



Organization for Security and Co-operation in Europe



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

CO-OPERATION AGREEMENT
ON LOCAL GOVERNMENT ASSISTANCE IN SOUTH EAST EUROPE
BETWEEN
THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE
AND
THE COUNCIL OF EUROPE

The Organization for Security and Co-operation in Europe (OSCE) represented by Ambassador Marc Perrin de Brichambaut, Secretary General

and

The Council of Europe represented by the Right Honourable Terry Davis, Secretary General

Hereinafter referred to as the Parties have agreed to conclude this Agreement regarding technical co-operation:

Article 1
PURPOSE OF THE AGREEMENT

Building on past and present experiences of co-operation between the Parties, including the dissemination of the European Charter of Local Self-Government as well as support for legal reforms and capacity-building programmes in South East Europe, both organisations hereby commit themselves to joint action in support of democracy and good governance at the local and regional level, with a view to complementing and making the best use of the respective capacities and strengths of each organisation.

For the purposes of this Agreement, South East Europe is understood as the areas of the region covered by the following OSCE field operations: the Presence in Albania, the Mission to Bosnia and Herzegovina, the Mission to the Republic of Croatia, the Mission in Kosovo, the Spillover Monitor Mission to Skopje, and the Mission to Serbia and Montenegro.

Both organisations commit themselves to the principles of local ownership and the strengthening of national institutions.

Article 2
CAPACITIES AND STRENGTHS OF THE PARTIES

1. The OSCE's capacities and strengths:

- an overall framework for the advancement of human rights and democratic institutions,
- high in-country profile of the OSCE field operations and their close working relationship with all levels of national and local authorities and civil society,
- mandate to report and monitor developments coupled with extensive knowledge of the local conditions and capacity for targeted intervention,
- regional coverage of the Organization and cross-border links between field operations,
- expertise and institutional memory deriving from ten years' experience in implementing local government assistance programmes,
- human and other resources on the ground in individual countries.

2. The relevant capacities and strengths of the Council of Europe:

- a strong political framework for strengthening genuine democracy and good governance in Europe,
- longstanding experience and in-depth knowledge in the promotion and organisation of European co-operation in the field of local and regional democracy,
- legitimacy as 'guardian' of the European Charter of Local Self-Government and of a range of standards on local government established in recommendations of the Council of Europe Committee of Ministers,
- access to local government expertise throughout Europe,
- representation of local government interests through the various Council of Europe institutions – in particular the Congress of Local and Regional Authorities and the Steering Committee on Local and Regional Democracy,
- close links with Ministries of local government and national associations of local authorities

Article 3
SCOPE OF CO-OPERATION

The Parties agree to co-operate at an operational level in the development of effective democratic local government in South East Europe.

This co-operation will take place within the scope, resources and administrative framework of each Party, taking into account their respective priorities.

In the context of local government reform the Parties may co-operate in the following field:

The provision of policy and legislative assistance in support of the development of the institutional framework of local government, covering such areas as:

- territorial reform,
- basic legislation on local/regional government structures and operation,
- institutional dialogue,
- relationships and co-ordination between levels of government,
- inter-municipal and inter-regional co-operation.

In the context of the development of national capacity-building programmes the Parties may co-operate in the following areas:

- leadership and strategic management,
- best practice,
- performance management,
- financial management,
- training strategies,
- communications strategies,
- community engagement and citizen participation,
- cross-border co-operation,
- local economic development.

This list of areas of co-operation is not exhaustive and may be subject to revision.

Article 4

IMPLEMENTATION

Officials of the Council of Europe will consult the OSCE Secretariat, the ODIHR and the OSCE field operations, and vice versa, in the early stages of the planning of any relevant in-country programmes to consider opportunities for synergies and, where appropriate, joint projects. This will not preclude the inclusion of other partners in any programme.

The ODIHR will support OSCE Field Operations in developing co-operation with the Council of Europe in specific programmes or initiatives and, where appropriate, in concluding subsidiary agreements at the operational level. Such agreements shall form an integral part of this Agreement.

At least once a year, the designated focal points from the two organisations will meet to assess the development of effective democratic local government in countries of South East Europe, evaluate their joint actions and explore opportunities for further co-operation.

For the purposes of this Co-operation Agreement, the contact point for the Organization for Security and Co-operation in Europe shall be the ODIHR. The contact point for the Council of Europe shall be designated by the Secretary General of the Council of Europe.

Article 5

PERIOD OF VALIDITY

The present Agreement shall remain in force for an unlimited period of time. Either Party may at any time terminate the present Agreement by means of a notification addressed to the other Party. The termination shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification, unless otherwise agreed to by the Parties in writing. Any differences which may arise in the application of the provisions of this Agreement, or of any subsidiary agreement concluded pursuant to its provisions, shall be resolved through negotiation between the Parties.

Article 6

AMENDMENT

No modification of, or changes to, this Agreement or waiver of any provision shall be valid unless made in writing and approved by the duly authorized representatives of the Parties.

Article 7

ENTRY INTO FORCE

This Agreement shall enter into force upon the signature of the Parties below and shall remain in force until terminated in accordance with Article 5 above.

In witness whereof, the undersigned, being duly authorized, sign this Agreement

Done in two copies in Strasbourg on the 17th day of November, two thousand and five, in English.

For the Organization for Security
and Co-operation in Europe:

For the Council of Europe:

Secretary General of the OSCE

Secretary General of the Council of Europe