



## **Platform 1 on Democracy, good governance and stability**

### **Implementation report**

(November 2014- July 2015)

*The EEAS in cooperation with Commission services and with input from the Council of Europe submits to Platform 1 participants the third implementation report on activities undertaken within the framework of the **Platform 1 Work Programme on Democracy, good governance and stability**. In principle, this implementation report covers the period since November 2014 up to the end of July 2015. However, in some areas the report outlines plans for the near future as well.*

### **Public Administration Reform**

The Panel on Public Administration Reform continued to implement its streamlined Work Programme. Expert workshops and seminars were organised in all four areas of its competence 1. Civil service, public administration organisations and their functioning (led by Poland); 2. Transparency, e-government and data protection (led by Estonia); 3. Local/regional government and decentralisation (led by the Czech Republic); 4. Effective management of technical assistance (led by Ukraine). The thematic focus of the last Panel meeting (Stockholm, 4 June) was Responsive Governance at a Local and regional level. Projects in the areas of Transparency, e-governance, local democracy and the rule of law have been under preparation by some EUMS. In March, Finland and Estonia launched a Project on Participatory Democracy, Open Governance & Efficient e-Government Services– Capacity Building Support to Eastern Partnership Countries. Estonia continued its long-term project on improved communication about the EU in the partner countries with its April edition in Brussels. On this occasion, Estonia presented its set of recommendations: <http://eceap.eu/en/portfolio-items/anneli-kimber-and-ehel-halliste-eu-related-communication-in-eastern-partnership-countries-2/>. The Panel launched its study as requested by Area 3: *“Public Administration Reform at the Local and Regional Level in the Eastern Partnership Countries: developments from 2012 until 2015 in the field of decentralisation and recommendations for the future”*. The study started in April 2015 and should be finished in 6 months. Its main objective is to analyse progress made across all EaP countries in relation to fiscal decentralisation and to suggest improvements in this regard. In addition, the study will diagnose the progress made in the EaP countries since 2012 in the area of improvement of legal and institutional frameworks for local democracy. The study will complement various activities carried out through the Council of Europe-EU Eastern Partnership Programmatic Co-operation Framework (2015-2017), namely projects focusing on increasing the efficiency, transparency and accessibility of local self-government and enhancing their capacity; incorporating best practices and implementing policy recommendations; increasing leadership



capacities of local elected representative and promoting effective provision of services to citizens, in particular through inter-municipal co-operation.

### **Fight against corruption**

From November to December 2014 assistance from the Council of Europe to the EaP countries in the fight against corruption has been provided through the Council of Europe EaP Facility 2011-2014. From January to July 2015 this co-operation has been conducted under the Council of Europe/EU Programmatic Co-operation Framework (PCF) 2015-2017 which includes both country-specific and multilateral activities in the field of fight against corruption.<sup>1</sup> In general, to date the Council of Europe work in this area has improved the design of the new national anti-corruption strategies in Azerbaijan, Georgia, and Ukraine as well as on the local level in the Republic of Moldova. It also managed, supported by handbooks or training manuals, to increase capacity of law enforcement officials and of civil society representatives in the following key areas for the region. The Council of Europe further helped to align the national legislation with international standards in cases such as compatibility of Criminal Code, draft law on the Protection of Whistle-blowers in Azerbaijan or opinion on the function of electronic auctions and procurement in Belarus. In addition, the Council of Europe assisted the Eastern Partnership partner countries in several cases to fulfil GRECO Recommendations or conditions set by EU Visa Liberalisation Action Plans. Under the new Council of Europe/EU PCF 2015-2017, the Council of Europe has launched in January 2015 the Action against Corruption, fostering good governance and fighting against money laundering, hereinafter: the **PCF Anti-Corruption Programme**. This programme is composed of four country-specific projects for Azerbaijan, Georgia, Ukraine and Belarus: 1) the fight against corruption; 2) fostering good governance; 3) the fight against money laundering; 4) a Regional Project following the same theme covering all six Eastern Partnership countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine). The Anti-Corruption Programme aims at improving the legal framework and the institutional capacities on prevention and repression of corruption, particularly in terms of implementing relevant GRECO recommendations. In Armenia a project on improved integrity and combatting corruption in the field of higher education already began. The Eastern Partnership Panel on the Fight against Corruption is to be held on 3 July in Amsterdam, at which point participants will discuss the mechanisms for promoting public sector integrity and will have the opportunity to exchange good practice and experience on issues surrounding asset declarations.

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<sup>1</sup> *The CoE/EU PCF also covers the co-operation in the fields of elections, judiciary and fight against cybercrime*



## Electoral standards

The previous work of the Council of Europe in the framework of the current Work Programme contributed to an improved compliance with and awareness of European electoral standards. This was mainly ensured through training provided by the Council of Europe's Venice Commission to the election administrations on specific issues aimed at improving the quality of election organisation and at reinforcing the role of the Central Electoral Commissions and of the electoral administration as a whole. At the same time, NGOs learned how to perform their role as observers and provide constructive criticism about the electoral process. This was mainly assured by strengthening women's participation in political and public life and raising awareness on electoral issues among women and young voters and by creating a network of trainers aimed at increasing the quality of election observation reports. Finally, awareness was raised amongst voters regarding their role in the functioning of democratic elections and by increasing their participation. The new electoral standards component includes 4 country-specific projects for Armenia, Georgia, Ukraine and the Republic of Moldova and one regional project which aims to align electoral legislation and its implementation and to ensure that electoral practice is compliant with the principles of the European Electoral Heritage, to build capacities of electoral administration and management bodies and to consolidate electoral procedures at the national level. As an example, the Council of Europe is implementing a **bilateral project** on "Strengthening the capacities of the Centre for Continuous Electoral Training (CCET) by the Central Electoral Commission of the Republic of Moldova". The first meeting with the Centre for Continuous Electoral Training took place in Strasbourg in February. In addition, several training activities on the case-law of the European Court of Human Rights on election-related issues and on international practice in dealing with electoral disputes took place between March and April in Chisinau and in the regions. In the framework of the **regional projects** a kick-off meeting with representatives of the Council of Europe's NGO network engaged in discussions on domestic election observation with a view to revising the Council of Europe's domestic observer **handbooks** on reporting and international standards. On the basis of the updated handbooks, the Council of Europe will launch an e-learning course. Other activities planned include a regional study on women's participation in politics and the setting-up of a Gender Equality Index, organising a regional conference on the monitoring of campaign finance and a pilot test of the e-learning programme in Armenia.

## Integrated Border Management

During its last meeting in June 2015 (Riga), the Panel on integrated border management focused on themes aimed *inter alia* at helping the partner countries to implement requirements under the relevant chapters of DCFTAs or VLAPs where applicable. Specifically, the Panel focused on further explanation of the Common Transit Procedure as a Europe-wide customs network tool, as well as on Port risk management tools and



international port cooperation. DG TAXUD announced the publication later in the year of the Revised Customs Blueprints. The Panel also heard EUBAM's recommendations to the Ukrainian State Fiscal Services and other State Border Control Services identifying areas where improvements in clearance control procedures should be made and how they should be achieved. The Panel continued to follow the implementation of the IBM Flagship Initiative's pilot projects. As regards the capacity building project of the **Flagship Initiative** led by FRONTEX, a three year project with €4.5m estimated cost received overall support from the partner countries. The project has already been delivering targeted trainings (border guards and customs officers) and expert workshops, *i.e.* in the areas of Combatting Trafficking in Human Beings, Basic & Mid-Level English for Border Guards at Airports, and Advanced Cargo Declaration – EC regulation regarding the entry and exit of goods in the customs territory of the EU. In addition, FRONTEX, in cooperation with implementing partners, has been translating the following key border management documents into the local languages of the partner countries: the Common Core Curriculum for Border Guards/Police; Common Integrated Risk Analysis Model (CIRAM) Methodology; Guidelines for Anti-trafficking training for border guards Trainers' manual; Fundamental Rights training for border guards Trainers' manual and Procurement of equipment for Risk Analysis. Since 2011 the EU has provided financial support for a total of 9 projects at a total of €32.5m. In 2015 an additional 3 projects have been selected and are now in the process of formulation (for an estimated EU-contribution of €7.5m). A deadline of 12 October 2015 has been set for a new call for pilot project proposals.

### **Improved functioning of the Judiciary**

The Council of Europe's EaP Facility fully achieved its two expected results: the five Eastern Partnership countries (Armenia, Azerbaijan, Georgia, Republic of Moldova and Ukraine) became aware of their national shortcomings as regards the compatibility of domestic legislation and practice with relevant European standards, in particular in the areas of independence, professionalism and judiciary efficiency. In addition, each of these five partner countries was provided with country-specific recommendations on the steps to be taken for meeting these standards. Under the Council of Europe/EU Partnership Cooperation Framework 2015-2017, the Council of Europe has started the previously agreed work on one regional and four bilateral projects. They aim to strengthen the independence and efficiency of the judiciary, strengthen the role of courts in delivering user-oriented justice and improve the quality of the profession of lawyers (advocates). The projects are at an initial stage of implementation and an assessment of results and deliverables will be provided for the next Platform report.



## Asylum and Migration

The work and meetings of the **Panel on Migration and Asylum** in the reporting period have been devoted to **4 topics**: (i) asylum procedures and credibility assessment (The Hague, December 2014); (ii) migration data management and migration trends (Budapest, March 2015); and (iii) labour migration practical management (Minsk, May 2015); (iv.) internally displaced persons (Kiev, June 2015).

(i). The two-day expert meeting took place on 8-9 December 2014 and was co-hosted by the Netherlands and Georgia. Interesting dynamics and practices regarding the **application and practical use of the Country of Origin Information** showed the link between the credibility assessment and the quality and quantity of the assessment procedure. The presentations delivered by Sweden, Georgia, Poland, Sweden and the Netherlands highlighted that credibility assessment to status determination and that an individual approach in each case remains crucial. The EASO presented the newly-developed training module on credibility assessments and involved the participants through two concrete case studies, highlighting the importance of clear methodology to ensure that decisions are fair and take into account the principle of the benefit of the doubt.

(ii). The March panel meeting was hosted by Hungary and Moldova. Close to 60 experts and officials from Eastern Partnership countries, EU Member States, academia, civil society and international organizations came together in Budapest to exchange and review their practices and approaches to **migration data management**, update each other on methodologies for data analysis and discuss how to establish the right balance between data protection principles and efficient usage of data. Discussion focused mainly on the “Big Data” mechanisms and applications in migration trends analysis. The participants had the possibility to see and discuss the practical example of sophisticated use of data collected from the mobile telephone operators in Scandinavia to monitor migratory movements.

(iii) On 6- 7 May, the Panel held a meeting on practical aspects of **labour migration** in Minsk. It was the first time that the Panel was hosted by Belarus and demonstrated the significant interest among the Eastern Partnership countries to discuss practical aspects of labour migration. Participants had the possibility to share information on national policies aimed at attraction of high-skilled workers, i.e. Hungary and Belarus described in detail how the national admission systems function, which procedural steps should be taken by the employer and employee, what types of work permits exist and which labour migration management tools are used. EaP countries showed a keen interest in developing more practical arrangements of labour migration vis-à-vis the EU countries.

(iv.) On 4-5 June, Ukraine and the Czech Republic co-hosted an ad-hoc meeting to compare practices and approaching the issues of **IDPs**, including their registration and integration. Participants were able to openly discuss how to respond to the direct and indirect challenges of internal displacement in a timely and flexible manner, drawing on the experiences shared during the meeting by Ukraine, Georgia and the Centre for Eastern Studies. Poland focused its



intervention on the impact of the Ukraine crisis on its applications for asylum and increased migration, whilst the UN underlined the need to have a comprehensive international policy on IDPs. The European Commission and IOM outlined their actions directed at IDPs, which included recovery and (re-)integration, social stabilization efforts and projects to improve livelihoods.

### **Fight against Cybercrime**

The EaP Council of Europe Facility project helped integrate Eastern Partnership countries in international efforts against cybercrime. This is clearly visible with respect to the work of the Cybercrime Convention Committee, to which most EaP countries actively contribute. It is understood that EaP countries now engage in more police and, to some extent, judicial co-operation with other countries. EaP countries are thus more firmly integrated into European and international efforts on cybercrime. With regard to legislation, EaP countries are fairly consistent with international standards of substantive criminal law on cybercrime. However, in some countries (Armenia, Azerbaijan, Belarus and to some extent Ukraine) specific procedural law powers are missing. All EaP countries now have cyber security strategies adopted or in draft form with the exception of Belarus. In Georgia, Republic of Moldova and Ukraine action against cybercrime is among the priorities of cybersecurity strategies. In Georgia, cybercrime is also reflected in the strategy on organised crime. Under the Council of Europe/EU PCF 2015-2017, the Council of Europe has launched a regional project "Criminal justice action in Cybercrime". The aim of this project is to enable more efficient regional and international co-operation on cybercrime and electronic evidence in Eastern Partnership countries. Efficient international judicial and police co-operation is one of the most important conditions for effective measures against cybercrime and other offences involving electronic evidence given its transnational and volatile nature.

### **Cooperation among law enforcement agencies**

In December 2014 **Eastern Partnership Police Cooperation Programme's** Action Plans for 5 EaP partner countries were completed and agreed. Within the **bilateral component** of the programme each of the EaP country created a **partnership** with a consortium member, i.e.: **Ukraine** formed a strategic partnership with the **French** Ministry of Interior; **Georgia** with **Lithuanian** Ministry of Interior; **Azerbaijan** with the **German** Ministry of Interior; **Armenia** and **Republic of Moldova** concluded a strategic partnership with **Polish** Ministry of the Interior. As an example of bilateral activities, trainings on project management in home affairs and on data protection for the Republic of Moldova had been completed as well as a bloc of trainings on strategic management for Armenia. Training on fight against cross-border crime (JIT) is in progress for the Republic of Moldova. Activities for Georgia and Ukraine are planned for September 2015. In general, the most important thematic areas for the **multilateral component** of the Program are as follows: Fighting organised crime in particular of cross-border character; Fighting trafficking in human beings, Combating drug trafficking,



Combating economic crime, Fighting terrorism and cybercrime; Data protection, EU Fund Management, HR management in law enforcement, Forensic and data bases and new technologies. The planning of the multilateral component is under way and activities should start during the summer 2015.

### **Prevention of, preparedness for, and response to natural and man-made disasters**

#### **(PPRD)**

The **PPRD-East Flagship Initiative** phase 2 (2014-2018) follows naturally the phase 1 (2010-2014). It is the EU's main response to the wish expressed by the 6 EaP partner countries to be more closely associated to the EU Civil Protection Mechanism (UCPM). On 6 May 2015, at the occasion of a high-level roundtable discussion with civil protection authorities of 44 countries (including all EU Member States and the 6 EaP partner countries), DG ECHO officially presented the concept of "Associated Partner" to the UCPM, which can be made available to neighbouring countries who are ready for a deeper level of cooperation with the EU. This entails, however, some further decisive improvements of their institutional capacities and general framework to prevent disasters, which are precisely the areas the PPRD-East phase 2 is addressing. The project's inception phase is now over and a work plan has been approved for the first year, as well as series of relevant trainings and seminars in the region and in the EU. Over the summer of 2015, the project will complete missions in the 6 countries to assess the respective situations with regard to flood management and approximation to the Flood Directive, disaster risk assessment, disaster loss data collection and processing, data and information sharing and INSPIRE Directive, approach to volunteerism in civil protection, and disaster risk management planning. The project will also analyse progress made in adopting the recommendations provided under the PPRD Flagship initiative phase 1 and will closely coordinate its activities with a new project on Chemical Accident Prevention that ECHO should launch in the region in the coming months.

### **CFSP and CSDP cooperation**

The EaP **Panel on cooperation in the area of Common Security and Defence Policy** convened for the fourth time on 20 March 2015 in Brussels. Since the establishment of the Panel in 2013, twenty different activities have been organised. In particular, partner countries praised a few recent events: a field trip to the EUMM in Georgia and workshop on civilian capabilities; a workshop on EU battle groups and observation of a Nordic Battle Group training exercise; and CSDP orientation courses in Kiev and Chisinau. Lithuania presented the newly established **Trust Fund mechanism** (signed by HU, LT, LV, and UK) for sponsoring engagement of EaP countries in CSDP military operations and missions, which was highly appreciated particularly from the Republic of Moldova and Georgia. The Republic of Moldova and Georgia offered positive preliminary feedback on their participation in EUTM Mali and EUFOR RCA respectively. They promised to share reports on lessons learned once ready and reconfirmed their commitment to participate in EUMAM RCA (1



staff member from Moldova; 5 staff members as immediate response team Georgia) and in EUTM Mali (Georgia with 1 staff member). The partners have expressed their willingness to continue joint activities in this multilateral format. Together with several EU Member States (Austria, Lithuania, Poland, and Sweden) the EEAS will continue organizing CSDP Orientation Courses in partner countries; CSDP-related study trips to the EU led missions/operations; specialised workshops on civilian capabilities or public diplomacy, etc. The EU and some of the partner countries continued regular bilateral staff consultations on CSDP with the second round of meetings held in Tbilisi and Chisinau.

### **Eastern Partnership information/communication & public diplomacy**

**Regional communication** activities in Eastern Partnership countries until February 2015 took place under the ENPI Regional Communication programme. Ongoing support under the EU Neighbourhood Info-Centre aims to continue the work on enhancing information and communication to the public and on strengthening the capacity of the main partners in spreading the information. Implementation of the regional communication programme **OPEN** (Opportunities, Participation, Engagement and Networking with the citizens in the European Neighbourhood area) will begin in October/November 2015. The programme covers all 16 countries of the Neighbourhood with an overall budget of €20 million for 2015-2019. €10 million will be for the Eastern Partnership countries. It will be implemented through three projects:

- a) one project focusing on **journalists** and media professional training and support to **media productions**
- b) one project supporting **communication** activities on EU funded programmes, projects and activities in the **Eastern** Neighbourhood
- c) one project supporting **communication** activities on EU funded programmes, projects and activities in the **Southern** Neighbourhood and ensuring coordination and synergies among all three projects

EU support is available through **various funding instruments**, such as the European Neighbourhood Instrument (ENI and its predecessor European Neighbourhood and Partnership Instrument, ENPI), the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument for Stability. It should be noted that media-related issues can be the main aim or one of several areas covered in a project. **Bilateral support** focuses on the promotion of media pluralism, media freedom, support skills and professionalism of journalists, media legislation, support to public broadcasters, new media development, professional and ethical standards of the media, and support to local/civil media initiatives. **Regional support** focuses on support to journalists, support to communication, opinion polling and media monitoring, and media legislative framework.