

Eastern Partnership

Platform 1 "Democracy, Good governance and Stability"

CORE OBJECTIVES AND WORK PROGRAMME 2009-2011

1. CORE OBJECTIVES

In accordance with the General guidelines and rules of procedure of the Eastern Partnership Multilateral Platforms (point 1.4), the participants of the first meeting of Eastern Partnership Platform 1 adopted, on 5 June 2009, its core objectives (the draft text circulated prior to the 5 June meeting has been adapted to reflect the discussion):

Democracy and Human Rights

- Exchanges of best practices and dedicated workshops on such issues as electoral standards, regulation of the media, the fight against corruption, transparent management of public goods and civil service reform.
- In cooperation with the Council of Europe (CoE), a facility for conducting peer reviews in the areas covered by CoE Conventions, modelled on the Commission's cooperation with the OECD under SIGMA.
- Allocation of resources for the training and networking of local authorities, with a view to strengthening administrative capacities and promoting local government reform. This would be carried out in cooperation with the Committee of the Regions.

Justice, Freedom and Security

- Support for partners' efforts to establish integrated border management systems, including cooperation on border control and border demarcation where appropriate.
- A multilateral exchange of views and best practices on migration policy, including conditions for secure and well-managed mobility, bearing in mind the long-term goal of visa-free travel and a common readmission area. A first step could be to conduct an assessment of the current situation.
- Multilateral cooperation in the judicial and police fields, on law enforcement issues, combating organised crime and trafficking in human beings, coordinated national drugs strategies, and strengthening customs administrations.

Security and Stability

- The pooling of information and resources to facilitate prevention of, preparedness for, and response to natural and man-made disasters, including a close link with the EU Civil Protection Mechanism.
- Contacts among Civil Society Organisations to improve their capacity for advocacy and promote confidence building in areas of conflict.

- Cooperation on specific CFSP and ESDP issues, including the participation of partner countries in ESDP missions and exercises, and coordination of diplomatic activities. A mechanism to involve partner countries in consultations concerning ESDP operations could be considered. Security-related early warning systems should be enhanced, with particular focus on conflict areas. Closer cooperation on arms export practices and non-proliferation could also be envisaged.

It is noted that, within these objectives, participants recommend to focus the work of the platform on the specific added value of the Eastern Partnership, reflecting the common interest of the participants, taking into account work undertaken in the frame of other initiatives, and pursuing a practical and gradual approach.

2. WORK PROGRAMME 2009-2011

At its second meeting, on 7 October 2009, Platform 1 adopted its Work Programme for 2009-2011. At its first meeting, participants of Platform 1 had agreed to focus, in the near term, cooperation under this Platform on:

- (1) Three aspects of Democratic Governance, namely:
 - Improved functioning of the Judiciary,
 - Public Administration Reform and
 - Fight against Corruption
- (2) The launch and implementation of the Flagship Initiative on Integrated Border Management, including the establishment of a panel dedicated to this issue, and
- (3) The launch and implementation of the Flagship Initiative on Prevention of, preparedness for, and response to natural and man-made disasters.

In developing its proposal for the Work Programme, the European Commission was guided by a number of considerations, including the recommendations of the Platform 1 participants, noted above. A limited number of actions is proposed, to ensure that the Work Programme is manageable. At the first meeting of Platform 1, many participants indicated a strong interest in getting directly involved in the actual implementation of the envisaged work, and the actions proposed cater for this. Finally, in line with the partnership approach, a number of actions could be implemented by teams of participants including at least one Partner Country.

On this basis and in accordance with the General Guidelines and Rules of Procedure of the Eastern Partnership Multilateral Platforms (point 1.4), the participants of Platform 1, following an open discussion and the consideration of proposals submitted by various participants, adopted the following Work Programme, with a time horizon of December 2011.

In addition, the Platform participants invited the European Commission to establish, in cooperation with the Council of Europe, an inventory of practical measures that could be undertaken in the frame of Platform 1 to improve the protection of Human Rights, with a view to agreeing possible additional areas of cooperation to be included in the Work Programme.

On the basis of activities carried out under the Work Programme, experience thus gathered, and of new proposals, within the core objectives of the Platform, the Work Programme will be reviewed and adapted, as appropriate, on the occasion of future Platform meetings.

A decision on participation in these activities by *ad hoc* participants will be taken in accordance with the Prague Declaration (point 12) and the General Guidelines and Rules of Procedure of the Platforms.

(1) Democratic Governance

The three focus areas selected in the field of Democratic Governance are closely interlinked. Due to their horizontal nature they touch on many aspects of public life and it will therefore be essential to concentrate work on those aspects where a multilateral approach can bring added-value to what is predominantly a bilateral EU - Partner State policy dialogue. In general this will mean that work in the frame of the Platform will emphasize the sharing of best practices and lessons learned by EU Member States and Eastern Partners in the implementation of reforms in the selected areas. Thus, for each of the themes identified below, a meeting or series of meetings of relevant practitioners would be organised to present the relevant standards (EU *acquis* or practice, CoE conventions, etc.) and the experience of a Member State and/or a Partner State in implementing the related reforms.

The implementation of this programme will require some 10-15 meetings to be held over a 27 month period. This will lead to a set of recommendations for further perusal both at regional and national level. EU financial support for concrete actions to further the relevant reforms at national level may be sought under the bilateral ENPI envelopes.

The Action Plans and the European Commission's annual reports on their implementation suggest that the following themes should be of common interest to the platform participants:

Improved functioning of the Judiciary:

- Activities particularly aimed at improving the profession of judges:
 - Establishment of independence of magistrates (insulation from political interference).
 - Improvement of the accountability of judges (protection against corruption).
 - Training for judges on human rights issues, including ECHR jurisprudence.

This theme would explore different models for the self-administration of the judiciary, recruitment and training procedures, the scope of judges' immunity, codes of ethics, the role of Ombudsmen, judicial inspection and disciplinary procedures.

This activity could be complemented or extended by the ongoing Polish project on cooperation among Ombudsmen from Eastern Partnership countries.

Target group: Judges, Ministry of Justice officials, National parliaments, Ombudsmen and Human Rights defenders.

- Practical measures to ensure more effective delivery of justice. This would include the sharing of experience in the delegation of non-core tasks, access to case law, including IT-based access, and other measures to increase transparency, court fees, effective appeals procedures, administrative capacity-building, etc.

Target group: Judges, Court clerks, Ministry of Justice officials.

- Improved access to justice for the citizen, including the establishment of legal aid. This action could include the participation of relevant civil society advocacy groups. organizations.

Target group: Judges and Ministry of Justice officials.

Public Administration Reform:

- Improving the effectiveness of public administration. This theme would explore the hierarchy of administrative acts; measures to increase transparency in decision-making, inter-ministerial cooperation; cooperation procedures with the civil society and other interested stakeholders; the role of Ombudsmen; impartiality in the execution of decisions; appeals procedures for the citizens, and judiciary control.

Target group: Prime Ministers' Offices, Ministries and Agencies in charge of Public Administration.

- Measures to improve the integrity of the civil service. This theme would explore the statute of civil servants, independence from political pressure as well as their responsibility, the introduction of codes of conduct, the delimitation of political appointments, rules governing recruitment, training, career development and non-pecuniary incentives.

Target group: Directors-General of Partner State ministries, Ministries of Administration, Offices of the Civil Service or equivalent, National parliaments, Broadcasting Councils.

- Experience in the promotion of local democracy: benefits and risks of territorial reform; decentralisation of state functions; measures promoting the financial autonomy of local and regional administrations; measures to reduce regional disparities, and promotion of the participatory process to the benefit of local authorities.

Target group: Ministries of Administration, Local and Regional authorities, National parliaments and other relevant experts and stakeholders.

Some of these activities could be based upon the Estonian proposal for Eastern Partnership information and training seminars developed by the Estonian School of Diplomacy, with the additional support of the Czech Republic, Finland, Georgia and Sweden.

Fight against corruption

- Experience with the introduction of preventive and repressive measures to fight corruption: definition of conflicts of interest; asset declarations; remuneration of public officials; transparency of rules and procedures; checks and balances in decision making; internal and external inspection bodies; public access to information; whistle-blower protection; anti - money laundering measures; anti-fraud coordination; fight against cyber crime; sanctions (administrative, judicial); implementation of anti-corruption conventions; development of anti-corruption strategies; monitoring and education activities in this field by civil society organizations.

Target group: Ministries of Administration, Offices of the Civil Service or equivalent; Police services; Inspectorates; anti-fraud coordination units; Prosecutors; Judges; and civil society representatives.

- Due to their impact on trade and investment, it is proposed to focus in particular on the fight against corruption in the areas of customs and public procurement.

Target group: Customs services, Customs inspectorates / Offices of Public Procurement or equivalent; Courts of Auditors; Police services; anti-fraud coordination units.

- An experts' panel will be constituted to examine how the above work and other relevant activities can contribute to the proposal, tabled by Poland, on "Building Integrity and Reducing Corruption".

(2) Integrated Border Management (see annexed concept paper)

The European Commission proposes that the Eastern Partnership Integrated Border Management (IBM) programme focus on the exchange of best practices among EU and Eastern partners, on training and capacity building, as well as on pilot projects at partners' non-EU borders along the relevant Pan-European Transport Corridors and the Transport Corridor Europe-Caucasus-Asia (TRACECA).

The first meeting of the IBM panel will take place in October 2009. Immediately following this, the Commission will launch a stock-taking and analysis exercise to prepare the Terms of Reference of an Eastern Partnership IBM, to be financed under the 2010 ENPI Regional East programme. It is expected that in 2010-2013 the ENPI budget devoted to this initiative could reach some EUR 50 million.

IBM activities funded under the ENPI regional programme will be complemented by EC-funded IBM activities at the national level in each Eastern Partner Country, by EU Member States bilateral cooperation with Eastern partners and by possible credits by IFIs to finance border infrastructure.

(3) Prevention of, preparedness for, and response to natural and man-made disasters (see annexed concept paper)

This Flagship initiative should be launched by the end 2009 and implemented in two phases. Phase 1 will focus on the review of existing civil protection/disaster management capacities, the review of the current legislative framework, the preparation of a regional Risk Atlas and the organisation of technical assistance activities Phase 1 will be implemented through the Programme for the Prevention, Preparedness and Response to

Natural and Man-Made Disasters (PPRD-East) within ENPI East Regional Programme.
(Budget: EUR 6 million, duration 48 months.)

Phase 2 will be defined following the implementation of Phase 1 on the basis of partners' capacities and needs and the possible contributions of other donors.