



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

CONFERENCE DES OING DU
CONSEIL DE L'EUROPE

WINTER SESSION HUMAN RIGHTS COMMITTEE CONF/HR(2013)SYN1

Strasbourg, 22 March 2013

<p>DRAFT SYNOPSIS OF THE MEETING HELD ON 23 JANUARY 2013</p>

1. Annelise Oeschger, Chair, welcomed participants and announced that the Conference of INGOs would be holding a round table on “Supporting the Wishes, Demands and Priorities of Women in the Arab World” in Room 3 of the Palais de l’Europe from 1 to 2 pm.

The committee:

2. **Adopted** the meeting agenda, with the clarification that item 8 (The negative impact of Europe’s economic, social and political problems on human rights and the existence of NGOs) would be discussed at the next meeting. Some food for thought would be provided in the committee’s newsletter no. 6.

3. **Adopted** the draft synopsis of the meeting held on 25 June 2012 [[CONF/HR\(2012\)SYN2](#)].

4. **Took note** of the statement by the Chair referring to the joint declaration of 17 October 2012 on “Acting together to eradicate extreme poverty in Europe”, which had been signed by the quadrilogue on the occasion of a conference held by the committee on behalf of the Conference of INGOs. The main purpose of the follow-up to the declaration would be to encourage states to honour their obligations and commitments in terms of eradicating poverty. The statements made by people living in poverty in Europe had helped highlight the link between extreme poverty and human rights. Forward-looking proceedings of the conference including proposals for action would be drawn up along with a compendium of relevant texts. The committee extended particular thanks to the Secretariat of the Social Charter and the European Code of Social Security for helping so efficiently with the organisation of the event on 17 October and also thanked the Civil Society Secretariat.

Unanimously **adopted** the draft resolution on “Acting together to eradicate extreme poverty in Europe” for submission to the Conference of INGOs on 24 January.

Proposed that the contribution by Daniel Zielinski (ELISAN) be presented at the conference on “Poverty and Inequality in Societies of Human Rights: the paradox of democracies” being held by the Council of Europe in partnership with the European Union on 21 and 22 February 2013.

Agreed to include on the agenda for the June 2013 session an item on the ending of EU food aid, which was of concern to NGOs involved in combating poverty and social exclusion.

Heard a presentation by Mr Wouter van Ginneken, member of the international team of ATD Fourth World at the UN in Geneva, on [The Guiding Principles on Extreme Poverty and Human Rights](#). These principles, which had been adopted by the Human Rights Council on 27 September 2012 and confirmed by the General Assembly on 20 December 2012, recognised for the first time that extreme poverty was a violation of human rights and that governments had a legal obligation to eradicate extreme poverty. The presentation focused on the various ways in which governments could implement the principles. The supervision of the government reports and INGOs' comments under the European Social Charter, in particular regarding Article 30, could be a powerful tool for implementing the guiding principles in Council of Europe member countries.

5. **Heard** a statement by Daria Miloslavskaya, Chair of the Board of the Russian NGO, Lawyers for Civil Society, and member of the Civil Chamber of the Russian Federation, on changes in legislation and working conditions for NGOs in Russia. Her presentation focused on the act of 20 July 2012 amending the Russian legislation concerning the regulation of activities of NGOs acting as "foreign agents". These were defined as NGOs which received foreign funding and were involved in political activities. The new provisions had a negative psychological impact on civil society and the way it was organised in general. They were being used to discredit NGOs which defended human rights. Authorities in some regions were using them as a pretext for refusing to support or co-operate with NGOs which received foreign funding. They introduced new obligations for NGOs, in particular those receiving foreign funding, extended state control and provided for heavy penalties in the event of breaches of the regulations. NGOs which received foreign funding would have to register on a list classifying them as "foreign agents". The ministry carried out frequent unannounced checks to disrupt the smooth operation and work of NGOs.

However, the Ministry of Justice had recently announced on its website that activities aimed at implementing the provisions of the Russian constitution were not political within the meaning of the act. The committee welcomed this development and hoped that that would remain the position.

Daria Miloslavskaya's presentation generated great interest, and many questions concerning the legislation and foreign funding were discussed. In this connection, Caroline Martin announced that the Venice Commission had been asked by the Parliamentary Assembly to assess the act on NGOs and foreign funding. The assessment would be based on international standards and Council of Europe standards and would be conducted in co-operation with the Expert Council on NGO Law of the Conference of INGOs. The opinion would be submitted to the plenary session of the Venice Commission in June 2013. A meeting with NGOs in Russia was also planned.

6. **Heard** a statement by François Becker, co-ordinator of the Working Group on Human Rights and Religions, concerning the working group's activities. For three years, the group had been preparing a report and a draft recommendation in co-operation with representatives of various religions and philosophies and taking account of the recommendations made in the White Paper on Intercultural Dialogue and the Report by the Council of Europe Group of Eminent Persons on "Living Together". The discussion both showed the respect for the impressive work done and highlighted the complexity of the subject. Responsibility for following up the report would lie with the Human Rights Committee and the Conference of INGOs.

7. **Heard** a statement by Sylvie Bukhari, President of the FIACAT, on changes in the situation with regard to torture and cruel, inhuman or degrading treatment or punishment in Council of Europe member states, further to the "A World of Torture" report presented by ACAT in June 2012. Following the presentation of that report, the FIACAT had prepared a report and a recommendation on the subject. Her statement focused on the following:

- The serious fact that torture still took place on varying scales in the 47 Council of Europe member states,

- The legal background: In keeping with Article 5 of the Universal Declaration of Human Rights, the Council of Europe had, in Article 3 of the European Convention on Human Rights, radically prohibited torture and inhuman or degrading treatment and had adopted the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. This key legal instrument had led to the establishment of the European Committee for the Prevention of Torture (CPT), which could carry out inspections in any prisons or other places where people were deprived of their liberty in the 47 member countries.

- A review of the situation: For many years, the CPT had issued worrying reports about breaches of Article 3 of the ECHR, but the member states had not taken sufficient practical or legislative measures to remedy situations involving repeated and sometimes massive violations.

Unanimously **adopted the draft recommendation** for submission to the Conference of INGOs on 24 January.

8. Item **to be discussed** at the June meeting.

9. **Heard** a statement by Marc Leyenberger, representative of the Conference of INGOs on the Steering Committee for Human Rights (CDDH), concerning current priorities and urged INGOs to make contributions in areas such as:

- the accession of the European Union to the European Convention on Human Rights. In this connection, he hoped that a hearing with the Conference of INGOs would be held so that civil society's support for EU accession to the Convention could be made clear;

- the rights of elderly persons, in particular access to social rights (housing, pensions, care, etc);

- bioethics;

- gender equality issues, in particular promotion of ratification of the Council Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

10. **Heard** a statement by Gabriel Nissim concerning representation of the Conference of INGOs in the Steering Committee on Media and Information Society (CDMSI). He said that a ministerial conference on the media and information society would be held in Belgrade in October 2013 on the theme of freedom of expression and democracy in the digital age and underlined that Internet governance was one of the Council of Europe's main strategies for 2012-2015.

11. **Heard** a statement by Gérard Greneron on the European Committee on Crime Problems (CDPC), which had held a conference in Strasbourg from 4 to 7 December 2012, the main focus of which had been finalisation of a convention on organ trafficking, which would be debated by the Parliamentary Assembly during the current session.

12. **Took note** that the questionnaire prepared by Stéphanie Bourgeois on the proposal for a toolkit for the full implementation of human rights at national level would be submitted in writing to the INGOs in the committee.

13. **Heard** statements by Anje Wiersinga (IAW) and Renée Gérard (UWE) on the 56th and 57th sessions of the United Nations Commission on the Status of Women, where the key issue was firmly opposing any backsliding in terms of women's rights.

14. **Heard** updates from the committee's working groups:

- Establishment of the Working Group on Preventing and Combating Violence against Women, Domestic Violence and Trafficking in Human Beings, co-ordinated by Betty Doornenbal, gender equality expert;
- European Social Charter, co-ordinated by Marie-José Schmitt: the questionnaire had been sent to all INGOs in the committee with a view to the hearing by the Governmental Committee;
- Extreme Poverty and Human Rights, co-ordinated by Jean-Gabriel Prieur and Maritchu Rall, in particular with follow-up to 17 October and preparation of the proceedings.