

# **The Council of Europe's response to the Arab Spring**

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Ever since a desperate man in Tunisia burned himself to death last December, movements for changes have exploded across the Arab world. Developments in Tunisia and other countries raise the fundamental issues of human rights, the rule of law and democracy, which lie at the heart of the Council of Europe's mandate. After Secretary General Thorbjørn Jagland visited Tunisia in February 2011, efforts have been underway to develop practical co-operation within the framework of the new Policy of the Council of Europe towards neighbouring regions.

At the Istanbul ministerial session in May 2011, the Ministers endorsed the Secretary General's proposal to open up towards countries in North Africa, the Middle East and Central Asia, and to engage them in co-operation and assistance programmes aimed at their gradual integration into the European legal space, through accession to relevant Council of Europe conventions and partial agreements. This opening up constitutes the strategic response of the Council of Europe to the Arab Spring in the Mediterranean region but also, beyond this, the framework for relations with Central Asia.

One year on, concrete and substantial progress can already be reported.

### Objectives

The 'Arab Spring' and the international community's efforts to support processes of democratic transition have further underlined the importance of this initiative.

The Policy sets the following three objectives:

- to facilitate a democratic political transition;
- to help to promote good governance; and
- to reinforce and enlarge Council of Europe regional action in combating transborder and global threats, such as trafficking in human beings, cybercrime, organised crime, terrorism, etc.

### Modalities

Neighbourhood Co-operation Dialogue -- as a means of political dialogue at the highest level, this has involved the authorities of Morocco, Tunisia, Jordan, Israel, the Palestinian National Authority, Kazakhstan, Kyrgyzstan and Tajikistan.

The objective is a two-way exchange of views on issues of common interest, a presentation of the objectives and modalities of the Council of Europe's Policy towards neighbouring regions and, where applicable, the identification of priority areas for bilateral co-operation.

Neighbourhood Co-operation Priorities, which reflect a formal agreement on specific priorities, have been concluded with Morocco and Tunisia and should soon be finalised with Kazakhstan and Jordan.

Whilst being country-specific, both in terms of substance and volume, all Neighbourhood Co-operation Priorities focus on human rights, the rule of law and democracy issues, with a strong focus on the promotion of good governance and the independence of the judiciary. They are designed to be flexible, allowing for necessary adjustments to the pace and scope of the implementation of agreed priorities, depending on, *inter*

*alia*, the availability of resources and the delivery and absorption capacity of the two partners.

Instruments of co-operation, used in Neighbourhood Co-operation Priorities, include:

- Advice on constitutional reform, legislative expertise, the review of institutional structure, needs assessments, capacity-building through tools and training.
- Election observation (Parliamentary Assembly, Congress).
- Partner for Democracy status (Parliamentary Assembly).
- Participation in relevant Council of Europe structures, including partial agreements (Venice Commission, Pompidou Group, North-South Centre) and activities (Strasbourg World Forum for Democracy).
- Accession to relevant Council of Europe conventions, notably in the area of good governance and the rule of law.

Preparation for accession to given conventions is one of the main objectives of the Neighbourhood Co-operation Priorities. Their implementation requires regular political and technical contacts, adjustments, and, in most cases, also an operational presence in the countries concerned.

### **Beneficiaries**

The Policy is designed for beneficiaries in North Africa, the Middle East and Central Asia. It currently involves Morocco and Tunisia, Jordan and Kazakhstan which have agreed, or are about to agree, on Neighbourhood Co-operation Priorities with the Council of Europe. In addition, the Palestinian National Council has concluded a Partnership for Democracy with PACE.<sup>1</sup>

The conclusion of Neighbourhood Co-operation Priorities with other potential beneficiaries will depend on the interest of the countries concerned, their readiness to engage and meet the relevant standards required for co-operation with the Council of Europe, the availability of extra-budgetary resources, as well as the overriding focus on co-operation within Council of Europe member states.

Co-operation between the Council of Europe and these countries, however, has not started from scratch; it has been developing for a number of years, in particular through participation in the Council of Europe partial agreements. By way of an example, Algeria, Israel, Morocco and Tunisia are members of the European Commission for Democracy through Law (the Venice Commission). In addition, Israel, Morocco and Tunisia have signed and ratified Council of Europe conventions.

### **Benchmarks**

No aspect of the Council of Europe's work is value-neutral. Meaningful co-operation and participation in Council of Europe activities, mechanisms and instruments require compliance, or a willingness to comply with the relevant Council of Europe principles and standards. These standards should govern every individual co-operation activity and the relevant conduct of the beneficiaries will be closely scrutinised.

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<sup>1</sup> See PACE Resolution 1680 (2009), <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta09/ERES1680.htm>.

The Assembly's specific benchmarks and monitoring procedures through the Partnership for Democracy are also an asset in this respect. This status has so far been granted to the Parliament of Morocco and to the Palestinian National Council.

Partner for Democracy status can be granted by the Assembly to parliaments of non-member states of the neighbouring regions, provided they meet specific conditions. It gives, in particular, the right to a parliamentary delegation to sit in the Assembly, without the right to vote. The Assembly shall then periodically review the progress made by the parliament concerned in the framework of the 'Partner for Democracy' status

### **In partnership with the European Union and others**

The substantial progress which has been achieved in the first year could not have been possible without the strong support of the European Union (EU), which has been, from the very beginning, an indispensable partner and supporter.

A genuine strategic partnership and very close co-ordination have been established at all levels, from the political -- especially through regular, monthly policy discussions with Commissioner Füle, but also other EU leaders to the local level, where the Council of Europe enjoys strong support.

EU support is also vital in terms of resources. On 17 January of this year, the Council of Europe and the EU signed a three-year €4.8 million programme supporting the implementation of democratic reforms in the South Mediterranean, notably in the fields of the independence and efficiency of the judiciary, the fight against corruption, human trafficking and the promotion of democratic values. This programme will also support gender equality, reflecting the strong stance of the Organisation on women's rights in the Arab Spring. It covers mainly Morocco and Tunisia through a regional component which allows for extending some of the activities to other countries in the South, notably Jordan. Joint Programmes are also being finalised for Kazakhstan.

At the same time, the Council of Europe also continues to explore every possibility for co-operation with international and bilateral partners in order to mobilise resources, avoid duplication and maximise its impact. To this end, Council of Europe delegations participated in the Annual OSCE Mediterranean Conference on 'Democratic Transformation: Challenges and Opportunities in the Mediterranean region' (10-11 October 2011) and in the OSCE Contact Group with the Mediterranean Partners (12 September 2011). The co-ordination of activities and policies in the neighbourhood figures regularly on the agenda of meetings held with representatives of other international organisations, including the OSCE.

### **Future outlook**


In the short term, the Council of Europe must focus on the implementation of the agreed Neighbourhood Co-operation Priorities. Concrete, measurable results are an imperative and are the only way to demonstrate the added value of this policy to the member states, neighbours and partners.

In the mid-term, the Organisation should look at the prospects of involving other potential beneficiaries, subject to the considerations described earlier.

At the same time, discussions on the longer-term perspectives of the Policy should continue, including on the possible creation of a formal status for Council of Europe neighbours. For this, we need clarity, courage and vision.

Whilst the mandate of the Council of Europe is, and will remain, geographically focused on Europe, co-operation with its neighbours is vital to ensuring a sustainable in-depth security in Europe. Stability in the neighbourhood is a precondition for stability in Europe.





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Security and Human Rights (formerly Helsinki Monitor) is a journal devoted to issues inspired by the work and principles of the Organization for Security and Cooperation in Europe (OSCE). It looks at the challenge of building security through cooperation across the northern hemisphere, from Vancouver to Vladivostok, as well as how this experience can be applied to other parts of the world. It aims to stimulate thinking on the question of protecting and promoting human rights in a world faced with serious threats to security.

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