



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

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Presentation of the outcome of the [January 2017 session](#) and information on forthcoming activities to [the Rapporteur Group on Democracy \(GR-DEM\)](#)

Madam Chair, Ladies and Gentlemen the Ministers' Deputies,

I am pleased to present to you the outcome of the winter session of the Conference of INGOs, which took place from 23 to 27 January.

First of all I would like to thank all of the permanent delegations which attended the thematic debate held by the Conference of INGOs on 27 January. The subject under discussion was the progress made in the information society and the threats which technological developments pose to democracy, human rights and the rule of law, both for NGOs and the public authorities. Thank you, Madam Chair, for attending and opening the debate with me. The wide range of guest speakers made it possible to have a substantial high-level debate, which highlighted the need to initiate a virtuous circle to re-establish equality and offer everyone the same professional and personal opportunities to take advantage of technological advances. We are sometimes victims of a digital illusion which leads us to believe that we operate within an open society while in reality mass surveillance for both commercial and national security reasons is a major threat to our privacy.

Digital education must include means of protection that should be within everyone's reach. The world is developing at different speeds: some people are negatively impacted by the digital divide while others are already thinking about the technical and ethical implications of the expansion of robotics. There is an urgent need to include the persons concerned not only in this type of debate but in all debates concerning the public sphere. If we want to combat populism, the gap between the elite and the masses must be narrowed and in order to do so, we must begin at the base with the most deprived sectors of the population. It is obvious that a state cannot function effectively unless the whole of society is united in a common aim and when all its members are entitled to a decent life. There must be places where democratic debates are held and where the persons concerned can tackle issues which are clearly technical but whose political consequences concern everyone.

During the January session, the Conference of INGOs adopted a [recommendation concerning the surveillance of lawyers: the need for standards safeguarding client confidentiality](#). In its explanatory memorandum, this document, which was initiated by the Council of Bars and Law Societies of Europe, highlights the fact that mass surveillance breaches the confidentiality of conversations between lawyers and their clients. This text also points out that it is always essential that all surveillance activities by governments be governed by rules and monitored by independent judicial authorities. The Conference of INGOs asks the Committee of Ministers to draw up and adopt specific documents on the protection of professional secrecy or *legal professional privilege* in certain types of professions. I trust that you will draw on this recommendation in your future activities in this field.

During the winter session, we also held a [side event on 'the regulation of the activities of multinationals for a better respect of human rights and local development'](#). This event was held in response to the [Committee of Ministers Recommendation on human rights and business](#). I would like to thank the Ambassador of San Marino, Chair of the Rapporteur Group on Human Rights of the Committee of Ministers, for his active contribution to this event, which was attended by representatives of the Parliamentary Assembly, legal experts and NGOs engaged in specific activities and initiatives to oppose violations of rights and freedoms and the exploitation of persons and communities by national and multinational business enterprises. Abuse can only be prevented by increasing transparency and encouraging responsibility in the business world. Business enterprises must be vigilant and take precautionary measures, even if that might be seen by some people to be a disproportionate breach of the competitiveness of business enterprises and of their economic attractiveness. One basic condition would be to verify whether companies and company branches which are economically answerable to business enterprises established in other countries comply with the conventions of the International Labour Organization. The Conference of INGOs will hold various other events to follow up this *side event*, in collaboration with the Danish Human Rights Institute and, if possible, *the European Network for National Human Rights Institution* and the *European Coalition of Corporate Justice*.

From a more transversal standpoint, it is necessary that the Council of Europe monitor the implementation of this recommendation in Council of Europe member states. Such monitoring should gauge the obstacles, difficulties and achievements in applying human rights in the business world. It obviously cannot however be carried out without the assistance of business enterprises.

During the winter session, we also presented three reports on visits to study NGOs' participation in decision-making processes in [Poland](#), [Romania](#) and [Germany](#). I would like to thank the Ambassadors of these three countries for their contribution to the debate with the INGOS and national NGOs which accepted our invitation. I strongly recommend you to read these reports which offer a sometimes very sensitive but never black and white snapshot of what NGOs are experiencing in the countries visited, the forms of participation that should be fostered, those which lead to dialogue and those which produce no constructive results and only serve to show that a process of public consultation has been initiated. The marginalisation experienced by some NGOs shows which themes are not sufficiently taken into account in public policies. But that obviously has an impact on access to public and private funding. Transparency in public expenditure is necessary in any country governed by the rule of law but there is no reason why such transparency should be required only of NGOs, particularly when they receive foreign funding. If supervision measures focus on those NGOs and those types of funding, that is a breach of the right to non-discrimination. The situation is getting worse in some countries where pressure is exerted not only on NGOs who receive foreign funding but also on NGOs who are quite simply part of a federation or of an international NGO.

During the session, we adopted a resolution on [Protecting the freedoms of association and expression in Turkey under the State of Emergency](#). This text is a follow up to the [meeting with Turkish NGOs based in Turkey, which was held at the Council of Europe on 1 and 2 December 2016](#). It is a roadmap for the Conference of INGOs' activities aimed at civil society in Turkey. We hope to visit Turkey very soon. Moreover, in 2017, we hope to make visits to Ireland, Estonia and Serbia. I thank the Ambassadors of Ireland and Serbia for the latest preparatory meetings. I will have the great pleasure of discussing these visits with the Ambassador of Turkey tomorrow and with the Ambassador of Estonia in early March.

I would also like to inform you that during the winter session, [I talked with the President of the Parliamentary Assembly of the Council of Europe](#) about the allegations of corruption. My letter to the President is published on our site. On this subject, I wish to stress that it is extremely important to have effective mechanisms to combat corruption. I myself undertook to review the internal regulations

of the Conference of INGOs to protect it from such problems. We have asked [GRECO](#) for its advice and recommendations in this connection .

At its plenary, the Conference adopted its [migration roadmap](#), which is a policy document for the Conference as a whole and for INGOs with participatory status. One point deserves increased attention and that is what is commonly referred to as the “offence of solidarity”. The Conference undertakes to give its political support to NGOs and to all persons who help migrants and to defend them against any violation of their freedom to carry out their humanitarian work in assisting migrants. This issue, among other things, will be discussed on 1 June at the conference we are organising at the Council of Europe in collaboration with the Institute for Cross-border Co-operation, situated in Kehl, Germany and the EUROPA (Entretiens Universitaires Réguliers pour l’Administration en Europe) association.

Also in 2017, on 10 October, on the occasion of International Day against the Death Penalty, I will be very pleased to invite you to take part in the debate on the principle of no return to the death penalty in Council of Europe member states and the need to take action against torture.

When I think of the thousands of Europeans who are protesting in the streets today, of the civil disobedience movements that are being set up, I can see that the greatest tragedy of today’s democracy is its political deafness and the narrative that divides the world into “us” and “them”. The underlying aim of this narrative is to protect the status quo rather than to work together to find new solutions. Post-truth politics kill the truth and, sometimes even reason... Nevertheless, it can now be observed that truth and reason no longer suffice to combat populism. Civil society in the streets, irrespective of whether in protest against corruption, or in defence of women’s rights or the rule of law, shows that it is no longer enough to exercise democracy by voting yes or no.

That is one of the reasons, among others, why the content of the Guidelines on Political Decision-Making, which are currently being drawn up by the [European Committee on Democracy and Governance](#) and will be presented to you once they have been adopted by the committee, is so important. The Conference of INGOs is taking an active part in the preparation of these guidelines and is impatient to learn of your final decision, for we trust that the Council of Europe will adopt a pioneering, ground-breaking document, which will encourage NGOs assist you in the democratic construction of each country. NGOs will want to become fully involved when the final achievement is a fully inclusive and participative policy which will reduce the gap and establish dialogue and the pooling of expertise between political elites and the remainder of the population.

Thank you for your attention

Anna Rurka, President of the Conference of INGOs