1472nd meeting, 12 July 2023
11 Programme, Budget and Administration

11.2 Directorate of Internal Oversight
Annual Report 2022

Item to be considered by the GR-PBA at its meeting on 4 July 2023

TABLE OF CONTENTS

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[1] This document has been classified restricted until examination by the Committee of Ministers.

FOREWORD

The annual report of the Directorate of Internal Oversight (DIO) is submitted pursuant to Section VI para 41 of the DIO Charter.[2] It presents an overview of the key activities carried out by DIO for the Internal Audit Division, the Evaluation Division (ED) and the Investigation Division in 2022.

The adoption by the Committee of Ministers of the DIO Charter on 15 June 2022 was a key milestone in the development of this entity since its establishment in 2010. The Charter stresses the Directorate's independence and provides more clarity on the scope and functioning of its three separate functions: internal audit, evaluation and investigation.

In 2022, an external quality assessment of the internal audit function and a peer review of the evaluation function took place. A self-assessment of the state of the investigation function at the Council of Europe was already made in 2021.

I. Overview

1.   DIO provides independent and objective assurance, consulting and other services designed to add value and improve the Council of Europe's operations and helps it accomplish its objectives. It contributes to evidence-based decision making and organisational learning, and aims to strengthen the Organisation's integrity, transparency and accountability framework. To this end, it provides independent and objective audit, evaluation, investigation and advisory services, in accordance with internationally accepted standards and best practices and in compliance with Council of Europe regulations, policies, rules and instructions (see Figure 2).

Figure 1: Main functions of DIO

Internal Audit
- Provides risk-based and objective assurance on the adequacy and effectiveness of governance, risk management and internal control proceses of the Council of Europe through assurance and advisory engagements.

Evaluation
- Assessed the relevance, coherence, effectiveness, efficiency, impact and sustainability of programmes, projects and operations.

Investigation
- Raises awareness, prevention and investigates allegations of wrongdoing (e.g. fraud, corruption and others), ensure proper use of its funds and resources, and protects the Organiation's reputation.

[2] Cf. CM(2022)87.

Figure 2: Vision, mission and standards of DIO

Vision	To be an independent advisor and strategic partner providing top-class audit, evaluation and investigation services within a mature governance and evidence-based learning and decision-making organisational environment.

DIO Function	Mission	Standards
Internal Audit	To enhance and protect organisational value by providing risk-based and objective assurance, advice and insight, and by bringing a systematic, disciplined approach to assessing and improving the effectiveness of risk management, internal control and governance processes.	The Internal Audit function adheres to the mandatory elements of the Institute of Internal Auditors' (IIA) International Professional Practices Framework, including the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, the International Standards for the Professional Practice of Internal Auditing and the Definition of Internal Auditing.
Evaluation	To provide systematic and impartial assessments of activities, projects, programmes, strategies, policies, topics, themes, sectors, operational areas or institutional performance, to help the Council of Europe enhance its capacity, assess its performance and demonstrate its comparative advantage and value.	DIO-ED is governed by the Organisation's Evaluation Policy, which takes inspiration from the norms and standards for evaluation established by the United Nations Evaluation Group (UNEG) and the OECD DAC.
Investigation	To help the Council of Europe to ensure the proper use of its funds and resources, prevent and investigate fraud and corruption, and protect its reputation and interests, by carrying out *inter alia* preliminary assessments and investigations in line with the Organisation's legal framework.	The Investigation function is governed by adherence to the Organisation's legal framework and aims to follow common principles, guidelines and best practices for investigations, such as the ones enshrined in the Uniform Principles and Guidelines for Investigations and complementing guidelines adopted by the Conference of International Investigators and those set out in the case-law of the European Court of Human Rights, where applicable.

II. DIO staffing and budget
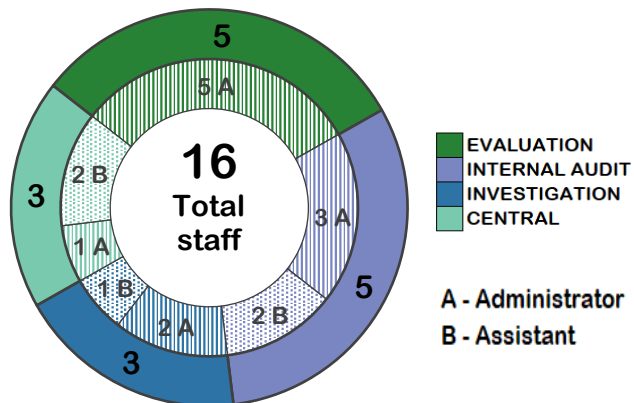
A.   Staffing

DIO has 16 Staff   75 % are women

Figure 3: DIO staff per division in 2022, including split by A and B-grade

EVALUATION
INTERNAL AUDIT
INVESTIGATION
CENTRAL

A - Administrator
B - Assistant

B.   Operational Budget

2.   Figure 4 below provides a breakdown of the DIO operational budget. The operational expenditure is very low for Audit and almost non-existent for Investigation. As for the evaluation budget, despite it having doubled from 2018 to 2022, the peer review report of the evaluation function found that the resources allocated to evaluation are modest compared to common practices of international organisations

Figure 4: DIO operational expenditure by division over the last five years (in Euros)
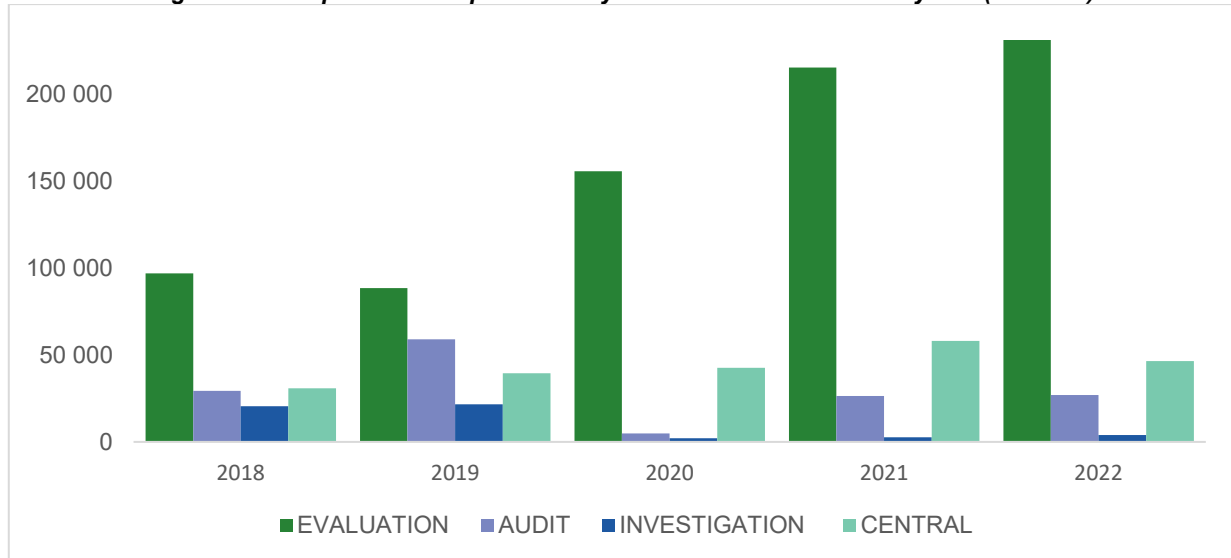
C.   Continuous Talent Development

3.   During 2022, DIO staff continued to develop professional skills through starting, maintaining or completing professional examinations/studies (CIA – Certified Internal Audit qualification, CFE – Certified Fraud examiner training, COSO – Internal Control Certificate, COSO – Enterprise Risk Management Certificate), attending subject specific trainings as well as training offered by DHR and undergoing respective examinations as well as professional evaluation workshops organised by the European Evaluation Society and the University of Oxford.

D.   Statement on Independence

4.   In accordance with para. 1 of the DIO Charter, adopted by the Committee of Ministers, DIO enjoys independence. Operational independence is essential to carry out its mandate, as DIO provides independent and objective audit, evaluation, investigation and advisory services, contributes to evidence-based decision making and organisational learning, and aims to strengthen the Organisation's integrity, transparency and accountability framework. As stated in para. 20 of the *DIO Charter*, the Director of Internal Oversight shall make an annual statement to the Committee of Ministers on whether or not the independence of the function has been maintained. In 2022, the independence of DIO was maintained. However, the operational independence of an internal oversight function also greatly depends on its ability to define and manage the relevant human and financial resources in a way that would enable it to deliver on its mandate in the most efficient and effective manner. Limitations in terms of budget and staffing, including delays in recruitments, were experienced in the course of the year and brought to the attention of the Secretary General.

III. Internal Audit

A.   Internal Audit function

5.   The aim of the internal audit activity is to provide independent assurance, advice and insight in order to enhance and protect organisational value, contribute towards evidence-based decision making, and promote organisational learning, transparency, integrity and accountability. This is done by conducting different types of assignments: performance audits, compliance audits, Information Technology audits as well as advisory services at the request of management related to governance, risk management and/or internal control.

6.   The DIO Charter defines the Internal Audit functions, purpose, authority and responsibility.

B.   Audits carried out in 2022 and their results

7.   The 2022 annual work programme was based on an analysis of inherent risks and was discussed with the Oversight Advisory Committee and the External Auditor. It took into consideration contributions from senior management, discussions of the Ministers' Deputies, the relevant ongoing reform measures and the Organisation's organisational risk register. The work programme was endorsed by the Secretary General and taken note of by the GR-PBA.

8.   In accordance with the DIO Charter, the Director of Internal Oversight reports to the Secretary General on the performance of the Internal Audit function against agreed key performance indicators. One of the performance indicators relates to the implementation of the work programme:

Performance indicator	Results
Percentage of implementation of internal audit work programme (target: 100%).	In 2022, the implementation percentage of internal audit work programme was 75%.

9.   Out of eight assignments planned for 2022, six were finalised in 2022, one was still in progress at the end of the year and one had to be postponed to 2023 due to staff shortages. Another audit, which was earmarked as a potential topic for 2024, started in 2022 so that the results, if relevant, could feed into the next People Strategy (2024-2028). One additional output was also produced. In total, seven final outputs were produced in 2022 and 2 audits were in progress.

Figure 5: Internal audit outputs for 2022

Plan	Actual
IA plan 2022	
1. Audit of Rabat Office	✓
2. Audit of the Internal Control Framework of the Registry of the European Court of Human Rights	✓
3. Summary of audits of externally-funded programmes implemented through CoE Offices (2020-2022)	✓
4. External Quality Assessment	✓
5. IT audit universe	✓
6. Follow-up of audit recommendations	✓
7. Risk Management related to physical safety & security	Ongoing
8. Efficiency of procedures (payroll)	Postponed
Additional output	
Staff survey of the Registry of the European Court of Human Rights	✓
Earmarked for IA 2024 plan	
Audit of Organisational culture	Ongoing
TOTAL IA OUTPUTS 2022	**7**

10.   The tables in Appendix B provide details on the audit engagements carried out and their findings.

11.   In addition to the engagements listed above, Internal Audit carried out a follow-up exercise on the implementation of internal audit recommendations. Section III.E below contains the summary of results of the review of progress made in the implementation of audit recommendations.

12.   Furthermore, Internal Audit conducted an External Quality Assessment exercise, the aim of which was to assess Internal Audit's conformity with the International Standards for the Professional Practice of Internal Auditing of the Institute of Internal Auditors and the Code of Ethics, to evaluate its effectiveness in carrying out its mission and meeting its strategic objectives and to identify opportunities to further enhance its performance as well as its added value to the Council of Europe. Section III.D of this report contains the summary of results of the External Quality Assessment.

13.   During 2022, Internal Audit contributed to:
   a. the governance landscape of the Council of Europe through the follow up to the recommendations made during the audits of the Organisation's IT governance arrangements and IT Security governance and processes carried out in 2020;
   b. the Organisation's risk management arrangements by following the progress made in terms of the maturity of risk management at the Council of Europe and by developing a basis (IT audit universe) for an IT risk assurance map of the Council of Europe;
   c. strengthening the internal control framework of the Organisation by conducting reviews of the internal control frameworks in a number of operational entities and external offices as well as by summarising recurring issues emanating from previous audits of offices which require attention in order to help management improve governance, risk management and internal control.

C.   Overall audit opinion on governance, risk management and internal control

14.   Throughout the whole of 2022, Internal audit was affected by staff vacancies and movements:
   -    one of the two Senior Auditor's post remained vacant throughout the whole year;
   -    one of the two Assistant Auditor posts was only filled as of 1 October 2022;
   -    rotation of temporary staff reinforcement (3 different staff members,17.5 months in total).

15.   As a consequence of these staff movements and despite the work and commitment of the remaining audit staff members, **Internal audit was not able to carry out sufficient work in 2022 in order to inform the overall opinion**. This is an unprecedented situation. The Internal audit team needs to be consolidated with the recruitment of a senior auditor as a matter of urgency to enable the Internal Audit function to carry out sufficient work to be in a position to be able to issue an overall opinion in future annual reports on the basis of the work carried out.

D.   External Quality Assessment

16.   The Internal Audit function of the Council of Europe underwent an External Quality Assessment (EQA) during the second half of 2022. The EQA was carried out by the *Institut Français de l'Audit et du Contrôle Internes* (IFACI), the French branch of the Institute of Internal Auditors (IIA).

17.   The External Quality Assessor's opinion was that "The Internal Audit (IA) division of the Directorate of Internal Oversight (DIO) of the Council of Europe (CoE) Generally Conforms with the mandatory elements of the International Professional Practices Framework (IPPF), made up of the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics and the Definition of Internal Auditing, and commonly referred to as "the Standards" of the Institute of Internal Auditors (IIA). Generally Conforms is the highest of three possible outcomes."

Figure 6: Conclusion of the External Quality Assessment
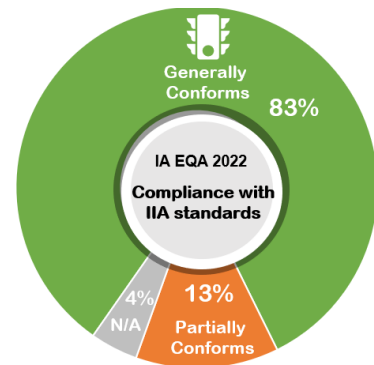
18.   The External Quality Assessors recognised Internal Audit's organisational independence, its recognition by management, robustness of the audit planning process as well as high professionalism, profound knowledge of the Council of Europe and the objective and unbiased attitude of the Internal Audit staff. A number of recommendations and suggestions for improvement were made aimed at further strengthening Internal Audit's focus on high impact areas, streamlining the internal audit process and documentation, and enhancing the audit team's IT auditing skills.

19.   Further details are provided in Appendix A.

20.   One of the IA key performance indicators relates to the conformity of the Internal Audit function with international standards:

Performance indicator	Results
Conformity of the Internal Audit function with international standards according to peer/self-assessment.	In 2022, this performance indicator was achieved as an external quality assessment of the Internal Audit function was carried out in September-November 2022 and confirmed that the internal audit function generally conforms to international internal auditing standards.

E.   Implementation of agreed management actions

21.   In accordance with IIA Standards and the DIO Charter, the Internal Audit function reports on the implementation of recommendations. The follow up exercise is carried out on an annual basis by examining the implementation of recommendations over a two-year reference period and also looking at recommendations which have been outstanding for a longer period of time.

Figure 7: Status of Internal Audit recommendations
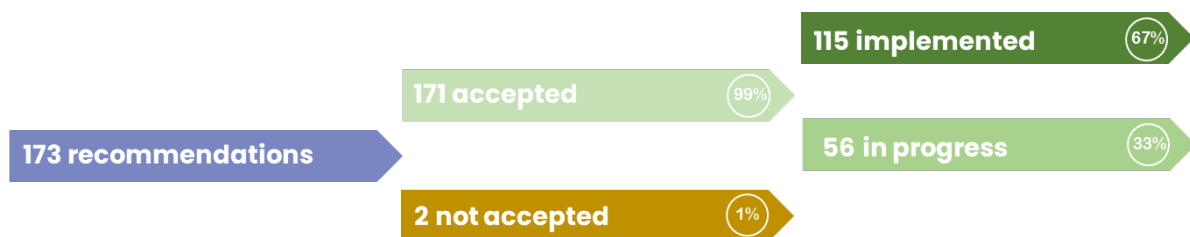
22.   The implementation rate of internal audit recommendations (67%) is considered satisfactory given the number of recommendations implemented (115) and the complexity and the diversity of recommendations made. The implemented internal audit recommendations contributed to the Organisation's governance, risk management and internal control framework by addressing risks, reinforcing internal controls, improving IT security and increasing efficiency and effectiveness of operations. Internal Audit recommendations emanating from a consultancy assignment also contributed to the Organisation's risk management by enhancing maturity in this area.

23. The share of accepted recommendations has risen significantly and is now close to 100%. There are only two recommendations not accepted and there are no recommendations under consideration, which is a major improvement compared to the previous reporting period.

24. The number of long outstanding recommendations, i.e. opened for more than 2 years, has increased from 15 in 2021 to 23 in 2022. Some of these recommendations address severe and major risks. These recommendations are currently being implemented and it is expected that significant progress will be made in 2023.

25. In order to foster the smooth implementation of audit recommendations, DIO remains in frequent contact with MAEs and provides assistance, explanations and advice, as needed. DIO also provides training on, and user support for, the use of the new IT tool for the follow-up of recommendations, which was implemented in 2022 for a more effective follow-up process.

IV. Evaluation

A. Evaluation function: DIO-ED and decentralised evaluations

26. The DIO-Evaluation Division (DIO-ED) promotes accountability, informed-decision-making and learning by a systematic and impartial assessment of an activity, project, programme, strategy, policy, topic, theme, sector, operational area or of institutional performance. It is guided by pre-defined criteria - relevance, efficiency, effectiveness, coherence, impact and sustainability – established by the OECD Development Assistance Committee (DAC). Evaluation is also governed by United Nations Evaluation Group (UNEG) norms and standards.

27. The Evaluation Policy[3] approved by the Committee of Ministers in November 2019 reflects international norms and standards, in particular as regards the independence, credibility and utility of the evaluation function and the transparency of evaluation results. It will be reviewed in 2023 in order to take into account recent developments as well as the recommendations of the peer review report of the evaluation function and those of the Oversight Advisory Committee.

28. It is worth noting that he term 'evaluation function' covers not only the DIO-ED-managed or conducted evaluations, but also decentralised evaluations. Decentralised evaluations, as outlined in section 'C', are evaluations managed by entities other than DIO. They must meet the same level of norms and standards as the DIO-ED evaluations. DIO-ED provides guidance, technical assistance and support to Major Administrative Entities (MAEs) on the selection of consultants, drafting of terms of reference and draft evaluation reports.

B. DIO-ED evaluation activities and their results in 2022

29. In 2022, the Evaluation Division issued four evaluation reports, underwent a peer review of the evaluation function and issued the French version of the e-learning module on evaluation. All Evaluation Division reports are publicly available on the Evaluation website.

30. The following evaluations were carried out/completed in 2022 - the tables in Appendix B provide details on the evaluations carried out and their findings:
   a. Monitoring mechanisms;
   b. Covid-19 pandemic;
   c. Independence and Efficiency of Justice;
   d. Action against crime and protection of citizens.

31. The evaluation reports on the Civil society participation in co-operation activities and Culture, Nature and Heritage / Cultural Routes / Major Hazards will be completed in the first half of 2023.

32. Figure 8 below shows all the publications in 2022. It is to be noted that Figure 8 also covers reports finalised in 2021 whilst those recently completed will be published in 2023.[4]

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[3] Cf. CM(2018)159-final.
[4] The Evaluation of Violence against women and domestic violence and the Evaluation of the European Commission for Democracy through Law (Venice Commission) were finalised in 2021 but published in 2022. The evaluations of Independence and Efficiency of Justice and Action against crime will be published in the first half of 2023.

Figure 8: Publications in 2022

	📖 Evaluation Reports	📰 Evaluation insights	📣 News
Peer Review of the Evaluation Function of the Council of Europe	Full report in English & French MR&AP in English & French		English & French
Evaluation of the Council of Europe support to member states in addressing challenges related to the Covid-19 pandemic	Full report, abridged report, MR&AP in English & abridged report, MR&AP in French	Infographic English & French; key takeaways report English & French	English & French
Evaluation of the Council of Europe's Monitoring mechanisms	Full report, MR&AP in English & Abridged report, MR&AP in French	Infographic English & French	English & French
Evaluation of the Council of Europe's work under the sub-programme "Violence against women and domestic violence" 2016-2020	Full report, MR&AP in English & abridged report, MR&AP in French	Infographic English & French	English & French
Evaluation of the European Commission for Democracy through Law (Venice Commission)	Full report, MR&AP in English & abridged report, MR&AP in French	Infographic English & French	English & French

C.   Follow-up and impact of DIO-ED evaluation reports 2019-2022

Follow-up of recommendations

33.   The Evaluation Policy foresees a management response and action plan following the finalisation of the evaluation reports. The Secretary General is responsible for the implementation of action plans to address recommendations and the Committee of Ministers follows their implementation. The recommendations are followed up for 4 years and DIO reports annually on their implementation.

34.   During the period 2019-2022, 9 evaluation reports were issued with a total of 96 recommendations. Out of these, 93% were accepted, 4% are under consideration and 2% have been rejected.

Figure 9: Timeframe of evaluation reports

Timeframe[5]	Evaluation Topics
First year Jan-Dec 2022	Covid-19 pandemic[6] Venice Commission Violence against women and domestic violence Monitoring Mechanisms
Second year Jan-Dec 2021	Results-Based Management Prisons and Police Conference of INGOs
Third year Jan-Dec 2020	Strategy development and reporting
Fourth year Jan-Dec 2019	Intergovernmental Committees Freedom of Expression

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[5] A reporting year is defined as lasting from 1 January to 31 December.
[6] As the management response and action plan of the Covid-19 pandemic was issued in November 2022, the follow-up exercise did not include these recommendations.

35.   Out of the accepted recommendations, 65% were implemented, 31% are in progress, 3% have not yet started and 1% are obsolete (for details see Figure 10). The acceptance and the progress in the implementation of evaluation recommendations can be considered satisfactory for the relevant reporting periods and the implementation of recommendations has contributed to a positive impact.

Figure 10: Status of implementation of accepted evaluation recommendations by year of issuance of report
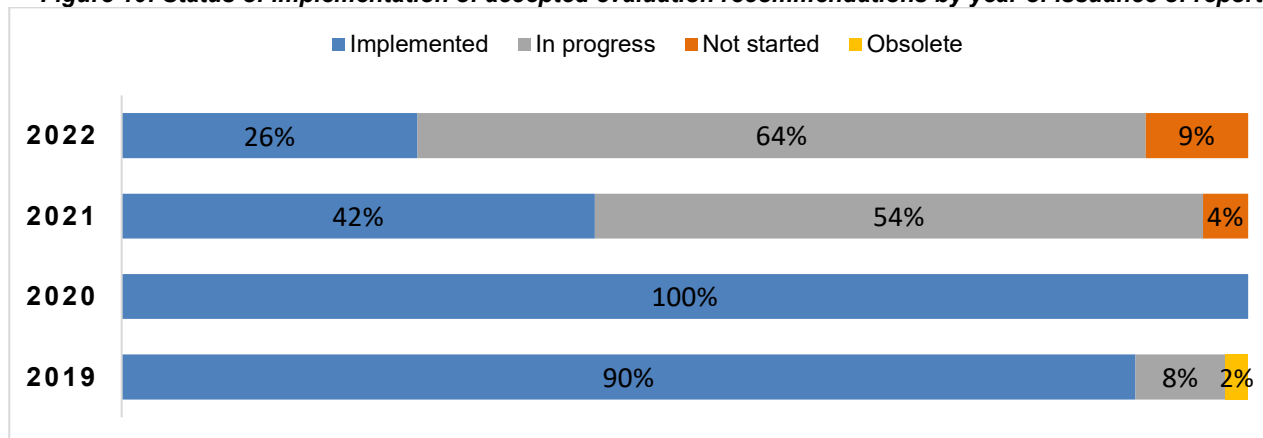
Source: TeamMate

Impact of evaluations

36.   The evaluation recommendations implemented between 2019-2022 have contributed to the following, by order of publication of evaluation reports and as has been reported by the MAEs:

- Monitoring Mechanisms (MMs): the resources (Rec2) of some MMs were reinforced, for instance GREVIO and Lanzarote Convention and others were reinforced temporarily (ECRI, COMEX and the ACFC). The Lanzarote Committee has started to work on country-specific overviews to enhance follow-up of monitoring recommendations (Rec1). Good practices and working methods were identified in an information exchange between MMs at the meeting of the chairs of monitoring bodies in January 2023 (Rec5). A full follow-up report is expected to be provided to the GR-PBA before the end of 2023.

- Violence against women and domestic violence: an internal consultation and co-ordination meeting took place under the chairmanship of DGII comprising, PACE, PO, Congress, DC, CM, DGI, DGII and the Court on 2 December 2022 (Rec1). The information leaflet was updated (Rec2). Signatory parties have been invited to the meetings of the Committee of the Parties (Rec3). The new questionnaire now includes 'integrated policies' (Rec5). The human resources of the Secretariat were reinforced (Rec10). A full follow-up report is expected to be provided to GR-H before the end of 2023.

- Venice Commission: It has amended the status of 5 recommendations from "under consideration" to "accepted", leaving just one recommendation under consideration (Rec.5). This concerns the increase in its human resources which is expected to be considered in the next budgetary review process. However, in 2022 the Committee of Ministers increased the Commission's 2023 adjusted budget, adding two posts as of 1 May 2023. Several follow-up actions were already taken in 2022, such as the adoption of two new compilations, on the vetting of judges and prosecutors and on legal certainty, as well as the update of six other compilations (Rec.2). The Venice Commission has designated focal points for 30 countries on seven specific topics (e.g. freedom of expression). In preparing its opinions, the Commission continued to consult representatives of civil society during its missions or online meetings (Rec.3 and 4a). A good practice was identified where field offices have served as a channel of convocation and participation of civil society organisations (Rec.3). Seven Opinions were prepared jointly with the Directorate General of Human Rights and Rule of Law and six Opinions in the field of elections and referendums were prepared jointly with OSCE/ODIHR (Rec.4b). In addition, the Venice Commission has advanced in increasing its dialogue with the CM and PACE in particular (Rec.9). Concerning the follow-up to the Commission's opinions (Rec.10), a new type of "follow-up opinions" was introduced in December 2022, which focus on the implementation of recommendations made in previous Venice Commission opinions. Further action will be taken in 2023, in particular as concerns the strengthening of independence and technical knowledge of members (Rec.7).

- Conference of INGOs: In the context of the preparation of the Programme and Budget 2024-2027, considerations will be given to civil society and in particular to the CINGO (Rec.2). Several actions were taken to implement Rec.6. The country visits reprised in 2022 with a first visit to Finland in Spring 2022 and a visit to Bosnia and Herzegovina in September 2022. An ad hoc collaboration with the Andorran Ministry of Foreign Affairs (MFA) and NGOs is ongoing following the invitation to visit made by the MFA to the CINGO President at the Turin ministerial – the visit was made in July 2022 and was followed up by an informal country visit in the autumn of 2022. CINGO is also implementing a VC funded project to explore co-operation with Russian and Belarussian civil society which will include both online/visio consultations and an in-person meeting at the Council of Europe.

- Prisons and police: A network of police authorities was launched on 28 and 29 June 2022 (Rec.1). In addition, more member States are engaged in co-operation activities, *inter alia* Co-operation in police and deprivation of liberty (CPDL) has developed a project on the provision of health care in Romania (financed by the HRTF) following the CPT reports and a pilot of the Court's judgment (Rec.4). The Horizontal Facility (HF) III started on 1/01/23 and follows the same logic responding to CPT reports and case law. Additional sources of funding are being accessed (Rec.5). The CPDL has further developed close contacts with CEB for a partial funding of the construction of a forensic hospital in Serbia, which, with the EU Delegation in Belgrade, will partially finance the construction and fully finance the soft measures part of the project (Rec.6). As project cycles end, new ones are being ensured either by Ordinary Budget (OB) support or new donations: the recently finished HRTF project work in Greece will continue through OB support; and the CPDL is continuing its work in Turkey as a new project started on 1 November 2022, following on from another finished on 31 December 2022 (Rec.7).

- Results-based management: Recommendations implemented related to Results-based management (RBM) have been taking shape to significantly improve RBM capacity in the Council of Europe. The implementation dates of actions have been delayed however to early 2023. The Results-Oriented Management Strategy, which was developed on the basis of the RBM evaluation report (Recs 1-5), was approved by the Committee of Ministers in May 2023.

- Strategy development and reporting: All recommendations have been implemented. A practical guide was issued in December 2021 by the Directorate of Programme and Budget in response to the recommendations of the evaluation report. It presents concepts, a typology of strategy documents, how to elaborate a strategy, communication, identification of responsibilities, planning of resources, monitoring and reporting.

- Intergovernmental Committees: In addition to reviewing the Resolution governing the intergovernmental committees, culminating in CM/Res(2021)3, a single entry-point database for the committees has been developed and implemented by DPB and DIT in 2022 and is now operational. In addition, some of the committee acronyms were modified when presenting and examining the draft intergovernmental structure in the context of the Council of Europe Programme and Budget 2022-2025. A meeting of intergovernmental committee chairs is planned for autumn 2023.

- Freedom of expression: Actions contributed to enhanced leadership and co-ordination across different thematic areas including a document on freedom of political speech, presented by the Secretary General to the Committee of Ministers. There has been further enhanced visibility of the Platform for the protection of journalism throughout 2022. The Task Force's discussions have focused on the preparation of a future Council of Europe campaign on protecting the safety of journalists.

D. Decentralised evaluations

37.   In 2021, the DIO-ED established a quality assurance framework for decentralised evaluations with the aim to ensure that MAEs receive the necessary support to carry out evaluations while allowing the Organisation to have a more complete overview of all evaluations. Through the framework, the DIO-ED helps to ensure the quality of decentralised evaluations and subsequently collect lessons learned and improve organisational learning.

38.   In 2022, DIO provided support to 19 decentralised evaluations, which is an increase from 16 in 2021. The support provided entails quality checks of Terms of Reference and draft evaluation reports, as well as the selection of consultants under DIO's framework contract for evaluation services. In some cases, technical advice was provided on other issues, including the timeliness, evaluability and data collection methodologies. During 2022, DIO provided support to MAEs on the following evaluations:

1. EU-CoE HELP EU II project
2. Intercultural Cities programme
3. Promoting an integrated approach to end violence against women and reinforcing gender equality in Georgia
4. Legend II Project – North-South Centre
5. Support for the execution by Armenia of judgments in respect of Article 6 of the European Convention on Human Rights
6. Strengthening the Capacity of Bar Associations and Lawyers on European Human Rights Standards
7. The Path towards Armenia's Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (2019-2022)
8. Project on Improving the Effectiveness of the Administrative Judiciary and Strengthening the Institutional Capacity of Council of State
9. Partnership for Good Governance II
10. Education for Democracy in the Republic of Moldova
11. Horizontal Facility II - HELP in the Western Balkans
12. Eurimages Partial Agreement 2023
13. Human rights compliant criminal justice system in Ukraine[7]
14. Human rights and women in the armed forces in Armenia[8]
15. PGG II: 19. Raising awareness of the Istanbul Convention and other gender equality standards in Azerbaijan
16. Action Plan for Georgia 2020-2023
17. Review of the impact and future potential of the Council of Europe's work in the field of sport[9]
18. Strengthening the Criminal Justice System and the Capacity of Justice Professionals on Prevention of the European Convention on Human Rights Violations in Türkiye
19. European Roma Institute for Arts and Culture (ERIAC)

39.   While all Council of Europe entities have been notified that staff members should consult DIO during the evaluation process, the number of final submitted reports and management responses for publication is still much lower than expected and DIO will seek to address this in the future.

40.   In line with the Evaluation Policy, decentralised evaluations are now an integrated part of the follow-up process. Based on the management response and action plans provided by MAEs, the finalised decentralised evaluations are included in DIO's TeamMate+ software and are followed up on. As opposed to DIO-led evaluations, decentralised evaluations are followed up on at the level of the "overall management response", rather than per each recommendation. In 2022, DIO followed-up on eight decentralised evaluations:

-   Evaluation of the Council of Europe Neighbourhood Partnership with Morocco 2018-2021
-   Evaluation of the Council of Europe Neighbourhood Partnership with Tunisia 2018-2021
-   Evaluation of the deliberative process within the project "Building democratic participation in the City of Mostar"

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[7] The evaluation was discontinued due to difficulty in data collection caused by the war in Ukraine.
[8] After a discussion with the project team and DPC, it was decided not to proceed with this evaluation until conditions for adequate data collection are met.
[9] This evaluation was completed as an impact review, rather than a full-fledged evaluation, due to a limited budget and timeframe.

-   Evaluation of the EU and CoE JP – Inclusive Schools: Making a Difference for Roma Children
-   Independent Evaluation of the European Roma Institute for Arts and Culture (ERIAC)
-   Mid-term evaluation of the EU / CoE HF for the Western Balkans and Turkey - Phase II
-   Progress Review and Final Evaluation of the Council of Europe Action Plan for Bosnia and Herzegovina 2018-2021
-   Progress Review and Final Evaluation of the Council of Europe Action Plan for the Republic of Moldova 2017-2020

41.   The peer review report found that decentralised evaluations were still underdeveloped: with limited coverage, resources and capacities, and that they were to a large extent driven by donors, rather than by a proactive approach by the MAEs. According to the peer review report: "the combined total budget for evaluation (DIO-ED managed and decentralised evaluations) is estimated at somewhere around €1.2 M per year, equal to 0.25% of the total budget of the Council of Europe of €477 M (2022). Again, this is a rather modest allocation of resources to the evaluation function. At the United Nations, a 2014 report by the Joint Inspection Unit (JIU) concluded that organisations should consider a range of evaluation funding that is between 0.5 per cent and 3.0 per cent of combined organisational expenditure".[10] The peer review report formulated recommendations with a view to establish a criterion for their evaluations and to set a target percentage for their evaluation budget.

E.   Organisation-wide framework contract for the provision of consultancy services on evaluations

42.   A pool of evaluation consultants was created through an organisation-wide Framework Contract established by DIO in July 2021 and valid until 30 June 2026.

43.   25 service providers are currently in the pool and are at the disposal of all Council of Europe entities for their evaluations. DIO proposes the most suitable consultants, making sure there is diversity in choice and expertise for all MAEs, except in cases where specific expertise is required, e.g. Eurimages. In such cases, the entity concerned publishes a regular call for tenders to include their specific needs.

F.   Peer Review of the Evaluation Function

44.   The Evaluation Policy approved by the Committee of Ministers in 2019 foresaw an external peer review in 2022. Therefore, during 2022 a peer review of the Evaluation Function of the Council of Europe was carried out. It was conducted by an independent panel of evaluation experts from UNDP, UNESCO and ILO supported by an independent consultant. The purpose of the peer review was to assess the credibility, independence and utility of the evaluation function and its enabling environment. The evaluation function covered the DIO Evaluation Division and the evaluations managed by other entities (decentralised evaluations).

45.   A summary of the peer review is included at Appendix C of this report.

G.   Performance indicators for evaluation

Performance indicators	Results
Number of evaluation outputs produced in line with the evaluation work plan.	In 2022, the Evaluation Division produced four evaluation reports, carried out a peer review of the evaluation function and developed a French version of the E-learning module on evaluation.
Percentage of evaluation recommendations implemented within 36 months of their acceptance by the relevant entities (target: 80%).	100% of evaluation recommendations were implemented in the third year after issuance of reports (2021: 69%).

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[10] Analysis of the Evaluation Function in the United Nations System, JIU/REP/2014/6.

V. Investigation

A.   *Investigation function*

46.   The investigation function is an essential component of the CoE's internal oversight and control system and forms an integral part of the Organisation's risk management and accountability framework. The Council of Europe expects the highest standards of integrity from its personnel in all matters affecting their official duties and the interests of the Organisation. The function adheres to the Organisation's legal framework and aims to follow internationally accepted common principles, guidelines and best practices for investigations.[11] In 2022, the following legal instruments governed the activities carried out by the Investigation Division: the *DIO Charter;*[12] *Rule No. 1327 of 10 January 2011 on awareness and prevention of fraud and corruption;*[13] *Instruction No. 65 of 28 June 2016 on investigations,*[14] *etc.* The *DIO Charter*, adopted by the Committee of Ministers in June 2022, contains *inter alia* key provisions relating to the mandate of the investigation function and its independence, as required by international standards. In December, a new *Rule on Investigations* was adopted, replacing *Instruction 65 of 28 June 2016 on investigations.*[15] Several other legal instruments pertinent to the work of the Investigation Division were also adopted in the end of 2022 and entered into force on 1 January 2023.

B.   *Activities of the Investigation Division*

####### a.   *Awareness-raising and prevention activities*

47.   DIO is committed to its awareness-raising and preventive work. It is considered that prevention of fraud, corruption, and other wrongdoing is more efficient and effective than investigating such conduct post factum. The Investigation Division thus deals with various fraud-prevention and awareness-raising activities.

Training

48.   To reach a wider audience, DIO's Investigation Division developed two e-learnings - on '*Ethics*' and '*Fraud Awareness and Prevention*'. Both trainings are compulsory for the members of the Secretariat. The Investigation Division also offers in-person sessions or training on specific topics, on request (e.g. fraud in procurement, grants, recruitment, etc.). By the end of 2022, the e-learning on '*Ethics*' had been undertaken by 91% of all Secretariat members.[16] The e-learning on '*Fraud Awareness and Prevention*' was initially mandatory for staff involved in procurement or grant award (in any capacity) and persons having a formal financial role; in 2021, it was made compulsory for all staff. By the end of 2022, the training had been undertaken by 82% of all Secretariat Members.[17] It is considered, nonetheless, that there is still room for improvement in terms of the participation rates and actions to be taken at the central level (DHR) and by individual managers to monitor more closely compliance in this respect.

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[11] Such as the ones enshrined in the *Uniform Principles and Guidelines for Investigations* and complementing guidelines, adopted by the Conference of International Investigators and those set out in the case-law of the European Court of Human Rights, where applicable.

[12] Adopted by the Committee of Ministers on 15 June 2022 (CM/Del/Dec(2022)1437/11.1b, CM/Res(2022)13).

[13] Rule No. 1327 of 10 January 2011 on awareness and prevention of fraud and corruption (repealed as of 1 January 2023).

[14] Instruction No. 65 of 28 June 2016 on investigations (repealed as of 1 January 2023).

[15] On 1 January 2023, the Rule on Investigations entered into force; Instruction No. 65 of 28 June 2016 on investigations and Rule No. 1327 of 10 January 2011 on awareness and prevention of fraud and corruption were respectively revoked as of the same date.

[16] According to information provided by DHR. The numbers include current staff (all types of employment contracts) but does not include trainees.

[17] According to information provided by DHR. The numbers include current staff (all types of employment contracts) but does not include trainees.
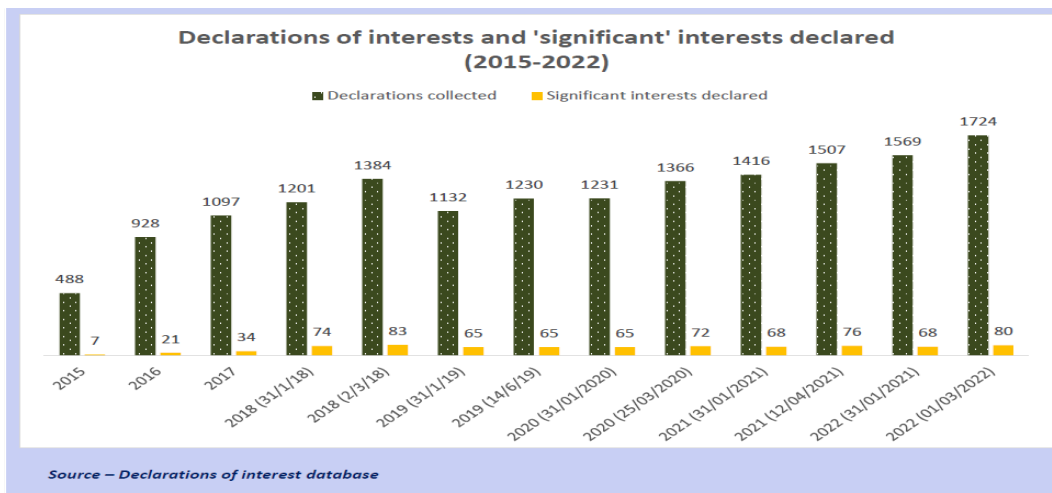
Fraud-Risk Assessments

49.   In 2022, the Investigation Division continued its work on promotion of fraud-risk management, in order to help management mitigate the risk of fraud that could hinder the achievement of objectives in their entities. To that end, it reviewed its fraud-risk-assessment framework with the view to better address fraud risks and create a comprehensive framework that would allow managers to more actively monitor fraud risks. The new fraud-risk-assessment framework consists of revised tools (linking the risks with red flags, internal controls, results of audit work, assessment of residual risks, etc.), methodology, videos, surveys, and a website.[18]The Division has also carried out a pilot fraud-risk assessment in one of the Council of Europe's entities, to test the new framework, and has planned additional fraud-risk-assessment exercises in the course of 2023.

Review of declarations of interest

50.   Conflicts of interest in the context of procurement and grant awards have the potential to harm the Organisation's reputation and expose it to litigation and financial losses. Staff members with formal financial roles and/or involved in procurement or grant awards are obliged to submit declarations of interest annually to allow transparency and management of situations that could give rise to potential conflicts of interest.[19]

51.   In 2022, as in previous years, the Investigation Division monitored the declarations of interest, published a news item raising awareness about the declarations, and issued a report summarising its main findings and recommendations to address detected issues.[20]In general, a steady increase in the number of staff members making a positive declaration has been noted over the last years. It is considered, however, that the positive trend observed reflects the various awareness-raising activities, as well as the amendments made to the relevant internal rule[21] (expanding the scope of staff required to submit declarations, as well as the scope of interests to be declared). The 2022 review report resulted in a number of recommendations. It was also reiterated that the responsibilities relating to the monitoring of the declarations of interests should be transferred to the Ethics Officer, in conformity with the practice of other international organisations.

Figure 11: Declarations of interests and number of 'significant interests' declared
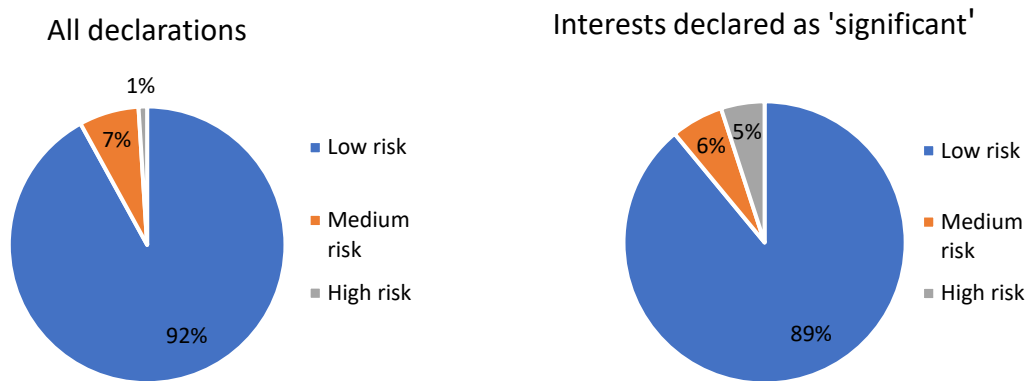

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[18] Fraud risk assessment - Council of Europe (coe.int)
[19] As per Rule No. 1282 of 18 October 2007 on the declaration of interests in the context of procurement and grant award.
[20] Declarations of Interests in the Context of Procurement and Grant Award, 2022 Review
[21] Rule No.1282 of 18 October 2007 on the declaration of interests in the context of procurement and grant award.

Figure 12: Risk level of declarations of interest

All declarations

1%
7%
92%

- Low risk
- Medium risk
- High risk

Interests declared as 'significant'

6% 5%
89%

- Low risk
- Medium risk
- High risk

News items and website content

52.   Throughout the year several news items were published relating to the activities of the Investigation Division and declarations of interests, to raise awareness among staff on the risks of fraud and how they should be addressed.[22]

53.   Key performance indicators relating to awareness-raising and training can be found in Appendix D.

b.   Detection and investigation

Cases (preliminary assessments and investigations)

54.   In 2022, the Investigation Division acted upon multiple reports or other indications of suspected fraud and/or corruption and conducted preliminary assessments and investigations, in compliance with the provisions of *Instruction No. 65 of 28 June 2016 on investigations* and *Rule No. 1327 of 10 January 2011 on awareness and prevention of fraud and corruption*. It received and examined 3740 communications through its various reporting channels. Most of these communications, however, did not fall within its mandate or concern the Organisation. Allegations received are counted as cases only if they require investigative activities.

55.   Throughout the year, 16 cases were opened,[23] resulting in 11 preliminary assessments;[24] preliminary assessments opened in the preceding reporting period were also finalised. Based upon the results of these preliminary assessments, the Investigation Division carried out two fraud investigations.[25] One of them was opened following allegations received at the end of 2021 and completed in February 2022. The second one was opened in August and completed in November 2022.

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[22] The website of the function was also revamped and new content was created for the Fraud awareness week 2022 - Council of Europe (coe.int).

[23] Alerts considered. Many alerts arrive through various reporting channels, but only the ones relating to the Council of Europe and potentially falling within DIO's mandate have been further considered and registered.

[24] The purpose of a preliminary assessment is to record and establish the basic facts, assess if the alleged facts can be substantiated, check what supporting documentation or other materials can be found, preserve and secure basic evidence and assess whether the opening of an investigation is justified.

[25] Investigations consist of the collection and securing of additional digital, documentary or other physical evidence, gathering of testimonial evidence and information through interviews, and production of an investigation report; they are fact-finding processes aimed at establishing whether fraud and/or corruption as defined in Article 1 of Rule No. 1327 of 10 January 2011 on awareness and prevention of fraud and corruption has occurred.

Figure 13: Number of new cases/alerts registered per year (2013-2022)

Number of new cases (2013-2022)
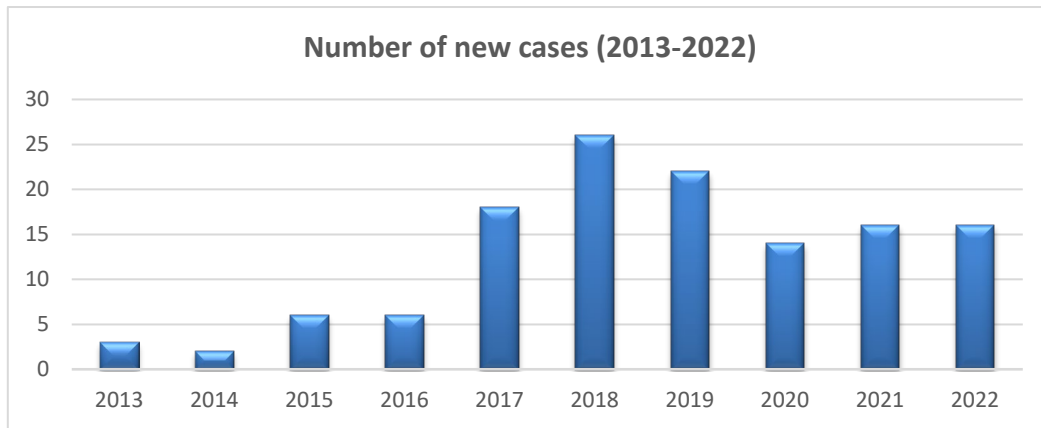
Figure 14: Status of cases registered in 2022

- Preliminary Assessments (including those leading to investigation)
- Closed after scrutiny (incl. alerts passed on to other functions)
- Investigations (opened following a preliminary assessment)
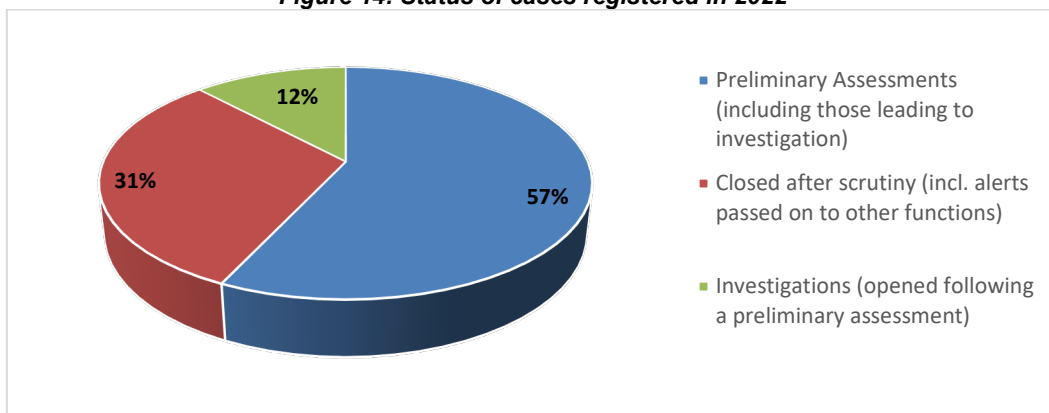
56.   As a result of the revision of the Organisation's legal framework (including the adoption of the new Staff Regulations and the secondary legislation), however, it is expected that the reporting of suspected wrongdoing, including fraud or corruption, will inevitably rise. The new framework enlarges DIO's mandate, as shown on Figure 17.

57. Key performance indicators relating to investigative processes can be found in Appendix D.

c.   Follow-up to recommendations issued by the Investigation Division

58.   In 2022, the Investigation Unit issued in total 10 recommendations— eight recommendations related to findings stemming from preliminary assessments and investigations and two recommendations relating to the annual review of declarations of interests made by members of the Secretariat with formal financial roles and/or those involved in procurement and grant awards. In cases in which risks, internal control weaknesses, and/or other deficiencies were detected, recommendations were respectively formulated to address them.

Figure 15: Number of recommendations issued from 2017 to 2022 by the Investigation Division
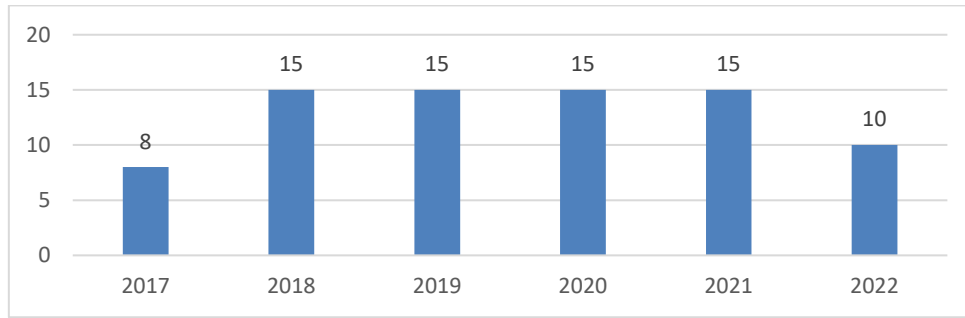
*Figure 16: Status of implementation of recommendations issued by the Investigation Division
from 1 October 2017-31 December 2022*
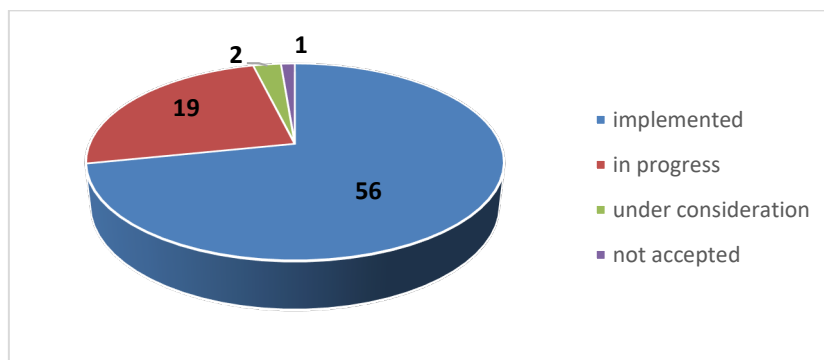
59. Key performance indicators relating to implementation of recommendations can be found in Appendix D.

d.   Self-assessment report and recommendations

60.   In 2022, DIO followed up on recommendations issued in its report titled "*Review of the state of the investigation function at the Council of Europe (self-assessment)*". The report and the review of the function was based upon the results of a report issued by the United Nations Joint Inspection Unit (JIU), comparing the state of 28 United Nations' (UN) investigation functions; the JIU's report contained 10 formal recommendations and 27 soft recommendations for improvement of the UN-system investigation functions, as well as 14 independence indicators based upon which compliance with the respective standard for objectivity and impartiality was assessed. The main aim of the aforementioned self-assessment carried out by DIO was to: assess the overall adequacy of the arrangements for the Council of Europe's investigation function; identify areas for possible improvement and formulate recommendations in this respect; define how to benefit the most from the experience of other international organisations having investigation functions; and compare the Council of Europe investigation function against benchmarks and standards issued by the Conference of International Investigators (CII) and the Association of Certified Fraud Examiners (ACFE). The review detected a number of areas for possible improvement, which mainly related to the general organisational set-up, such as: existing fragmentation of responsibilities for carrying out investigations; questionable level of independence of the persons carrying out activities similar to investigations (e.g. inquiries); different legal framework for carrying out investigations and inquiries despite their similar nature; lack of necessary degree of professionalisation and specialisation of those carrying out activities similar to investigations (i.e. inquiries); differences in the reception and processing of allegations of fraud and corruption and other breaches of internal rules; scarcity of resources, etc.

61.   Further details about the recommendations set out in the report are provided in Appendix E.

e.   New legal framework for investigations

Extended mandate and contribution to the review of the secondary legislation

62.   DIO undertook to review the legal framework for investigations to better align it with international investigative standards and best practice. In 2022, the *DIO Charter* and the new *Rule on Investigations* were adopted, containing *inter alia* key provisions relating to the mandate of the function and its independence.[26] During the course of the year, the Investigation Division also contributed to several other legal instruments which are part of the Organisation's new secondary legislation, namely*: Code of Conduct, Speak Up Policy, Policy on Respect and Dignity, Rule on Discipline,* and *Rule on duties, obligations and privileges*. These legal instruments, with the exception of the Speak Up Policy, entered into force on 1 January 2023; the Speak Up Policy is expected to be adopted in the first half of 2023. As of 1 January 2023, investigations into fraud, corruption, as well as into other forms of wrongdoing, are to be carried out by DIO. As of the same date, investigations into allegations of harassment involving members of the Secretariat (with some exceptions) will be carried out by the Directorate of Human Resources (DHR), which shall resort to external investigators; in the event that a person considers that they have been harassed by the Secretary General, Deputy Secretary General, Director General of Administration or the Director of Human Resources, the appropriate reporting channel, however, is the Directorate of Internal Oversight.

Figure 17: Persons against whom allegations shall be reported to DIO (evolution of the mandate compared against the initial mandate)[27]

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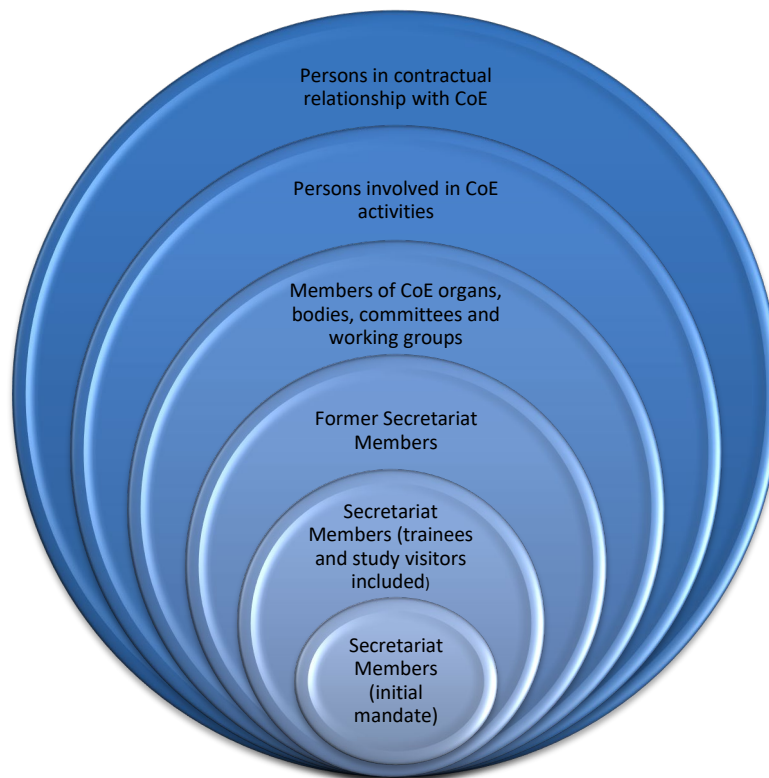
[26] On 1 January 2023, the Rule on Investigations entered into force; Instruction No. 65 of 28 June 2016 on investigations and Rule No. 1327 of 10 January 2011 on awareness and prevention of fraud and corruption were respectively revoked as of the same date.
[27] Allegations made against these categories of persons will be addressed in accordance with the Organisation's legal framework and other applicable provisions and might be thus subject to limitations.

f.　Other activities

63.　　DIO's Investigation Division also deals with other horizontal matters (e.g. networking and liaising with peer investigation services, reporting to the Secretary General, Committee of Ministers, and Oversight Advisory Committee (OAC), liaising with external auditors and internal services, as necessary, etc.).

C.　Current challenges

64.　　Due to its specificity of each case and variety of activities undertaken by the function, the work of the Investigation Division is often unpredictable. Thus, priorities have been developed and reflected in DIO's work programme. With the introduction of the new secondary legislation and new responsibilities entrusted to the Investigation Division, it is expected that the workload will further increase after the introduction of the Speak Up policy. The regular monitoring of the adequacy of resources should be ensured, including for a whistleblowing (reporting) tool, to enable the function to exercise its mandate effectively and efficiently. In December 2022, the Director of Internal Oversight sent a memorandum to the DSG, GRPBA and OAC, highlighting *inter alia* the need for a specific operational budget to be allocated to the function (for missions, engagement of experts, and whistleblowing and case-management tools).

VI. Directorate of Internal Oversight Strategy 2021-2024

65.　　The Directorate of Internal Oversight Strategy 2021-2024 sets out strategic objectives and indicators for the Directorate as well as highlighting critical success factors and core values and principles. Progress in relation to the implementation of the strategy is detailed in Appendix D.

VII. Oversight Advisory Committee

66.　　The Oversight Advisory Committee (OAC) provides an independent advisory function to the Committee of Ministers and the Secretary General on the governance, risk management and control systems of the Council of Europe.

67.　　It is governed by its terms of reference.[28] The OAC met three times in 2022 and issued 5 recommendations covering matters related to oversight, financial and administrative management, governance and reform, and risk management.

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[28] Resolution CM/Res(2022)4 on the revised terms of reference of the Oversight Advisory Committee.

Appendix A - External quality assessment of the internal audit function

Internal Audit's Quality Assurance and Improvement Programme (QAIP) is designed to provide reasonable assurance to the various stakeholders of the Internal Audit activity that Internal Audit:

 ➢ performs its work in accordance with the DIO Charter, the Institute of Internal Auditors International Standards for the Professional Practice of Internal Auditing (Standards), Definition of Internal Auditing and Code of Ethics;
 ➢ operates in an effective and efficient manner; and
 ➢ is perceived by stakeholders as adding value and improving their operations.

To that end, Internal Audit's QAIP covers all aspects of the Internal Audit activity. In this regard, the QAIP covers ongoing monitoring of the Internal Audit activity, periodic internal assessments and external assessments.

In accordance with the International Standards for the Professional Practice of Internal Auditing, the Internal Audit function of the Council of Europe underwent an External Quality Assessment (EQA) during the second half of 2022. The EQA was carried out by the *Institut Français de l'Audit et du Contrôle Internes (IFACI)*, the French branch of the Institute of Internal Auditors (IIA).

The External Quality Assessor's opinion was that that *"The Internal Audit (IA) division of the Directorate of Internal Oversight (DIO) of the Council of Europe (CoE) **Generally Conforms** with the mandatory elements of the International Professional Practices Framework (IPPF), made up of the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics and the Definition of Internal Auditing, and commonly referred to as "the Standards" of the Institute of Internal Auditors (IIA). Generally Conforms is the **highest of three possible outcomes**."*

The External Quality Assessor concluded that Internal Audit works to high professional standards. They commended Internal Audit's:
 • commitment to, and knowledge of, the functions of the Council of Europe;
 • fairness, independence, objectiveness and collegial yet independent approach;
 • transparent and inclusive annual risk-based audit planning process;
 • leadership and communication;
 • commitment to continuous improvement and professionalism.

The External Quality Assessor also made a number of recommendations and suggestions for further improvement, namely to:
 • align audit focus, team size and team skills with the Council of Europe's risk appetite;
 • systematically consider IT risks of the activities being audited;
 • think about including more of the main activities of the MAEs in annual audit plans;
 • try and reduce the time taken for audits;
 • try to and shorten audit reports;
 • envisage more frequent follow-up of the implementation of audit recommendations.

The Internal Audit team is committed to implementing the recommendations and further enhancing the quality of its work and its alignment with organisational needs.

Appendix B – Summary of audits and evaluations

Audits Completed in 2022

Audit: Internal Control Framework of the Registry of the European Court of Human Rights	
Audit Objectives	**Audit Opinion, Strengths, Recommendations**
To look at the adequacy of governance, risk management and internal control processes of the Registry of the Court and at how they support the achievement of objectives.	**Audit Opinion** The audit opinion "adequate" is given on the internal control framework of the Registry of the European Court of Human Rights: governance is adequate, risks are being managed effectively and internal controls are relevant, efficient, effective and proportional to risks. The current internal control framework is mature and provides reasonable assurance that objectives can be achieved; it also contributes to organisational learning. **Strengths** • a solid and sustainable internal control framework based notably on a control environment characterised by a clear "tone at the top", demonstration of strong integrity and ethical values, assignment and delegation of authority and responsibility, accountability for performance and effective management of human resources; • a mature Risk Management function with dedicated resources and developed risk management processes; an inclusive process for the identification and evaluation of risks, and identification of mitigation measures; awareness and understanding of risk among Registry staff; • an established Internal Control function with a clear mandate (charter), a direct reporting line to the Registrar, operational independence within the Registry, the necessary qualifications, experience and competencies to effectively perform internal control, a risk-based work programme which focuses on risk management, compliance and improving the efficiency and effectiveness of the Registry's processes; • good practices in various fields (human resources management, risk management, internal control). **Main Recommendations (based on the COSO internal control framework)** *Control environment* • update the Internal Control Charter to include the second line functions of the Council of Europe and the Organisation's third line function (DIO); • consider performing a self-assessment of the Internal Control function on the basis of the IIA's standards for the self-assessment of an internal audit function; • step up the monitoring of declarations in the context of procurement in the course of the financial year; • step up controls on secondary activities and carry out a specific risk assessment related to the conduct of secondary activities by staff in the Registry. *Risk assessment* • clarify roles and responsibilities when it comes to dealing with allegations of fraud and corruption related to the substantive work of the Court; • carry out a fraud risk assessment to better understanding exposure, associated risks and the strength of existing controls; • regularly monitor, in close co-operation with DHR, staff participation in the compulsory online course on fraud awareness and prevention. *Control activities* • find the means of meeting the Registry's needs in terms of outsourced translation services while at the same time complying with the Financial Regulations and rules regarding procurement. *Information and communication* • set up a means to allow the Registry to systematically communicate internal control deficiencies to those parties (including DIO) responsible for taking correction action; • set up a means for the Internal Control function to share information and co-ordinate their activities with that of the Internal Audit in DIO.

Audit: Externally-funded programmes implemented through the Council of Europe External Office in Morocco

Audit Objectives	Audit Opinion, Strengths, Recommendations
To assess the adequacy of governance, internal control and risk management processes, to ensure that the financial, administrative and programme management are carried out to acceptable standards and respect the rules and regulations of the Organisation.	**Audit Opinion:** There is some room for improvement, in particular in relation to accountability, risk management and work planning for the projects. **Strengths:** • an adequate legal basis for the presence of the Council of Europe in the host country and a clear mandate of the Office; • clearly defined roles and responsibilities of core and project staff; • a project team present in the field for the majority of projects (positive for the decentralisation of programme management at the Council of Europe); • all legal commitments entered into by authorised signatories; • rigorous budgetary management; • respect of procurement rules and procedures. **Main Recommendations:** • the Head of the Rabat Office steps up their role in financial management of the Office and the programmes that run through it; • ensure that staff objectives are fixed in a timely manner; • update the template of the delegation letter for joint programmes for the attention of heads of administrative entities as well as the decision-making procedure (visa route) regarding the signing of contractual documents; • ensure that quarterly work plans are established and regularly updated for all projects and that this information is available in the PMM IT tool.

Audit: Synthesis of audits of Externally-Funded Programmes Implemented through Council of Europe External Offices (2020-2022)

Audit Objectives	Audit Opinion, Strengths, Recommendations
To provide an overview of the level of internal control in the previously audited external offices. To highlight recurring issues requiring attention in order to help management improve governance, risk management and internal control in all external offices.	**Audit Opinion:** There is a need for corrective action, in particular in relation to the legal basis for the Council of Europe presence in the host countries and risk management for projects. **Strengths:** • compulsory participation in the e-learning course on ethics; • submission of declarations of interest; • clearly defined financial roles and responsibilities; • project teams present in the field; • level of skills and participation in training, including on fraud awareness; • offices' clearly defined status and mandate; • segregation of duties; • budgetary management and quality of financial forecasting; • internal and external communication with stakeholders. **Main Recommendations:** • define and set staff objectives in a timely manner; • step up the quality of information in the PMM IT tool, specifically with regard to the risk register, work plan and follow-up; • enhance compliance with procurement procedures and financial regulations as well as management of contracts; • conduct physical inventories annually; • conduct internal control self-assessments of each external office.

IT Audit Universe

Objectives	Results, Strengths, Way forward
To assess IT risks and define a programme for future audit work in the IT area.	**Results:** Development of a comprehensive universe of main computer operations and critical user applications. Assessment of IT risks associated with main computer operations and applications. Establishment of a solid basis for the development of a risk-based audit plan in the IT area and an IT risk assurance map of the Council of Europe. **Strengths:** • significant progress made in the implementation of recommendations of the IT Governance and IT Security Governance audits; • mature IT risk assessment process in and ISO 27000 certification of the EDQM; • regular IT security audits carried out by the Directorate of Information Technologies (DIT) and by the IT Entities of the EDQM and the Registry of the European Court of Human Rights. **Way forward:** • DIO uses the IT audit universe to develop IT audit plan focusing on high-risk areas; • DIO annually updates the IT audit universe to take into account the IT audits commissioned by DIT and the IT Entities of the EDQM and of the Court in order to avoid overlapping of audit efforts and to focus on uncovered risk areas; • DIO, DIT and the IT Entities of the EDQM and of the Court ensure a co-ordinated and transparent follow-up process of the recommendations emanating from the IT audits commissioned by the DIT and the IT Entities of the EDQM and of the Court in order to enable DIO to rely on the results of these audits.

Evaluation reports completed in 2022

Evaluation: Evaluation: Evaluation of the Council of Europe's monitoring mechanisms	
Evaluation objective	**Conclusions/Recommendations**
To identify potential gaps, obstacles, and areas of improvement. To draw lessons learned and good practices. To guide future interventions and reform process	**Conclusions: Strengths** • the functioning of the monitoring mechanisms is very relevant and generally effective; • the added value of the Council of Europe's monitoring mechanisms compared to other mechanisms of international organisations is generally considered to be high. **Conclusions: Issues to be addressed** • several aspects of some monitoring mechanisms could be improved in order to increase their effectiveness and efficiency. **Recommendations** • facilitate follow-up given to monitoring mechanisms' recommendations by the Committee of Ministers and States; • provide all monitoring mechanisms with the resources needed to deliver quality and relevant products; • ensure a forum to discuss good practices/working methods; • increase the direct dialogue between monitoring mechanisms and States; • increase co-operation and co-ordination between monitoring mechanisms; • reinforce links between the monitoring and co-operation dimensions; • further strengthen gender mainstreaming and consideration of equity in monitoring mechanisms; • establish secure online data collection tools; • increase the accessibility and the visibility of monitoring mechanisms' products.

Evaluation: Evaluation of the Council of Europe support to member States in addressing challenges related to the Covid-19 pandemic	
Evaluation objective	**Conclusions/Recommendations**
To improve future crises responses and modernise working methods and technology. To assess the extent to which the Council of Europe's programmatic response to the crisis through its support to member States assisted them in fulfilling their commitments to maintaining human rights, rule of law and democracy in the context of threats and challenges posed by the pandemic.	**Conclusions: Strengths** • the Council of Europe was able to respond meaningfully to the crisis; • institutional capacity to manage crises increased. **Conclusions: Issues to be addressed** • the Organisation can and should further improve its preparedness for future crises. **Recommendations** Crisis preparedness and checklist • develop a checklist to determine the most appropriate programmatic responses to crises; • facilitate rapid decision making in a crisis and identify crisis response programmes; • include the possibility to carry out "exceptional monitoring" adapted to crises; • ensure partnership approaches to amplify messages to fully comply with human rights, rule of law and democracy standards in crises; • support exchange between headquarters, external offices, expert and civil society organisation networks to respond to crises. Institutional capacity to manage crises • develop and provide advice on fast reaction adjustments to programming in crises; • reinforce RBM and strategic management guidance to improve focus on results in crises; • draft guidance on fundraising to respond to crises; • continue to make available multiple solutions for online working.

Evaluation: Evaluation of the Council of Europe's sub-programme on Independence and efficiency of Justice

Evaluation objective	Conclusions/Recommendations
To determine the extent to which the sub-programme was relevant, effective and efficient. Establish what impact the evaluated bodies have had in terms of contributing to the observance of Article 6 ECHR in the Council of Europe member States.	**Conclusions: Strengths** • the sub-programme work is highly relevant, and generally effective; • the sub-programme has been successful in delivering its outputs and in achieving immediate and intermediate outcomes; • the implementation of the Article 6 of the Convention is positively affected by the sub-programme. **Conclusions: Issues to be addressed** • there is space for improvement and potential for increased effectiveness and impact of the sub-programme; • the CCJE and CCPE require more resources to be able to respond to present needs and challenges more effectively. **Recommendations** • the Human Rights Directorate should establish a sub-programme co-ordination mechanism and develop a shared working and management space; designate a focal point for the rule of law and establish a consultation process with the Venice Commission Secretariat; • the sub-programme should consider reformulating its Theory of Change; implement more tailored monitoring; translate opinions and tools into national languages; • the CCJE and CCPE Secretariats should receive a budget increase in order to hold two plenary meetings per year; organise more in-person events for international and national networks of legal professionals; • the CEPEJ Secretariat should clearly delineate its work to focus on efficiency and quality of justice; increase engagement and use of its pilot courts network and carry out an assessment for CEPEJ's services across member States; • the Co-operation Programmes Division should implement a more fitting organisational structure; introduce process to ensure limited overlap with other sub-programme bodies; strengthen engagement with civil society organisations and justice professionals at national levels.

Evaluation: Evaluation of the Council of Europe's sub-programme on Action against Crime and Protection of Citizens

Evaluation objective	Conclusions/Recommendations
To assess the past performance in Cybercrime and Trafficking in Human Beings from a learning-oriented and forward-looking perspective.	**Conclusions: Strengths** • both models function well because of their coherence with their respective and different conventions; • the Heads of the two Divisions are publicly recognised as global thinkers and leaders in their respective work areas; • the dynamic triangle is seen as its most significant and distinctive added value in the two thematic areas of cybercrime and trafficking in human beings. **Conclusions: Issues to be addressed** • there are spaces for improvement in setting official targets for the thematic areas; • staff reported a negative impact of some lengthy bureaucratic procedures and approval processes in terms of timeline, flexibility and speed of delivery; • the sub-programme did not add value to the two thematic areas or other parts of the Organisation. **Recommendations** • redefine the scope of the sub-programme and its Theory of Change, aligning it with management structures for greater coherence; • revise the co-operation strategy in trafficking in human beings; • develop a strategy of alliances to support legislative change; • set up a forum for dialogue with civil society on cybercrime; • put in place staff consultation mechanisms and processes; • share lessons from implementation and implement recommended adjustments; • report on the feasibility of the present Assessment model in cybercrime; • redefine modalities for setting the indicators and targets.

Appendix C – Summary of the Peer Review of the Evaluation function

Peer Review of the Evaluation Function of the Council of Europe	
Peer Review objective	**Conclusions/Recommendations**
To assess a) the state of implementation of the Evaluation Policy; b) the current set-up and functioning of the Evaluation Division in DIO; c) the set-up and functioning of the decentralised evaluation function. To identify options and actionable opportunities to calibrate the framework of evaluation at the Council of Europe.	**Conclusions: Strengths** • the evaluation function in the Council of Europe has been noticeably strengthened over the past years; • several big strategic evaluations have contributed to learning and strategic decision making; • a strong normative framework has been put in place. **Conclusions: Issues to be addressed** • a more flexible approach driven by stakeholder demand, relevance and urgency when selecting evaluation subjects; • all areas of the Council of Europe should be part of the evaluation universe; • more resources are required to enlarge the coverage and enhance the quality of evaluations; • limited delegation of authority to the Evaluation Division within DIO; • decentralised evaluations are still underdeveloped, both in terms of quality and coverage; • the role of DIO-ED regarding the quality assurance of decentralised evaluations must be further clarified; • DIO-ED should produce more learning products. **Recommendations** • optimise the selection of evaluation subjects and improve their scoping; • assure coverage of the evaluation universe; • enhance resources for evaluation; • strengthen the usefulness of evaluation reports; • strengthen the visibility and authority of the Evaluation Division; • invest more in decentralised evaluations.

Appendix D – Implementation of the DIO Strategy

The Directorate of Internal Oversight developed a Strategy for 2021-2024 stating strategic objectives, performance indicators and targets for their achievement. The Strategy also contains a requirement to assess the progress on the implementation of the strategy and report on it in the Annual Report of the Directorate. The strategic objectives, key performance indicators, targets and results for the Internal Directorate are detailed below together with some short explanations in respect of progress.

Internal Audit

Objective	Indicator	Actual	Target
Internal Audit reports (or other outputs) are relevant, strategic, timely and provide reasonable coverage & appropriate assurance	Percentage of DIO transversal internal audit reports discussed in SMG/other senior management forum	50%	50% (0% – 100%)
	Percentage of reports addressing risks set out in the organisational risk register	67%	67% (0% – 70%)
Internal Audit reports (or other outputs) are of high quality	Reviewed reports are positively assessed during quality assessment (internal –2020, external -2023)	YES	The quality of audit reports was reviewed in the course of external quality assessment in 2022 and was in general positively assessed.
	Percentage of staff with relevant professional qualifications	50%	50% (0% – 60%)
Stakeholders have an understanding of internal audit, value, purpose, concepts and processes	Results of "client" surveys [Precise KPI and targets to be defined during survey design process]	N/A	Client satisfaction survey will be systematically carried out as of 2023.
Decision makers use Internal Audit reports	Percentage of recommendations implemented within 12 months after their acceptance by the relevant entities	54%	54% (0% – 80%)
Internal audit processes are clear and in accordance with best practice and international standards	Results of self-assessment/external quality assessment (GC=Generally conforms to Standards)	GC	The External Quality Assessment carried out in 2022 concluded that the Internal Audit function Generally Conforms to Standards.

INTERNAL AUDIT	
Indicators	**Notes on implementation of strategy**
Percentage of DIO transversal internal audit reports discussed in SMG/other senior management forum	In order to ensure that audit reports are relevant and strategic, the Internal Audit function planned to have all of its transversal reports discussed in SMG/other senior management format. One of the two transversal reports produced in 2022 was discussed in the senior management forum. The remaining specific reports were discussed with the management of the entities concerned. Efforts will be pursued in 2023 to ensure report results and action plans to address them are discussed at the appropriate management level.
Percentage of reports addressing risks set out in the organisational risk register	In order to ensure that audit reports are relevant and address major organisational risks, the Internal Audit function planned that at least 70% of its reports address risks set out in the organisational risk register. This target was achieved in 2022 with only two reports (on the follow-up of audit recommendations and on the External Quality Assessment of the Internal Audit function) not specifically addressing strategic risks set out in the organisational risk register.
Reviewed reports are positively assessed during quality assessment (internal –2021, external -2022)	In order to ensure that audit reports are of high quality, Internal Audit regularly carries out quality assessments. In 2022, an External Quality Assessment was carried out and focused on IA governance, staff, management and audit processes. This exercise included an independent review of quality of internal audit reports. The quality of audit reports was in general positively assessed.
Percentage of staff with relevant professional qualifications	In order to ensure that audit reports are of high quality, internal audit staff should have relevant professional qualifications. The Internal Audit function is composed of committed and highly professional staff members studying for, obtaining or undergoing necessary training to maintain professional qualifications. In 2022, the 4 staff members of the Internal Audit Division possessed the following qualifications: 2 Certified Internal Auditor, 1 Certified Fraud Examiner, 3 COSO Internal Control, 2 COSO Enterprise Risk Management. Two staff members started the preparation of the qualification of Certified Internal Auditor qualification.
Results of "client" surveys [Precise KPI and targets to be defined during survey design process]	A "client" survey was used for the first time in 2022. It will be systematically carried out as of 2023.
Percentage of recommendations implemented within 12 months after their acceptance by the relevant entities	One indicator showing the use of reports is the implementation rate of recommendations which was targeted at 80%. This target could not be reached in 2022 with 54% of audit recommendations having been implemented within 12 months after their acceptance by the relevant entities. This was mainly linked to the more complex and far-reaching nature of audit recommendations but also to the recent crises. The External Quality Assessment recommended to replace this indicator by a more relevant one.
Results of self-assessment/external quality assessment (GC=Generally conforms to Standards)	The Standards for the Professional Practice of Internal Auditing of the Institute of Internal Auditors require a Quality Assessment of the Internal Audit function to be conducted every 5 years. An External Quality Assessment was conducted in the second half of 2022 and concluded that the IA activity generally conforms to the Standards. "Generally Conforms" is the top rating, and means that the IA activity has a Charter, policies and processes which are judged to be in conformance with the Standards. The next external quality assessment will take place in 2027.

Evaluation

Objective	Indicator	Actual	Target
Evaluation reports (or other outputs) are relevant, strategic and provide reasonable coverage	Percentage of DIO managed reports discussed in SMG/other senior management format	0%	0% (0% to 100%)
	Percentage of DIO managed reports discussed by the CM and/or relevant decision-making body	100%	100% (0% to 100%)
	Number of evaluation outputs produced in line with the evaluation work programme	5	5 (0 to 5)
Evaluation reports (or other outputs) are of high quality	Overall assessment of quality of evaluation reports during peer reviews (2022)	✓	The peer review report highlighted that the DIO-ED has established an in-built external quality assurance system for all its inception reports and final reports.
	Percentage of staff with relevant professional qualifications	75%	75% (0% to 75%)
Stakeholders have an understanding of evaluation value, purpose, concepts and processes	Results of "client" surveys [Precise KPI and targets to be defined during survey design process]	✓	Preliminary data has been collected through an organisation-wide DIO survey in 2020. The results of the survey showed lack of understanding of the role of evaluation and demand for more information on evaluation-related activities and products.
Decision makers use Evaluation reports	Percentage of evaluation recommendations implemented within 36 months after their acceptance by the relevant entity	100%	100% (0% to 100%)
	Number of citations in decisions and/or other policy documents which explicitly mention the results of evaluations/evaluation work	21	21 (0 to 20)
Evaluation framework and processes are clear, in accordance with best practice and international standards (UNEG/OECD DAC) and are respected	The peer assessment of the Evaluation function assesses the policy and its implementation to be in line with UNEG and OECD/DAC standards	✓	Overall, the findings of the Peer Review revealed that the evaluation function in the Council of Europe has been noticeably strengthened over the past years. Whilst the organisational evaluation culture has improved, the review found that it was still not mature.

EVALUATION

Indicators	Notes on Implementation of strategy
Percentage of DIO managed reports discussed in SMG/other senior management format	None of the evaluation reports issued in 2022 were discussed at the SMG meetings.
Percentage of DIO managed reports discussed by the Committee of Ministers and/or relevant decision-making body	DIO presented three of its evaluation reports (Venice Commission, Monitoring mechanisms, Violence against women and domestic violence) to the GR-J, GR-PBA and GR-H in 2022. The evaluation report on Covid-19 and the peer review of the evaluation function were presented to the GR-PBA in the first trimester of 2023. This objective can be considered as fully achieved.
Number of evaluation outputs produced in line with the evaluation work programme	The number of evaluation outputs to be produced for 2022 was targeted at 5 in the DIO work programme. DIO produced 5 outputs (detailed above) therefore, this objective was achieved.
Overall assessment of quality of evaluation reports during peer reviews (2022)	The peer review report highlighted that the DIO-ED has established an in-built external quality assurance system for all its inception reports and final reports. The Quality Assurance Checklist for Evaluation Reports has over 50 criteria which are being assessed by external consultants. The PR team reviewed the quality assurance criteria and some examples and found the procedure provides reasonable assurance of quality.
Percentage of staff with relevant professional qualifications	The Evaluation Division was somewhat understaffed and operated at minimum resources for several months. In addition, some staff are new, so their familiarity with the work of DIO is still being developed. In 2022, the following professional courses have been completed by the staff: • Professional workshops of the European Evaluation Society; • Evidence in public policy, University of Oxford; • Risk management, Council of Europe.
Percentage of evaluation recommendations implemented within 36 months after their acceptance by the relevant entity	One indicator showing the use of reports is the implementation rate of recommendations (for the third year) which was targeted at 80% and was reached at 100%.
Number of citations in decisions and/or other policy documents which explicitly mention the results of evaluations/evaluation work	The results of evaluations / evaluation work were mentioned on 21 occasions in 2022-2023.
The peer assessment of the Evaluation function assesses the policy and its implementation to be in line with UNEG and OECD/DAC standards	The peer review of the evaluation function which took place in 2022 assessed to which extent the implementation of the Evaluation Policy is in line with international practice. The Peer Review issued six recommendations.

Investigation

Objective	Indicator	Actual	Target
Staff are aware of their responsibilities in respect of fraud awareness and prevention	Level of attendance by relevant staff at Fraud Awareness and Prevention training	82%	0% — 20% — 40% — 80% — 80%
	Number of other related awareness-raising activities (FRAs, news, etc.)	23	0 — 1 — 2 — 3
Examination of alert, preliminary assessments and investigations are of high quality and provide reasonable assurance that fraud/corruption is detected	Percentage of investigative staff in the unit with relevant professional qualifications and	100%	100% (0% — 25% — 50% — 75% — 100%)
	Percentage of investigations carried out within 3 months/within the deadline	100%	0% — 18% — 35% — 53% — 70%
	Percentage of preliminary assessments carried out within 6 months	75%	0% — 18% — 35% — 53% — 70%
	Results of external assessment	N/A	
Stakeholders buy in and undertake their fraud prevention responsibilities & implement recommendations	Percentage of recommendations implemented within 12 months after their acceptance by the relevant entities	68%	0% — 15% — 30% — 45% — 60%
Staff members are aware of the type of fraud risks they are exposed to and manage the risks accordingly	Number of fraud risk assessment activities to help managers to identify and manage fraud and corruption risks	2	2 (0 — 1 — 2 — 3)
	DIO identifies a list of top fraud risks in various areas of the Organisation's work (e.g. Human Resources, Procurement, Project Management, Field Offices) along with mitigating actions	1	1 (0 — 1)
	Number of activities to improve co-ordination between stakeholders	11	0 — 1 — 2 — 3

INVESTIGATION	
Indicators	**Notes on Implementation of strategy**
Level of attendance by relevant staff in Fraud Awareness and Prevention training	By the end of 2022, the 'Fraud Awareness and Prevention' training was undertaken by 82% of all Secretariat members, whilst the e-learning on 'Ethics' had been undertaken by 91% of Secretariat members.
Number of other related awareness-raising activities (FRAs, news, etc.)	The Investigation Division carried out in total 23 awareness-raising activities, surpassing its initial target. These included: 3 fraud-risk-assessment outputs (review of the framework, fraud risk assessment, new website on fraud risk assessments); 8 contributions and outputs relating to the Council of Europe's secondary legislation (Code of Conduct, Speak Up Policy, Rule on respect and dignity, Rule on discipline, Staff Rules on duties obligations and privileges) as well as legal texts developed by DIO (DIO Charter, Rule on investigations and Data Protection Guidelines); 4 news items (declarations of interest (DoI), fraud awareness week, fraud-risk assessment, general news on DIO's activities and new developments); 3 surveys (assessment of the staff training needs in the area of prevention and detection of fraud and corruption at the Organisation, fraud risk management, reporting and case management at other international organisations); 2 projects for a reporting tool/Speak Up platform to reflect the changes of the secondary legislation (short-term solution for amendment of the current tool; long-term solution for the Speak Up platform); 1 report on declarations of interests; 2 e-learnings: 'Fraud awareness and prevention' and 'Ethics' (permanent; general monitoring).
Percentage of investigative staff in the unit with relevant professional qualifications and experience	The Investigation Division consisted of Head of Division, Investigator (vacant since February 2022) and Investigation Assistant. The Head of Investigations has relevant professional qualifications, work experience and certification (CFE). The Director of the Internal Oversight and the Investigation Assistant have also been certified (CFE).
Percentage of investigations carried out within 3 months/within the deadline	All investigations were finalised within the deadline given for that purpose (3 months). Two investigations were carried out in 2022.

Percentage of preliminary assessments carried out within 6 months	75 % of the preliminary assessments were carried out within 6 months (6 preliminary assessments were completed within six months, 1 within eight months, while seven were still ongoing at the end of the year (out of which 6 were opened in the second half of 2022).
Results of external or self-assessment	In 2021, DIO carried out an internal review of the state of the investigation function to assess the overall adequacy of the organisational, structural, and operational arrangements for the CoE's investigation function against benchmarks and standards issued by internationally recognised standard-setting bodies and other international organisations in the domain of international administrative investigations and identify areas for possible improvement and make recommendations in that respect. Based upon the results of the assessment, several recommendations have been addressed to the Organisation aiming at further improving its accountability and integrity framework. In 2022, the Investigation Division followed up closely the implementation of the recommendations set out therein. An external assessment will be considered for the future.
Percentage of recommendations implemented within 12 months after their acceptance by the relevant entities	68% of the recommendations issued in 2021 were implemented within 12 months after their acceptance. All recommendations relating to disciplinary proceedings were considered within the deadline (six weeks); those relating to internal controls and amendment of rules naturally take more time to get implemented, but most of the latter have also been implemented with the review of the ethical framework.
Number of fraud risk assessments to help managers to identify and manage fraud and corruption risks	The Investigation Division reviewed its fraud risk assessment framework and carried out a pilot fraud risk assessment exercise to test the new framework.
DIO identifies a list of top fraud risks in various areas of the Organisation's work (e.g. Human Resources, Procurement, Project Management, Field Offices) along with mitigating actions	The Investigation Division identified a list of potential fraud risks in various areas (4 short videos were developed and publish to address these areas).The investigation function liaised with DGA, the Ethics Officer, and DLAPIL and provided contribution to the Council of Europe's secondary legislation (the Code of Conduct, Speak Up Policy, Rule on respect and dignity, Rule on discipline, Staff Rules on duties obligations and privileges) as well as legal texts developed by DIO (DIO's Charter, Rule on investigations, and DIO's Data Protection Guidelines). It also participated in the annual Conference of International Investigators (CII) and the annual conference of the Associations of Certified Fraud Examiners (ACFE).
Number of activities to improve co-ordination between stakeholders	The Investigation Division in DIO also opted into an information sharing framework (nonbinding), following internal consultations and proceedings. Meetings with other CoE entities were also carried out to address various matters and co-ordinate activities.

Appendix E - <u>Recommendations set out in the self-assessment report of the investigation function and their current status of implementation</u>

Self-assessment report recommendations	State of implementation (actions taken/pending)
1	The legal framework on investigations be reviewed to ensure better compliance with international investigative standards, including in terms of ensuring objectivity, impartiality, and fairness throughout the investigative process when addressing various forms of wrongdoing. Activities aiming to address alleged wrongdoings (being it fraud, corruption, or other breaches of internal rules) should be addressed according to the applicable standards and follow similar procedural steps, with the view to ensure equal rights and treatment of the parties to these proceedings; applicable legal instruments should thus be reviewed to ensure uniformity.	With the enlargement of DIO's mandate and the introduction of the new secondary legislation this recommendation has been partially implemented. As not all investigations have been centralised within an independent investigation service, as recommended in the self-assessment report of the Investigation Division and required by the international standards, the recommendation cannot be considered being fully implemented for the moment. As indicated above, harassment allegations are to be addressed by the DHR; all other wrongdoings, as well as harassment allegations against specific persons are to be addressed by DIO. The Rule on Investigations is cross-applicable to all investigative processes (conducted by DIO or DHR via external experts) and aims to harmonise the processes. The new framework and its compliance with standards should be subject to regular review and adjustments, if needed.
2	The legal instruments on investigations be reviewed and respectively amended, in order to address gaps in the current legislative framework, ensure consistency, and allow the Organisation to protect its resources, by inter alia clearly defining the modalities for dealing with allegations of fraud and corruption committed by third parties involved in procurement, grants, or otherwise benefitting from the Organisation's resources. Changes to the legal instruments should also allow that serious misconduct, other than fraud and corruption, involving CoE's staff and resources be also investigated in line with best practice and standards.	While this recommendation has been addressed to some extent with the adoption of the Rule on investigations, further legal texts need to be established to regulate the standards of conduct expected of persons involved in the Organisation's activities. More precisely, according to the new Rule on Investigations, persons involved in CoE activities are to cooperate with investigative activities in accordance with any applicable contractual or other legal provisions; the latter, however, have not yet been established. The Rule on Investigations further specifies that if the alleged wrongdoing concerns members of Council of Europe organs, bodies, committees and working groups, and is found by the DIO's preliminary assessment to justify further investigation, DIO shall inform the Secretary General and will liaise with the ethics board of each respective organ, body or committee of which the alleged wrongdoer is a member, or, in the absence of such a board, with the chairperson or president of that organ, body or committee. The body or committee concerned shall then investigate the reported wrongdoing pursuant to the legal framework applicable to them. The lack of rules governing such investigations, legal gaps, and lack of inter-organisational cooperation agreements could also result in ineffective investigations and/or adversely affect individual rights.
3	Taking into account the proposed changes in the regulatory framework relating to inquiries and the introduction of a new speak up policy, ensuring of the adequacy of resources of the investigation function, to ensure that the function can exercise its mandate effectively and efficiently.	This recommendation is in the process of being implemented, in so far as the Investigation Division regularly monitors its resources and reports to the Management of the Organisation and the Oversight Advisory Committee constraints in this respect. When the Division was created, no specific operational budget was allocated (including for missions, experts, or investigation or reporting tools). Concerns relating to the resourcing of the function have been brought to the attention of the Council of Europe's management and are expected to be adequately addressed.
4	Transfer the responsibility for the management of the internal-control function of central monitoring (regarded as part of the second-line-of-defence role) of the declarations of interest to either the Ethics Officer or another central function and amend Rule 1282 accordingly, in order to put responsibility for its effective operation in the hands of management.	The terms of reference of the Ethics Officer are currently in the process of being revised (anticipated to be adopted in 2023). It is expected that they include responsibilities relating to the monitoring of the declarations of interest, in accordance with multiple recommendations made by DIO, External Auditors and Oversight Advisory Committee.