

# **Information Documents**

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Secretary General's Roadmap on the Council of Europe's Engagement with Civil Society 2024-2027

#### INTRODUCTION

#### I. CONTEXT

- 1. At the Reykjavík Summit on 16-17 May 2023, the Heads of State and Government of the 46 member states of the Council of Europe (hereinafter "the 4th Summit") adopted the Reykjavík Declaration, reconfirming the need to reinforce the Council of Europe's engagement with civil society: "We also call for a review and further reinforcement of the Organisation's outreach to, and meaningful engagement with, civil society organisations and national human rights institutions." As the Reykjavík Principles for Democracy, appended to the Declaration, reaffirm: "civil society is a prerequisite for a functioning democracy".
- These political commitments build upon the decisions adopted at the 129th Session of the Committee of Ministers on "the need to strengthen the protection and promotion of civil society space in Europe" (17 May 2019, Helsinki, Finland) in light of the comprehensive Recommendation CM/Rec(2018)11 of 28 November 2018 on the need to strengthen the protection and promotion of civil society space in Europe. These decisions, along with the Secretary General's follow-up proposals<sup>1</sup> and the corresponding decision taken at the Hamburg Ministerial session on 21 May 2021 (CM/Del/Dec(2021)131/2a, item 12) form the so-called "Helsinki process". The Secretary General's final report "Follow-up to the Helsinki decisions on civil society: implementation of the Secretary General's proposals" (SG/Inf(2022)13)) was endorsed during the 132nd Session of the Committee of Ministers (20 May 2022, Turin, Italy). In Turin, the ministers welcomed the measures taken to increase co-ordination and synergies between the mechanisms on civil society and human rights defenders within the Organisation and encouraged further work to this end. The High-Level Reflection Group of the Council of Europe in its report also recommended pursuing the follow-up to the decisions adopted at the Ministerial Sessions in Helsinki and Turin.

#### II. SCOPE

Against this background, the present Roadmap of the Secretary General on the Council of Europe's engagement with civil society (hereinafter "the Roadmap") presents her proposals aimed at shaping a policy for meaningful engagement with civil society as a whole, including youth civil society, in all aspects of the intergovernmental work (standardsetting, monitoring and co-operation activities), building on the existing framework. It is recalled that "civil society" is in accordance with the relevant Council of Europe standards and notably the abovementioned CM/Rec (2018)11. "Civil society" also comprises social partners, in particular the trade unions, which play a crucial role in the architecture of democratic governance as demonstrated by the European Social Charter. On the other hand, it is recalled that, as it was noted in SG/Inf(2020)8, with the exception of specific activities restricted to member states, nearly all of the Council of Europe's standard setting, monitoring and co-operation activities involve some level of engagement with civil society (see the Appendix of SG/Inf(2020)8). Therefore, while they do not address specifically the Conference of International Non-Governmental Organisations (INGOs), these proposals may be taken into consideration and impact future reforms in light of the 4th Summit Declaration mentioned above.

<sup>&</sup>lt;sup>1</sup> SG/Inf(2020)8; SG/Inf(2021)24.

<sup>&</sup>lt;sup>2</sup> Co-operation activities comprise also the Council of Europe Offices and Programme Offices.

- 4. Similarly, the proposals do not cover the framework of co-operation with Russian and Belarusian civil society. These are addressed separately within the Organisation, namely within the Contact group on co-operation with Belarusian democratic forces and civil society, set up by the Secretary General and within the GR-DEM in light of the Committee of Ministers' decision on the follow-up to the 4th Summit (CM/Del/Dec(2023)1471/1.6à and CM/Del/Dec(2023)1471/1.6-app).3
- 5. The Roadmap was prepared following a transversal and inclusive approach. Its drafting was task-oriented and co-ordinated by the Private Office of the Secretary General and involved representatives of the main major administrative entities of the Organisation working in the intergovernmental sector. Contributions from civil society organisations, in view of the 4th Summit (including the Civil Society Summit on the Council of Europe)<sup>4</sup> or during their meetings with the Secretary General or her Private Office, fed into this work.
- 6. The policy proposals presented in the Roadmap are further detailed in an appended table in accordance with the method of the theory of change. Where relevant, the <u>Directorate of Internal Oversight's evaluation of civil society participation in co-operation activities</u> was taken into consideration. The proposals contained in this Roadmap are reflected in the Secretary General's proposal for the draft Programme and Budget 2024-2027. Similarly, they will be subject to a mid-term review and a final assessment.
- 7. This Roadmap will be examined by the GR-DEM within the frame of its follow-up work to the 4th Summit. The main objectives will be presented by the Secretary General in her first regular exchange of views with the civil society on 15 September, on the occasion of the International Day on Democracy. While the proposals focus on civil society, it is recalled that within the Helsinki process, the Secretary General has repeatedly highlighted, since the Strategic Framework of the Council of Europe (SG/Inf(2020)34), that human rights defenders, as well as national human rights institutions (NHRIs) in member states, are also a key strategic priority of the Organisation. Therefore, and in light of current developments, certain forward-looking observations specifically devoted to NHRIs and human rights defenders conclude this document.

#### I. Modalities for civil society's engagement with the Council of Europe

8. A meaningful and effective engagement of civil society with the Council of Europe revolves around improving the following three dimensions: awareness, knowledge and understanding of the Organisation by non-governmental organisations (NGOs), as well as through participation, contribution and sharing of perspective. Emphasis is also put on enhancing the participation of youth civil society in view of the relevance of what youth perspective can bring to the current societal challenges.

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<sup>&</sup>lt;sup>3</sup> The Parliamentary Assembly is committed to strengthening its engagement with Russian and Belarusian civil society which shares the values of the Council of Europe (see Resolution 2506 (2023), paragraph 12 and Resolution 2433 (2022), paragraph 18.2).

<sup>4</sup> Organised by the Compaign to Unbeld Biete in Figure (2015).

<sup>&</sup>lt;sup>4</sup> Organised by the Campaign to Uphold Rights in Europe (<u>CURE</u>) and convened by the <u>Conference of International Non-Governmental Organisations of the Council of Europe</u>, the Hague, 3 March 2023.

#### I.1 Raising Awareness

9. Although the Council of Europe's work for the protection of human rights, rule of law and democracy in Europe, is well known to civil society, raising awareness about what the Organisation does requires a continuous effort. Civil society is a living reality, which quickly adapts to challenges as they emerge and reshuffles priorities accordingly. Similarly, the Council of Europe should target communication on its current work and priorities to meaningfully reach civil society, for instance focusing on success stories where NGOs involvement brought a particular added value, which was reflected in the outcome of standard setting or co-operation activities. Information sessions on the Organisation's work and achievements could also be organised when NGOs are present on the premises in connection to other events, such as conferences, intergovernmental committees, hearings at the European Court of Human Rights or the Parliamentary Assembly or exchanges of views at the Congress of Local and Regional Authorities.

### I.2 Increasing knowledge

10. Whilst being kept abreast of the developments and action of the Council of Europe will contribute to building civil society's knowledge of the Organisation, it is also important to provide NGOs with insight into the instruments, working methods and added value of the Council of Europe's work and to benefit from their input to its activities, which has often proven to be very useful. Capacity building efforts targeting NGOs would consolidate this knowledge and could be deployed, for instance, through an online training targeting civil society organised under the HELP programme. Civil society is already making use of HELP courses to train their staff or their beneficiaries, but the creation of a course specifically oriented to the role of NGOs in the Organisation could be considered, as appropriate, in order to improve their knowledge of the Council of Europe. In-person training courses could also be used to target specific NGO participants who would then act as a catalyst within civil society at large by further disseminating knowledge on the Council of Europe. The further use and development of the civil society website, built following the Secretary General's proposals in response to the Helsinki decisions, will be considered as a way to have an unique entry point for civil society to receive and share information with cross references to and interaction with the specific websites of the Organisation: the Council of Europe will provide information regarding public consultations, priorities and success stories, and the NGOs will be able to post their contributions to consultations or other activities. The updating Civil Society Handbook, also launched within the Helsinki process, as well as the advisability of specific sectoral guidelines for civil society use, will be also examined in order to complete the material available in order to increase knowledge about the Organisation. In a similar manner the Civil Participation Forum BePart, promotes not only the Council of Europe action in favour of participatory democracy, but also provides a platform for civil participation initiatives carried by NGOs with a goal of mutual learning.

#### I.3 Better understanding

11. The contribution of civil society to standard-setting, monitoring and co-operation activities has become all the more regular. The different strands of the regular reporting process from the Organisation, be it from the Secretary General, the monitoring bodies, the intergovernmental structures or the co-operation activities, could include the public contributions that civil society make to the work of the Organisation. By this means, NGOs could gain a better understanding of how their engagement has impacted the Council of Europe's achievements in the different areas and how it can be meaningful and effective to advance the protection of human rights, rule of law and democracy. For instance, as regards the contribution of civil society to standard-setting activities, the European Network of Migrant Women (ENoMW) actively participated in the Drafting Committee on Migrant Women, which led to the adoption of the Recommendation CM/Rec(2022)17 of the Committee of Ministers to member States on protecting the rights of migrant, refugee and asylum-seeking women and girls. ENoMW also regularly participates in the plenary meetings of the Gender Equality Commission and contributed to the drafting of the draft new Gender Equality Strategy 2024-2029 in 2023. The European Women's Lobby (EWL) and Women against Violence Europe (WAVE) were part of the Working Group on the place of men and boys in gender equality policies and in policies to combat violence against women, which prepared the relevant Guidelines in 2022. In addition, Congress election observation delegations usually meet with relevant civil society representatives in order to get a better insight into the situation on the ground. As regards co-operation, civil society contributes to projects in many different ways. For instance, in the project "Fight against discrimination, hate crimes and hate speech in Georgia" (March 2018-February 2022), besides being represented in the Steering Committee of the projects, NGOs contributed to developing and delivering a number of awareness raising and visibility activities, including preparation of material; animated sessions on the services to be provided to the victims of hate crime; prepared guidance and policy documents such as the Recommendation on data collection, the manual for Police Academy and Guidelines for the Code of Ethics of Parliament.

#### II. An institutional framework for civil society's engagement

#### II.1 Enhanced access and exchange of good practice

12. Having access is a precondition for an effective participation of civil society in the Council of Europe's work. The Secretary General has proposed that the intergovernmental committees "where relevant, contribute to strengthening meaningful engagement with civil society organisations". The proposal in the Steering Committee for Human Rights (CDDH) draft terms of reference 2024-2027 that it examines, with a contribution by the Steering Committee on Democracy (CDDEM), the implementation of the Recommendation on the need to strengthen the protection and promotion of civil society space in Europe, adopted by the Committee of Ministers on 18 November 2018, would provide essential input. Civil society will continue to be systematically included in the working methods of the relevant bodies of the Organisation in the field of standard-setting, monitoring and co-operation. NGOs are also involved in Council of Europe's projects, for instance, implementing HELP courses for NGO participants.

- 13. While civil society is present in almost all areas of the Organisation's work, in certain sectors, civil society plays a particularly active role because of the juncture in current challenges and the need to provide new answers to address them. The Steering Committee for the Rights of the Child (CDENF), the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) or, more recently, the Committee on Artificial Intelligence (CAI) are all intergovernmental bodies tackling emerging challenges to the protection of human rights and civil society organisations regularly contribute to their work. Civil society is also particularly active in the Steering Committee on Human rights in the fields of Biomedicine and Health (CDBIO). This participation is implemented through different modalities, such as public and targeted consultations, as well as hearings which are often organised at an early stage of the drafting process of documents to identify key concerns to be addressed. INGOs are also invited to participate in plenary meetings and to contribute to work carried out specifically by the Committee (e.g. development of a compendium of good practices for the promotion of voluntary measures in mental health services). Finally, in June 2023, the CDBIO organised a Pilot Youth Forum to share information on its work, including its strategic objectives and actions in the field of human rights and biomedicine. Many observers from civil society are part of the European Committee on Legal Co-operation (CDCJ) drafting committee tasked with the preparation of a legally binding instrument on the protection of lawyers, and a broader range of civil society stakeholders have participated in written consultations. In this context, an interesting partnership was established between the Council of Europe and the Council of Bars and Law Societies of Europe (CCBE), in the form of a memorandum of understanding, with a view to stepping up co-operation and making the Organisation's activities more visible to Europe's lawyers.
- 14. In other sectors, civil society engagement is well rooted and effective, so that the modalities merit to be better known within the Organisation, such as the contribution of NGOs to the supervision of execution of judgments by the Committee of Ministers under Rule 9 or to the system of the European Social Charter (reporting and collective complaints procedures). The unique contribution of the Council of Europe's co-management system in the youth sector is an example of institutionalised engagement of civil society. It is a place for common reflection and co-production, combining the voice of young Europeans and that of public authorities responsible for youth issues, leading to a sharing and evaluation of experience. The voice of young Europeans is represented by the Advisory Council on Youth (CCJ), made up of 30 representatives of youth NGOs and networks. The representatives of ministries and bodies responsible for youth issues of the member states come together in the European Steering Committee for Youth (CDEJ). The Joint Council on Youth (CMJ) is the co-managed body which brings together the Advisory Council and the CDEJ. The Joint Council takes the decisions on the youth sector's priorities, programmes and budget. Applying such a co-management approach to other sectors could be considered, if and where appropriate.

15. For participation to be further enhanced, it would be crucial to map the best practices and streamline and cross-fertilise the most promising modalities for civil society participation in different type of activities (standard-setting, monitoring, co-operation). This work, as well as the introduction of new modalities, when necessary, would be carried out across the Organisation through co-ordination of the relevant actors, facilitated by the Secretary General's task force on civil society and human rights defenders. The new Steering Committee on Democracy, proposed by the Secretary General in the framework of the intergovernmental structure (2024-2027), could provide important input. New modalities, for instance, may include online meetings or structured and regular consultations launched by the Organisation when developing new standards.

#### II.3 Enhanced institutional engagement

- 16. It is indeed essential that civil society's engagement, benefits from a diversified, institutional co-ordinated approach. In addition to the Secretary General's regular exchange with civil society, her related task force, which is also involved in the preparation of her regular exchange, and the new proposed intergovernmental committee (CDDEM), the practice of the Committee of Ministers' informal exchanges civil society could be pursued and further enhanced. These exchanges should allocate sufficient time for discussion (and also provide further opportunities for contacts between civil society, delegations and the Secretariat on various topics of common interest). It is recalled, that in light of the Secretary General's proposals within the Helsinki process, seven informal exchanges have been held with the Committee of Ministers Rapporteur Groups.<sup>5</sup> As it was noted in the Secretary General's final report,<sup>6</sup> the exchanges appear to be most valuable in establishing a direct link between civil society and the Committee of Ministers, enabling the latter to take into account the views of civil society actors regarding priority issues dealt with in intergovernmental work.
- 17. The Parliamentary Assembly receives considerable information through civil society reports, regularly invites members of civil society to give expert evidence in committee hearings and facilitates civil society appearances in side-events. The Court holds biannual meetings with NGOS and litigators to discuss issues of mutual interest. The Court also collaborated with the <a href="European Network of National Human Rights Institutions">European Network of National Human Rights Institutions</a> (ENNHRI) on a manual on bringing third party interventions to the Court.
- 18. With a view to an effective and streamlined engagement with civil society, the preparation of a single, harmonised code of conduct<sup>7</sup> for the Organisation's engagement with civil society should be considered.

<sup>&</sup>lt;sup>5</sup> GR-DEM, GR-H and GR-J.

<sup>&</sup>lt;sup>6</sup> SG/Inf(2022)13, paragraph 24.

<sup>&</sup>lt;sup>7</sup> There are at present various codes of conduct: e.g. Advisory Council on Youth (CCJ), CINGO, World Forum for Democracy.

#### II.4 Synergies

- 19. For the Council of Europe Secretariat to be better equipped to involve civil society in its respective areas of work, communities of practice will allow the sharing of information on civil society participation and ensure synergies within the Organisation. On the basis of existing practices, practical guidelines for the Secretariat can be prepared to ensure a streamlined and, to the best extent possible, homogenous approach regarding participation of NGOs in each type of activity: standard setting, monitoring and co-operation. Regular exchanges of good practices within the Council of Europe, as well as with other international organisations, namely the EU, OECD and OSCE and the UN, will also help to enable the Secretariat in this regard.
- 20. The advisability of creating an organisation-wide database will be carefully assessed at a later stage, taking also into account the protection of privacy and the availability of resources; it may represent an effective entry point for the various entities to acquire knowledge about the NGOs the Council of Europe is engaging with in the different sectors and facilitate interactions. Also, a specific programme enabling civil society representatives to be seconded to the Organisation should be considered.

#### III. NHRIs and human rights defenders: forward looking observations

#### III.1 NHRIs

- 21. The unique role of NHRIs<sup>8</sup> in building the bridge between national authorities and the Council of Europe's findings and standards is acknowledged by the Secretary General and the Council of Europe as a whole: as independent state bodies NHRIs (including ombudspersons) occupy a unique place of authority which allows them to work at national level (see most recently the thematic discussion organised at the Ministers' Deputies on 31 May 2023 at the initiative of the Latvian Presidency).
- 22. Within the framework of the Helsinki process, the standard-setting activities, have been reinforced: following the adoption of <a href="Recommendation CM/Rec(2019)6">Recommendation CM/Rec(2019)6</a> on the development of the ombudsman institution accompanied by a selection of good national practices, the Committee of Ministers adopted <a href="Recommendation CM/Rec(2021)1">Recommendation CM/Rec(2021)1</a> to member states on the development and strengthening of effective, pluralist and independent national human rights institutions. The implementation of both Recommendations figures among the draft Terms of Reference of the Steering Committee for Human Rights (CDDH) for 2024-2027. This work would most certainly lead to important outcomes regarding good practice in member states and future avenues for follow-up.
- 23. Furthermore, within the terms of reference of the intergovernmental structure, the Secretary General has proposed that intergovernmental committees "where relevant, contribute to strengthening meaningful engagement with civil society organisations and national human rights institutions in its work." The fact that the <a href="European Network of National Human Rights Institutions (ENNHRI)">European Network of National Human Rights Institutions (ENNHRI)</a> is also an observer in a number of committees allows NHRIs to be collectively engaged into the intergovernmental co-operation.<sup>9</sup>

<sup>&</sup>lt;sup>8</sup> National human rights institutions include ombudspersons, who may also be NHRIs depending on their powers and functions.

<sup>&</sup>lt;sup>9</sup> See also the <u>CoE-FRA-ENNHRI-EQUINET Collaborative Platform on social and economic rights.</u>

- 24. In response to the Reykjavík Declaration, avenues for more enhanced co-operation with NHRIs, either individually or collectively, through their co-ordination (ENNHRI) should be explored. Their crucial role in the national implementation of the Council of Europe acquis, not least the European Convention on Human Rights<sup>10</sup> and the execution of judgments should be taken into account into relevant reflections, notably within the relevant work of the GR-H following on the Reykjavík Declaration. This aspect was highlighted by the Secretary General when she met with a delegation of ENNHRI in June 2023. 11 The Secretary General further indicated that within the implementation of her Roadmap, the advisability for more specific proposals for NHRIs will be tested and considered.
- 25. Finally, it is recalled that the Commissioner for Human Rights is committed to intensifying work with NHRIs.

#### **III.2 Human Rights Defenders**

- 26. In the final report "Follow-up to the Helsinki decisions on civil society: implementation of the Secretary General's proposals" (SG/Inf(2022)13, paragraphs 15-17), reference was made to the Organisation's mechanisms related to human rights defenders, from the judicial protection offered by the European Convention on Human Rights and the European Court of Human Rights, to the work of the Parliamentary Assembly, notably through the General Rapporteur on the situation of human rights defenders (currently Mr Emmanuel Zingeris) and the Commissioner for Human Rights' role in light of the Declaration of the Committee of Ministers on Council of Europe action to improve the protection of human rights defenders and promote their activities of 6 February 2008.
- 27. It was however noted that, with respect to civil society and human rights defenders more generally, while internal co-ordination has been regular and effective with all relevant bodies and entities concerned within the Organisation, it was necessary to secure regular exchanges and synergies beyond specific cases through the inter-secretariat task force co-ordinated by the Private Office (see paragraph 15). This was supported by the relevant decision taken at the Turin Ministerial Session. 12 The specific call in the Reykjavík Declaration ("We reiterate the pan-European role of the Council of Europe and in this regard, we will step up and strengthen the Council of Europe's engagement with democratic actors in Europe and its efforts to create an enabling environment for human rights defenders") and the follow-up entrusted to GR-H is timely as well as the Commissioner's intention to reinforce this work. It would also be important to consider the holding of an informal exchanges of views within the Deputies' or Rapporteur Groups.

<sup>10</sup> Report of the High-Level Reflection Group, paragraph 8.

<sup>11</sup> Sirpa Rautio, Chair of the ENNHRI Board and Director of the Finnish Human Rights Centre, Beate Rudolf, Board Member of ENNHRI and Director of the German Institute for Human Rights, Debbie Kohner, ENNHRI Secretary-General.

<sup>&</sup>lt;sup>12</sup> "The Committee of Ministers, [...] further welcomed the measures taken to increase co-ordination and synergies between mechanisms on civil society and human rights defenders within the Organisation and encouraged further work to this end [...]", CM/Del/Dec(2022)132/3ci.

28. As far as the Private Office procedure aiming at assisting human rights defenders who allege that they have been subject to reprisals for their interaction with the Council of Europe, its visibility should be further enhanced through the Council of Europe's field offices. In light of contributions by and exchanges with civil society organisations<sup>13</sup> in particular, the Secretary General considers it essential to now strengthen co-operation with other international organisations (EU, UN and OSCE), including when dealing with similar procedures relating to human rights defenders. The co-operation with the EU is particularly timely in view of the follow up to the European Parliament resolution of 16 March 2023 on the EU Guidelines on Human Rights Defenders (2021/2204(INI)) and the report of the Agency for Fundamental Rights Agency (FRA) of 11 July 2023 "How to better support human rights defenders in need of protection".

<sup>13</sup> See also Amnesty International, <u>Defending Defenders report</u> (2019).

## **Appendix: Theory of Change-Table**

Measures	Immediate outcomes	Intermediate outcomes	Impact
General and targeted communication of the Council of Europe's work and success stories (both general impact and concerning civil society)  Information sessions on Council of Europe when civil	Civil society has increased its awareness about the Council of Europe and its work  Civil society has increased its knowledge about the Council of Europe and its added value	Civil Society seeks regular engagement with the Council of Europe with the view to contribute to the protection of human rights, democracy and rule of law	Civil society engages in a meaningful and effective way to the Council of Europe work
society is visiting and/or participating in the work of the Organisation			
Capacity building for civil society on Council of Europe working methods, instruments and added value (e.g. HELP course)			
Dedicated website (civil society Portal) includes civil society contributions, success stories and the priorities of the Organisation	Civil society has a better understanding about how its participation can contribute to the Council of Europe's overall work		
Inclusion -where possible- of feedback on interaction with civil society in existing annual reporting (e.g. Monitoring bodies' annual report or Intergovernmental committees' report, reporting on co-operation activities)			
Enhanced modalities for civil society participation in the different type of activities (standard setting, monitoring, co-operation) including new modalities (e.g. use of online meetings).	Civil society has access to enhanced and new modalities to participate	Civil Society is better equipped to participate to Council of Europe's work	
Practical guides for civil society (updated Handbook and specific guide for the relevant bodies)	Civil society has increased its knowledge on how to engage with Council of Europe		
Online training modules targeting selected civil society actors on how to engage with the Council of Europe.			
Regular meetings of civil society with the Committee of Ministers	Civil society benefits from an institutional environment favourable to its participation	Civil Society is more effectively integrated in the Organisation's working methods at all levels	
Regular exchange between the Secretary General and civil society			
Systematic inclusion of civil society participation in the working methods of the relevant bodies of the Organisation in the field of standard setting, monitoring and co-operation			The work of the Council of Europe is more effective
Council of Europe code of conduct on civil society engagement			
Communities of practices / training sessions to share information on civil society participation for each type of activities (standard setting, monitoring, cooperation) and promote cross-fertilisation/synergies within the organisation	Secretariat has a better understanding about civil society it could co-operate with.	Council of Europe secretariat is better equipped to involve civil society	
Needs assessment on a possible database collecting civil society's participation with the Council of Europe			
Practical guidelines for the Secretariat on how to ensure participation of civil society in each type of activities (standard setting, monitoring, co-operation).	Secretariat is enabled to better involve civil society in its respective fields		
Specific programme enabling civil society representatives to be seconded to the Council of Europe			
Engagement with other International Organisations on civil society involvement to share experiences and practices			



Certain measures could require the involvement of an intergovernmental committee.