

# **EASTERN PARTNERSHIP CIVIL SOCIETY FORUM**

**(Brussels, 16-17 November 2009)**

## **RECOMMENDATIONS**

### **WORKING GROUP 1: DEMOCRACY, HUMAN RIGHTS, GOOD GOVERNANCE AND STABILITY**

Meeting in Brussels on 16 November 2009, the participants in the Civil Society Forum group on democracy, human rights, good governance and stability decided that civil society organisations (CSOs) should be treated as natural institutional partners of the EU institutions, Member States and the Eastern Partnership (EaP) 6 authorities in planning, implementing, monitoring and evaluating EaP programmes on both bilateral and multilateral levels. The group took the decision to add “human rights” to its working title and suggests that the title of the thematic platform 1 of the Eastern Partnership is also changed to this effect.

CSOs should also be included in assessing the EU's engagement with EaP countries, particularly in relation to so-called ‘frozen conflicts’, and to the implementation of EU policies and instruments (such as the ENPI, thematic programmes of DCI, and the European Instrument for Democracy and Human Rights).

The EaP countries must strive to fulfil the Copenhagen Criteria and the commitments and recommendations of the Council of Europe and the United Nations. CSOs should be included in monitoring the EaP countries progress towards these goals.

The EaP provides an opportunity for the partner countries to integrate with the European Union by developing stable democratic structures, and by enabling stronger participation of civil society, in areas such as human rights, electoral standards, media freedom, combating corruption, training and networking of local authorities. Furthermore, gender issues should be mainstreamed in all EaP processes.

The Forum strongly condemns the holding of political prisoners in some EaP countries, and appeals for their immediate release.

## GENERAL – DEMOCRACY AND DEMOCRATIC VALUES

1. The EU should encourage the authorities in the EaP region countries to introduce or strengthen:
    - a) democratic principles at national and local level:
      - reform of political institutions in EaP countries, in terms of the openness of political systems towards civil initiatives and civil society participation in the political process;
      - promote multiparty democratic processes;
      - strengthen self governance within sustainable and independent local government systems, with special attention to the adequate financing of local authorities;
      - monitor the state of democracy in the EaP countries, with CSOs granted an important role in the process.
    - b) high standards of governance, supremacy of law, effective civil control over implementation of the laws as well as prosecutors and police, elimination of torture and inhuman treatment.
    - c) judicial independence and ensuring access to justice,
    - d) effective mechanisms for combating corruption.
  2. The EaP countries should:
    - a) reform education, particularly in the field of rule of law, democracy, human rights and public administration.
    - b) insist on harmonizing relevant national legislation with EU standards, including the adoption of comprehensive antidiscrimination laws.
    - c) adopt laws to ensure freedom of expression and to prevent hate speech in public life, including the mass media on the issues of religion and national minorities, xenophobia and racism, sexual orientation and gender identity, and other groups.
  3. The EaP should improve the capacity of applying the procedures of Regulatory Impact Assessment and Policy Analysis into the routine practice of drafting legislation in EaP countries.
  4. CSOs should be stakeholders in the process of implementing the EaP. In particular, they should have opportunities to propose projects and initiatives under the EaP.
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5. CSOs should be involved in evaluating projects financed by the EU, and future agreements should be shaped with the participation of CSOs, in order to guarantee their transparency.

## **HUMAN RIGHTS**

1. The EU should demonstrate the centrality of international human rights standards in its foreign policy and agreements with third countries by according human rights a distinctive space. Enforcing these human rights standards should be an integral part of the EaP.
2. The EU should support and strengthen the independence and effectiveness of national human rights mechanisms (such as the office of the Ombudsman).
3. The EU should provide best practice on non-discrimination and hate crime legislation, and on harmonising national legislation with EU standards.
4. Through EaP programmes, the EU should give attention to the full range of human rights, both civil and political rights and economic, social and cultural rights: including access to public and social services, universal respect for trade union and workers' rights enshrined in the ILO conventions and European Social Charter, and the right to private property.
5. The evaluation of human rights in EaP countries should be treated as a basic criterion for overall assessment of their democratic progress. The EU should assist human rights organizations in the EaP countries to develop and implement effective models and innovative methods for permanent monitoring of human rights. Efficient communication channels and institutional platforms should be established to inform the EU institutions, Council of Europe, OSCE, as well as individual EU Member States, of the results of monitoring.
6. The EaP countries should strengthen the implementation of international norms, mechanisms and recommendations at the national level. The EU should support the full implementation of the EU's Guidelines on human rights, in particular the Guidelines on Human Rights Defenders, as well as the relevant recommendations and decisions of the United Nations, Council of Europe, Organization for Security and Cooperation in Europe, and the European Court of Human Rights.
7. The EaP should mainstream human rights in all its programmes, including asylum and immigration policy, economic development, cross-border cooperation, trade and energy policy.

8. The EaP should urge the inclusion of CSOs in the development and implementation of government policy aimed at the protection of vulnerable groups, particularly ethnic minorities and internally displaced persons (IDPs). The EaP should promote intercultural dialogue among EaP countries as well as EU Member States, encouraging tolerance and diversity.
9. Special attention should be given to the rights of minorities, in particular the right to equal participation in the decision-making process and public life in the EaP countries, as well as the establishment of legal and institutional guarantees for this process.
10. The EaP should implement projects based on tolerance, pluralism and diversity related to history and national cultures and religions, LGBT and other marginalised groups.
11. The EaP should support, through co-operative projects, education in the sphere of political culture of pluralism and democracy based on values of tolerance, ecumenical religious, multicultural and multiethnic cooperation, both within a given country and in cross-border relations.

#### **ELECTIONS AND ELECTION CAMPAIGNS**

1. The EU should enhance effective assistance to the EaP countries to ensure free, fair and transparent elections, including support to the education of elections officials and independent election observation conducted by local CSOs.
2. It is the responsibility of governments and parliaments of the EaP countries to:
  - a) ensure a proper environment for elections which safeguards equal access of candidates and parties to public media and equality in exercising citizens' rights;
  - b) improve national election legislation according to the commitments of the Council of Europe and OSCE;
  - c) permit independent monitoring of elections, including by local CSOs.

#### **MEDIA**

The role of the EaP is to:

1. support media independence, pluralism and diversity;
2. ensure the rights of journalists and guarantee their security so they can perform their professional duties;

3. uphold the implementation of Council of Europe standards and recommendations for the media, particularly those applicable to regulatory independence, public service broadcasting and transparency of ownership;
4. ensure that digital switchovers do not limit public access to information, and provide for diversity of media ownership and content;
5. create a flagship EU project aimed at strengthening professional and civic media, including new media (internet);
6. To oppose any effort to impose restrictions on access to the internet, or internet censorship.

### **SECURITY AND PEACE BUILDING**

1. Stability and democratic change must be based on tolerance and security for all. A pragmatic approach aimed at conflict prevention, mitigation and resolution must not negate EU values as our principle should be: “Democracy is the best policy for security.” Such a strategy should be based not on the national interests of each state belonging to the region but on mutual goals and interests.
  2. Stability and security elements need to be inclusive, involving both state structures and civil society organisations. We should aim at deeper cooperation between EU Member States and EaP countries as well as with other countries of the region, such as Russia and Turkey, involving also international organisations such as the Council of Europe and OSCE.
  3. The EaP should:
    - a) provide methodological assistance for solving long-standing conflicts between neighbouring countries/nations.
    - b) develop efficient mechanisms for integrating “historic memories” of the EaP societies into European discourse.
  4. The Civil Society Forum should aim at creating a consortium of civil society organizations working on security and peace building issues in the region.
  5. With regard to territorial and ethnic-territorial conflicts, the contribution of the EaP should be based on the development of democratic principles and protection of human and minority rights. The EaP countries should display a European sense of cooperation in the region, in particular towards unresolved conflicts. All countries, as well as societies, should be part of the process of confidence-building measures, as they all are,
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by nature, part of the European neighbourhood. The bottom-up approach should be applied by engaging civil society and democratic forces in the region. Unresolved conflicts should not preclude CSOs from the whole region in participating in EaP initiatives.

6. The EU and EaP countries should encourage the positive involvement of Turkey and Russia, as this could be important for the success of the Eastern Partnership and the future development of the countries concerned. Based on a bottom-up approach with these two important neighbours, the Civil Society Forum is well placed for running second-track diplomacy.
7. Natural resources should be managed in a way that guarantees environmental security and ensures the human right to live in a healthy and safe environment.

#### **CIVIL SOCIETY AND GOOD GOVERNANCE**

1. The EU should institutionalize the role of CSOs as full partners of the EU and EaP countries in their planning, implementing, monitoring and evaluating functions in the process of EaP.
2. The EaP countries should develop a legal framework for the registration of CSOs and functioning of civil society which is consistent with EU standards. The EU should support full adherence to the standards of the Council of Europe concerning activities of CSOs, as stipulated in the Recommendation CM/Rec(2007)14 of the Committee of Ministers to Member States on the legal status of non-governmental organisations in Europe. Special attention should be paid to the status of CSOs - they can be either informal bodies, organizations or have legal personality. An assessment of freedom of association in EaP countries should be presented on an annual basis.
3. The EaP should support those activities of the European Commission and Council of Europe that promote a values-based democratic civil education for a new generation of politicians, public servants, business people, journalists, and CSO leaders.
4. The Forum encourages multi-country projects with a strong focus on core challenges facing the region (for example in regional conflicts, energy policy, democracy, rule of law, human rights, media freedom, migration) within the framework of the four thematic platforms and broader.
5. The Forum recommends the development of a programme of small grants that would operate in a quick and flexible fashion to assist CSOs in EaP countries often needing

limited financial support to travel to participate in conferences and meetings, and to prepare materials and publications.

6. The Forum recommends the creation of an effective, internet-based common platform for the Civil Society Forum for communication, proposals and analysis-sharing between analytical centres, experts and journalists of the EaP countries, EU Member States, the US, Russia, Turkey and other third partners. It is recommended to include the use of the Russian language in this platform, in order to involve Russian-speaking partners.

This portal should include these elements:

- a) information on the programme and progress of the bilateral and multilateral negotiations of the EaP;
  - b) information on the Civil Society Forum, its members and activities within the Forum;
  - c) policy analysis and recommendations related to the EaP and the Civil Society Forum
  - d) locally generated content related to multilateral or bilateral activities of the EaP.
7. The ENPI Good Governance facility should be made open to the participation of CSOs on a competitive basis, to enable CSOs to contribute to improving governance by providing training and other services to governmental institutions.
  8. The EaP should:
    - a) support CSOs and individuals who face repression or harassment for their public activities. All institutions of the EU and individual Member States should conduct policy that is guided by human rights and democratic values and principles rather than by short-term political or economic interests.
    - b) develop the capacity of local CSOs to provide advice in the area of good governance.
  9. The EU should widen and simplify procedures for CSOs to apply for EU funds.

## **VISA FACILITATION AND LIBERALISATION**

The EU and its member states should offer all six EaP countries roadmaps towards visa free regimes, waive visa fees as soon as possible, and as a first step provide multiple-entry long term visas.

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Considering the importance of the democratic development of Russia, the Civil Society Forum calls on the EU to develop equivalent commitments to Russian civil society, leading to the establishment of an EU-Russia Civil Society Forum.

Parallel to the peer review carried out on the basis of CoE Conventions, the Civil Society Forum should prepare country-specific NGO progress reports on democratic governance, which will present independent assessment of compliance with international standards and conventions in democratic governance.

Communicating the results: To a large extent, the sustainability of the Forum depends on how the results are promoted and communicated. To increase awareness, the results have to be translated into the languages of EaP countries. To bypass existing bottlenecks of media control, the internet is the most important platform for communication. It is a major task for all, particularly the CSOs from the EaP countries, to communicate the results of the Forum and to make European integration a national priority. Elaborating a tailor-made communication strategy should be part of work of the Civil Society Forum.