Standing Committee
CONF/SC(2023)SYN6

Standing Committee meeting
Minutes
07.06.2023
09:00-11:00
Online meeting

Present: Gerhard Ermischer, Goran Miletić, Annelise Oeschger, Piotr Sadowsky, Christoph Spreng, Beata Zwierzinska,
Absent: Ruth Allen, RaresCraiut, Geneviève Laloy, Simon Matthijssen, Anna Sevortyan, Anna Rurka, Olga Sadovskaya
Secretariat: Mary-Ann Hennessey, Bénédicte Kern, Anu Juvonen, Lusiné Sahakyan

1. **Opening of the meeting by Gerhard Ermischer, President of the SC**
   As there is no quorum in the members present, formal decisions (if any) will have to be taken by Email with all SC Members.
2. **Rapporteur:**
   Christoph (Simon will take his place on 7 Sept.)
3. **Draft agenda - for adoption**
   The Agenda is approved.
4. **Draft minutes of the last meeting - for adoption**
   The production of the Minutes of the last Meeting is delayed, hence nothing to adopt.
5. **After the Summit – where to go now?**

- Meeting with CR-Dem on 1 June:
  Gerhard briefed them about the CINGO Plenary in April. There were few members present and few questions asked, maybe a post-Summit lull? The core of the exchange was on improving the relations of the CoE with Civil Society Organisations. Some Ambassadors seem to have little knowledge about CINGO and its functioning, such as the SG criteria for INGO status.
- Wrap up with CURE (June 2)
  This was an online event mainly dedicated to explain and analyse the Summit declaration and its addenda. Quite a number of CINGO members attended.
- Meeting with Ambassador of Latvia, current Chair of CM Dy.on 6 June:
  This was a very good and productive post-Summit online event. The Chair and the Secretariat were impressed by the quality of the input given to them. We will get the Summary and will be able to respond; new additions will not be accepted, but any proposals to delete from the draft are welcome.The CM aims at having the Draft Implementation Plan of the Summit Declaration by 28 June for adoption in July before the summer pause, a tight

schedule but sensible to keep the momentum.
The big issue of the Summit Implementation will revolve around the budget planning.

- Organise a webinar'Summit follow-up' for / with ourmembers
  As noted above, the timeline is tight, therefore:It is proposed to hold this event with interpretation EN/FR and Annelise (OING-Service) is asked to make the reservation accordingly. Keeping in mind the tight schedule this webinar is set to take place on **Thu. 15 June at 17.00 – 1830 hrs Strasbourg time**.
  The output of this webinar will be passed on by Gerhard to the Chair of CM Deputies.

6. **Proposed new rules for transparency in lobbying with the PACE (see addendum below)**
   Gerhard has asked Jeremy McBride, President of our ExConLaw, to be our representative. His legal background is needed, as these proposed rules are tricky.

7. **World Forum for Democracy: Our contribution**
   Mary-Ann Hennessey reiterates that the proposals for Labs are open till 15 June, that the CINGO-SC contributionas such is more on the level of hosting, such as availability to moderate a session in which 3-4 Lab presentations are made. This year's WFD will be without the use of the Palais hemicycle and the Foyer, thus reducing the natural spaces for encounters/networking. There is a mention of the WFD in the Summit Declaration, but without any clear concept.

8. Business carried forward

- Time plan until April session next year
  Bénédicte Kern will write to the members of our Verification&Dispute Committee chaired by Cyril Ritchie, as it needs to meet in order to set up the timeline with action points in view of the CINGO elections due in April 2024. This will allow for an informed announcement to be made at the upcoming October Plenary.
  Also, due next year will be the quadrennial reporting by INGOs to the Secretariat.
  Lusiné S. a.o. will work out the exact date of the April 2024 Plenary by reserving the needed meeting halls; Gerhard would prefer to avoid it being in parallel to PACE, because members should be present at the CINGO sessions. Ideally the session should be just before or just after PACE.

- Minutes to put online
  Ruth and Geneviève have made progress and ask SC members to check in their own data for minutes due to be shared.

- Strategic Meeting
  Gerhard will put up a doodle to help fix a date for this. Ruth and Geneviève are due to write a memo as a basis for the strategic conversation.

- Report on Country Visit BiH
  Simon has made good progress on the Report, Goran and Gerhard are due to finalize it.

9. **Any other business**

There is a brief discussion on the writing of the Meeting minutes, re. mention of names / organisations. As for SC members, their names are appropriate as they have been elected ad personam. For CINGO members, they should appear by their INGO names.

Dates: The Social Charter event is on 20 June in Brussels. As a reminder, the Complaints Mechanism Reform has been insufficient, a Seminar on this is scheduled on 6 July at 14.00 hrs in Strasbourg.
The annual Day for the Eradication of Poverty this year will be during the CINGO PLE on 11

October at 12.30 hrs. The English version of the text on the Commemoration Stone will be inaugurated.

The Meeting ends at 10.25 hrs *2023-06-13 / cbs*

ADDENDUM (Ref. point 6, above)

Information received through Mary-Ann on plans for a transparency register for the PACE:

The motion was signed by a group of EC/DA assembly representatives in June 2021. It notes the existence of "lobby registers" in different European Parliaments, and calls on PACE to set up: (1) a mandatory register for members to disclose with which NGOs and lobby groups they interact in the framework of their activities and/or functions within the Assembly; (2) a mandatory register for lobbyists and NGOs active within the Assembly, where they describe their mission statement, by whom they are financed and with which Assembly members they meet; and (3) a separate Code of Conduct for lobbyists and NGOs.

The report is now subject to quite a tight timeline. The Introductory Memorandum and a hearing with experts are both scheduled for the committee meeting during the June assembly session; and the final report is scheduled for adoption in committee in September. The current report will not itself establish new PACE regulations. However, it is the first step in a debate on this issue, which might frame the creation of possible future rules.

PACE itself has played a key role in promoting the need to regulate and increase the transparency of lobbying activities within national parliaments. In particular, PACE Recommendation 1908 (2010) recommended that the Committee of Ministers elaborate a European code of good conduct on lobbying. This was subsequently followed by CM Rec(2017)2 to member States on the legal regulation of lobbying activities in the context of public decision making, which recommends a range of transparency measures. However, although PACE has encouraged greater transparency of lobbying in national parliaments, it has not itself created substantive regulation of lobbying. This was criticised in a 2017 GRECO report, (paras 48 to 51).

Meanwhile, although there are strong reasons for PACE to introduce new transparency measures on lobbying, such changes could lead to notable new limitations on the ability of Assembly members and civil society to interact with one another – as well as introducing a new administrative burden on the organisation as a whole. In particular, the motion calls for all Assembly members to have to publicly register all NGOs/lobbyists whom they meet with; and for lobbyists/NGOs to publicly register all the Assembly members that they meet with. Preliminary research indicates that the registration of every meeting is not something commonly done in those parliaments that do have lobbying registers. There are a variety of different regulations, ranging from registers only for paid consultant lobbyists (e.g. UK), to a mandatory register that simply the requires those engaged in lobbying to put identifying information online once (e.g. France), to voluntary registers that nonetheless requires registration in order for lobbyists to engage in certain activities (e.g. the EU parliament, which requires registration to obtain a badge to access the building, or participate in a hearing).

In the course of the preparation of the report, we are seeking to organise a hearing in the Legal Affairs and Human Rights Committee, which will take place on either **the morning of Tuesday 20 June or of Wednesday 21 June**. This is likely to include one expert from a national parliament, to outline a system currently in use at national level; one expert from GRECO, who can outline some of the relevant international standards; and one expert from

civil society, who could discuss how new transparency regulations might affect civil society access to PACE. For the final expert, we are particularly interested in (a) assessing whether civil society access to PACE might risk being diminished by certain new regulations, which would be contrary to various declarations of the CoE aimed at increasing civil society participation; and (b) assessing whether new regulations might result in certain dangers for civil society members – for example, by requiring activists from states where activism can lead to repression to be put on a public register. It would be important to understand not only how new regulations might affect civil society which is part of the INGO conference (which have a relatively privileged position in regard to CoE access), but also NGOs and individual members of civil society who are not part of the INGO conference (such as those operating only at national level).

Taking into account the above, I would be very grateful if you could let me know whether a representative of the INGO conference might be available to participate in the hearing in June, to discuss this issue from the civil society perspective and addressing the issues I have outlined above. This would involve a 10 minute presentation along with the other experts, followed by a question and answer session with parliamentarians. For example, we would be very grateful to hear from the President of the INGO Conference Mr Gerhard Ermischer, or Jeremy McBride in his capacity as Chairman of the Expert Council on NGO Law. I am sorry to launch this with you so late (the timing was beyond my control) – but if you are able to get back to me as soon as possible, I would hugely appreciate it.