

EVALUATION OF THE COUNCIL OF EUROPE'S MONITORING MECHANISMS

TERMS OF REFERENCE

Directorate of Internal Oversight

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ABBREVIATIONS

CM	Committee of Ministers
Congress	Congress of Local and Regional Authorities
CPT	European Committee for the Prevention of Torture
DGI	Directorate General of Human Rights and Rule of Law
DGII	Directorate General of Democracy
DIO	Directorate of Internal Oversight
DPB	Directorate of Programme and Budget
ECRI	European Commission against Racism and Intolerance
ECRML	The Committee of Experts of the European Charter for Regional or Minority Languages
ECSR	European Social Charter / European Committee of Social Rights
FCNM	Advisory Committee on the Framework Convention for the Protection of National Minorities
GRECO	Group of States against Corruption
GRETA	Group of Experts against Trafficking in Human Beings
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
Lanzarote Committee	Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse
MM	Monitoring mechanism
MONEYVAL	Committee of Experts on the Evaluation of Anti-Money Laundering Measures
PACE	Parliamentary Assembly of the Council of Europe
PO	Private Office of the Secretary General and the Deputy Secretary General
The Court	European Court of Human Rights
ToR	Terms of Reference
T-DO	Anti-Doping Convention
T-RV	St Denis Convention
UN	United Nations
UPR	Universal Periodic Review

1. INTRODUCTION

Promoting democracy and the rule of law as well as safeguarding human rights and fundamental freedoms forms the core of the common values that unite the Council of Europe's member states. The Council of Europe member states are individually and collectively responsible for ensuring proper compliance with their obligations under the Statute of the Council of Europe, the European Convention on Human Rights (the Convention) and other Conventions/Treaties to which they are Parties.

The Council of Europe strives not only to develop common rules and standards, but also to establish a system for enforcing these standards by anticipating any potential non-compliance with those standards in legislation, policy and practice. Several specialised monitoring mechanisms enable the Council of Europe to supervise the implementation of its standards, discern cases of non-compliance and propose solutions or address recommendations to each of its member states.

The 2021 work programme of the Directorate of Internal Oversight (DIO) includes an evaluation of the monitoring mechanisms of the Council of Europe. These terms of reference (ToR) provide a description of the proposed evaluation approach, design and timeframe. The ToR highlight also the expectations towards the evaluation team, and in particular, the external consultant(s) who will be engaged to contribute to the evaluation.

2. MONITORING MECHANISMS AT THE COUNCIL OF EUROPE

2.1 Definition

As explained in the Council of Europe Programme and Budget document¹, the action of the Council of Europe is structured around three dimensions constituting a “dynamic triangle” (standard-setting, monitoring and co-operation). These three dimensions are integrated in the functioning and operation of the Organisation and form one of its key strengths and comparative advantages. The Programme and Budget defines the three elements of the dynamic triangle as follows:

- **Standard-setting** includes activities aimed at the elaboration and adoption of norms – whether legally binding or not – and the identification of best practices, such as conventions, protocols, recommendations, conclusions, guidelines or policy recommendations.
- **Monitoring** includes activities aimed at assessing compliance by states with the above-mentioned standards, whether in pursuance of legal undertakings or on a voluntary basis, or whether following a legal procedure or not; for example, to assess compliance with a convention, recommendation or undertaking by a state party.

¹ [Council of Europe Programme and Budget 2020-2021.](#)

- **Co-operation** includes activities conducted mostly in the field (in member states and other states), aimed at raising awareness about standards and policies agreed by the Organisation, supporting states in reviewing their laws and practices in the light of those standards, and enhancing their capacity; including when the monitoring procedures reveal areas where measures need to be taken to comply with the standards of the Organisation.

The 1994 Declaration on compliance with commitments by member states of the Council of Europe (1994 Declaration²) adopted by the Committee of Ministers at its 95th Session (10 November 1994), aimed primarily to set up a special mechanism enabling the Committee of Ministers to examine any situation or theme related to the implementation of the statutory obligations by the member states or of specific commitments in the fields of democracy, human rights and the rule of law.

In pursuing the aim of monitoring the implementation of the statutory obligations or of specific commitments by some member states, the Committee of Ministers has set up modalities to follow progress achieved and possible challenges encountered by those member states. In some cases, these monitoring procedures were decided at the time of accession of a new member state to the Council of Europe and were part of the accession procedure. In other cases, the procedure was decided after accession of a member state to the Organisation in reaction to particular situations in the countries or in response to the Parliamentary Assembly's recommendations.³

2.2 Background information on monitoring mechanisms in the Council of Europe

Compliance with commitments

The 47 member states of the Council of Europe are required to respect their obligations under the Statute of the Council of Europe, the European Convention on Human Rights (the Convention) and other Conventions/Treaties to which they are Parties, as well as to observe a series of principles and standards which have been elaborated since the creation of the Organisation with regard to pluralistic democracy, human rights and the rule of law.

The Council of Europe member states are individually and collectively responsible for ensuring proper compliance with their commitments.

Statute of the Council of Europe

The Statute of the Council of Europe defines as follows the aims, principles and conditions for membership of the Organisation:

² 1994 Declaration on compliance with commitments accepted by member states of the Council of Europe - <https://rm.coe.int/native/090000168053661f>.

³ [CM\(2021\)50](#) - Report on Council of Europe monitoring – strengthening cohesion and synergies.

"The aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress." (Article 1(a))

"Every member of the Council of Europe must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realisation of the aim of the Council ..." (Article 3)

"Any European state which is deemed to be able and willing to fulfil the provisions of Article 3 may be invited to become a member of the Council of Europe by the Committee of Ministers. ..." (Article 4)

The Vienna Declaration, adopted on 9 October 1993 by the member states of the Council of Europe emphasised the conditions for accession to membership, whilst expressing the resolve to ensure full compliance with the commitments accepted by all member states:

"... accession presupposes that the applicant country has brought its institutions and legal system into line with the basic principles of democracy, the rule of law and respect for human rights. The people's representatives must have been chosen by means of free and fair elections based on universal suffrage. Guaranteed freedom of expression and notably of the media, protection of national minorities and observance of the principles of international law must remain, in our view, decisive criteria for assessing any application for membership. An undertaking to sign the European Convention on Human Rights and accept the Convention's supervisory machinery in its entirety within a short period is also fundamental. We are resolved to ensure full compliance with the commitments accepted by all member states within the Council of Europe."⁴

Compliance with commitments has always been a key component of the Organisation and has received further strong political impetus when the Heads of state and government of the member states of the Council of Europe, gathered in Warsaw on 16-17 May 2005 for their Third Summit, reaffirmed that they *"... are resolved to ensure full compliance with our membership commitments within the Council of Europe."*

Monitoring over the years

In addition to the statutory bodies (Committee of Ministers and Parliamentary Assembly of the Council of Europe), monitoring is performed by specialised entities and monitoring mechanisms set up by specific treaties or Committee of Ministers' resolutions. Over the years they have significantly contributed to improving law and practice of member states.⁵

⁴ Council of Europe/OSCE meeting on monitoring of commitments, 1997, available at <https://rm.coe.int/0900001680525f0a>.

⁵ Practical impact of the Council of Europe monitoring, available at <https://rm.coe.int/09000016806d22c8>.

2.3 Main monitoring mechanisms in the Council of Europe

The Council of Europe has set up various follow-up mechanisms to international legal instruments, mostly conventions, which differ in type, legal nature and functioning, but have a common aim, i.e. to ensure the proper implementation by states of these instruments.

The Programme and Budget document explains the functioning and operation of all the monitoring mechanisms of the Organisation in detail⁶.

[Monitoring by the organs of the Council of Europe \(more detailed information on each of them in Appendix 1\)](#)

The Committee of Ministers, the Parliamentary Assembly, the Commissioner for Human Rights and the Congress for Local and Regional Authorities have their own monitoring procedures.

Committee of Ministers

Building on its 1994 Declaration on compliance with commitments by member states, the Committee of Ministers has developed various monitoring procedures.

[Country-specific post-accession monitoring \(including on the basis of the 1994 Declaration\)](#)

In pursuing the aim of monitoring the implementation of the statutory obligations or of specific commitments by some member states, the Committee of Ministers has set up specific modalities to closely follow progress achieved and possible challenges encountered by those member states.

[Thematic monitoring](#)

The thematic monitoring exercises take place on an ad hoc basis, on a theme chosen by the Committee of Ministers. It also laid down specific criteria with respect to the themes to be selected. This revised procedure has never been implemented.

In addition, the Committee of Ministers can request intergovernmental committees to conduct activities related to monitoring. They may be required, in their field of competence, to review the application of conventions or recommendations of the Committee of Ministers, or to assess the implementation of other Council of Europe standards on the basis of information supplied by their members.

Parliamentary Assembly

As part of the Council of Europe's enlargement process, the Parliamentary Assembly identified specific commitments that applicant member states should make in order to uphold the Organisation's basic principles. On accession, the new member states freely undertook to meet these, in addition to their statutory obligations.

PACE created a Committee on the Honouring of Obligations and Commitments by member states of the Council of Europe. The Monitoring Committee is responsible for verifying the fulfilment of obligations assumed by member states under the terms of the Statute of the

⁶ [Council of Europe Programme and Budget 2020-2021.](#)

Council of Europe, the European Convention on Human Rights and all other Council of Europe Conventions to which they are parties, as well as the honouring of commitments entered into by the authorities of member states upon accession to the Council of Europe. The Monitoring Committee can conduct:

- a full monitoring procedure, with regular visits by two rapporteurs (this currently applies to eleven states: Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Republic of Moldova, Poland, Russian Federation, Serbia, Turkey and Ukraine).
- a post-monitoring dialogue, which is a less intensive procedure applied to member states that have made progress and have remaining commitments to fulfil (currently this applies to three member states: Bulgaria, Montenegro and North Macedonia);
- periodic review reports on the honouring of membership obligations. The committee is tasked to prepare, over time, periodic review reports on the honouring of membership obligations for all member states that are not covered by the procedures outlined above. Since 2019, countries are selected on substantive grounds based on findings by the Assembly and other Council of Europe monitoring bodies, as well as "questions raised by members of the committee, international and national civil society and the media" (16 reports were prepared since 2015, three more reports are currently under preparation);
- a specific report on the functioning of democratic institutions in any member state when particular developments warrant this.

Commissioner for Human Rights

The Commissioner for Human Rights is an independent and impartial non-judicial institution whose mandate is to foster the effective observance and full enjoyment of human rights in member states and to promote education in and awareness of those rights. The Commissioner assists member states in the implementation of human rights standards; identifies possible shortcomings in their law and practice; facilitates the activities of national human rights structures; and provides advice and information regarding the protection of human rights across the region.

The activities of this institution include focused country visits and missions followed by country monitoring reports, memoranda and letters; thematic reports; and awareness raising activities.

Congress of Local and Regional Authorities (Congress)

The Congress is responsible for evaluating the application of the European Charter of Local Self-Government (ETS N°122) and its additional Protocol (ETS N° 207) in each member state, as well as for assessing compliance of local and regional elections with European electoral standards and good practices in the field. It carries out regular general monitoring visits, approximately every five years in each member state, and observes local and regional elections upon invitation.

The findings of the monitoring missions and elections observations are presented to the Committee of Ministers in the form of recommendations with concrete proposals for improvements. In order to ensure the implementation of its recommendations, the Congress pursues a regular "post-monitoring" and "post-electoral" political dialogue with member

states, discusses and signs “roadmaps” with national authorities and implements co-operation activities in the framework of Council of Europe Action Plans.

[Monitoring by convention-based and institutional mechanisms \(more detailed information on each of them in Appendix 1\)](#)

In addition to the statutory bodies, monitoring functions are performed by specialised institutions and monitoring bodies. These were set up by specific treaties or Committee of Ministers’ resolutions. They perform a periodic, thorough assessment of all member states, in line with well-established criteria. The conventions and resolutions through which they have been established indicate their respective mandates and also the methods by which they are to conduct their monitoring activities. The latter may vary depending on which substantive areas, rights or issues they are to monitor. Whereas some monitoring bodies are composed of independent experts, others are composed of government appointed experts and based on a system of peer review. A common feature for all these bodies is their constant dialogue with the member states.

The European Committee for the Prevention of Torture (CPT)

The CPT is not an investigative body but provides a non-judicial preventive mechanism to protect persons deprived of their liberty against torture and other forms of ill-treatment. It thus complements the judicial work of the European Court of Human Rights.

The CPT visits places of detention in all the member states of the Council of Europe assessing the treatment of people deprived of their liberty. CPT delegations have unlimited access to such places (e.g. police stations, prisons, juvenile detention centres, immigration detention centres, psychiatric hospitals, social care homes, military detention facilities), can move around such places without restriction, may interview persons deprived of their liberty in private, and may communicate freely with anyone who can provide information.

The CPT’s work is based on the principles of confidentiality and co-operation. At the end of a visit, the CPT delegation informs the authorities of its preliminary observations and invites them to provide written comments which are taken into consideration by the CPT when preparing the visit report. The report contains findings as well as recommendations, comments and requests for information. It also sets a deadline for the response of the state concerned.

European Social Charter / European Committee of Social Rights (ECSR)

The Committee monitors compliance with the rights and obligations set out in the European Social Charter (1961 Charter and revised 1996 Charter) under two procedures: collective complaints lodged by the social partners (trade unions and employers’ organisations) and by certain non-governmental organisations; and examination of national reports drawn up by the states parties.

The Charter is based on what is termed a **ratification system**, enabling states, under certain circumstances, to choose the provisions they are willing to accept as binding international legal obligations. The main added value of the European Social Charter lies in the existence of an effective monitoring mechanism through the two procedures: the reporting procedure (mandatory for all states parties) and the collective complaints procedure (optional).

A **reform process** was recently started by the Committee of Ministers to improve the implementation of social rights. The ECSR has taken steps to streamline some aspects of its

procedures and to make reporting more targeted and strategic, and the Secretary General has mandated a group of high level experts to recommend action that she may in turn propose to the Committee of Ministers.

The Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM)

This treaty is an instrument devoted to protecting the rights of persons belonging to national minorities with the support of an independent expert committee responsible for evaluating the implementation of the Framework Convention in States Parties and advising the Committee of Ministers. The FCNM is giving detailed country-specific opinions adopted following a monitoring procedure. This procedure involves the examination of state reports and other sources of information as well as on-the-spot meetings with governmental interlocutors, national minority representatives and other relevant actors. Monitoring by the Advisory Committee has in many cases played a crucial part in prompting improvements in the implementation of the Framework Convention and findings are regularly referred to in EU accession documents.

A reform in December 2019 introduced a confidential dialogue phase between states parties and the Advisory Committee, faster publication of reports, and a rapid reaction procedure when a situation warrants urgent examination by the Advisory Committee.

The Committee of Experts of the European Charter for Regional or Minority Languages (ECRML)

The European Charter for Regional or Minority Languages is the European convention for the protection and promotion of languages used by traditional minorities. Together with the Framework Convention for the Protection of National Minorities it constitutes the Council of Europe's commitment to the protection of national minorities.

The independent committee's role is to evaluate a state party's compliance with its Charter undertakings and to recommend improvements in legislation, policy and practice. The Committee of Experts examines reports from the state party and information from representatives of regional or minority language speakers, as well as information gathered during on-the-spot visits. The evaluation reports are transmitted to the Committee of Ministers, which adopts its recommendations to the state party on their basis. In addition, once every two years, the Secretary General of the Council of Europe presents to the Parliamentary Assembly a detailed report on the application of the Charter.

The alignment of the periodical reports with those to the Framework Convention, as well as the pooling of the respective secretariats in one division in May 2020 (Division of National Minorities and Minority Languages) ensure a solid basis for enhanced synergies between the two monitoring bodies. It is furthermore envisaged to strengthen the dialogue with states parties through more regular follow-up meetings/implementation roundtables as an integral part of the monitoring process.

The European Commission against Racism and Intolerance (ECRI)

This body is entrusted with monitoring racism and intolerance. Its work includes the monitoring of action to combat discrimination on grounds of "race", ethnic or national origin, skin colour, citizenship, religion, language, sexual orientation, gender identity and sex characteristics. It is composed of independent and impartial experts from each member state.

ECRI's statutory activities are based on three pillars: country monitoring, work on general themes and relations with civil society and equality bodies. ECRI's country monitoring activities cover all member states on an equal footing. Each country report contains an analysis of the situation in the state concerned and makes recommendations to the relevant government on how to tackle the problems identified. ECRI has also introduced an interim follow-up mechanism, in the context of which it reviews the implementation of its priority recommendations two years after publication of each country report.

The Group of Experts against Trafficking in Human Beings (GRETA)

The monitoring mechanism of the Convention on Action against Trafficking in Human Beings consists of two pillars: (i) the Group of Experts on Action against Trafficking in Human Beings (GRETA), an independent expert body composed of 15 highly qualified experts, and (ii) the Committee of the Parties, consisting of representatives of the Parties to the Convention.

GRETA issues reports evaluating the measures taken by the Parties to implement the Convention. The Committee of the Parties to the Convention considers GRETA's reports and, on their basis, may then make recommendations to ensure the implementation of GRETA's conclusions. If GRETA receives reliable information indicating a situation requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention, it may make an urgent request for information to any Party or Parties to the Convention and, if necessary, carry out a visit to the Party or Parties concerned.

GRETA's reports have a substantial impact on tackling human trafficking. Thematic guidance appears in the specific sections of GRETA's annual reports of activities, or in separate guidance notes.

The Group of States against Corruption (GRECO)

GRECO is an enlarged partial agreement comprising 50 member states, including the United States of America, Belarus and Kazakhstan. As of 2019, the EU has observer status with GRECO.

GRECO's objective is to improve its members' capacity to fight corruption. It does this by monitoring their compliance with Council of Europe anti-corruption standards, such as the Criminal Law Convention on Corruption, the Twenty Guiding Principles for the fight against Corruption, and the Recommendations on Codes of Conduct for Public Officials and on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns.

Its monitoring consists of a horizontal evaluation procedure leading to country specific recommendations which are aimed at ensuring the necessary legislative and institutional reforms and best practice.

GRECO's targeted compliance procedure is designed to follow up and assess the measures taken by member states to implement its recommendations.

GRECO's evaluation cycles are complemented by an ad hoc procedure allowing for urgent reactions to issues in member states that potentially may lead to serious violations of anti-corruption standards.

The Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL)

The Committee assesses compliance with international standards on anti-money laundering and combating the financing of terrorism (AML/CFT), comprising legislative, institutional and operational measures. MONEYVAL monitors the effectiveness of their implementation by members and provides recommendations for improvement. A strict follow-up procedure is applied.

MONEYVAL is a regional body within the AML/CFT Global Network led by the Financial Action Task Force (FATF). As such, MONEYVAL is required to strictly apply the FATF standards, procedures and assessment methodology. The FATF carries out systemic checks on all MONEYVAL activities and outputs to ensure their quality and consistency.

All MONEYVAL reports automatically become public documents.

The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

The monitoring mechanism of the Convention on Preventing and Combating Violence Against Women and Domestic Violence consists of two pillars: (i) the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent expert body composed of 15 highly qualified experts, and (ii) the Committee of the Parties, consisting of representatives of the Parties to the Convention.

GREVIO issues reports evaluating the measures taken by the Parties to implement the Convention. The Committee of the Parties to the Convention considers GREVIO's reports and, on their basis, may then make recommendations to ensure the implementation of GREVIO's conclusions. It also supervises the implementation of its own recommendations. In cases of serious or persistent violence covered by the Convention, GREVIO may initiate a special inquiry procedure. GREVIO may also adopt general recommendations on relevant themes and concepts.

The Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee)

The Council of Europe Convention for the protection of children against sexual exploitation and sexual abuse (CETS N°201) was adopted and opened for signature on 25 October 2007 in Lanzarote, Spain. For this reason, it is also known as "the Lanzarote Convention".

The Lanzarote Convention entered into force on 1 July 2010. To date, it has been signed by all 47 Council of Europe member states and ratified by all except Ireland.

The Lanzarote Committee's assessment of the Convention's implementation is reflected in the thematic reports that it adopts concerning all states parties. When a situation requires immediate attention, the Committee may also prepare a special report. The reports contain recommendations addressed to the Parties. The Lanzarote Committee also addresses emerging issues and concerns through opinions and declarations and organises exchanges of experiences and information with relevant stakeholders to further strengthen the capacity of its members to respond to the various challenges. The Committee examines issues of a transversal nature touching areas such as data protection, cybercrime, justice, migration, media and education and regularly engages with other Council of Europe bodies, NGOs, other intergovernmental organisations and the business sector. The European Court of Human

Rights has started referring to this Convention in cases concerning child sexual abuse and exploitation and co-operation activities have been designed to support states parties in aligning their policies, legislation and practices with the Convention's requirements.

The Anti-Doping Convention (T-DO)

As early as 1967 the Committee of Ministers produced the first international legal instrument on doping. Since then, the Organisation has continued to strengthen its commitment to eliminating doping from sport. The Anti-Doping Convention was adopted in 1989 and is followed by an additional protocol (2002).

The body in charge of monitoring the implementation of the Anti-Doping Convention is the Monitoring Group. As part of its international co-operation on doping issues, its activities involve working with the World Anti-Doping Agency (WADA) and the international sports federations.

The main mission of the Monitoring Group is to make sure the treaty is respected by the states parties. To this end, it produces reports on the implementation of the Convention and organises consultative and evaluation visits. It can also go into some provisions in more depth by drawing up recommendations. Moreover, the Monitoring Group updates the list of banned doping substances and methods (in annex to the Convention) every year in response to the ever evolving doping techniques.

St Denis Convention (previous European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches) (T-RV)

The European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches was the response to the Heysel Stadium disaster in May 1985. The Convention adopted in August 1985 requires states to take practical measures to prevent and control violence and misbehavior by spectators. It also includes measures to identify and deal with offenders.

The Standing Committee (T-RV Committee) follows the implementation of the Convention and assesses progress achieved. It visits countries, attends high risk matches, discusses issues with key stakeholders and evaluates the measures in place. It then makes recommendations when improvements are needed. The Standing Committee also discusses issues of general concern and adopts recommendations addressed to all states parties. Over the last three decades, the Committee has adopted 26 recommendations, gradually showing the importance of addressing other two key issues connected to security: the issues of safety and services.

Since 1998, around 30 countries hosted monitoring visits, which led to the publication of reports complemented by recommendations. These reports are completed by a plan of action that countries are invited to carry out to show how they implement the recommendations.

Conference of the Parties (COP) to the CETS 198

The 2005 Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198), building on the success of the 1990 Council of Europe Convention (ETS 141) in one comprehensive instrument to provide states with enhanced possibilities to prosecute money laundering more effectively;

The new Convention provides for a monitoring mechanism through a "Conference of the Parties" to ensure that its provisions are being applied.

3. THE EVALUATION APPROACH

3.1 Rationale and purpose of the evaluation

At the Committee of Ministers' 129th session in Helsinki (16-17 May), the Ministers' Deputies

*"...called for a stronger and more structured co-ordination between the monitoring activities of the Committee of Ministers, the Parliamentary Assembly, the Secretary General, the Congress of Local and Regional Authorities and the Commissioner for Human Rights, as well as of the various specialised monitoring and advisory bodies and mechanisms of the Organisation, without prejudice to their independence."*⁷

In November 2020, the Secretary General elaborated a strategic framework (SG/Inf(2020)34)⁸ outlining the priorities, which, in her view, should represent the core of the Organisation's activities over the next four-year period. The need to review the functioning of the monitoring mechanisms, as well as the Committee of Ministers and the PACE monitoring system is expressed in the strategic framework with the view to avoid duplication in their work.

The Secretary General made some proposals in the which aimed at further strengthening cohesion and synergies among and between Council of Europe monitoring mechanisms.

She identified several concrete deliverables for the period 2022-2025:

- *"Facilitating reporting obligations under monitoring mechanisms, particularly by aligning monitoring and reporting (similar to the UN practice of a single "core document") for several monitoring mechanisms with targeted questionnaires between the monitoring cycles.*
- *Achievement of enhanced co-ordination (alignment of visits, joint visits etc.) at the level of the Organisation, as well as with respect to the monitoring activities of other international organisations."*

As a follow-up to the decisions taken at the Committee of Ministers' 129th Session (Helsinki, 16-17 May 2019)⁹, an open Ad hoc Working Party on Monitoring (GT-MON) has been set up with the mandate to examine the Secretary General's proposals and produce a report¹⁰. The Ministers Deputies underlined that solutions must ensure that there is no undue interference in the independence and respective mandates of monitoring bodies.

They analysed the monitoring performed by statutory bodies and expressed views on the Committee of Ministers and Parliamentary Assembly monitoring procedures.

The evaluation of the monitoring mechanisms was thus included in the DIO's work programme for 2021 due to the strategic relevance of the subject as evidenced by the strategic framework and the Hamburg declaration. The Council of Europe member states are responsible for ensuring proper compliance with their obligations as member of the Organisation. Compliance with commitments is a key component of the unique Council of Europe strategic triangle composed of standard setting, monitoring and co-operation

⁷ See final annotated agenda [129th session](#) of the Committee of Ministers in Helsinki.

⁸ SG/Inf(2020)34 [Strategic Framework of the Council of Europe.](#)

⁹ See final annotated agenda [129th session](#) of the Committee of Ministers in Helsinki.

¹⁰ [GT-MON\(2021\)2.](#)

activities: the development of legally binding standards is linked to their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation.

The efficient functioning of monitoring mechanisms as well as their effectiveness are among the key factors for organisation's successful performance.

The purpose of the evaluation will be to assess the Council of Europe's monitoring mechanisms with a view to identify lessons from past experience and good practices and to make recommendations on how their relevance, effectiveness, efficiency and added value can be improved. The evaluation will also look at possibilities of developing synergies and benchmark against mechanisms in other organisations.

3.2 Evaluation scope - Which monitoring mechanisms are concerned by this evaluation?

The evaluation will focus on some aspects of the institutional monitoring in the Council of Europe as well as some aspects of convention-based monitoring. In both cases, some activities will be within the evaluation scope but other activities outside of it due to the limited resources available and the need to focus the evaluation on the most imminent decision-making needs. Having analysed the most recent work undertaken by the Organisation on this topic, the evaluation will be scoped as follows.

Institutional monitoring

The evaluation will focus on the interaction between the monitoring procedures performed by the Committee of Ministers and the Parliamentary Assembly. This is based on the recommendation of the Ministers' Deputies in their Report on Council of Europe monitoring¹¹ (para 13), where they "...propose to consider the modalities for a dialogue with the Parliamentary Assembly on the wider issue of monitoring of commitments having regard to their respective mandates." Therefore, other institutional monitoring, such as performed by the Congress of Regional and Local authorities and the Human Rights Commissioner will be outside the scope of the evaluation.

Convention-based monitoring

The evaluation will focus on the functioning of the convention-based mechanisms, in particular, efficiency, co-ordination among them, delivery of results and added value. This is based on the deliverable identified in the strategic framework of the Secretary General: as "achievement of enhanced co-ordination (alignment of visits, joint visits etc.) at the level of the Organisation, as well as with respect to the monitoring activities of other international

¹¹ [CM\(2021\)50-final](#) Report on Council of Europe monitoring – strengthening cohesion and synergies.

organisations". In addition, Ministries Deputies in their report underlined "the importance of evaluating the results of reforms already undertaken" (para 29), stated that monitoring mechanisms need "to evolve and adapt their working methods to continue to ensure quality results while facilitating the task of member states"(para 55). In particular, they stressed the importance of "co-ordination between Council of Europe mechanisms, but also between these and equivalent mechanisms in other international organisations, within the mandates given to them" (para 56). The Ministries Deputies also stated that an avenue to be further explored in the future is to how monitoring mechanisms can "make full use of modern technologies to increase their efficiency and visibility as well as to facilitate their dialogue with member states and the reporting of the latter" (para 58). Finally, the Deputies stated that the "Deputies would welcome pragmatic proposals for enhancing the co-ordination, effectiveness and impact of monitoring mechanisms" (para 59).

The evaluation will not be able to analyse the functioning of all the convention-based mechanisms in depth due to limited resources. Therefore, the evaluation will look into general aspects of functioning of monitoring mechanisms for all mechanisms listed above, but then select a sample of four mechanisms which will be analysed in more detail in order to learn lessons from these. The report of the Ministries' Deputies provides some basis as to which monitoring mechanisms could be selected for detailed analysis, when, for example, mentioning the importance of reform of the Social Charter in para 57, as well as various examples of on-going reform work (para 25-42). Other criteria for selection could be overall budget, number of years of functioning, specific working methods, identified good practices etc. The service provider should make a proposal on the potential sampling in their offer. The final selection will be made during the inception phase of the evaluation in consultations with the evaluation reference group.

3.3 Users of the evaluation

The users of the evaluation findings will be the secretariats and members of the monitoring mechanisms as well as the senior and top management of the Council of Europe in addition to the Committee of Ministers and the Parliamentary Assembly of the Council of Europe. National authorities involved in monitoring activities may also be interested in the evaluation results. More widely, the evaluation shall be of interest to the Council of Europe member states' representatives working in the thematic areas concerned and representatives of other international organisations working on the topic of monitoring.

The evaluation will provide these stakeholders with evidence-based information on the relevance, effectiveness, efficiency and added value of the monitoring system and identify obstacles, areas of improvement as well as lessons learned and good practices.

3.4 Theory of change

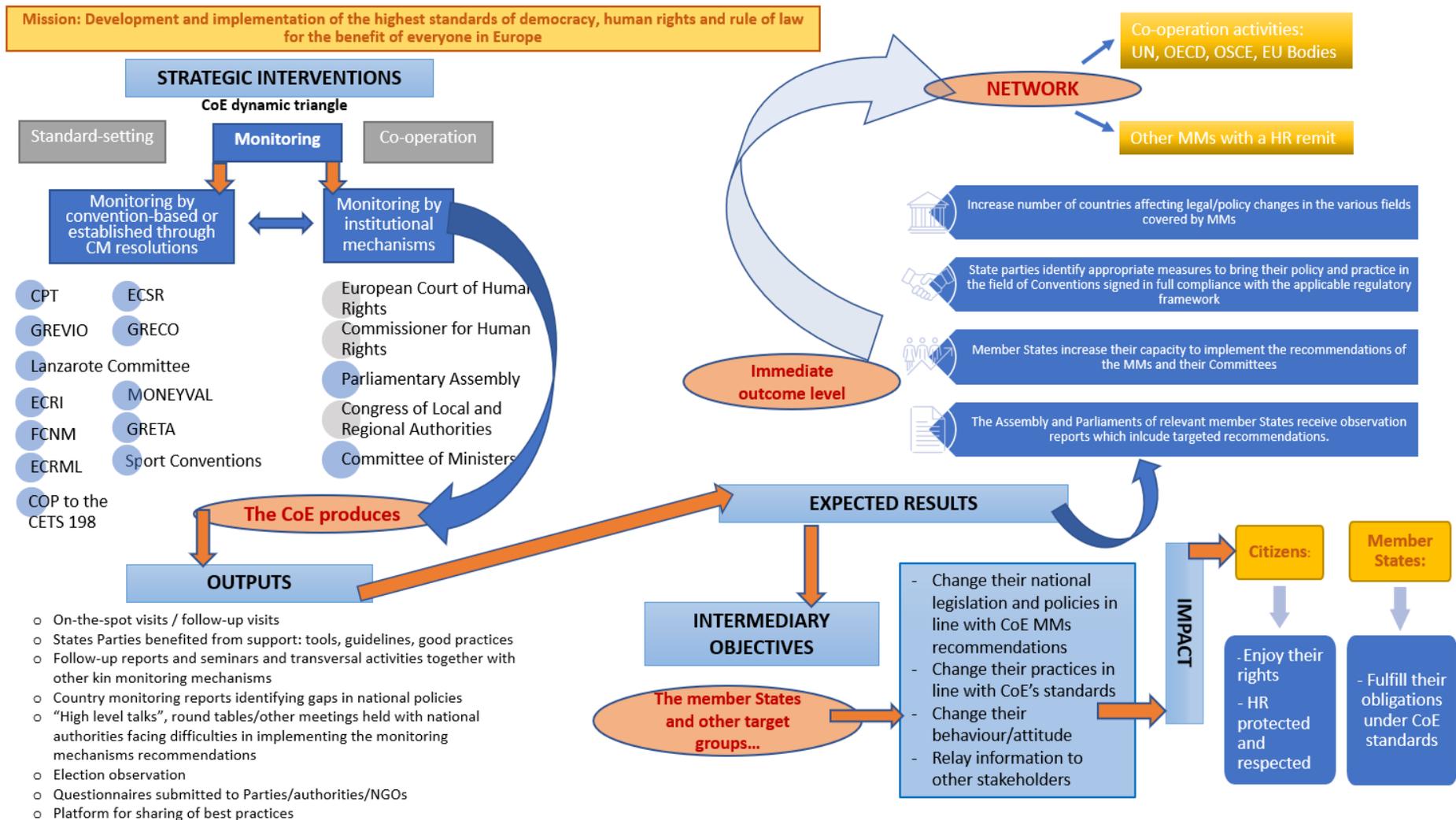
The evaluation will be theory-driven using the theory of change presented in Figure 1. An outline of the theory of change is presented in the figure below. The theory of change is based on a preliminary review of the Programme and Budget document 2020-2021.

The results to which the monitoring mechanisms contribute is represented in the theory of change in a three level outcomes approach. The flow is represented by an orange arrow.

The theory of change below shows on the left side the different monitoring mechanisms at the Council of Europe presented in 2 categories: the first category, the ones based on a convention or established by a CM Resolution and the 2nd category, the institutional mechanisms. All the monitoring mechanisms produce several outputs, these outputs are used to achieve the immediate outcomes formulated at the expected results level which then help achieve the intermediary objectives in the figure below. At this level, the member states and other target groups have the necessary tools and support to produce a change, effect or action. The orange arrow leads to the next step which is the impact level: the Organisation is considered to be contributing to the intended impact on member states and citizens but as many other external factors also contribute to impact or lack thereof, it is thought to be beyond the line of accountability of the Organisation.

The theory of change will be discussed and refined in consultation with the evaluation reference group during the inception phase.

Figure 1: Theory of change



3.5 Evaluation objectives, criteria and questions

The evaluation's objectives are to evaluate the degree to which the Council of Europe monitoring mechanisms effectively achieve their immediate and intermediate outcomes and objectives, the relevance, effectiveness and efficiency of the different types of interventions of the monitoring mechanisms and the added value of the Council of Europe's interventions in comparison with those of other actors in the field.

The evaluation will thus assess the Council of Europe's monitoring mechanisms against the evaluation criteria of relevance, effectiveness, efficiency and added value. The evaluation questions are as follows:

- **Relevance**: To what extent are the activities and outputs of the monitoring mechanisms consistent with the intended results, Council of Europe priorities and needs of member states?
- **Effectiveness**: To what extent and how have the monitoring mechanisms achieved the expected results and intermediate objectives?
- **Efficiency**: To what extent is the work of the monitoring mechanisms efficient?
- **Added value**: To what extent are the monitoring mechanisms providing added value?

The evaluation matrix in Appendix 2 specifies proposed related sub-questions and measures for the evaluation questions and provides details on the data collection methods that are planned to be used to answer them. The evaluation matrix will be adjusted and further developed during the inception phase after consultations with the reference group. Service providers are also invited to comment on the evaluation matrix and to propose data analysis methods in their proposal.

3.6 Evaluation methodology

The evaluation will be conducted in accordance with the DIO's Evaluation Guidelines¹². It will use a mixed-methods approach to answer the evaluation questions and a gender sensitive evaluation methodology. The following sections describe the different methods intended to be used. All data will be required to be collected, treated and stored in accordance with Council of Europe data protection rules.¹³

¹² [Council of Europe Evaluation Guidelines](#), October 2020.

¹³ [Secretary General's Regulation of 17 April 1989 instituting a system of data protection for personal data files at the Council of Europe.](#)

Document review

In order to obtain an in-depth understanding of the Council of Europe's work in the area of monitoring mechanisms and to draw some preliminary conclusions about their effectiveness, the following types of documents will be reviewed:

- Programme and budget documents and Progress review reports
- Relevant monitoring procedures;
- Statement on monitoring mechanisms
- Documents prepared by the monitoring mechanisms and their respective Committees of Parties;
- Documents related to monitoring mechanisms produced by their members and secretariats, including observation reports, periodical reports, country specific evaluation reports, compliance reports, annual national reports, follow up reports, questionnaires and other monitoring related documents;
- Documents providing the historical context of the Council of Europe's work on monitoring mechanisms;
- Legislative documents, available national statistics, media articles, civil society reports and academic publications related to latest developments in beneficiary states;
- Relevant documents issued by other organisations working with monitoring mechanisms or working in thematic areas monitored by the Organisation;
- Other relevant documents.

Semi-structured interviews

Semi-structured interviews will be conducted with a sample of the following types of stakeholders:

- Council of Europe staff members involved in the work of institutional monitoring mechanisms, e.g. Secretariats of the Committee of Ministers, Parliamentary Assembly of the Council of Europe (PACE); (6 interviews)
- A selection of staff members from the Secretariats of the Monitoring mechanisms, all the Chairs of the monitoring mechanisms and Bureau members of the selected monitoring mechanisms (20 interviews)
- Representatives of other international organisations with an established co-operation with Council of Europe monitoring mechanisms (10 interviews)
- Representatives of partner institutions (including government representatives, permanent representations of the Council of Europe, civil society, etc.) in beneficiary states in the framework of case studies (see section below). (20 interviews)

The number of expected interviews indicated above is an estimation and may vary. Potential service providers are invited to comment on the sampling approach in their offer. Interviews will be conducted in person, if interviewee is located in Strasbourg and travel is possible, or on the phone/by teleconference. They will follow interview guidelines that will be adapted as

needed to each stakeholder group. An interview protocol will be drafted for each interview and interview data will be analysed systematically.

Survey

A survey may be conducted among members of the monitoring mechanisms. The survey will explore the perception of the Council of Europe monitoring mechanisms among its members and beneficiaries, their perceived contribution, the benefits of the monitoring mechanisms, the relevance of their tools, their efficiency and functioning, as well as their perceived key achievements.

The survey may contain both open-ended and closed-ended questions to facilitate the collection of qualitative and quantitative data among the stakeholder groups regarding relevance, efficiency and effectiveness of the monitoring mechanism.

The decision on the scope and format of the surveys will be made during the inception phase.

Stocktaking

The evaluation team will conduct an inventory of all the technical tools or relevant working methods used by monitoring mechanisms to identify best practices which could be expanded to all the Council of Europe monitoring mechanisms.

Focus group discussions

The evaluation team will organise focus group discussions. Council of Europe staff of Secretariat of monitoring mechanisms will be selected to participate in small group discussions. They will meet to explore and discuss specific issues, share feedback, opinions, knowledge, and insights about the topic at hand. Since out of the 13 monitoring mechanisms listed, four will be analysed in depth, the 9 remaining ones will be represented in the focus group discussions.

Case Studies

The evaluation team will select four monitoring mechanisms (among the convention-based ones) to carry out four case studies. The case studies will explore the functioning of the selected monitoring mechanisms to identify good practices and areas of improvement, their impact on key groups in member states, the stakeholders' involvement and support in implementing the recommendations, as well as their interactions within the Council of Europe and collaborations with other similar monitoring mechanisms of international organisations. The case study sample may be proposed in the offer.

Observation

The evaluation team may observe events related to the Council of Europe work on monitoring mechanisms, such as the meetings of some Committee of Parties, meeting of the chairs of monitoring mechanisms, or any meeting organised related to the evaluation scope, if such meetings take place in the period of data collection.¹⁴

¹⁴ The consultants will participate to these meetings either remotely or in situ (in Strasbourg) if the epidemiologic situation and the travel restrictions allows.

3.7 Organisational arrangements

Evaluation management

The evaluation will be managed by an evaluator from the DIO under the supervision of the Head of the Evaluation Division and implemented by an external service provider with the following distribution of tasks.

An external evaluation consultant with subject matter expertise will be contracted separately by the DIO to provide quality assurance throughout the evaluation process by commenting on the draft inception report and the draft evaluation report.

Task	DIO	External consultants	Independent quality checker
<i>Finalisation of the Terms of Reference</i>	X		
<i>Recruitment and contracting of the consultants and management of the contract(s)</i>	X		
<i>Organisation of interviews with stakeholders for inception phase</i>	X		
<i>Conducting inception interviews and document review during the inception phase</i>		X	
<i>Drafting of two draft and one final inception reports based on the terms of reference outlining the theory of change, the detailed evaluation methodology and time plan</i>		X	
<i>Quality assurance of the draft inception report</i>	X	X	X
<i>Organisation of reference group meeting</i>	X		
<i>Participation in reference group meeting on inception report</i>	X	X	
<i>Collection of comments from stakeholders on draft inception report</i>	X		
<i>Integration of reference group comments into the inception report and submitting the final version</i>		X	
<i>Facilitation of and, potentially, participation in data collection (in particular, semi-structured interviews and survey)</i>	X		
<i>Data collection for the evaluation in accordance with the methodology specified in the inception report</i>		X	
<i>Drafting of working papers on case studies</i>		X	
<i>Data analysis in accordance with the methodology specified in the inception report</i>		X	
<i>Drafting of two draft and one final evaluation reports</i>		X	
<i>Quality assurance of the draft evaluation report</i>	X	X	X
<i>Organisation of reference group meeting</i>	X		

Task	DIO	External consultants	Independent quality checker
<i>Collection of comments from stakeholders on draft evaluation report</i>	X		
<i>Participation in reference group meeting on evaluation report</i>	X	X	
<i>Integration of reference group comments into the draft final report, including production of a response table and submitting the final evaluation report within contractual deadlines</i>		X	
<i>Participation in the Committee of Ministers meeting and presentation of evaluation report (to be covered through a separate contract)</i>		X	

The evaluation team is expected to meet on at least five occasions. The following meetings may take place in situ or remotely, pending decisions on travel restrictions:

- Inception meeting with DIO and scoping interviews with key stakeholders - 2-3 days (remote);
- 1st Reference Group meeting to present the Inception Report – 1 half-day (remote);
- Interviews with selected monitoring mechanisms Chairs (remote), Secretariat and other Council of Europe staff, permanent representations representatives – up to 5 working days if 2 consultants will run 5 interviews per day (if 1 consultant, then it should be 10 working days), (50 interviews in Strasbourg);
- Focus groups with Council of Europe staff of Secretariat of selected monitoring mechanisms (remote or mission to Strasbourg, if travel permitted)
- 2nd Reference Group meeting to discuss the draft final report – 1 day (mission to Strasbourg, if travel permitted).
- Presentation of the evaluation to the Committee of Ministers of the Council of Europe after publication of the evaluation report (to be covered through a separate contract).

The evaluation process will be guided by a **reference group**, which will provide comments on draft documents related to the evaluation and discuss the evaluation approach and the feasibility of the recommendations. The reference group will consist of representatives of the Directorate General of Democracy, the Directorate of Human rights and rule of law, the Directorate of Political affairs, the Directorate of Programme and Budget (DPB), the Secretariat of the Committee of Ministers, the Secretariat of the Parliamentary Assembly of the Council of Europe (PACE), the Office of the Directorate General of Programmes and the Private Office of the Secretary General and the Deputy Secretary General (PO).

Evaluation process

The evaluation process will include four phases:

Inception phase

During the evaluation inception phase the evaluation team will review documentation and hold preliminary interviews that serve to obtain a more detailed overview of the monitoring mechanisms and to more precisely scope the evaluation. The evaluators will produce a draft inception report in line with the quality requirements for inception reports outlined in Appendix 5 of the [Evaluation guidelines](#). The inception report will be reviewed, and quality assured by the DIO. The inception report will be finalised taking into consideration comments from the reference group. The reference group will in particular review the factual accuracy of the information contained in the report and discuss issues related to the scope and objectives of the evaluation and the evaluation questions but can also provide suggestions on methodology.

Implementation phase

During the implementation phase the evaluation team will collect data using the methods described in the methodology section of these Terms of Reference and as further elaborated in the inception report. A decision on the feasibility of missions to Strasbourg will be made by the end of August 2021 based on information available at this point. In case of impossibility of travel, all data collection will be conducted remotely.

Reporting phase

During the reporting phase, the service provider will analyse the data using methods proposed and, if needed, revised by the service provider following the inception report, in the evaluation matrix and produce a draft report in line with quality requirements outlined in Appendix 7 of the [Evaluation guidelines](#) that will be quality assured by the DIO and submitted to the reference group for comments. The reference group will be asked to provide feedback concerning the relationship between findings, conclusions and recommendations, the relevance, usefulness and implementability of recommendations as well as to identify any factual errors. The service provider will submit a final report taking into account all the comments received.

Follow-up phase

After the finalisation of the evaluation report, the management of concerned entities will be requested to provide a management response to the evaluation, in which they will specify whether or not they accept the recommendations and how they intend to implement them. In accordance with the [Evaluation Policy](#) the DIO will regularly request updates on the implementation of evaluation recommendations as part of the follow-up procedure for all evaluations and report to the Secretary General and the Committee of Ministers.

The final evaluation report will also be transmitted to the Chair of the Ministers' Deputies and published on the internet site of the Council of Europe in accordance with the new evaluation policy.

Tentative work plan

The following key deliverables are foreseen for this evaluation with the corresponding deadlines:

Evaluation of the Monitoring mechanisms	Planned Date
Start of contract	1st September 2021
Inception Phase	
Initial analysis of available documentation	1 -15 September
Scoping interviews	15-25 September
1 st Draft Inception Report	5 October
2 nd Draft Inception report	15 October
1 st Reference group meeting	25 October
Final Inception report	30 October
Data Collection and Analysis	
Analysis of documentation	November-December
Interviews (and focus groups) in Strasbourg or remote	November
Survey	November-December
Data analysis	November – January 2022
Report and Action Plan	
1 st Draft report	15 February 2022
2 nd Draft report	25 February
2 nd Reference Group meeting	1st March
Final evaluation report by service provider	10 March 2022

The work plan will be reviewed during the course of the assignment to take into account any constraints which may arise due to the current Covid-19 situation which may impact on planned delivery dates. Any necessary changes will be agreed during the course of the assignment by the Council of Europe and the selected service provider in accordance with Article 6 (MODIFICATIONS) of the Act of Engagement.

After the completion of the evaluation and publication of the report, a presentation of the report to the Committee of Ministers will be organised to discuss the evaluation findings and recommendations as well as the management response. The evaluation consultants should be available to present the report at that meeting. The consultants' contribution to such an event would be covered through a separate contract.

3.8 Qualifications of the service provider

The service provider will as a team, provide the following competencies and expertise:

- Extensive knowledge of evaluation principles, methodology and best practices, including qualitative and quantitative methods indicated in the evaluation matrix (Appendix 2);
- Thematic knowledge and experience in (evaluation of) interventions in the area of monitoring mechanisms in international organisations;
- Proven record of at least 10 years' experience in designing, managing and leading evaluations in the context of international co-operation;
- Professional fluency in oral and written English and working knowledge of French;
- Knowledge and understanding of the Council of Europe and, in particular, institutional monitoring mechanisms and convention-based monitoring mechanisms will be an asset.

The selected service provider will be required to abide by the Council of Europe [Code of Conduct for Evaluation](#).

3.9 Budget

The budget for the assignment amounts to a maximum of 45 000 EUR. The service provider will bear all costs (travel to Strasbourg for the data collection and the reference group meetings, subsistence and administrative expenses).

Budget proposals should indicate separately the amounts included for travel and subsistence in case amendments to the contract are necessary to take into account the need for remote meetings due to travel restrictions

APPENDIX I: COUNCIL OF EUROPE MONITORING MECHANISMS

1) GENERAL INSTITUTIONAL MONITORING MECHANISMS

The Committee of Ministers and the Parliamentary Assembly have their own monitoring procedures.

COMMITTEE OF MINISTERS (CM)

Since the adoption of its 1994 Declaration on compliance with commitments by member states of the Council of Europe, the CM has developed two distinctive, but at times interrelated, monitoring procedures:

1) **Country-specific post-accession monitoring (including on the basis of the 1994 Declaration)**

In pursuing the aim of monitoring the implementation of the statutory obligations or of specific commitments by some member states, the Committee of Ministers has set up specific modalities to closely follow progress achieved and possible challenges encountered by those member states. Each of these monitoring procedures has been established on the basis of particular decisions of the Committee of Ministers, without a pre-established format or pattern. In some cases, these monitoring procedures were decided at the time of accession of a new member state to the Council of Europe and were part of the accession procedure (Armenia, Azerbaijan, Bosnia and Herzegovina, Montenegro, Serbia). In other cases, the procedure was decided after accession of a member state to the Organisation (Croatia, Georgia, Republic of Moldova, Russia and Ukraine). In practice and in some instances, the CM initiated these procedures after the accession in reaction to particular situations in the countries or in response to the Parliamentary Assembly's recommendations.

2) **Thematic monitoring:**

The **thematic monitoring exercises** take place on an ad hoc basis, on a theme chosen by the Committee of Ministers. *"The themes chosen should be specific, clearly defined, focused on issues topical at a European scale and they should respect the principles of non-duplication and subsidiarity; they may be proposed at any time of the year by any delegation, as well as by the Secretary General, following consultations/contacts, as necessary, with other Council of Europe bodies and institutions"*.

The final decision on the choice of themes, subject to available resources, is taken by the Committee of Ministers. The thematic monitoring report on the theme chosen will then serve as a basis for debate and decisions on follow-up action by the Committee of Ministers. *The report consists of an analysis of major issues within the scope of the theme and is based on the work undertaken by existing Council of Europe monitoring mechanisms. If some gaps are revealed in the Organisation's work programme and its assistance activities, the Committee of Ministers, when deciding on follow-up action, can give the mandate or invite competent Council of Europe mechanisms – in particular Steering Committees – to work on these areas;*

The Committee of Ministers' will then debate on the report and decide on follow-up action.

Committee of Ministers' thematic monitoring procedure: New modalities

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d559c

Overview of the monitoring procedures under the responsibility of the Committee of Ministers

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cae6a

PARLIAMENTARY ASSEMBLY (PACE)

PACE created a Committee on the Honouring of Obligations and Commitments by member states of the Council of Europe. The Monitoring Committee is responsible for verifying the fulfilment of obligations assumed by member states under the terms of the Statute of the Council of Europe, the European Convention on Human Rights and all other Council of Europe Conventions to which they are parties, as well as the honouring of commitments entered into by the authorities of member states upon accession to the Council of Europe.

The Assembly's monitoring helps Council of Europe member states to fulfil their promises to uphold the highest democratic and human rights standards. The procedure works in four ways.

Full monitoring procedure: this involves regular visits by a pair of rapporteurs, who conduct an ongoing dialogue with authorities, and occasional plenary debates to ensure that a state's progress and problems are honestly assessed. This currently applies to eleven states (Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Republic of Moldova, Poland, Russian Federation, Serbia, Turkey and Ukraine).

Post-monitoring dialogue: states that have made progress may pass on to this stage, a less intensive procedure involving a limited number of remaining issues. This currently applies to three states (Bulgaria, Montenegro and North Macedonia).

Periodic reviews: the committee is charged with preparing regular periodic reviews on all Council of Europe member states not under a full monitoring procedure or engaged in a post-monitoring dialogue. The order and frequency of these reports are decided upon by the committee in accordance with its internal working methods, based on substantive grounds, with the objective of producing, over time, periodic review reports on all member states. The Committee has published 16 periodic review reports since 2015 and is currently preparing periodic review reports on three States (Hungary, Malta and Romania).

Specific report on the Functioning of Democratic Institutions: finally, the committee can prepare a report on the functioning of democratic institutions in any member state when particular developments warrant.

Committee on the Honouring of Obligations and Commitments by member states of the Council of Europe

<https://pace.coe.int/en/pages/committee-4/AS-MON>

Arrangements regarding future work on the thematic monitoring PACE Monitoring

<https://rm.coe.int/09000016805ae333>

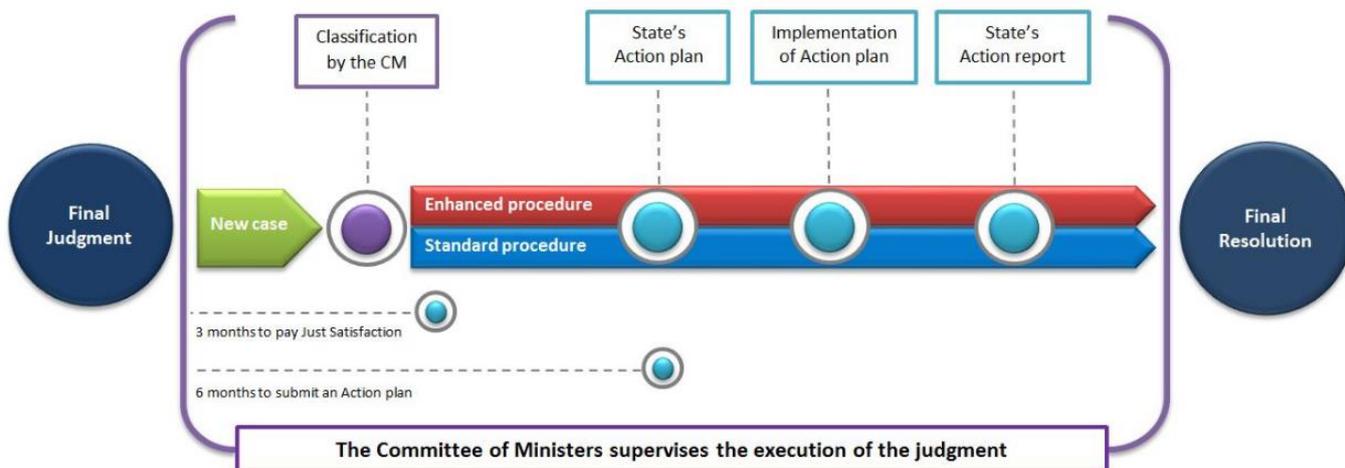
Complementary procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member state of its statutory obligations

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016809a65cf

The **European Court of Human Rights**, through the perspective of human rights and fundamental freedoms, has to review compliance with a number of obligations and commitments, which also touch upon issues related to the rule of law and respect of democratic principles in member states. Since November 1998 and the entry into force of Protocol 11 to the Convention, the control mechanism has been strengthened and became entirely judicial.

Department for the Execution of Judgments of the European Court of Human Rights

According to the rules of the Committee of Ministers for the supervision of the execution of judgments and the additional indications contained in its working methods, the department ensures a close and continuous follow-up of the progress of the execution of all cases, irrespective of their supervision track (standard or enhanced).



[Department for the Execution of Judgments of the European Court of Human Rights \(coe.int\)](http://coe.int)

COMMISSIONER FOR HUMAN RIGHTS (HRC)

The **institution of the Commissioner for Human Rights** (created in 1999), apart from its promotional role for human rights and its counselling and assistance services, has also assumed a “watchdog” function by issuing reports, opinions and recommendations.

The Commissioner conducts visits to help raise the standards of human rights protection in all Council of Europe member states, in accordance with his mandate.

Visits aim at pursuing a direct dialogue with the authorities and looking into one or several specific issues. The Commissioner is currently carrying out more targeted country visits focused on specific topics. A **report** may be published, containing conclusions and relevant recommendations to help redress shortcomings. Some of these reports may also relate to crisis situations and human rights in conflict areas.

Country Monitoring Commissioner for Human Rights

<https://www.coe.int/en/web/commissioner/country-monitoring>

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES (Congress)

The voice of municipalities and regions, the Congress is a unique assembly in Europe responsible for ensuring the proper application of the European Charter of Local Self-Government. This international convention lays down standards for protecting the rights of local authorities and requires the 47 member states of the Council of Europe – which have all ratified it – to comply with a number of principles.

Political dialogue with governments: As part of its monitoring of regional democracy in Europe, the Congress maintains a regular dialogue with member states of the Council of Europe.

Monitoring of the European Charter of Local Self-Government: Monitoring local and regional democracy is the most emblematic activity of the Congress of Local and Regional Authorities of the Council of Europe.

Postmonitoring of the Charter and postelectoral dialogue: As part of its activities to monitor the application of the European Charter of Local Self-Government and its election observation activities, the Congress pursues a regular “post-monitoring” and “post-electoral” political dialogue with Council of Europe member states. The aim is to accompany the national authorities in order to ensure the implementation of the recommendations adopted by the Congress and addressed to the national authorities of member states by the Committee of Ministers of the Council of Europe.

Observation of local and regional elections: The Congress of Local and Regional Authorities has been taking part in the observer missions for local elections in the 47 Council of Europe member countries and, sometimes beyond, since 1990, and has conducted almost 100 election observation missions to date. Observing local elections is one of the Congress’s action priorities. This activity

complements the political monitoring of the European Charter of Local Self-Government, which constitutes the cornerstone of local democracy in Europe.

Congress Monitoring

<https://www.coe.int/en/web/congress/work>

2) COUNCIL OF EUROPE TREATY BASED AND NON TREATY BASED MECHANISMS

European Social Charter (ESC)

In 2021, the Council of Europe celebrates the 60th anniversary of the European Social Charter.

The implementation of the European Social Charter by States Parties is supervised by the European Committee of Social Rights through the collective complaints procedure and the reporting system.

The European Committee of Social Rights, an independent quasi-judicial body, rules on the conformity of national law and practice.

The Charter is based on what is termed a **ratification system**, enabling states, under certain circumstances, to choose the provisions they are willing to accept as binding international legal obligations. The main added value of the European Social Charter lies in the existence of an effective monitoring mechanism. It is recalled that the Charter is monitored through two procedures: a reporting procedure (mandatory for all states parties) and a collective complaints procedure (optional).

The **reporting system** is formally governed by Articles 21-29 of the 1961 Charter. In the framework of this monitoring system, states parties regularly submit a report on the implementation of the Charter in law and in practice. These reports are examined by the European Committee of Social Rights, which decides whether the national situations they describe comply with the Charter. The decisions adopted by the European Committee of Social Rights in the framework of the reporting system, called "conclusions", are published every year

The **Collective Complaints procedure** was introduced by the Additional Protocol providing for a system of collective complaints, adopted in 1995. The aim pursued with the introduction of the procedure was to increase the effectiveness, speed and impact of the implementation of the Charter. In this view, the collective complaints procedure has strengthened the role of the social partners and non-governmental organisations by enabling them to directly apply to the European Committee of Social Rights for rulings on possible non-implementation of the Charter in the countries concerned, namely those states which have accepted its provisions and the complaints procedure.

1961 Charter

[Full list \(coe.int\)](#)

The European Committee of Social Rights

[European Committee of Social Rights \(coe.int\)](#)

Additional Protocol providing for a system of collective complaints

[Full list \(coe.int\)](#)

ECSR: conclusions and factsheets;

[Monitoring procedures under the European Social Charter \(coe.int\)](#)

Debate on the European Social Charter and its monitoring mechanism.

<https://rm.coe.int/09000016805ccff8>

Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)

The Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism - MONEYVAL is a permanent monitoring body of the Council of Europe entrusted with the task of assessing compliance with the principal international standards to counter money laundering and the financing of terrorism and the effectiveness of their implementation, as well as with the task of making recommendations to national authorities in respect of necessary improvements to their systems. Through a dynamic process of mutual evaluations, peer review and regular follow-up of its reports, MONEYVAL aims to improve the capacities of national authorities to fight money laundering and the financing of terrorism more effectively.

At their meeting on 13 October 2010, the Committee of Ministers adopted the [Resolution CM/Res\(2010\)12](#) on the Statute of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL). The statute elevates MONEYVAL as from 1 January 2011 to an independent monitoring mechanism within the Council of Europe answerable directly to the Committee of Ministers. MONEYVAL Statute was further amended in 2013 by the [Resolution CM/Res\(2013\)13](#) and in 2017 by the [Resolution CM/Res\(2017\)19](#).

Progress report procedure: [Monitoring progress \(coe.int\)](#)

Framework Convention for the Protection of National Minorities (FCNM)

The **Framework Convention for the Protection of National Minorities (Framework Convention)** is Europe's most comprehensive treaty protecting the rights of persons belonging to national minorities. It is the first legally binding multilateral instrument devoted to the protection of national minorities worldwide, and its implementation is monitored by the only international committee dedicated exclusively to minority rights: the Advisory Committee. It was adopted on 10 November 1994 by the Committee of Ministers and it entered into force on 1 February 1998. It is now in force in 39 states.

Periodical state reports, Advisory Committee opinions and Committee of Ministers Resolutions (including recommendations) on each state can be found at [Country Specific Monitoring](#).

A searchable database (HUDOC) allows users to research and read all published Advisory Committee opinions, the states' comments as well as Committee of Ministers Resolutions.

FCNM: Advisory Committee opinions and CM resolutions;

[Monitoring the implementation of the Framework Convention for the Protection of National Minorities \(coe.int\)](#)

Strengthening the monitoring mechanism of the Framework Convention for the Protection of National Minorities

<https://rm.coe.int/090000168094b299>

<https://rm.coe.int/09000016806be54b>

The European Charter for Regional or Minority Languages (ECRML)

The European Charter for Regional or Minority Languages is the European convention for the protection and promotion of languages used by traditional minorities. Together with the Framework

Convention for the Protection of National Minorities it constitutes the Council of Europe's commitment to the protection of national minorities.

Regional or minority languages are part of Europe's cultural heritage and their protection and promotion contribute to the building of a Europe based on democracy and cultural diversity.

The Charter, drawn up on the basis of a text put forward by the Standing Conference of Local and Regional Authorities of Europe, was adopted as a convention on 25 June 1992 by the Committee of Ministers of the Council of Europe, and was opened for signature in Strasbourg on 5 November 1992. It entered into force on 1 March 1998.

The Charter provides for a monitoring mechanism to evaluate how it is applied in a state party with a view to, where necessary, making recommendations for improvements in its legislation, policy and practice. The central element of the monitoring mechanism is the Committee of Experts, which is independent and was established in accordance with Article 17 of the Charter. The monitoring procedure step by step is available online. [Monitoring the European Charter for Regional or Minority Languages \(coe.int\)](http://www.coe.int/t/e/Lang/Lang_Charter.asp)

Group of Experts on Action against Trafficking in Human Beings (GRETA)

The Council of Europe Convention on Action against Trafficking in Human Beings entered into force on 1 February 2008, following its 10th ratification. While building on existing international instruments, the Convention goes beyond the minimum standards agreed upon in them and strengthens the protection afforded to victims.

The Convention has a comprehensive scope of application, encompassing all forms of trafficking (whether national or transnational, linked or not linked to organised crime) and taking in all persons who are victims of trafficking (women, men or children). The forms of exploitation covered by the Convention are, at a minimum, sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude and the removal of organs.

The main added value of the Convention is its human rights perspective and focus on victim protection. Its Preamble defines trafficking in human beings as a violation of human rights and an offence to the dignity and integrity of the human being.

The Convention provides for the setting up of a monitoring mechanism capable of assessing and improving the implementation of the obligations contained in it.

A two-pillar system

The monitoring mechanism of the Convention consists of two distinct, but interacting, bodies:

- an independent expert body, **the Group of Experts on Action against Trafficking in Human Beings (GRETA)**, which is composed of 15 members who sit in their individual capacity and are selected on the basis of their expertise in the areas covered by the Convention;
- a political body, **the Committee of the Parties**, which is composed of representatives of the Parties to the Convention.

The GRETA monitoring procedure can be consulted online. [Monitoring mechanism \(coe.int\)](http://www.coe.int/t/e/Lang/Lang_GRETA.asp)

Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

GREVIO is the independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (**Istanbul Convention**) by the Parties.

The Istanbul Convention monitoring mechanism: a two-pillar system.

The aim of the monitoring mechanism of the Istanbul Convention is to assess and improve the implementation of the Convention by Parties. It consists of two distinct, but interacting, bodies:

- an independent expert body, **the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)**, which was initially composed of 10 members and is now subsequently enlarged to 15 members following the 25th ratification;
- a political body, **the Committee of the Parties**, which is composed of representatives of the Parties to the Istanbul Convention.

The task of GREVIO is to monitor the implementation of the Convention by the Parties. GREVIO may also adopt, where appropriate, general recommendations on themes and concepts of the Convention. The Committee of the Parties follows up on GREVIO reports and conclusions and adopts recommendations to the Parties concerned. It is also responsible for the election of GREVIO members.

GREVIO Monitoring procedures

The Istanbul Convention provides for two types of monitoring procedures: a country-by-country evaluation procedure and a special inquiry procedure.

The *country-by-country evaluation procedure* begins with a first assessment, to be followed by evaluation rounds. In this context, GREVIO considers information submitted by the Parties in response to its questionnaires or any other requests for information, taking into account information received from relevant Council of Europe bodies, institutions established under other international instruments (such as the United Nations Committee on the Elimination of Discrimination Against Women), non-governmental organisations and national human rights institutions. If the information gained is insufficient, GREVIO may organise country visits. Following a phase of exchanges and consultations with the competent authorities, GREVIO adopts its final reports and conclusions, and sends them to the Parties concerned. The reports and conclusions of GREVIO are made public as from their adoption, together with any comments by the Parties concerned.

GREVIO's reports, upon their adoption, are transmitted to the Committee of the Parties which adopts specific recommendations concerning the measures to be taken to implement the conclusions of GREVIO.

A *special inquiry procedure* may be initiated by GREVIO when there is reliable information indicating that action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention. In such a case, GREVIO may request the urgent submission of a special report by the Party concerned. Taking into account the relevant information at its disposal, GREVIO may designate one or more of its members to conduct an inquiry and to report back. Where warranted and with the consent of the Party, the inquiry may include a country visit. After having been examined by GREVIO, the findings of the inquiry are transmitted to the Party concerned and, where appropriate, to the Committee of the Parties and the Committee of Ministers of the Council of Europe, together with any comments and recommendations.

Flow-chart of the monitoring procedures :

Part 1 : GREVIO's first (baseline) evaluation procedure

Part 2 : Special inquiry procedure

[About Monitoring \(coe.int\)](https://rm.coe.int/09000016807761aa)

<https://rm.coe.int/09000016807761aa>

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

The CPT was set up under the Council of Europe's "European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment", which came into force in 1989.

It builds on Article 3 of the European Convention on Human Rights which provides that: “No one shall be subjected to torture or to inhuman or degrading treatment or punishment”.

The CPT is not an investigative body, but provides a non-judicial preventive mechanism to protect persons deprived of their liberty against torture and other forms of ill-treatment. It thus complements the judicial work of the European Court of Human Rights.

The CPT's members are independent and impartial experts from a variety of backgrounds, including lawyers, medical doctors and specialists in prison or police matters.

The Convention has been ratified by all the 47 member states of the Council of Europe.

The CPT organises visits to places of detention, in order to assess how persons deprived of their liberty are treated. These places include prisons, juvenile detention centres, police stations, holding centres for immigration detainees, psychiatric hospitals, social care homes, etc.

CPT delegations have unlimited access to places of detention, and the right to move inside such places without restriction. They interview persons deprived of their liberty in private, and communicate freely with anyone who can provide information.

After each visit, the CPT sends a detailed report to the state concerned. This report includes the CPT's findings, and its recommendations, comments and requests for information. The CPT also requests a detailed response to the issues raised in its report. These reports and responses form part of the ongoing dialogue with the states concerned.

The CPT's full title is the “European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment”. This highlights two important features: first, it is European, and second, it not only covers “torture”, but also a whole range of situations which could amount to “inhuman or degrading treatment or punishment”.

CPT reports on visits and Government responses; [CPT visits \(coe.int\)](https://www.coe.int/t/e/torture/visits/visits.asp)

The Group of States against Corruption (GRECO)

The Group of States against Corruption (GRECO) was established in 1999 by the Council of Europe to monitor states' compliance with the organisation's anti-corruption standards.

GRECO's objective is to improve the capacity of its members to fight corruption by monitoring their compliance with Council of Europe anti-corruption standards through a dynamic process of mutual evaluation and peer pressure. It helps to identify deficiencies in national anti-corruption policies, prompting the necessary legislative, institutional and practical reforms. GRECO also provides a platform for the sharing of best practice in the prevention and detection of corruption.

Currently, GRECO comprises 50 member states (48 European states, Kazakhstan and the United States of America).

GRECO monitors all its members on an equal basis, through a dynamic process of mutual evaluation and peer pressure. The GRECO mechanism ensures the scrupulous observance of the principle of equality of rights and obligations among its members. All members participate in, and submit themselves without restriction to, the mutual evaluation and compliance procedures.

GRECO monitoring comprises:

- a “**horizontal**” evaluation procedure (all members are evaluated within an Evaluation Round) leading to recommendations aimed at furthering the necessary legislative, institutional and practical reforms;
- a **compliance procedure** designed to assess the measures taken by its members to implement the recommendations.

GRECO' evaluation procedure: [How does GRECO work? \(coe.int\)](https://www.coe.int/t/e/corruption/greco/greco.asp)

European Commission against Racism and Intolerance (ECRI)

ECRI was set up by the first Summit of Heads of State and Government of the member states of the Council of Europe in 1993 and became operational in 1994.

ECRI is composed of 47 members appointed on the basis of their independence, impartiality, moral authority and expertise in dealing with issues of racism, discrimination, xenophobia, antisemitism and intolerance. Each Council of Europe member state appoints one person to serve as a member of ECRI. ECRI's statutory activities cover country monitoring, work on general themes and relations with civil society and equality bodies.

ECRI also maintains special relations with independent authorities responsible for combating racism, discrimination, xenophobia, antisemitism and intolerance at national level (equality bodies) and with relevant international organisations, such as the European Union, the United Nations and the Organization for Security and Co-operation in Europe (OSCE).

In its country monitoring work ECRI analyses the situation closely in each of the member states and makes recommendations for dealing with any problems of racism and intolerance identified there. A country visit is organised before the preparation of each new report in order to obtain as comprehensive a picture as possible of the situation in the country. During the visit the ECRI delegation meets key players in the fight against racism and intolerance in the country concerned. ECRI's country monitoring approach places all Council of Europe member states on an equal footing. The work is organised in five-year cycles, covering 8 to 10 countries per year.

ECRI country reports and interim follow-up conclusions; [Country Monitoring \(coe.int\)](https://www.coe.int/country-monitoring)

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (T-ES)

The Council of Europe Convention for the protection of children against sexual exploitation and sexual abuse (CETS N°201) was adopted and opened for signature on 25 October 2007 in Lanzarote, Spain. For this reason, it is also known as "the Lanzarote Convention".

The Lanzarote Convention entered into force on 1 July 2010. To date, it has been signed by all 47 Council of Europe member states and ratified by all except Ireland.

The Lanzarote Convention is the most ambitious and comprehensive international (potentially universal) legal instrument on the protection of children against sexual exploitation and sexual abuse. The Convention covers sexual abuse within the child's family or "circle of trust" as well as acts carried out for commercial or profit-making purposes. It sets forth that states in Europe and beyond shall establish specific legislation to criminalise such behaviour and take measures with an emphasis on keeping the best interest of children at the forefront, to prevent sexual violence but also to protect child victims and prosecute perpetrators. It also promotes international co-operation to achieve the same objectives.

The "Lanzarote Committee" (i.e. the Committee of the Parties to the Convention) is the body established to monitor whether Parties effectively implement the Lanzarote Convention. The monitoring procedure is divided by rounds, each round concerning a theme.

All Parties are monitored at the same time. The aim is to create a momentum around a specific aspect of the monitoring theme in all Parties at the same time, which in turn fosters exchange of promising practices and encourages the detection of inadequacies or difficulties. It also enables the Committee to provide a comparative overview of the situation in the Parties.

<https://www.coe.int/en/web/children/lanzarote-convention>

<https://rm.coe.int/090000168046ffcd>

The Anti-Doping Convention (T-DO)

Doping is a hindrance to sports ethics and a threat to the health of athletes. Historically, doping is the first of the Council of Europe's concerns in sport. As early as 1967 the Committee of Ministers produced the first international legal instrument on this matter. Since then, the Organisation has continued to strengthen its commitment to eliminating doping from sport. The Anti-Doping Convention was adopted in 1989 and is followed by an additional protocol (2002).

The body in charge of monitoring the implementation of the Anti-Doping Convention is the Monitoring Group. As part of its international co-operation on doping issues, its activities involve working with the World Anti-Doping Agency (WADA) and the international sports federations.

The main mission of the Monitoring Group is to make sure the treaty is respected by the states parties. To this end, it produces reports on the implementation of the Convention and organises consultative and evaluation visits. It can also go into some provisions in more depth by drawing up recommendations. Moreover, the Monitoring Group updates the list of banned doping substances and methods (in annex to the Convention) every year in response to the ever evolving doping techniques.

T-DO - Anti-Doping, Monitoring Group of the anti-doping Convention, [Full list \(coe.int\)](#)

Additional protocol : [Full list \(coe.int\)](#)

St Denis Convention (previous European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches) (T-RV)

The Heysel Stadium disaster (May 1985) shook the world and revealed the need to urgently take measures to increase security at sports events.

Prepared in a record time, the *European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches* was the response to that need. It was adopted on 19 August 1985.

The Convention requires states to take practical measures to prevent and control violence and misbehaviour by spectators. It also includes measures to identify and deal with offenders.

The Standing Committee (T-RV Committee) follows the implementation of the Convention and assesses progress achieved. It visits countries, attends high risk matches, discusses issues with key stakeholders and evaluates the measures in place. It then makes recommendations when improvements are needed. The Standing Committee also discusses issues of general concern and adopts recommendations addressed to all states parties. Over the last three decades, the Committee has adopted 26 recommendations, gradually showing the importance of addressing other two key issues connected to security: the issues of safety and services.

In 2015, the Standing Committee adopted a major recommendation (Rec(2015)1) which gathers, in a single document, all the key guidance provided by the Committee during its thirty years of existence, as well as an impressive collection of best practices in state's efforts to guarantee safety and security at sports events. The latest update of Rec (2015)1 was adopted in 2020. All these efforts have paved the way for the adoption in 2016 of a new Convention focusing on *an integrated and multiagency approach to safety, security and service at football matches and other sports events*, also known as the Saint-Denis Convention. The St Denis Convention is called to gradually replace the 1985 Convention, as each state that ratifies the new convention must denounce the old one.

Since 1998, around 30 countries hosted monitoring visits, which led to the publication of reports complemented by recommendations. These reports are completed by a plan of action that countries are invited to carry out to show how they implement the recommendations.

T-RV - Against Spectator Violence, [Monitoring of the convention \(coe.int\)](#)

Conference of the Parties (COP) to the CETS 198

The 2005 Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198), building on the success of the 1990 Council of Europe Convention (ETS 141) in one comprehensive instrument:

- provides states with enhanced possibilities to prosecute money laundering more effectively;
- equips states parties with further confiscation tools to deprive offenders of criminal proceeds;
- provides important investigative powers including measures to access banking information for domestic investigations and for the purposes of international co-operation;
- covers preventive measures, and the role and responsibilities of financial intelligence units and the principles for international co-operation between financial intelligence units;
- applies all its provisions to financing of terrorism; covers the principles on which judicial international co-operation should operate between Contracting states parties.

The new Convention provides for a monitoring mechanism through a “Conference of the Parties” to ensure that its provisions are being applied.

[About the Conference of the Parties \(COP\) to the CETS 198 \(coe.int\)](#)

APPENDIX II: EVALUATION MATRIX

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
RELEVANCE	1. Are the activities and outputs of the monitoring mechanisms (MMs) consistent with the intended results, Council of Europe priorities and needs of member states?	1a. To what extent does the Council of Europe consider the monitored areas as a priority? Are there gaps in monitoring?	<ul style="list-style-type: none"> • Reference to MMs in Council of Europe strategic documents and reports • Number of countries having benefited from MM activities • Mapping of Council of Europe thematic areas of work against areas covered by monitoring mechanisms 	<ul style="list-style-type: none"> • Document review • Interviews • 	<ul style="list-style-type: none"> • Council of Europe strategic documents and reports, MMs annual reports, Council of Europe website, reports produced on the topic of monitoring, Council of Europe programme and budget documents • Focus groups with staff MM of secretariats • Interviews with Council of Europe staff and members of MMs 	<ul style="list-style-type: none"> • Qualitative data analysis • Mapping
		1b. How appropriate are the MMs' activities and outputs for the achievement of their specific objectives? Are there	<ul style="list-style-type: none"> • Level of fit between stated outputs and expected results • Evidence of linkages between outputs and expected results 	<ul style="list-style-type: none"> • Document review • Interviews • Focus groups discussions 	<ul style="list-style-type: none"> • Programme and Budget Documents, MM annual reports and MMs' 	<ul style="list-style-type: none"> • Qualitative data analysis

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
		potentially useful activities missing or conducted activities that are not required?	<ul style="list-style-type: none"> Degree of satisfaction of national stakeholders 		<ul style="list-style-type: none"> Interviews with staff and members of monitoring mechanisms and national stakeholders Focus groups with staff of MMs 	
		1c. Are MMs' activities aligned with the needs of member states? Are the monitoring mechanisms sufficiently focused to make a change?	<ul style="list-style-type: none"> Degree of satisfaction of stakeholders with the work of MMs Perceptions of relevance of recommendations made in monitoring reports Evidence of changes in national policy, legislation and practice in respect of MM fields of intervention 	<ul style="list-style-type: none"> Interviews Survey Focus groups discussions 	<ul style="list-style-type: none"> Interviews with staff and members of monitoring mechanisms and national stakeholders Focus groups with staff MM of secretariats 	<ul style="list-style-type: none"> Qualitative and quantitative data analysis
EFFECTIVENESS	2. To what extent and how have the monitoring mechanisms achieved the expected results and	2a. To what extent did Council of Europe monitoring mechanisms produce the expected results indicated in the Programme and Budget documents	<ul style="list-style-type: none"> Evidence of changes in national policies, legislations and practices to improve the situation of persons/ in respect of the fields of intervention Perceptions of level of achievement of objectives and their usefulness 	<ul style="list-style-type: none"> Document review Interviews Case studies 	<ul style="list-style-type: none"> Monitoring mechanisms reports, MM annual reports, Programme and budget, Progress review reports (PRR) 	<ul style="list-style-type: none"> Quantitative and qualitative data analysis Contribution analysis, In-depth case studies

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
	intermediate objectives?	and other relevant MM documents?	<ul style="list-style-type: none"> Evidence and perceptions of the role of MM in the changes observed 		<ul style="list-style-type: none"> Interviews with staff and members of MMs, national stakeholders, experts and representatives of other international organisations and CSOs 	
		<p>2b. To which changes in policies, practices, beliefs and attitudes have the MMs contributed? Were there unintended outcomes (positive and negative) produced due to the interventions of the MMs?</p>	<ul style="list-style-type: none"> Evidence of changes in national policies, legislations and practices to improve the situation of persons/ in respect of the fields of intervention Evidence of member states changing their institutional arrangements and practice Number of member states with reported improvements between report cycles Evidence of unintended outcomes 	<ul style="list-style-type: none"> Document review Interviews Case studies 	<ul style="list-style-type: none"> Monitoring mechanisms reports, MM annual reports, Programme and Budget progress review reports, Council of Europe documents on relevant topic, Media reports, Reports of other international organisations and civil society organisations (CSOs) Interviews with staff and 	<ul style="list-style-type: none"> Quantitative and qualitative data analysis Contribution analysis In-depth case studies

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
					members of MMs, national stakeholders, experts and representatives of other international organisations and CSOs	
		<p>2c. To what extent do the monitoring mechanisms monitor and evaluate the outcomes of their work?</p> <p>To what extent do monitoring mechanisms incorporate lessons learned from the experiences of the Council of Europe and other international organisations, concerning factors that facilitate or impede the success of monitoring in the member states?</p>	<ul style="list-style-type: none"> • Evidence of an M&E framework in place • Evidence of regular follow-up to monitoring reports • Evidence of mechanisms for learning lessons and reform initiatives aimed at enhancing results • Evidence of improvements in working methods and results • Evidence of adaptation/specific support to member states facing difficulties to implement recommendations 	<ul style="list-style-type: none"> • Document review • Interviews • Case studies • Survey 	<ul style="list-style-type: none"> • Monitoring mechanisms' annual reports, reports on the topic • Focus groups with staff MM of secretariats • Interviews with staff and members of MMs 	<ul style="list-style-type: none"> • Qualitative data analysis • Case studies

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
		2d. To what extent were stakeholders engaged during the monitoring process and supported in the implementation of recommendations?	<ul style="list-style-type: none"> Degree of satisfaction of the stakeholders in the member states with the monitoring process and results Degree of participation of stakeholders in high level meetings or thematic debates Number of contact meetings (including participation in seminars/conferences) 	<ul style="list-style-type: none"> Document review Interviews Case studies 	<ul style="list-style-type: none"> Monitoring mechanisms' annual reports, reports on the topic Focus groups with staff MM of secretariats Interviews with staff and members of MMs, national stakeholders, experts and representatives of other international organisations and CSOs 	<ul style="list-style-type: none"> Qualitative data analysis Case studies
EFFICIENCY	3. To what extent is the work of the monitoring mechanisms efficient?	3a. To what extent are the financial and human resources adequate to implement efficient monitoring producing outputs of expected quality? Is there evidence of greater or better -quality outcomes from MMs'	<ul style="list-style-type: none"> Number and quality of outputs and outcomes of a mechanism against its budget and staff Number of member states benefiting from MM interventions Evidence of satisfaction of national stakeholders/ Expert assessment of reports' quality 	<ul style="list-style-type: none"> Document review Interviews with MM staff and members 	<ul style="list-style-type: none"> Monitoring mechanisms annual reports and reports, Programme and Budget documents and progress reports, Financial documents 	<ul style="list-style-type: none"> Descriptive statistical analysis, Qualitative data analysis

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
		interventions in the case of actions that have mobilised the greater resources?			<ul style="list-style-type: none"> Interviews with staff of MM secretariats and members 	
		3b. To what extent do the modalities of implementation (including instruments and resources) determine the achievements of objectives? To what extent is there potential for efficiency gains by changing processes and working methods?	<ul style="list-style-type: none"> Existence of alternatives to present working methods Evidence of engagement of stakeholders Factors influencing positively or negatively on efficiency of work 	<ul style="list-style-type: none"> Document review Interviews Survey 	<ul style="list-style-type: none"> Monitoring mechanisms annual reports, Programme and Budget documents and progress reports Financial documents Interviews with staff and members of MM 	<ul style="list-style-type: none"> Descriptive statistical analysis Qualitative data analysis
		3c. To what extent are outputs delivered within planned deadlines?	<ul style="list-style-type: none"> Number of reports delivered within deadline Number of reports delivered after deadline Percentage of complete implementation of planned activities Factors causing delays 	<ul style="list-style-type: none"> Document review Interviews 	<ul style="list-style-type: none"> Monitoring mechanisms reports Monitoring mechanisms annual reports, Programme and Budget documents and progress reports 	<ul style="list-style-type: none"> Descriptive statistical analysis Qualitative data analysis

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
					<ul style="list-style-type: none"> Financial documents Interviews with staff and members of MM 	
		3d. To what extent is the work of MMs well-co-ordinated?	<ul style="list-style-type: none"> Number of MMs collaborating/interacting Evidence of collaboration (number of activities/initiatives implemented together, relevance of the collaboration or interaction, number of exchange of good practice) Perceptions of usefulness of collaboration 	<ul style="list-style-type: none"> Document review Interviews Survey 	<ul style="list-style-type: none"> Monitoring mechanisms annual reports Interviews with staff and members of MM Focus groups with staff MM of secretariats 	<ul style="list-style-type: none"> Descriptive statistical analysis Qualitative data analysis
ADDED VALUE	4. To what extent are the monitoring mechanisms providing added value?	4a. What is the Council of Europe monitoring mechanisms' added value in comparison to other international monitoring mechanisms?	<ul style="list-style-type: none"> sChanges in legislation, national practices and attitudes attributable to Council of Europe MMs interventions Perceptions of stakeholders of Council of Europe MM work as providing or not providing added value 	<ul style="list-style-type: none"> Document review Interviews Focus group discussions 	<ul style="list-style-type: none"> Monitoring mechanisms reports, MMs annual reports, Council of Europe reports, government reports, reports of other international organisations and CSOs Interviews 	<ul style="list-style-type: none"> Quantitative and qualitative data analysis Mapping

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
					<p>with staff and members of MMs, national stakeholders, experts and representatives of other international organisations and CSOs</p> <ul style="list-style-type: none"> • Focus groups with staff MM of secretariats • Survey with close ended questions and few open-ended questions to members of MMs 	
		<p>4b. To what extent have the Council of Europe monitoring mechanisms contributed towards co-ordination and complementarity between the different mechanisms working on same issues, and to what extent has</p>	<ul style="list-style-type: none"> • Number and nature of contact meetings between Council of Europe MM representatives and other MM representatives • Number and nature of activities implemented in co-ordination/interaction with other MM (not Council of Europe MM) 	<ul style="list-style-type: none"> • Document review • Interviews • Focus group discussions 	<ul style="list-style-type: none"> • Monitoring mechanisms reports, MMs annual reports, Council of Europe reports, government reports, reports of other international 	<ul style="list-style-type: none"> • Quantitative and qualitative data analysis • Mapping

EVALUATION CRITERIA	KEY EVALUATION QUESTIONS	SUB-QUESTIONS	INDICATORS (OUTPUTS, OUTCOMES, QUALITATIVE AND QUANTITATIVE)	DATA COLLECTION METHODS/TOOLS	DATA SOURCES	METHODS FOR DATA ANALYSIS
		this allowed progress in the different sectors?	and their perceived usefulness		organisations and CSOs <ul style="list-style-type: none"> • Interviews with staff and members of MMs, national stakeholders, experts and representatives of other international organisations and CSOs • Focus groups with staff MM of secretariats 	

APPENDIX III: COUNCIL OF EUROPE PUBLICATIONS ON MONITORING MECHANISMS

GENERAL DOCUMENTATION

Monitor/Inf(2004)3: Committee of Ministers Monitoring procedures

<https://rm.coe.int/16805dd275>

SG/Inf(2013)18 Concrete measures for better co-ordination of monitoring mechanisms and modalities for improved follow-up and assistance

<https://rm.coe.int/09000016805c7d3a>

Monitoring mechanisms publications

[Monitoring mechanisms publications \(coe.int\)](#)

COUNCIL OF EUROPE/OSCE MEETING ON MONITORING OF COMMITMENTS – 1997

SUMMARY OF THE STATEMENT BY THE DEPUTY SECRETARY GENERAL AT THE JOINT COUNCIL OF EUROPE/OSCE MEETING ON MONITORING MECHANISMS

<https://rm.coe.int/090000168062e51c>

CM/Inf(2008)37-rev: Overview of the monitoring mechanisms in the Council of Europe 2008

<https://rm.coe.int/09000016805d2982>

Ad hoc Working Party on Monitoring (GT-MON) 2020

<https://rm.coe.int/CoERMPublicCommonSearchServices/sso/SSODisplayDCTMContent?documentId=0900001680a18a8c&ticket=ST-144841--FNgsnX-TyUa90IEwsaBgzjwso-cask-key>

CE/OSCE(97)4 COUNCIL OF EUROPE/OSCE MEETING ON MONITORING OF COMMITMENTS 1997

COUNCIL OF EUROPE MONITORING MECHANISMS

<https://rm.coe.int/0900001680525f0a>

CAHVIO (2009) 7: Monitoring mechanisms within the Council of Europe (CAHVIO)

<https://rm.coe.int/0900001680969651>

CM(2020)182 Exceptional measures for Monitoring mechanisms with on-site visits 2020

<https://rm.coe.int/0900001680a069d1>

CM/Del/Dec(2007)999 Committee of Ministers' thematic monitoring procedure: New modalities

(Adopted by the Committee of Ministers on 5 July 2007 at the 999th meeting (in camera) of the Ministers' Deputies)

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d559c

Council of Europe mechanisms in the fields of Democracy, Rule of Law and Human Rights

<https://rm.coe.int/CoERMPublicCommonSearchServices/sso/SSODisplayDCTMContent?documentId=090000168007fee9&ticket=ST-145337-MfNaSTIT0AO7KsrxiUKRz-z9UN0-cask-key>

Practical impact of the Council of Europe monitoring mechanisms

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806d22c8>

Strategic Framework of the Council of Europe 2020

<https://rm.coe.int/CoERMPublicCommonSearchServices/sso/SSODisplayDCTMContent?documentId=0900001680a07810>

CM(2021)50-final 131st Session of the Committee of Ministers (Hamburg, Germany, 21 May 2021)
Report on Council of Europe monitoring – strengthening cohesion and synergies

[Result details \(coe.int\)](#)

DD(2021)168 Strengthening cohesion and synergies between monitoring mechanisms – Draft report and draft decisions for the 131st Session of the Committee of Ministers (Hamburg, Germany, 21 May 2021)

<https://rm.coe.int/CoERMPublicCommonSearchServices/sso/SSODisplayDCTMContent?documentId=0900001680a23652>

List of the Council of Europe monitoring mechanisms (convention based)

[Monitoring mechanisms \(coe.int\)](#)

COMMITTEE OF MINISTERS

Committee of Ministers' thematic monitoring procedure: New modalities

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d559c

Overview of the monitoring procedures under the responsibility of the Committee of Ministers

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cae6a

PARLIAMENTARY ASSEMBLY

<https://pace.coe.int/en/pages/committee-4/AS-MON>

Arrangements regarding future work on the thematic monitoring PACE Monitoring

<https://rm.coe.int/09000016805ae333>

Complementary procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member state of its statutory obligations

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016809a65cf

Congress of Local and Regional Authorities, CPLRE

<https://www.coe.int/en/web/congress/work>

Department for the Execution of Judgments of the European Court of Human Rights

[Department for the Execution of Judgments of the European Court of Human Rights \(coe.int\)](#)

COMMISSIONER FOR HUMAN RIGHTS, HRC

Country Monitoring Commissioner for Human Rights

<https://www.coe.int/en/web/commissioner/country-monitoring>

European Social Charter, ECSR: conclusions and factsheets;

[Monitoring procedures under the European Social Charter \(coe.int\)](#)

Debate on the European Social Charter and its monitoring mechanism.

<https://rm.coe.int/09000016805ccff8>

MONEYVAL: Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism

[Monitoring progress \(coe.int\)](#)

European Commission against Racism and Intolerance, ECRI: country reports and interim follow-up conclusions

[European Commission against Racism and Intolerance \(ECRI\) - Homepage \(coe.int\)](#)

[Country Monitoring \(coe.int\)](#)

Framework Convention for the protection of national minorities, FCNM: Advisory Committee opinions and CM resolutions

[Monitoring the implementation of the Framework Convention for the Protection of National Minorities \(coe.int\)](#)

Strengthening the monitoring mechanism of the Framework Convention for the Protection of National Minorities

<https://rm.coe.int/090000168094b299>

<https://rm.coe.int/09000016806be54b>

European Charter for Regional or Minority Languages, ECRML: country reports

[Monitoring the European Charter for Regional or Minority Languages \(coe.int\)](#)

Group of Experts on Action against trafficking in human beings, GRETA: country reports

[Monitoring mechanism \(coe.int\)](#)

Group of Experts on Action against violence against women and domestic violence, GREVIO;

[About Monitoring \(coe.int\)](#)

[GREVIO \(coe.int\)](#)

<https://rm.coe.int/09000016807761aa>

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, CPT: reports on visits and Government responses

[European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment \(CPT\) \(coe.int\)](#)

Group of States against corruption, GRECO: evaluation and compliance reports

[Welcome to the GRECO website \(coe.int\)](https://www.coe.int)

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (T-ES), Lanzarote Committee

<https://rm.coe.int/090000168046ffcd>

T-DO - Anti-Doping, Monitoring Group of the anti-doping Convention

[Home \(coe.int\)](https://www.coe.int)

T-RV - Against Spectator Violence, Standing Committee (body in charge of monitoring the application of the European Convention on Spectator Violence and Misbehaviour at Sports Events)

[Home \(coe.int\)](https://www.coe.int)

Similar treaties in other international organisations

There are over 80 monitoring mechanisms with a human rights remit under the auspices of the United Nations, the Organisation for Security and Co-operation in Europe, the Council of Europe and the EU.

[Monitoring mechanisms | European Union Agency for Fundamental Rights \(europa.eu\)](https://www.europa.eu)

At UN

[OHCHR | Human Rights Bodies](https://www.ohchr.org)

United Nations, UPR [OHCHR | UPR UPR](https://www.ohchr.org)

The **Universal Periodic Review (UPR)** is a unique process which involves a review of the human rights records of all UN member states. The UPR is a state-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each state to declare what actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations.

The documents on which the reviews are based are: 1) information provided by the state under review, which can take the form of a “national report”; 2) information contained in the reports of independent human rights experts and groups, known as the Special Procedures, human rights treaty bodies, and other UN entities; 3) information from other stakeholders including national human rights institutions and non-governmental organisations.