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Speech by Anna Rurka, President of the Conference of INGOs, at the meeting of the Standing Committee of the Parliamentary Assembly, Helsinki, 23 November 2018

Dear President,
Dear Secretary General,
Dear Members of the Standing Committee,

Thank you for giving me this opportunity to exchange views with you on the important issues for the Conference of INGOs. I would like to highlight mainly two points. The first one concerns the need to increase interaction between the Conference of INGOs and the Parliamentary Assembly and the second will focus on citizens and civil society engagement in the legislative process in Council of Europe member States.

For the past 40 years, organised civil society has helped at both national and international level to achieve the statutory aim of the Council of Europe, which is “the achievement of greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and of facilitating their economic and social progress”. Compliance with the European Convention on Human Rights and the European Social Charter and the other legal instruments deriving from these treaties is the only way to ensure the effective implementation of universal and indivisible human rights for everyone. This specific aim gave the foundations for the joint action of the Conference of INGOs, the Committee of Ministers, the Parliamentary Assembly, the Congress of Local and Regional Authorities and the General Secretariat, whose work is complementary to that of the two other independent institutions of the Council of Europe: the European Court of Human Rights and the Commissioner for Human Rights.

The Conference of INGOs is composed of 301 INGOs with participatory status given by the Secretary General of the Council of Europe. Our members elect their representatives every 3 years, the President and the Bureau, the Chairs and Vice-chairs of 3 thematic committees which are Human Rights, Democracy, social cohesion and global challenges as well as Education and Culture committee. In 2008, the Conference established its Expert Council on NGO Law, which produces legal opinions and studies regarding the legal frameworks in member States which have an impact on the functioning of NGOs

We meet twice a year during the week of Assembly sessions. For next year however, we have decided to have one session in April at the same time as your session and a second session in October with the Congress of Local and Regional Authorities. During our meetings we address subjects which constitute important issues for civil society and which are, to a large extent, common with those discussed by the Parliamentary Assembly. We also co-organise side events in co-operation with your committees, most recently with the Committee on Equality and No discrimination, (entitled "Women's mobilization in Europe: What impact on policies?" and one with the Delegation of Finland to the Parliamentary Assembly on

“Women’s contribution to Global Peace in implementing UN Security Council Resolution 1325 on Women and Peace and Security”

However, we would like to increase our interaction with your Assembly, make it more constant and more regular. This is also why, on behalf of the Standing Committee of the Conference of INGOs, I addressed some proposals to the Secretary General of the Assembly regarding the new rules that the Assembly wishes to establish or has already established. We understand the constraints and fears, however we are convinced that only by a more open and transparent decision-making process can we fight against, and prevent, the risk of corruption and conflict of interests.

My suggestion is that the PACE rules differentiate between elected representatives of the Conference of INGOs and individual INGOs. My concern regarding access to your Committee meetings is not for all the INGOs with participatory status but for my colleagues who hold an elected office in the Conference of INGOs, such as the Chairs or Vice-chairs of our committees. They should be entitled to the same treatment and access to information as the representatives of the other Council of Europe bodies.

The strength of the Council of Europe lies in the plurality of its bodies which are all acting with the same aim. Our two bodies could coordinate their agendas to work on issues which are in our common interest such as gender equality, the protection of civic space and human rights defenders, education and culture, migration, youth policies. By this way we can reinforce the Council of Europe’s responsiveness when it comes to addressing crises of confidence and the turning away from those values which can be observed at times in certain member states.

Our democratic institutions need to constantly take the voice of the citizens into account, and not just during an election or a referendum. This voice and contribution is communicated by direct citizen participation and NGO participation, understood as citizens’ self-governing organisations. In addition, in the light of the subsidiarity principle, public institutions need NGOs to deliver services to the citizens, in particular where the state does not deliver them itself.

Since 2015, the Conference of INGOs has been carrying out fact finding visits in the member States, which focus on NGO participation in political decision making. On these occasions, I have the pleasure of meeting members of parliament, very often from the PACE delegation to the Council of Europe. In all the countries visited, I have seen that there is a declared will to enable citizens to engage more effectively in the policymaking process, by giving citizens access to information about the laws under consideration, as well as opportunities to influence legislative deliberations. However, in practice, the accessibility of parliaments needs improvement in order to meet the international standards regarding, for example, citizen’s participation in political decision-making, included in the guidelines adopted by the Committee of Ministers in September 2017.

Open data and technology give new opportunities to engage the public, increase the openness and transparency. The existence of these tools is obviously important, but even more important is their use by the target population and the quality of contributions that determines their effectiveness and usefulness. Members of parliament need to work with civil society organisations to improve the tools and the process.

Before closing, I would like to underline that the protection of civic space and freedom of association, as guaranteed by the European Court of Human Rights and in its broad definition, as proposed by the Venice Commission and the OSCE in the guidelines, is always

at the heart of the Conference of INGOs' action. The overall picture is that civil society no longer feels protected by national institutions. It must therefore be reassured that the Council of Europe is speaking on its behalf and that it is doing what it can to protect fundamental rights and freedoms.

This is why I would like to thank you for your recent Recommendation on new restrictions on NGO activities in Council of Europe member states which underlines:

- The need for greater implementation of the Committee of Ministers' Recommendation 2007(14) on the legal status of non-governmental organisations in Europe;
- The importance of thematic debates on the role and functioning of NGOs in the Council of Europe and its exchanges with the Conference of INGOs on a regular basis;
- The need to establish a mechanism aimed at receiving, analysing and reacting to alerts on possible new restrictions on the right to freedom of association in Council of Europe member States;

Regarding this last point, we encouraged the Committee of Ministers to answer positively to this proposal. The Conference has worked closely with the Secretariat of the Directorate General of Democracy to set up a project in the Council of Europe's 2018-2019 Programme and Budget. The project will particularly seek to draw on the knowledge of the Expert Council on NGO Law of the Conference of INGO with the aim of assessing the extent of the problem and answer it in the political way.

In the light of the unjustified and disproportionate restrictions on civic space, NGOs need independent justice and, more particularly, political dialogue within the Council of Europe, which is the only institution which politically can address this issue using already elaborated standards. This is also why the rules should not undermine the direct access of INGOs with participatory status to the Parliamentary Assembly. Quite the contrary, we should promote INGOs participation in the Council of Europe. It is our shared responsibility.

Thank you very much for your attention.