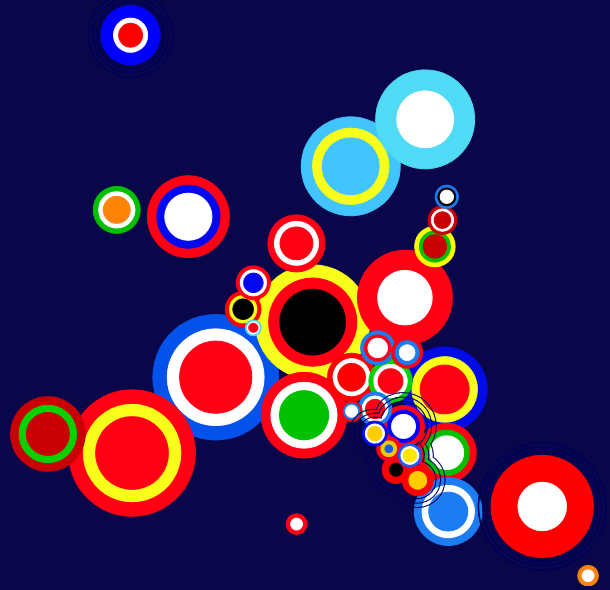




INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

MULTI-COUNTRY

EU/CoE Horizontal facility for
Western Balkans and Turkey



Action Summary

The objective of the Action is to support reform processes in the areas rule of law, democracy and human rights through the Council of Europe utilizing its unique position of offering a highly interconnected system between standard setting, monitoring and technical assistance in these key areas.

This is to be achieved through the establishment of an *EU/CoE Horizontal facility for Western Balkans and Turkey* which will provide for an initial 3 year mid-term funding arrangement permitting the utilization of technical and legal expertise of the Council of Europe required for the IPA II Beneficiaries to advance towards compliance with the European standards and the *EU acquis*.

Action Identification	
Programme Title	IPA II Annual Multi-country Action Programme 2015
Action Title	EU/Council of Europe Horizontal facility for Western Balkans and Turkey
Action ID	IPA 2015/031-609.03/MC/CoE facility
Sector Information	
IPA II Sector(s)	9. Regional and territorial cooperation
DAC Sector	15150 Government and civil society
Budget	
Total cost (VAT excluded)¹	EUR 22.22 million
EU contribution	EUR 20 million
Management and Implementation	
Method of implementation	Direct management
<i>Direct management:</i>	DG NEAR, Unit D 5
Location	
Zone benefitting from the action	Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Kosovo*, Serbia, Turkey
Specific implementation area(s)	N/A
Timeline	
Deadline for conclusion of the Financing Agreement	N/A
Contracting deadline	31/12/2016
End of operational implementation period	31/12/2019

1. RATIONALE

In 2012 an evaluation was conducted to review the European Commission's cooperation with the Council of Europe (CoE) for the period 2000-2010. One of the key recommendations proposed a more sustainable, long term funding arrangement for programmatic support. This could ensure that necessary reforms would be addressed in more strategic, result-oriented

* This designation is without prejudice to positions on status, and is in line with UNSC 1244/1999 and the ICJ Opinion on the Kosovo Declaration of Independence

manner, at the same allowing to streamline the current fragmented project portfolio. On 4 April 2014, the European Commission and the CoE signed a Statement of Intent to strengthen strategic and programmatic cooperation in the enlargement countries (and in other regions) with a view to ensuring a long-term flexible and predictable engagement in particular in the following areas:

- ❖ Ensuring Justice, including justice reform including prisons and police;
- ❖ Fighting corruption, economic crime and organised crime;
- ❖ Promoting freedom of expression and information, and freedom of the media;
- ❖ Promoting anti-discrimination and protection of the rights of vulnerable groups (including the rights of LGBTI and protection of minorities, in particular Roma)

As a result the European Commission is establishing the *EU/CoE Horizontal facility for Western Balkans and Turkey* through this Action. Under the EU/CoE Horizontal Facility for Western Balkans and Turkey, the CoE will base its support to address identified shortcomings in selected IPA II beneficiaries mainly in the four key thematic areas agreed, as individually assessed through CoE monitoring and expert bodies and in line with the EU enlargement agenda. Core technical and legal expertise and subsequent implementation will be coordinated by both co-operation specialists in the CoE Strasbourg secretariat and locally based CoE teams. Close cooperation with civil society organisations will be sought systematically.

The European Commission is planning to sign with the CoE a grant agreement covering an initial three year period (2015-2018) and providing a financial allocation of EUR 20 million. The amount of funding takes into account past level of funding, current allocations under national and regional IPA envelopes as well as the results of the CoE evaluation of 2012. A mid term review will be conducted in 2017, upon which EU funding to the CoE for the Western Balkans and Turkey for the following three-year period will be considered, depending on the level of achievement of the objectives and results. It is foreseen for the facility to absorb most EU cooperation with the CoE in the Western Balkans limiting the fragmented project based approach for the future. In the case of Turkey, however, additional national EU envelopes will continue to exist complementing the support provided to Turkey under the facility.

PROBLEM AND STAKEHOLDER ANALYSIS

Rule of law, the respect of human rights and democratic governance are fundamental values on which the EU is founded and is at the heart of the accession process. Countries aspiring to join the European Union need to establish and promote the proper functioning of the core institutions necessary for securing the rule of law. Strengthening the rule of law remains a key challenge for most of the countries in the enlargement process, in particular in terms of improving the functioning and independence of the judiciary and fighting corruption and organised crime. Far-reaching judicial reforms need to be undertaken with the aim of ensuring independent and efficient judicial systems capable of ensuring fair trials, where judges are appointed and promoted on merit and where they are impartial and accountable.

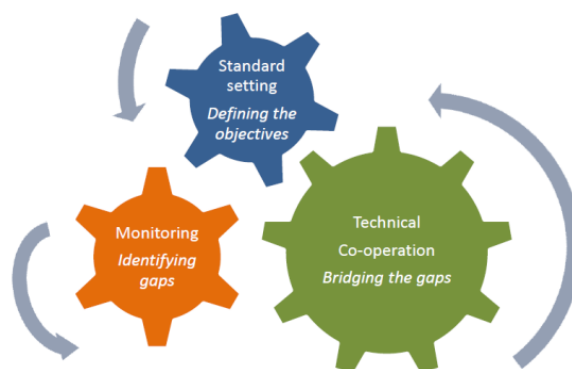
Fundamental rights are largely enshrined in law but more efforts need to be undertaken to ensure they are fully respected in practice. The IPA II beneficiaries need to put in place a more robust institutional framework for the protection of fundamental rights. There is a need to better protect the rights of persons belonging to minorities and to tackle discrimination and hostility towards vulnerable groups, including on grounds of sexual orientation. More needs

also to be done to ensure the proper implementation of legal commitments and better address the difficulties facing ethnic minorities. Issues such as use of minority languages, access to education, and political representation often require greater attention. Further work is also required to promote the rights of women, including tackling domestic violence.

Freedom of expression and media also remains a particular concern. The situation in these areas has deteriorated in practices in some countries recently. Concerns relate to government interference with media freedom and informal economic pressure on the media. More efforts are needed to ensure the political and financial independence of public service broadcasters. Regulatory agencies need to be strengthened and functional media self-regulation fostered. In some countries, a climate of fear and censorship is reported with continuing violence and intimidation against journalists.

To raise the importance of necessary key reforms on rule of law and human rights issues to take place at an early stage of negotiations and in order to allow for such reforms to take root, the Commission introduced in its 2011 Enlargement Strategy a new approach to the relevant Chapters 23 and 24. Under the new approach, all the IPA II beneficiaries starting with accession negotiations are undergoing a screening after which they develop Action Plans for Chapters 23 and 24 with clear benchmarks on how to overcome existing gaps. Compliance with key CoE's conventions and implementation of recommendations from the monitoring bodies' of the CoE are hereby key in areas such as corruption or national minorities. The recommendations of various CoE monitoring bodies are being integrated into the respective (draft) Action Plans for Chapters 23 and 24 by the governments of Montenegro and Serbia and their fulfilments will be used as milestones to indicate progress.

The CoE's main comparative advantage is therefore the fact that the cooperation with its Member States is based on CoE's own standard setting in the key areas of cooperation and the follow-up monitoring of the compliance with these standards. The CoE is well equipped to use these recommendations to identify shortcomings in, for example, member states' legislation, institutions and practices, for tailor-made programmatic co-operation. The CoE has already for years been one of the key strategic partners to the European Commission, both at the policy level and as an implementing partner.



Graph 1: Council of Europe's strategic triangle

RELEVANCE WITH THE IPA II MULTI-COUNTRY STRATEGY PAPER AND OTHER KEY REFERENCES

The IPA II Multi-Country Indicative Strategy Paper 2014-2020² and the Indicative Strategy Papers³ refer to continuing challenges in the Western Balkans and Turkey in the area of democracy and the rule of law include the functioning and independence of institutions guaranteeing democracy, fighting organised crime and corruption, ensuring independent, impartial, efficient and accountable judicial systems, as well as with safeguarding fundamental rights such as freedom of expression and rights of persons belonging to minorities as well as vulnerable groups, notably Roma. The strategy papers hereby echo the Enlargement Strategy for 2014-15.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

To support reform processes in the areas of rule of law, democracy and human rights the European Commission and the CoE have been closely cooperating in South Eastern Europe and Turkey through Joint Programmes for many years. Out of the overall programmatic cooperation between the European Commission and the CoE in the 47 CoE member states over 50% of activities have been carried out in the seven IPA II Beneficiaries (and Croatia prior to EU accession).

The 2012 Evaluation Report of the European Commission's cooperation with the CoE (2000-2010) generally assessed the relevance as positive. The consistent finding was that those Joint Programmes worked best where close linkage existed to the CoE core standard setting and monitoring. At the same time systemic weaknesses were identified relating to the implementation of the Joint Programmes throughout the project cycle. DG Enlargement's experience working with the CoE through Joint Programmes is fully represented in the Evaluation's findings. Based on the findings of the Evaluation, the CoE has embarked on a large scale institutional reform seeking to address the identified weaknesses in a comprehensive manner. Overall, the evaluation report recommended to consider 'some predictable longer term funding agreements to enhance impact especially in areas where reform requires longer term efforts as well as facilitating projects being situated more in the context of wider sector reform'.

The present Action fully reflects the findings of the evaluation, by offering a more predictable funding arrangement while maximizing on the comparative advantage of the CoE.

² C(2014) 4293, 30.06.2014

³ C(2014) 5770, 18.08.2014-Albania; C(2014) 9495-Bosnia and Herzegovina, 15.12.2014; C(2014) 5861, 19.08.2014-the former Yugoslav Republic of Macedonia; C(2014) 5771, 18.08.2014-Montenegro; C(2014) 5772, 20.08.2014-Kosovo; C(2014) 5872, 19.08.2014-Serbia; and C(2014) 5998, 26.08.2014-Turkey

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

Instructions:

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	
<p>To support country tailored reform processes in the areas of rule of law, democracy and human right with the aim for the IPA II Beneficiaries to comply with the <i>EU acquis</i> and European standards.</p>	<p>Level of increase of government's compliance with <i>EU acquis</i> and European standards in the areas of rule of law, democracy and human rights through assessments</p>	<p>Progress Reports by the European Commission, CoE reports and reports of other international organisations Reports by national accountability institutions (courts, ombudspersons, etc.) Think tank reports NGO reports.</p>	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	ASSUMPTIONS

<p>To improve the performance of each IPA II Beneficiary to (fully) implement key recommendations of relevant CoE monitoring and expert bodies and to execute judgements of the European Court of Human Rights in the areas of justice, corruption/economic and organised crime, freedom of expression/information/media, anti-discrimination and protection of the rights of vulnerable groups.</p>	<p>Yearly assessment for compliance with Council of Europe standards.</p> <p>Number of implemented monitoring bodies' recommendations and increased level of progress for those not fully implemented.</p>	<p>Progress Reports by the European Commission, Reports from relevant monitoring bodies including GRECO, MONEYVAL, FCNM, ECRI, ECRML, CPT, ECSR GREVIO (in future) and expert body opinions such as Venice Commission or CEPEJ. Reports by other CoE bodies, such as CoE Secretary General, Committee of Ministers and PACE, Commissioner for Human Rights. Reports by other international organisations Reports by national accountability institutions Think tank reports NGO reports</p>	<p>Continued ownership and commitment by IPA II Beneficiaries to move towards compliance with CoE standards in the area of rule of law, democracy and human rights.</p> <p>To these aims:</p> <p>a) CoE and Commission will continue to raise awareness of the importance to implement CoE recommendations. b) CoE and Commission will ensure sufficient flexibility to respond to demand for assistance from IPA II Beneficiaries.</p>
<p>RESULT</p>	<p>OBJECTIVELY VERIFIABLE INDICATORS (OVI)</p>	<p>SOURCES OF VERIFICATION</p>	<p>ASSUMPTIONS</p>
<p>Result 1: Increased level of implementation of key CoE recommendations within the technical expertise of the CoE and through this increased</p>	<p>Number of legislative, policy actions and actions in practice by the IP II</p>	<p>Progress Reports by the European Commission CoE annual country</p>	<p>Capacity and willingness of IPA II Beneficiaries to absorb advice and recommendations and to translate these</p>

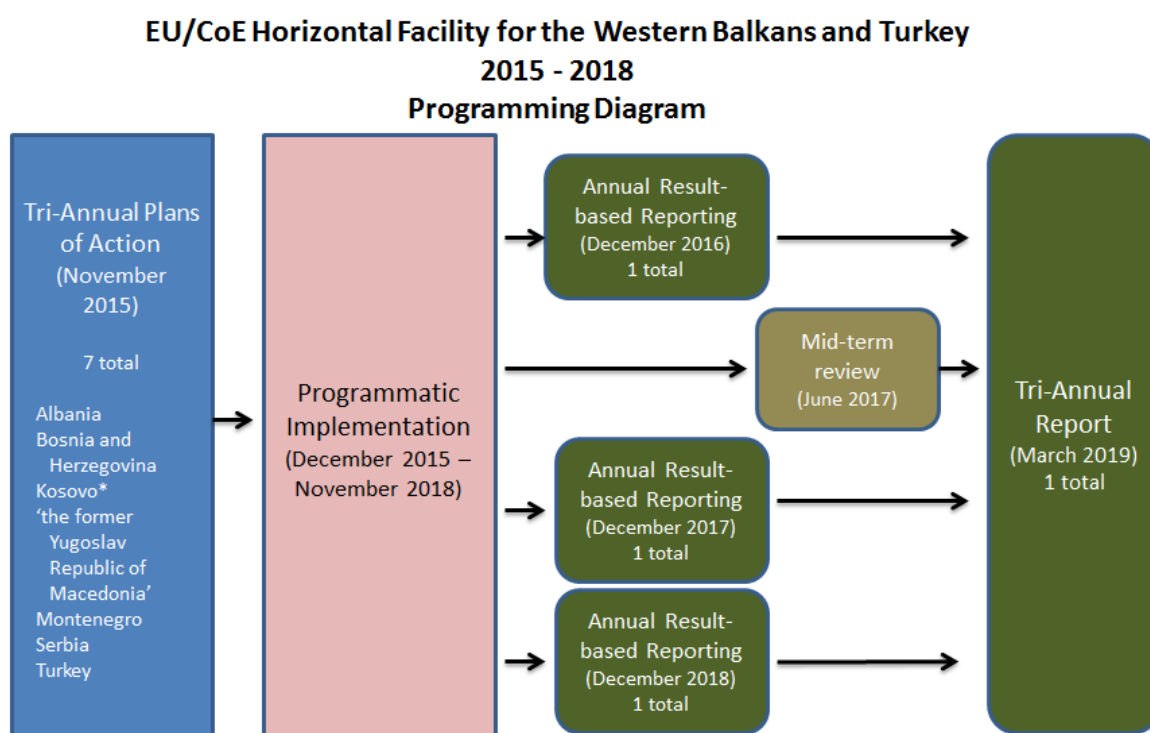
<p>compliance with the CoE standards.</p>	<p>Beneficiaries. Number of new, promising initiatives introduced by government's. Number of ECtHR judgements executed by the governments and preventive structural measures adopted and implemented.</p>	<p>assessments CoE annual report on the horizontal facility Reports of GRECO, MONEYVAL, FCNM, ECRI, ECRML, CPT, ECSR and other CoE mechanisms</p>	<p>into sustainable reform measures in practice. IPA II beneficiaries fully cooperate with CoE and European Commission. To these aims: a) CoE and European Commission will ensure that Action activities take into account the absorption capacities of IPA II beneficiaries. b) CoE and European Commission will ensure that technical assistance targets highest priorities in the specified areas.</p>
<p>Result 2: Improved quality of legislative amendments, policy document</p>	<p>Number of legislative and policy adaptations resulting from request-based delivery of expertise.</p>	<p>CoE reports</p>	<p>as above.</p>
<p>ACTIVITIES</p>	<p>MEANS</p>		<p>ASSUMPTIONS</p>

<p>Result 1: Multifaceted technical assistance in particular in form of:</p> <ul style="list-style-type: none"> a. legislative reviews of legislation and policies; c. expert advice, analysis and/or needs-assessments; d. capacity building measures, e. awareness raising activities; f. and other relevant measures for the implementation of priority recommendations of relevant monitoring and expert bodies in IPA II beneficiaries. 	<p>Pillar Assessed Grant Agreement</p>	<p>EUR 20 million (EU contribution 90% of the overall budget: EUR 22.22 million)</p> <p>36 months</p>	
<p>Result 2: Additional technical and legal expertise upon request by EC via IPA II beneficiaries in areas where the core expertise of the CoE is needed as a base for intervention in support of relevant reforms.</p>			

ADDITIONAL DESCRIPTION

All interventions will be closely linked to the EU’s high level dialogues, working groups and actions plans for Chapter 23 and 24 with regards to candidate and potential candidate countries, in order to ensure that the CoE’s core expertise is well used to support the countries in their reform processes. The interventions will also be in line with national sector strategies where these are in place.

The results of the technical assistance will feed into the Progress Reports by the European Commission, targeted accession negotiations (fulfilment of overall results and impact indicators in Action Plans for Chapters 23 and 24) and the CoE monitoring mechanisms.



Graph 2: EU/CoE Horizontal Facility programmatic cooperation chart

In preparation of the horizontal facility, the CoE drafted in September 2014 country-based so-called Scoping papers for each IPA II beneficiary providing a snapshot of the current situation for the identified key priority areas for cooperation. The findings are based on the CoE's mechanisms and tools including relevant CoE standards and recommendations of the CoE monitoring bodies. The Scoping Papers serve as a baseline and form the backbone of the EU/CoE Horizontal facility against which the progress will be measured.

The recommendations of the monitoring and expert bodies will serve as the base for all programmatic interventions and will be monitored through Tri-Annual Plans of Action jointly agreed by the Commission (DG NEAR's geographical desks/EU Delegations and WB Regional Programmes and Coordination Unit), the CoE and the IPA II beneficiaries in the beginning of the programme. Progress on the implementation of the recommendation measures against overall progress made by each country will be discussed and presented annually through the Annual Result-based Reporting. Depending on the nature and complexity of the recommendations in question multi-annual support to the implementation may often be required.

Multifaceted technical assistance will comprise of the following types of actions or a combination thereof:

- Review of legislation, policies and regulatory frameworks, strategies and action plans, and formulation of recommendations in view of their compliance with CoE standards and good international practice;
- Expert advice in drafting various types of documents, for example, on procedures and policies;
- Expert advice on establishing new processes, institutionalising improvements and ensuring sustainability;
- Needs assessments;
- Development of guidelines and manuals;
- Awareness-raising activities and capacity-building at regional and national level for authorities, professionals, civil society in form of i.a. training sessions;
- Organisation of high-level conferences, seminars, training sessions, workshops, etc.;
- and other interventions, as deemed appropriate.

In addition to supporting the implementation of individual recommendations, the CoE may also, upon government request and in agreement with the Commission, offer support in setting up structures for the systemic follow up to recommendations of a specific monitoring body.

2.1 Detailed approach under the horizontal facility

The Action will be complementary to other national or regional EU-funding envelopes and to the EU funded Transition Assistance and Institution Building Component (TAIB) which offers support in similar areas through technical assistance and administrative measures including TAIEX. The support will in particular be complementary to CoE participation to TAIEX events. The Action will be undertaken on the basis of the results of and in close cooperation with CoE monitoring and expert bodies, engaging current or former monitoring body experts to the extend possible, while vigilantly respecting the independence of the monitoring bodies.

EU funding allocated to the facility will be guided by the needs of the IPA II Beneficiaries and the willingness of authorities to receive support. This means, that not all the IPA II beneficiaries will be concerned by each intervention nor will an evenly distribution be sought. Country specific interventions may be complemented by regional action, if seen as an added value to make progress. Additional national and regional IPA II funding not linked to the EU/CoE Horizontal facility rather exceptionally may be utilized for additional interventions by the CoE in line with European Commission priorities. For Turkey, however, additional EU funds can systematically be utilized through the national IPA II envelope.

The implementation under the EU/CoE Horizontal facility will be two-fold and will focus on the implementation of the recommendations from most relevant monitoring bodies as well as offering legal and technical expertise in additionally required areas. The decision on the country-based interventions will be reached jointly between the Commission, the CoE and the IPA II beneficiaries.

- Implementation of monitoring bodies' recommendations: The CoE will contribute to the implementation of recommendations of its monitoring bodies on the basis of its technical expertise. All programmatic intervention will be steered towards the implementation of existing recommendations of, i.a., the following monitoring or expert body: GRECO, MONEYVAL, GRETA, CPT, FCNM, ECRI, ECRML, GREVIO, relevant judgements of the

ECtHR and the country-specific recommendations of the Venice Commission, as well as experts' bodies such as the European Commission for the Efficiency of Justice (CEPEJ), or the Consultative Council of European Judges (CCJE) and the Consultative Council of European Prosecutors (CCPE). The recommendations of the Commissioner for Human Rights may guide programmatic interventions as the early warning mechanism of the CoE. Hereby, it will be taken into consideration that the countries are at the different level of implementation of the Council of Europe recommendation in different areas (MONEYVAL, GRECO, CPT), which implies that different type of interventions will be required to effectively address the recommended needs.

CoE MONITORING MECHANISMS AND OTHER BODIES

- Group of States against Corruption (GRECO)
- Committee of Experts on the Evaluation of Anti Money Laundering Measures and the Financing of Terrorisms (MONEYVAL)
- European Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT)
- Group of Experts on Action against Trafficking in Human Beings (GRETA)
- European Commission against Racism and Intolerance (ECRI)
- Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM)
- Committee of Experts of the European Charter for Regional or Minority Languages and the Committee of the Parties (ECRML)
- European Committee of Social Rights (ECSR)

- Venice Commission
- Case law of the European Court of Human Rights (ECtHR)
- European Commission for the Efficiency of Justice (CEPEJ)
- Consultative Council of European Judges (CCJE)
- Consultative Council of European Prosecutors (CCPE)
- Office of the Commissioner for Human Rights

- and others, as deemed appropriate.

Implementation of recommendations of the Group of experts on action against violence against women and domestic violence (GREVIO) will be included to the facility once the mechanism has been established and recommendations will have been issued for all IPA II beneficiaries.

Programmatic interventions will be guided by the work of numerous other CoE's political bodies and established mechanisms, such as the Committee of Ministers and the Parliamentary Assembly or the Congress of Local and Regional Authorities (as per Overview 2, see below).

Overview 1: Summary of CoE monitoring mechanisms utilized as a base for technical assistance under the EU/CoE Horizontal facility

While Kosovo is a member of the Venice Commission since 2014, it is not a member of the Council of Europe. Specific arrangements will therefore apply for the programmatic interventions by the CoE, by using monitoring bodies' methodology as a basis for the programmatic support.

- Ad hoc pool for CoE's legal and technical expertise/assistance: Under the EU/CoE Horizontal facility the CoE will offer additional expertise upon the request from the European Commission via IPA II beneficiaries. Such requests will be directed to offer expert advice/opinion critically important for the European perspective within the accession and negotiation process but not directly linked to recommendations of CoE monitoring bodies. The type of assistance will mainly involve expert advice in areas such as drafting and commenting on legislation and offering advice on its implementation, undertaking needs assessments or surveys or reviewing government capacity in specific areas as well as helping up to set up or streamline institutions.

Summary of all CoE mechanisms to be taken into account for the preparation of country specific interventions under the EU/CoE Horizontal facility:

Priority areas as identified in the Statement of Intent	Correlated CoE mechanisms
Ensuring justice	Case law of the ECtHR, Parliamentary Assembly of the CoE (PACE), Committee of Ministers (CM), Commissioner for Human Rights, Venice Commission CEPEJ, CCJE, CCPE, CPT
Fight against Corruption, Economic Crime and Organised Crime	Case law of the ECtHR, PACE, CM, Congress, GRECO MONEYVAL, Steering Committee for Education Policy and Practice (CDPPE), Cybercrime Convention Committee (TC-Y),
Freedom of Expression/Media	Case law of the ECtHR, PACE, CM, Commissioner for Human Rights, Steering Committee on Media and Information Society (CDMSI), and Committee of experts on protection of journalism and safety of journalists (MSI-JO), Venice Commission, The European Audio-visual Observatory
Anti-discrimination, protection of minorities, in particular Roma and protection of the rights of vulnerable groups	Case law of the ECtHR, PACE, CM, Congress, Commissioner for Human Rights, ECRI, FCNM, ECRML, Venice Commission, European Committee of Social Rights (ESCR), GRETA, European Committee for Social Cohesion, Human Dignity and Equality (CDDECS), Ad hoc Committee of Experts on Roma issues (CAHROM), Committee of the Parties to the Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (T-ES), GREVIO (once established)

Overview 2: Summary of all CoE mechanisms to be taken into account for the preparation of country specific interventions under the EU/CoE Horizontal facility

4. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

Management and implementation responsibilities are shared between DG NEAR/Western Balkans Regional Programmes and Cooperation and the CoE. The Action will be managed by the European Commission and implemented by the CoE including its field presence. All necessary CoE staff will be based in Strasbourg and in the CoE offices in Albania, Bosnia and Herzegovina, Serbia, Kosovo, Turkey as well as in CoE Programme offices in the former Yugoslav Republic of Macedonia, and Montenegro. As the beneficiaries of all support generated under the Action, the governments of the IPA II beneficiaries will be consulted and involved throughout the process of implementing the Action.

IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING

This action will be implemented with the Council of Europe in direct management based on Article 190 (1)(c) of the rules of application of Regulation (EU, Euratom) No 966/2012 for the Council of Europe having *de facto* monopoly to undertake the Action. With the unique triangle of standard-setting, monitoring and technical assistance the Council of Europe has a comparative advantage towards other international or non-governmental organisations and can offer its expertise in a unique way by directly assisting with the implementation of the

recommendation using the expertise of the monitoring and expert bodies without jeopardizing the independence of the bodies.

EU assistance under this Action can only be granted to an IPA II beneficiary after the framework agreement between the IPA II beneficiary and the European Commission on the arrangements for implementation of Union financial Assistance to IPA II beneficiary under IPA II has entered into force. Therefore no activities can take place for the benefit of an IPA II beneficiary until the related Framework agreement has entered into force, and any cost incurred for such activities will be ineligible.

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING (AND EVALUATION)

Monitoring of the quality of implementation will be ensured through a variety of means at different levels:

- Annual review of progress by the Steering Committee co-chaired by the European Commission and the Council of Europe,
- Annual narrative and financial reporting on progress to the Contracting Authority and progress updates every 6 months to the EU Delegations. Regular contacts between the CoE field offices and the EU Delegations are expected. Contract execution will be monitored through regular reports (inception, updates, annual report, final report), with clearly identified milestones linked to each component of the Action. Regular meetings/video conferences between the DG NEAR (HQ and EU Delegations) and the contractors will further ensure that results are achieved in due time;
- *Ad hoc* and on-the-spot will ensure monitoring of progress;
- A Result Oriented Assessment will be undertaken 18 months after the start of implementation;
- An evaluation will be carried out by the European Commission through independent consultants at the end of the Action.

INDICATOR MEASUREMENT

Indicator	Baseline (2015)	Milestone 2017	Target 2020	Source of information
Number of implemented monitoring bodies' recommendations and increased level of progress for those not fully implemented	to be produced by CoE prior to contract signature	Implementation of relevant recommendations increased by 25%	Implementation of relevant recommendation increased by 70% for negotiating countries and average of 40% for the other.	EU Progress Reports Reports from relevant monitoring bodies including GRECO, MONEYVAL, FCNM, ECRI, ECRML, CPT, ESCR, GREVIO (in future) and opinions of Venice Commission. Reports by other CoE bodies.
Number of legislative, policy actions and actions in practice by the IP II Beneficiaries	to be produced by CoE prior to contract signature	Implementation of relevant recommendations increased by 20%	Implementation of relevant recommendation increased by 30%	EU Progress Reports Reports from relevant monitoring bodies including GRECO, MONEYVAL, FCNM, ECRI, ECRML, CPT, ESCR, GREVIO (in future) and opinions of Venice Commission. Reports by other CoE bodies, such as CoE Secretary General, Committee of Ministers

Indicator	Baseline (2015)	Milestone 2017	Target 2020	Source of information
				and PACE, Commissioner for Human Rights
Number of new policy initiatives by the government's	to be produced by CoE prior to contract signature	To be defined	To be defined	CoE progress reports and as above.
Number of ECtHR judgements executed by the governments and preventive structural measures adopted and implemented	to be produced by CoE prior to contract signature	To be defined	To be defined	CoE progress reports and as above.
Number of implemented request-based CoE expertise analyses under the horizontal facility	0	Based on needs, presumably 30	Based on needs, presumably 60	CoE progress reports and as above.

5. CROSS-CUTTING ISSUES

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

Not applicable.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)

Consultations with civil society as well as close cooperation with civil society organizations is critical to ensuring sustainable results on the ground in the areas of rule of law, human rights and democracy. As the 'eyes and the ears' of society, NGOs can offer expertise and experience on the real needs on the ground, in particular at the local level where support most directly targets citizens and residents. Where deemed appropriate to achieving better results to implement the recommendations of monitoring bodies a structural cooperation with NGOs will be sought.

EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING

Women and men are differently affected by injustice, lacking provision of access to all human rights. Women are, for example, at greater risk of harassment, sexual exploitation and lacking access to education, whereas men face greater likelihood of discrimination when seeking to access justice on parental rights. A gender based approach will be incorporated into legislative advice, training manuals and all capacity building activities.

MINORITIES AND VULNERABLE GROUPS

Components of the Action may focus in offering support to advance on the integration of minority communities, in particular Roma and LBGTI persons.⁴ Apart from targeted assistance towards the promotion and protections of the rights of minority communities, all the Action will sensibly take into account the particular situation and needs of minority groups.

6. SUSTAINABILITY

All efforts under the Action are steered towards supporting the IPA II beneficiaries in aligning their legislation and policies with European standards and the *EU aquis* in the key areas of involvement. The implementation of the Action should result in stronger laws and policies, an enhanced institutional set up and greater capacity of government and other actors to implement the legislative and policy framework. This will include, for example, the implementation of CoE monitoring and expert bodies' recommendations to amend laws or to draft new ones, pass bylaws, to develop strategies, or action plans. If carried out well with full political buy-in by the IPA II beneficiaries sustainability will be ensured. As the results of the Action will be directly linked to the enlargement process, sustainability of the Action can be expected.

⁴ According to the Turkish legal system, the word "minorities" encompasses only groups of persons defined and recognized as such on the basis of multilateral or bilateral instruments to which Turkey is a party. Roma persons are not considered minorities under Turkish legislation.

7. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the Action. The implementation of the communication activities shall be the responsibility of the contractor and shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the Communication and Visibility Manual for EU External Actions. Guidelines developed by the European Commission (DG NEAR) will have to be followed.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession process. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued.

It is the responsibility of the Council of Europe to keep the European Commission fully informed of the planning and implementation of the specific visibility and communication activities on a regular base. EU Delegations will need to be involved at all times.

Activities and reports of success stories will need to be collected and widely disseminated among IPA II beneficiaries, EU Member States, NGOs and other relevant actors.