

**PARTNERSHIP AGREEMENT  
BETWEEN  
THE COUNCIL OF EUROPE  
AND  
THE EUROPEAN ROMA AND TRAVELLERS FORUM**

The Council of Europe, represented by Mr Terry Davis, acting in his capacity as Secretary General,

hereafter "the Council of Europe",

and,

the European Roma and Travellers Forum, represented by Mr Rudko Kawczynski, President *ad interim* of the Forum, who shall present this Agreement to the Plenary Assembly of the Forum, in accordance with Article 10 of the Statute of the Forum,

hereafter "the Forum",

Have agreed as follows:

**I. The Council of Europe's relations with the Forum**

1. The Forum is a non-profit-making legal entity governed by the legislation in force in France. Its purpose is to oversee the effective exercise by Roma and Travellers of all human rights and fundamental freedoms as protected by the legal instruments of the Council of Europe. It shall promote the fight against racism and discrimination and facilitate the integration of these population groups into the European societies and their participation in public life, as specified in Article 2 of the Statute of the Forum. The Forum pursues this aim notably by proposing, in order to contribute to the improvement of the conditions of the said populations, the implementation of initiatives at the most adequate levels, primarily with regard to housing, health, education and employment.
2. In the light of its aims, the Forum shall maintain special relations with the Council of Europe and in particular with those Council of Europe bodies whose activities are of direct interest to Roma and Travellers in Europe.
3. The Council of Europe shall maintain special relations with the Forum. The Council of Europe's relations to the Forum shall be defined in the decisions taken by the competent Council of Europe bodies, in accordance with the relevant rules and procedures thereof.<sup>1</sup> These decisions shall specify the nature and time frame of the Forum's contribution to the work of the Council of Europe.
4. The Council of Europe may have recourse to the expertise of the Forum with a view to integrating considerations pertaining to the situation of Roma and Travellers in Europe in its decision-making process. The Council of Europe shall have observer status with the Forum.

## **II. Support provided by the Council of Europe for the functioning of the Forum**

In order to foster the development of the unique instrument for partnership which the Forum represents, the Council of Europe shall, under the present agreement, provide support for the functioning of the Forum in the form of:

- a contribution in terms of human resources;
- a contribution in terms of technical facilities;
- a contribution in terms of financial resources.

The Committee of Ministers will review the principle of a Council of Europe financial contribution to the Forum every three years.

### **i. Human resources**

- a. Under the terms of this agreement, the provision of any human resources made available to the Forum by the Council of Europe shall be the object of an exchange of letters between the Secretary General and the President of the Forum.
- b. Council of Europe staff members shall be placed at the disposal of the Forum's Secretariat after consultation with the President of the Forum. They shall remain under the authority of the Secretary General of the Council of Europe and subject to the Council of Europe's Staff Regulations.
- c. The placement of Council of Europe staff at the Forum's disposal may be terminated at the request of the Secretary General of the Council of Europe, the President of the Forum or the staff members themselves. In the latter two cases, account shall be taken of the time needed to redeploy the staff members within the Council of Europe.
- d. In accordance with its Statute, the Forum may recruit staff in various countries to carry out its activities. Staff recruited in this way shall be remunerated and managed in accordance with the labour law of the place of recruitment and may not claim any link whatsoever with the Council of Europe in respect of contractual and working conditions or benefit from the privileges and immunities enjoyed by Council of Europe staff.

### **ii. Technical facilities provided to the Secretariat of the Forum**

- a. The Council of Europe shall make available on a temporary basis in its premises in Strasbourg an area for the functioning of the Forum's Secretariat. The premises assigned to the Forum shall be maintained and insured by the Council of Europe under the same conditions as its other facilities.
  - The Forum shall not be entitled to invoke any privilege or immunity enjoyed by the Council of Europe, nor shall it benefit, under any circumstance or title, from the privileges and immunities that apply to the buildings and premises of the Council of Europe.

- The assignment of premises to the Forum shall not prejudice the application of the privileges and immunities attached to the Council of Europe, its property, funds and assets, in accordance with the General Agreement on Privileges and Immunities of the Council of Europe and the Special Agreement relating to the Seat of the Council of Europe.

- The Forum shall observe all regulations applicable to persons on the premises of the Council of Europe, and shall use the premises assigned to it in conformity with all security regulations of the Council of Europe.

b. With a view to the day-to-day functioning of its Secretariat in Strasbourg, the Forum may have access to the Council of Europe's interpretation and translation facilities in the two official languages of the Council of Europe and in Romani, as well as the Council of Europe's meeting rooms, mailing service and office automation and computer facilities, under the following conditions:

- These facilities shall be provided to the Secretariat of the Forum solely as a contribution to its day-to-day administration (for example, one General Assembly per year, two meetings per year of the Executive Committee).

- The Council of Europe shall not provide meeting rooms, interpretation, translation or mailing facilities for activities of the Forum unrelated to its relations with the Council of Europe.

- The facilities made available will be given on the basis of a negotiated envelope.

### **iii. Financial resources**

The Council of Europe shall allocate an annual contribution towards the functioning of the Forum, subject to the budgetary decisions which the Committee of Ministers takes each year. The amount of the Council of Europe's financial contribution shall contribute to the Forum's basic running expenses (in principle one plenary meeting, two bureau meetings, including interpretation and translation). The Forum's annual audited accounts shall be submitted to the Council of Europe for verification of the proper use of the contribution. In addition to the audited accounts, the Forum shall submit its draft budget for the following financial year, in time for its consideration by the Council of Europe during the procedure of adoption of the Council of Europe budget.

The Forum shall also submit an annual evaluation report to the Council of Europe.

The Forum shall, with a view to gradually becoming self-sustaining, actively seek funding from other sources, such as other international organisations, Member States of the Council of Europe (voluntary contributions) or any other private or public source intended to further the Forum's aims in general or a specific purpose not contrary to the Forum's Statute.

The Forum shall make its accounts available for any further verification, including checks on the spot, of the proper use of the contribution by the Council of Europe, its auditors or its appointed representative.

### III. General Provisions

1. In the course of its activities the Forum shall comply with the basic principles and general policy guidelines laid down for Council of Europe activities. Neither the Council of Europe as such, nor its Member States, shall be bound in any way by the statements and activities of the Forum. If it were found that the Forum was engaged in activities contrary to the above principles or to the provisions of the present agreement, the Council of Europe can immediately suspend all cooperation.
2. This agreement is drawn up for a period of three years starting from 15 December 2004. The agreement may be renegotiated on the basis of an independent evaluation and renewed at the end of this period, depending on developments of relations between the Forum and the Council of Europe. In the absence of any specific decision, the agreement shall be tacitly renewed for subsequent periods of one year. During this period, the terms of the agreement may also be amended or supplemented by means of a supplementary agreement between the parties, drawn up in writing.
3. In accordance with the provisions of Article 21 of the General Agreement on Privileges and Immunities of the Council of Europe, any dispute between the Secretary General and the Forum concerning the application of this agreement shall, failing a friendly settlement between the parties, be submitted to arbitration as provided in Order No. 481 issued by the Secretary General with the approval of the Committee of Ministers.

Done in Strasbourg, on 15 December 2004.

For the Council of Europe



The Secretary General

For the European Forum for Roma  
and Travellers



The President *ad interim*

<sup>1</sup> As an indication a non exhaustive list of the competent Council of Europe bodies and their relevant rules and procedures is contained in the Appendix to this Partnership Agreement.

