

Report by the Chairs
9th meeting of the Co-ordination Group between the Council of Europe and the OSCE
(Vienna, 13 March 2009)

1. The ninth meeting of the Co-ordination Group between the Council of Europe and the OSCE took place on 13 March 2009 at the Hofburg Congress Centre, Vienna. The meeting was chaired by Ambassador Mara Marinaki, Chairperson of the Permanent Council of the OSCE, and co-chaired by Ambassador Marta Vilardell Coma, Chairperson of the Ministers' Deputies of the Council of Europe. The OSCE delegation included representatives of the OSCE Troika, of the four OSCE focal points and the Secretary General, Ambassador Marc Perrin de Brichambaut. The Council of Europe delegation included the Council of Europe focal points and representatives of the Secretariat.

2. In the light of the joint reports presented by the OSCE and Council of Europe focal points in the four agreed priority areas of co-operation, namely fight against terrorism, protection of the rights of persons belonging to national minorities, combating trafficking in human beings and promoting tolerance and non-discrimination, the Group welcomed the progress made in co-operation in recent months.

3. The Group expressed appreciation and recognition for the high level of co-operation and interaction in the fight against terrorism. It especially highlighted the continued practice of organising joint activities and welcomed in this regard the national workshop for Bosnia and Herzegovina on enhancing international legal co-operation related to terrorism, including the drafting of requests for extradition and mutual legal assistance, held in Neum, Bosnia and Herzegovina, on 28-29 January 2009, in which ODIHR also participated. This Workshop, organised by the OSCE, CoE and UNODC, was the second tripartite co-operation event in the field of providing capacity-building with regard to enhancing international legal co-operation in criminal matters related to terrorism and was very positively received by the participants. The Group welcomed as an important new development the joint preparation of concrete proposals for amendments to the criminal code of Montenegro, in follow-up to the legislative drafting workshop, organised by the OSCE Action against Terrorism Unit (ATU) in Podgorica, Montenegro, on 16-19 December 2008, with the support of the UNODC and the participation of the Council of Europe. The Group also welcomed the close interaction between the Council of Europe and the ODIHR on issues of protecting human rights in the fight against terrorism, especially in the delivery of the ODIHR training module on countering terrorism and protecting human rights, the latest of which was held in Kyiv, Ukraine on 13-14 November 2008. The Group furthermore noted the growing co-operation with the Office of Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) in the area of combating money laundering and terrorist financing, and welcomed the granting in October 2008 of observer status to the OSCE with the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL).

Looking ahead, the Group pointed out that – apart from these traditional spheres of anti-terrorism co-operation – other areas, such as cyber security and countering terrorist use of the Internet, countering violent extremism and radicalisation that lead to terrorism, as well as promoting public-private partnerships in the fight against terrorism, also provide excellent opportunities for interaction and joint work.

4. Regarding the promotion and protection of the rights of persons belonging to national minorities, the Group welcomed the continuation of regular and pragmatic co-operation from exchanges of information to consultations and joint ventures. The mutual consultations contributed to the successful adoption of a final version of the Recommendations of the High Commissioner for National Minorities (HCNM) on National Minorities in Inter-State Relations which were formally launched by the HCNM in Bolzano/Bozen, Italy, on 2-3 October 2008. As a feedback this instrument was presented by the HCNM's representative at the 8th meeting of the Committee of Experts on issues relating to the protection of national minorities (DH-MIN) in October 2008 during discussion on the potential added value of elaborating guidelines on procedures for developing relations between a state and kin minorities residing in a different state. Another example of advanced co-operation was the implementation of a joint project between the HCNM and the Council of Europe Commissioner for Human Rights in the form of a study on recent migration of Roma in Europe.

As to the future activities, the Group noted that participation of representatives of both organisations was envisaged in the HCNM's Conference on Participation of Minorities (Lund, May 2009) and in the Council of Europe's meeting of DH-MIN (Strasbourg, April 2009). Both organisations look forward to their joint participation in the Ukrainian-Romanian monitoring exercise in the framework of the Treaty of Co-operation and Good Neighbourliness between Romania and Ukraine.

5. The good working relations regarding the fight against trafficking in human beings also received recognition by the Co-ordination Group. At the multilateral level, the Council of Europe remains one of the main OSCE partners in the Alliance against Trafficking in Persons, as well as in its Alliance Expert Coordination Team. The Group further encouraged the continuation of the well-developed practice of cross-participation in events of mutual interest. Examples mentioned included the contribution by the Council of Europe representative to the Regional Operational Meeting on Combating Human Trafficking and Money Laundering in the Mediterranean Rim Region (Larnaca, 18-19 September), jointly organised by the OSCE, UNODC and the Government of Cyprus. The Council of Europe was also represented as a keynote speaker at the Parliamentary Round Table in Bosnia and Herzegovina on "Eradicating Human Trafficking as a Political Priority: The Role of Parliamentarians" held in Sarajevo on 21- 22 October 2008. The Group agreed that the Council of Europe and the OSCE efforts in combating trafficking in human beings were truly complementary, noting that the two Organisations shared the same values and principles, reflected in the Council of Europe anti-trafficking obligations and in the OSCE commitments. The Council of Europe approach to a number of anti-trafficking priority areas, such as victim protection and assistance and human rights-based approach, was presented to the OSCE participating States at various fora, including the Helsinki Conference on Successful Prosecution (Helsinki, 10-11 September), the follow-up Technical Seminar to the 6th Alliance against Trafficking in Persons Conference on National Rapporteurs and Equivalent Mechanisms (Vienna, 22-23 September), and the Warsaw Human Dimension Implementation Meeting (October 2008).

The Group noted that the agreement, in principle, to prepare a joint publication on action against trafficking in human beings compiling the most important Council of Europe legal and political instruments and the OSCE political commitments, had not been implemented yet due to financial constraints. The Group encouraged the focal points to consider alternative ways of disseminating the anti-trafficking legal and political framework of the two organisations. The Group confirmed that this compilation, similarly to previous Council of Europe-OSCE publications, will not impose new or additional commitments on the OSCE participating States that are not members of the Council of Europe and are not parties of the relevant Council of Europe Conventions.

6. In the field of promoting tolerance and non discrimination, the Group welcomed the excellent sustained co-operation between the Council of Europe and the OSCE at a practical level which has included working-level meetings to explore the possibility for further synergies and joint endeavours in the areas of Holocaust remembrance, combating intolerance against Muslims and providing legislative support to states in the areas of freedom of religion or belief and anti-discrimination. The Group also welcomed the regular opportunities that ECRI and ODIHR provide for each other to offer feedback and input on tools, policy recommendations and reports in order to enable each organisation to contribute their expertise at an early stage in the development process. High-level events have also provided an important opportunity to send strong joint messages by the Council of Europe and the OSCE/ODIHR related to the fight against intolerance and discrimination. Such opportunities included an inter-agency event on 10 November in Vienna to commemorate the 9th November Pogrom in 1938 where the Secretary General of the Council of Europe and ODIHR Director provided statements, together with other prominent figures regarding their commitment to combat anti-Semitism and promote Holocaust remembrance. The International Day for the Elimination of Racial Discrimination will also be jointly commemorated at a high level through the participation of the Director of ODIHR and Chair of ECRI at a roundtable meeting organised by the ODIHR on racism and xenophobia on 20 March in Vienna.

With regard to the future, the Group noted the increased co-operation on legislative reviews is envisaged as well as the joint development of new tools to build the knowledge and capacity of educators to teach about religions and beliefs. In this regard, the ODIHR looks forward to participating in the next conference on the "Religious dimension of intercultural dialogue", to be organised by Council of Europe in June 2009.

7. The Group shared concerns about the potential impact of the current financial crisis on the issues covered by the four areas of co-operation and agreed that steps should be taken jointly to address the challenges it raises. They invited the focal points to give particular consideration to this issue in their future work and reports.

8. The Group further agreed on the importance of continuing the work that had been performed over the last years, while respecting the autonomy, different membership and distinctive tasks of each Organization and making best use of their comparative advantages.

9. The Group invited the focal points to maintain as close as possible contacts during the coming months, ensuring that co-operation could continue on the basis of these guidelines, with a view to reporting on progress and plans at the following meetings.

10. The Group reaffirmed its commitment to continue to examine the co-operation between the two organizations and to make proposals for concrete follow-up, as established by the OSCE Permanent Council and the Council of Europe Committee of Ministers in December 2004, and welcomed the progress achieved in the development and consolidation of co-operation in the four years of the Co-ordination Group's operation. The Group further noted that the close working relations between the focal points of the two organizations, as well as the quantity and quality of activities performed, testified the success and the maturity of the co-operation process, allowing for streamlining the work of the Group in order to enhance the effectiveness of its meetings. To this end, the Group agreed to focus the agendas of its future meetings alternately on two of the four priority areas of co-operation at the time, in order to allow for a more substantial and detailed examination of co-operation activities and plans in each area.

11. In conclusion, the Group decided to meet in Strasbourg on 11 September 2009 for examining co-operation in the areas fight against terrorism and combating trafficking in human being. It was also agreed that the first meeting of the Group in 2010 would be held in Strasbourg and the second in Vienna. Finally, it was recalled that this report will be submitted to the Committee of Ministers and the Permanent Council as soon as possible.