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INFORMATION NOTE ON THE IMPLEMENTATION OF REGIONAL PROJECTS

PARTNERSHIP FOR GOOD GOVERNANCE

The Council of Europe provides a **brief report offering an update on progress** in the implementation of the regional dimension of the European Union/Council of Europe Partnership for Good Governance (second phase) (hereinafter: PGG II) within the period of July and September 2019.

Theme I – Strengthening Rule of Law and anti-corruption mechanisms (Deliverable 9)

Project: Regional project on strengthening measures to prevent and combat economic crime

In the Eastern Partnership countries, the project has set out to **strengthen measures to prevent and combat economic crime**. One of the ways it aims to do this is by supporting the countries in taking steps to implement GRECO recommendations on the prevention of corruption in respect of Members of Parliament. According to GRECO Fourth Round Evaluation, only three out of the six EaP countries (Armenia, Azerbaijan, Georgia) have adopted a Code of Conduct for MPs. There are still shortcomings in respect of the provision of further guidance, dedicated training and confidential counselling. It is also the case that the supervision of enforcement of accessory activities of the MPs is weak. During the reporting period, a toolkit on drafting parliamentary code of conduct, with reference material on management of conflict of interest was developed. The toolkit will be presented and discussed with parliamentary ethics committees and external oversight bodies at a dedicated Regional Workshop, taking place on 12-13 November 2019 in Vilnius.

A particular challenge faced by the Eastern Partnership countries is that of integrating and enforcing transparency of beneficial ownership in their systems. The countries in the region need to introduce internationally acknowledged regulatory frameworks, in line with new guidelines coming out of the FATF and the EU. In line with 5th EU AML Directive, countries should consider setting up central registers of beneficial ownership information for legal entities and legal arrangements. To support the EaP countries to address this issue, the Regional project has developed a Technical Paper outlining

international standards and requirements for establishment of BO registries, with an emphasis on the requirements of the EU 4th and 5th AML Directives and comparative analysis of the EU Member States' experiences of establishing registries of beneficial ownership and verifying data in those registries. In addition, the paper provides a tailored roadmap on practical implementation of the available policy options for establishing registries of beneficial ownership in the EaP countries and a step by step roadmap for the cross-border interconnection of the registers, as well as a description of existing solutions and developing practices in this field. The technical paper will be presented and discussed at a regional workshop in 2020.

Another area where the Regional Project seeks to support EaP countries is the recovery of illicitly acquired assets. While traditional confiscation measures appear to be providing limited results, development of non-conviction based recovery is being explored within the EaP context. With this in mind, the Regional Project has developed a best practices document to raise awareness of the benefits and challenges of non-conviction based confiscation, as well as the compatibility of such confiscation system with the ECHR. The best practices document represents an input to a regional workshop which will take place in March 2020.

Main past and forthcoming activities (October 2019 – February 2020):

- ❖ Regional Workshop on Parliamentary Integrity, 12-13 November 2019, Vilnius, Lithuania
- ❖ Regional Workshop on Effective Implementation of Targeted Financial Sanctions, 9-10 December 2019, Strasbourg, France
- ❖ Regional Conference: From Asset Recovery to Asset Management, 29-30 January 2020, Chisinau, Republic of Moldova (in cooperation with EU/CoE Project "Controlling corruption through law enforcement and prevention" (CLEP))

Theme II – Implementing key judicial reforms (Deliverable 10)

Project: Strengthening the profession of lawyers in line with European standards

The project **to support the lawyer profession** was launched in five Eastern Partnership countries in July. Azerbaijan does not participate in the project. The project manager, who is based in Armenia was recruited and will work under the guidance from the headquarters. In its inception period (July – October), the project communicated with the partners – mainly Bar Associations and Young Lawyers Associations - in Armenia, Belarus, Georgia, the Republic of Moldova and Ukraine to explain the

project objectives. The essence of the project is to assess the situation in the countries regarding the functioning of lawyers' representation and their position in the administration of justice. The assessment will be structured around three main areas, such as ethical standards for lawyers and provision of legal services/aid, and will be followed by the development of action plans in selected countries with measures to implement the recommendations emanating from the assessment. The assessment will provide the basis for future measures at the national level which will be supported by regional exchanges. The terms of reference for consultants were prepared and the tender launched for this purpose. The results of assessment will be analysed and discussed at the Regional Meeting to be held in December 2019 back-to-back with the Steering Committee. As an indirect effect, it is expected that the assessment and the subsequent discussions will become a reference point for the new Council of Europe Convention on the profession of lawyers whose drafting was recommended by the Parliamentary Assembly.

Main past and forthcoming activities (October – February 2020):

- ❖ Delivery of cross-country review in the five participating countries concerning organisation and functioning of the bar, November – December 2019
- ❖ Regional Meeting of Bar Associations, Yerevan, 11 – 12 December 2019
- ❖ Technical Steering Committee, Yerevan, 11 – 12 December
- ❖ Delivery of cross-country review in the five participating countries concerning legal services, including free legal aid, to be started in January – February 2020

Theme III – Combating discrimination and protecting the rights of vulnerable groups and women

Project: Women's access to justice

As regards **women's access to justice**, the aim of the project in the Eastern Partnership countries is to deliver on the Istanbul Convention and other European gender equality standards and ensure that the justice system is gender -responsive. One of the prescribed ways of achieving this is practice oriented educational activities targeting legal professionals involved at the different stages of the justice chain on gender sensitive responses to cases in order to ensure equal access to justice for women and men and especially victims of violence. In this regard, a guide for conducting the Mentoring Programme for legal professionals for the training of judges and prosecutors (in the legal institutes of the six Eastern Partnership countries) was developed. This was developed alongside the training methodology for a training of mentors. The guide will be finalised and distributed after the feedback received from the 30 participants in the first training course for mentors (21-22 October 2019). There will also be

translations (for all 6 EaP countries) of the guidance note on measuring access to justice, including specific challenges facing women and a guide for legal practitioners on women's access to justice.

Main past and forthcoming activities (October – February 2020):

- ❖ Training of Mentors, Mentoring Programme, 21-22 October, Budapest, Hungary
- ❖ Project Steering Committee, videoconference, 18 November,
- ❖ Development of the checklist for gender mainstreaming law schools' curricula, mid-January-April 2020

Project: Strengthening the access to justice through non-judiciary redress mechanisms for victims of discrimination and hate crime

In the area of strengthening access to justice **through non-judicial redress mechanisms for victims of discrimination, hate speech** and hate crime, PGG II is involved in reviewing the compatibility of the non-discrimination legislation in the Republic of Moldova and improving the data collection in Armenia, Moldova and Ukraine while taking into account European standards on monitoring discrimination, hate crime and hate speech. An expert opinion is being prepared on the Law on Ensuring Equality and Law on Activity of the Equality Council in the Republic of Moldova (see also the national project). The work in this area also extends to capacitating national stakeholders on the monitoring and implementation of anti-discrimination laws. In Armenia, 20 national stakeholders discussed how best to collect disaggregated data, from civil society, public institutions, Ministry of Justice and the Ombudsoffice. Furthermore, 7 staff members of equality bodies/Ombudsoffices and 5 NGO representatives attended the conference in Paris in September to mark the 25th anniversary of the creation of the European Commission against Racism and Intolerance (ECRI), which provided them with an opportunity to get familiar with European standards on anti-discrimination.

Main past and forthcoming activities (October – February 2020):

- ❖ National working meeting on disaggregated data collection, the European standards on monitoring discrimination, hate crime and hate speech in Yerevan, Armenia, on 3 July 2019
- ❖ European Commission against Racism and Intolerance 25th anniversary Conference in Paris, on 27 September 2019
- ❖ Panel discussion entitled "Draft Law on National Minorities: issues, concerns and opportunities" in Yerevan, Armenia on 31 October 2019
- ❖ Joint launch of the PGG national/Moldovan and regional project on anti-discrimination with expert input on anti-discrimination and regional exchange of experiences, on 7 November 2019 in Chisinau, Republic of Moldova

- ❖ First regional meeting of the regional project with a thematic focus on strengthening the capacity of equality bodies/Ombudsoffices and NGOs to inform the wider public about available redress mechanisms to discrimination, hate speech and hate crime, and to specifically reach and communicate in adequate ways with women and men from vulnerable communities, on 7 November and 8 November 2019 in Chisinau, Republic of Moldova
- ❖ Training seminar on antidiscrimination standards in practice according to European and ECRI standards for the officers of the Commissioner for Human Rights of the Republic of Azerbaijan on 2 and 3 December 2019 in Guba, Azerbaijan
- ❖ National training seminar on antidiscrimination standards in practice according to European and ECRI standards for the officers of the Commissioner for Human Rights of the Republic of Azerbaijan on 2 and 3 December 2019 in Guba, Azerbaijan
- ❖ National training seminar on antidiscrimination standards in practice according to European and ECRI standards for public authorities and NGOs in Belarus on 12 and 13 December in Minsk, Republic of Belarus
- ❖ Presentation of Recommendations and Guidelines on desegregated data collection on discrimination, hate speech and hate crime in Armenia in February 2020, in Yerevan, Armenia
- ❖ Presentation of Recommendations and Guidelines on desegregated data collection on discrimination, hate speech and hate crime in Ukraine in February/March 2020, in Kiev, Ukraine
