



CONFERENCE OF INGOs  
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

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### Speech by the President, Anna Rurka, at the Council of Europe Conference, “Promoting Human Rights of Persons with Disabilities: Ambitions, Impact and Challenges Ahead”, Dublin, 5 November 2015

Ladies and Gentlemen

I have chosen to talk today about the partnership between the public authorities and NGOs because political participation by persons with disabilities through their NGOs still seems to be very limited in practice. Do persons with disabilities live in a legal, material, social, economic and cultural environment which enables them to exercise active citizenship? This is a question which concerns us all and is directly linked with the workings of the partnership between NGOs and the public authorities.

For my definition of what an NGO is, I shall refer to Recommendation CM/Rec(2007)14 of the Committee of Ministers of the Council of Europe, which states that they are “voluntary self-governing bodies or organisations established to pursue the essentially non-profit-making objectives of their founders or members” and “they do not include political parties”. NGOs serve as a platform for citizens alongside the state and the profit-making private sector. They link social needs with the general interest, offer assistance and means of marshalling local resources, take part in the exchange of material and symbolic assets within society and **oversee respect for and the effectiveness of rights.**

Partnership itself is a concept with multiple meanings, which can encompass various arrangements forming part of the co-operation between public authorities and NGOs. The purpose of this kind of partnership is joint decision-making<sup>1</sup>. The point is a moot one but both total delegation of powers to NGOs and New Public Management pose threats to democracy. In the first case, the state shirks its responsibilities and NGOs are required to offset a lack of basic protection with far fewer resources. In the second, citizens are regarded as consumers. Personally, I recommend the model of collaborative governance<sup>2</sup>, which is developed with citizens. In the joint decision-making process, the parameters of NGOs’ and public authorities’ freedoms and responsibilities must be set by the NGOs and the authorities themselves.

It should also be said that not all of the 47 member states of the Council of Europe have reached the same levels of partnership with NGOs. Countries’ histories and their level of democratisation are determining factors. In many of the countries of the former Eastern bloc, the feeling of belonging to a nation was based on a community of values which was built up in opposition to the institutions or alongside them. This has had an influence on the organisation of the third sector, the time scale of the process and its legitimacy. We cannot build an effective democracy, based on citizen participation without a feeling of mutual trust between public authorities and NGOs and public confidence in NGOs. This is a major challenge.

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<sup>1</sup> Resolution 260 (2008) of the Congress of Local and Regional Authorities on a partnership between local and regional authorities and NGOs in Council of Europe member States.

<sup>2</sup> Brandsen, T., W. Trommel, B. Verschuere, *Manufacturing Civil Society: Practices, Principles and Effects*, Palgrave, 2014.

Some NGOs take little interest in their public image, concentrating instead on specific activities carried out on the ground with individuals. When they are asked about this, they say that content is more important than form and highlight the unifying values which they convey. However, corporate image contributes to a partnership's dealings at various levels. Having a corporate image does not automatically place an organisation in a profit-making scenario, which was one of the objections expressed by NGOs. A corporate image, combined with tangible ideas and activities, increases the social capital of NGOs and their credibility vis-à-vis partners. Back in the transition years, enormous efforts were made in countries like Hungary, Slovakia, Lithuania, Poland and Romania, where a mechanism was introduced enabling citizens to transfer 1% of their tax to public utility organisations. NGOs were required to publicise what they were doing and highlight how their work differed from the state and business sectors, in other words emphasise their knowledge of people's needs, their accessibility, their close contacts with the public and their low levels of bureaucracy.

Do governments call on NGOs enough for assistance in drawing up national strategies and then in implementing them? National NGOs are not just in the business of implementing decisions relating to public policy tasks; they are also "cradles of innovation" and full partners. However, it is noticeable that in some countries, NGOs are dependent on public funding and so they cannot express themselves freely on their government's political choices. This prevents proper partnership, which requires constant and stable dialogue even if it is sometimes conflictual.

Participation is a principle which applies to everyone without distinction. Article 29.b of the United Nations Convention on the Rights of Persons with Disabilities puts the emphasis on political and civic participation. States Parties undertake to "promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties". Until such time as this article is fully applied for persons with disabilities, we will still have progress to make.

Article 15 of the European Social Charter conveys the same message. With regard to this Charter, we would like to emphasise the importance of the collective complaints mechanism as a tool for dialogue between INGOs and states. The effectiveness of rights at national level can be enhanced by intergovernmental institutions if NGOs provide the detailed knowledge about the facts.

The Conference of INGOs presents you today with an interpretation of Article 15 in the light of the United Nations Convention. Copies of this study are available in French and English. This document was prepared by the working group on disability of the Conference of INGOs, which will continue its work on Article 12 of the Convention.

Today, the international standards are clear and we know what we have to do. However, there is still a large gap between the requirements and the actual circumstances. Civil participation in the decision-making process is one of the priorities of the Conference of INGOs' action plan, which was adopted in June 2015. We intend to focus on the effectiveness of such participation and the manner in which it is experienced and practised by NGOs so as to assess how the Conference might help to foster NGOs' potential for action at local and national level. The first visits will be made to Chisinau from 9 to 12 November and to Sofia from 23 to 25 November. Our report will be published and will be discussed with the diplomatic delegations of the countries concerned in January 2016.

Thank you for your attention

Anna Rurka  
President of the Conference of INGOs

