

		Lanzarote: 2015		
Serbia	South-Eastern Europe	GRETA: 2014 FCNM: 2013 Lanzarote: 2015	Limited	Yes
Poland	Central Europe	GRETA: 2012 FCNM: 2014 Lanzarote: 2015	Limited	Yes
Ukraine	Eastern Europe	GRETA:2014 FCNM: 2014 Lanzarote: 2015	Yes	Yes

The team has conducted the pilot case study mission in Serbia from 20 to 24 July 2015.

Stakeholder map

For these countries, the team is conducting stakeholder mapping based on consultations with the Secretariats of the monitoring bodies, and with support from the field offices.

In order to receive the most diverse views and to include all relevant perspectives, the evaluation team will interview the following groups:

a) Representatives of domestic NGOs contributing to monitoring mechanisms;
b) Representatives of domestic authorities who are part of the monitoring process;
c) Representatives of independent institutions (e.g. Ombudsperson) having an overview of the monitoring process.

3.   Data analysis

3.1 Data review and analysis methodology

Documentary evidence, first interview notes and focus group notes have been analyzed to produce:

a) Areas of inquiry and working hypothesis based on recurring chains of events and patterns;
b) Survey questionnaires;
c) Final case study selection.

In order to characterize patterns and produce findings, the evaluation team will then systematically review all interview notes through a standardized review matrix. This information will be used to derive quantitative data from the existing qualitative data, in a way that is tailored to the evaluation questions and indicators. The evaluation team will confront this information with the results of the survey, the qualitative conclusions from case studies, and the results of direct observation. The evaluation team will map typical models and outcomes of cooperation with NGOs, and identify the key factors which have played a role in these outcomes.

3.2 Areas of inquiry and working hypothesis

The desk research, interviews in Strasbourg, observation of steering committee meetings and the mission to Serbia have enabled the evaluation team to identify key areas of inquiry, and to propose working hypothesis to be further tested by the evaluation.

Question 1 - To what extent do NGOs contribute to the CoE's standard setting and monitoring activities?

The members of steering committees and monitoring bodies as well as Secretariat staff interviewed overwhelmingly appreciate what NGOs offer to the CoE standard setting and monitoring processes. Interviewed NGOs also feel they have unique value to bring to this work. The first mission also indicates that state institution representatives concur with this idea. Therefore, the data so far points to an overall agreement that cooperation with NGOs adds, or can add value to standard setting and monitoring through the following key advantages:

a) NGOs which are in contact with their members and beneficiaries can bring field knowledge, concrete examples, and convey the voice of grass-root actors;

b) NGOs are less politically constrained than states, which allow them to bring up sensitive topics. As defendant of a cause or a category of persons, they are sometimes viewed as more likely than the government to expose challenges and problems encountered in the adoption and implementation of CoE standards in the CoE member states. This makes them valuable to the monitoring process as they complement other sources of input. It might also afford them the possibility to provide constructive criticism and challenge in the discussion of the standard setting bodies. However their level of independence also has limits, as NGOs are cannot be fully detached from their political environment, and also often rely on CoE states and other donors for their existence;

c) NGOs are often advocates of CoE's standards, either through lobbying for adoption and implementation of the standards, or through dissemination of CoE standards to their public;

d) Some actors consider that cooperation with NGOs complements and increases the legitimacy of the CoE's standard setting and monitoring, because it increases the inclusiveness of the process. However, as it is practically impossible to include all relevant NGOs into the standard setting and monitoring processes, the selection of partner NGOs by the CoE largely conditions this inclusiveness.

Question 2 - To what extent do internal and external obstacles constrain this contribution?

Documentary evidence and direct observation suggest that the level of involvement of NGOs varies a lot from case to case. Most interviewees point to a potential for improvement of cooperation, especially in the areas where NGOs have provided limited contribution so far.

NGOs all presented their limited financial and, most importantly, human resource constraints as the key limiting factor for the frequency and amount of contribution they can provide. Their

typical attitude is to prioritize and strategize their participation based on their expectation of the impact they can make, and based on the clarity and timeliness of information they receive on CoE processes.

a) So far, the data collected suggests that NGOs who have taken an active part in standard setting and monitoring have been approached by the CoE for initiating this cooperation, more often than they have taken the initiative to approach the CoE. This might indicate that the identification and selection of observer or partner NGOs by standard setting and monitoring bodies greatly determines who contributes and how.

b) There is no unified approach among standard setting and among monitoring bodies respectively regarding the identification, selection and mode of cooperation with observer or partner NGOs. These arrangements depend a lot on the internal rules and practices of each body and its secretariat, as well as their history and experience with NGOs. While this affords flexibility and the ability to tailor cooperation with NGOs to the specificities of each topic and body, some interlocutors have questioned the effect on predictability, transparency and relevance of the selection and mode of cooperation with NGOs.

c) Data so far indicate a crucial role of the Secretariat in identifying and proposing relevant NGOs. This is most often done through personal experience and consultation with colleagues. Most Secretariat interviewees consider that this process could be somewhat improved, in order not to miss relevant NGO contributors, expand the choice of contributing NGOs and improve the relevance of NGO counterparts.

Question 3 - Which conditions are most conducive to optimise the value added of NGO's contributions to standard setting and monitoring in the CoE?

Data so far suggests that there exist many different models and arrangements of cooperation with NGOs in standard setting and monitoring. The conditions under which NGOs contribute vary a lot from case to case.

a) There are numerous good examples of fruitful contributions by NGOs leading to observable impact on standard setting or monitoring output. It is possible that the bodies which have developed the closest ties with NGOs (participation on an equal footing for instance) are more likely to experience such examples. However the nature and topic of the work could also be a determining factor (e.g. topics involving security matters may not lend themselves well to such type of partnership).

b) There seems to be limited awareness among the steering committees and monitoring bodies, as well as among their Secretariats, of the various models, practices and experiences that exist in the CoE regarding cooperation with NGOs. Where knowledge transits from one body to another, it appears to be most often the result of staff movement within the Secretariat, rather than systematic exchange of experience regarding the modalities of cooperation. Communication seems more frequent as regards the identification of relevant NGOs.

4.   Organisational matters

4.1   Reference group

The reference group will take place tentatively on 04 September 2015. The members of the reference group will provide feedback on the inception report and suggestions for the completion of the evaluation process.

4.2 Evaluation tentative schedule

Event	Date
Field missions	20 July – 15 October 2015
Reference group meeting (TBC)	04 September 2015
Dissemination of survey questionnaires (CoE, NGOs)	07-10 September 2015
Survey results' analysis	30 September 15 October 2015
Submission of draft case study reports	30 October 2015
Consultation and finalization of case study reports	30 October-30 November
Submission of draft final report	20 November 2015
Second Reference Group meeting	10 December 2015
Amended final report	18 December 2015
Follow up event	February 2016

ANNEX I - EVALUATION MATRIX

No	Evaluation question	Criteria	Sub questions	Indicators	Data sources	Data collection	Data analysis
1	To what extent do NGOs contribute to the CoE's standard setting and monitoring activities?	Added value	What type of input do CoE standard setting committees and monitoring bodies receive from NGOs?	Frequency and types of contribution	Written input of NGOs (shadow reports, written contributions) Opinions of members of steering committees and monitoring bodies, secretariat, NGOs	Desk review Surveys Semi-structured interviews Focus groups	Iterative mapping Interview analysis matrix Quantitative analysis of key opinions
			How does this input influence the final CoE standards and monitoring reports?	NGO proposals channelled into reports and recommendations.	Written input of NGOs (shadow reports, written contributions) Reports and recommendations of steering committees and monitoring bodies Experience of members of steering committees and monitoring bodies, secretariat, NGOs	Desk review Direct observation of meetings and events Semi-structured interviews Focus groups	Iterative Outcome harvesting and collection of examples Case studies
			To what extent do NGOs channel knowledge and diversity of opinions into CoE standards and monitoring results?	NGO information channelled into reports and recommendations	Written input of NGOs (shadow reports, written contributions) Reports and recommendations of steering committees and monitoring bodies	Desk review Direct observation of meetings and events Semi-structured interviews	Iterative Outcome harvesting and collection of examples Case studies

					Experience of members of steering committees and monitoring bodies, secretariat, NGOs	Focus groups	
2	To what extent do internal and external obstacles constrain this contribution?	Effectiveness	To what extent does the CoE apply inclusiveness, equity and transparency in the selection of relevant NGOs?	Presence of safeguards during the selection process	Experience and opinion of members of steering committees and monitoring bodies, secretariat, NGOs Documents produced at each stage of selection process	Semi-structured interviews Focus groups Surveys Direct observation of meetings and events Desk review	Comparison of experiences of stakeholder types Case studies Comparison with other organisations
			To what extent do NGOs have access to each step of the CoE's standard setting and monitoring processes?	Obstacles encountered by NGOs	Experience and opinion of NGO representatives NGO oral contributions at various steps of the processes NGO written contributions at various steps of the processes	Semi-structured interviews Focus groups Survey Direct observation of meetings and events Desk review	Case studies Comparison with other organisations

			What limits the capacity of NGOs to contribute to the CoE's standard setting and monitoring?	Factors limiting capacity	Capacity displayed by NGOs during interviews and visits Quality of contributions	Semi-structured interviews Surveys Direct observation of meetings and events	Case studies Iterative analysis Interview analysis matrix
3	Which conditions are most conducive to optimal value added of NGO's contributions to standard setting and monitoring in the CoE?	Added value	To what extent does current practice of cooperation fulfil the needs of the CoE standard setting and monitoring bodies?	Equation between expressed needs and format of contribution received	Experience and opinion of members and secretariats of monitoring and standard setting bodies NGO oral and written contributions Rules, regulations and policies framing cooperation	Semi-structured interviews Surveys Desk review Case studies	Case studies with SWOT analysis of models Interview analysis matrix
			What incentives does the CoE offer for NGOs to contribute to standard setting and monitoring?	Level of motivation of NGOs to contribute	Experience and opinion of NGO representatives Procedures in place	Semi-structured interviews Survey Direct observation of meetings and events Desk review	Case studies with SWOT analysis of models Interview analysis matrix
			What are successful and replicable experiences of cooperation with NGOs?	Examples of good practices	Experience and opinion of members of steering committees and monitoring bodies, secretariat, NGOs	Semi-structured interviews Desk review	Case studies with SWOT analysis of models

				Procedures in place Frequency and quality of contributions Success stories		Comparison of cooperation modalities Identification of good practices through outcome harvesting Comparison with other organisations
			What are the conditions for sustainable partnership between NGOs and CoE standard setting and evaluation bodies?	Level of satisfaction of monitoring and standard setting bodies regarding contributions, under identified conditions	Experience and opinion of members of steering committees and monitoring bodies, secretariat, NGOs Oral and written contributions from NGOs	Semi-structured interviews Surveys Desk review	Iterative analysis Identification of good practices and lessons learned Correlation between identified conditions and satisfaction Comparison among case studies