

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RESOLUTION (93) 38

ON RELATIONS BETWEEN THE COUNCIL OF EUROPE AND INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS

*(Adopted by the Committee of Ministers on 18 October 1993
at the 500th meeting of the Ministers' Deputies)*

The Committee of Ministers,

Recalling the Council of Europe statutory aim to achieve a closer unity between its members and to further the well-being of their populations;

Considering that the achievement of this goal requires constant sensitivity to public opinion and the driving forces in European society which is changing and evolving rapidly;

Considering that initiatives, ideas and suggestions emanating from the voluntary sector can be considered as the true expression of European citizens;

Recalling that, in this spirit, the Council of Europe has established since its earliest days working relations with international and national non-governmental organisations;

Recalling that the Council of Europe has long recognised the importance of non-governmental organisations for the work of the Organisation, notably by the creation in 1952 of a consultative status for international non-governmental organisations;

Recalling Resolution (72) 35 on relations between the Council of Europe and international non-governmental organisations, adopted by the Committee of Ministers on 16 October 1972;

Considering that the system of co-operation introduced by consultative status largely permitted the reinforcement of links between the Council of Europe and the voluntary sector, giving positive and particularly encouraging results for both parties;

Considering that the respect for pluralist democracy as well as the need to make use of all available information on the resolution of problems of common concern give rise to the need to take greater account of non-governmental organisations which assume various societal functions and enhance the participation of all citizens;

Acknowledging the decisive contribution of popular and representative movements to the evolution of democracy in Europe in recent times;

Considering that it is indispensable that the rules governing relations between the Council of Europe and non-governmental organisations should continue to reflect their needs, having particular regard for the demands of the changes affecting European society;

Believing that by the development and reinforcement of its structures, the co-operation between the Council of Europe and non-governmental organisations granted consultative status will prove even more beneficial in the future;

Believing that the present revised rules should clarify, facilitate and give greater flexibility to co-operation with the non-governmental organisations,

Hereby decides to adopt the rules for consultative status appended to this resolution which replace the rules established by Resolution (72) 35 and which will enter into force with the adoption of the present resolution.

Appendix to Resolution (93) 38
Revised Rules for Consultative Status

1. The Council of Europe may establish working relations with international non-governmental organisations by granting them consultative status.

Conditions to be met by international non-governmental organisations

2. Consultative status shall be granted by the Council of Europe to international non-governmental organisations which are particularly representative in the field(s) of their competence and at the European level. In addition, they should, through their work, be capable of supporting the achievement of that closer unity mentioned in Article 1 of the Statute by contributing to Council of Europe activities and by making known the work of the Council of Europe among the European public.

Modalities of co-operation

3. The committees of governmental experts and other subsidiary bodies of the Committee of Ministers, the committees of the Parliamentary Assembly, the committees of the Standing Conference of Local and Regional Authorities of Europe and the Secretary General may consult the organisations or the interest groupings set up under the authority of the Liaison Committee of non-governmental organisations enjoying consultative status with the Council of Europe (in writing or by means of a hearing) on questions of mutual interest.

4. The organisations:

- a. may address memoranda to the Secretary General for submission to the committees mentioned above;
- b. shall receive the agenda and public documents of the Assembly in order to facilitate their attendance at public sittings of the Assembly;
- c. shall be invited to public sittings of the Standing Conference of Local and Regional Authorities of Europe;
- d. shall be invited to the general information meeting held annually by the Secretariat General;
- e. shall be invited to sectoral meetings held by the Secretariat General.

5. Organisations enjoying consultative status shall undertake to:

- a. furnish information, documents or opinions relating to their own field(s) of competence as requested by the Secretary General.
- b. give maximum publicity to the initiatives or achievements of the Council of Europe in their own field(s) of competence;
- c. submit every two years a report to the Secretary General which should specify:
 - participation in the work of the various Council of Europe bodies (committees of experts, parliamentary committees, etc);
 - attendance at events organised by the Secretariat General (general information meetings, sectoral meetings);
 - attendance at meetings of interest groupings of non-governmental organisations (NGOs) which maintain relations with the corresponding sectors of the Secretariat General;
 - meetings which they themselves have organised and in which the Council of Europe has been invited to participate;
 - action they have undertaken with a view to publicising the work of the Council of Europe.

Procedure for the granting of consultative status

6. The Secretary General shall keep the list of organisations enjoying consultative status with the Council of Europe.

7. Any organisation wishing to be entered on this list shall send the Secretary General of the Council of Europe an application, accompanied by a file in French or English, and preferably in both of these official languages of the Council of Europe. The file shall contain its statute, a list of member organisations,¹ a report on its recent activities, a declaration to the effect that it accepts the principles set out in the preamble and in Article 1 of the Statute of the Council of Europe² as well as the application form on which it states clearly:

- why it is applying for consultative status with the Council of Europe;
- to which activity or activities of the Council of Europe (as set out in the programme of activities of the Council) it considers it can contribute;
- in what way it feels able to make such a contribution (studies, reports, previous work in the field concerned, expertise of its members in the area concerned, etc);
- what practical co-operation has already been established with the Council of Europe departments concerned;
- by what means and to which audience it would publicise the work of the Council of Europe.

8. The decision to grant an organisation consultative status shall be taken by the Secretary General of the Council of Europe in accordance with the above rules. The Secretary General may also take into consideration the main priorities of the Council of Europe programme of activities and possible proliferation of organisations in a given sector of activity.

However this decision will be submitted for tacit approval to the Committee of Ministers and to the Parliamentary Assembly. To this end the Secretary General shall inform the Committee of Ministers and the Parliamentary Assembly at least once a year of the names of the organisations concerned, together with those items from the relevant files which are necessary for the assessment of each case and his or her reasons for suggesting that they be added to the list. In the absence of any objection founded on the conditions set out in paragraph 9 below, the said organisations will be added three months later to the list of those enjoying consultative status.

9. During the three-month period, a member of the Committee of Ministers or three members of the Assembly of different nationalities may request that an examination be made of the file of any applicant organisation. In the former

1. This list shall contain the name in the national language, with a French or English translation of each of the national member organisations as well as the approximate number of members of each of these national member organisations.

2. Preamble and Article 1 of the Statute of the Council of Europe:

"The Governments of the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Irish Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland,

Convinced that the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilisation;

Reaffirming their devotion to the spiritual and moral values which are the common heritage of their peoples and the true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracy;

Believing that, for the maintenance and further realisation of these ideals and in the interests of economic and social progress, there is need of a closer unity between all like-minded countries of Europe;

Considering that, to respond to this need and to the expressed aspirations of their peoples in this regard, it is necessary forthwith to create an organisation which will bring European States into closer association,

Have in consequence decided to set up a Council of Europe consisting of a Committee of Representatives of Governments and of a Consultative Assembly, and have for this purpose adopted the following Statute:

Chapter I - Aim of the Council of Europe

Article 1

- a. The aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress.
- b. This aim shall be pursued through the organs of the Council by discussion of questions of common concern and by arrangements and common action in economic, social, cultural, scientific, legal and administrative matters and in the maintenance and further realisation of human rights and fundamental freedoms.
- c. Participation in the Council of Europe shall not affect the collaboration of its members in the work of the United Nations and of other international organisations or unions to which they are parties.
- d. Matters relating to national defence do not fall within the scope of the Council of Europe."

case, the examination shall be made and the decision to add the name to the list shall be taken by the Committee of Ministers. In the latter case, the Committee of Ministers shall defer its decision until it has received a recommendation from the Assembly acting on a report from its competent committee.

Withdrawal of consultative status

10. Any organisation already on the list may be removed from it by the Secretary General if, in his or her opinion:
- a. it has failed to comply with its obligations under the rules set out in paragraphs 2, 5 and 7 above;
 - b. it is represented twice as a result of affiliation to a larger organisation which is itself on the list;
 - c. the activity connected with its area of competence is no longer included in the Council of Europe's work programme;
 - d. it has taken action which is not in keeping with its status as an international non-governmental organisation.

To this end, the Secretary General shall review the list of organisations with consultative status every three years. The review shall be based on the report submitted by the organisations every two years.

Before any decision to withdraw consultative status, the Secretary General shall first inform the organisation in question of his or her intention to remove it from the list in order to give it an opportunity to present its observations within two months.

11. The decision to remove an organisation from the list shall be taken by the Secretary General of the Council of Europe in accordance with the above rules.

However this decision will be submitted for tacit approval to the Committee of Ministers and to the Parliamentary Assembly. To this end, the Secretary General shall inform the Committee of Ministers and the Parliamentary Assembly at least once a year of the names of the organisations concerned, and his or her reasons for suggesting that they be removed from the list of NGOs enjoying consultative status. In the absence of any objection as described in paragraph 9 above, the names of organisations that have thus been communicated shall be removed from the list three months later.

During the three-month period, a member of the Committee of Ministers or three members of the Assembly of different nationalities may request that an examination be made of the file of each organisation whose name has been communicated to them. In the former case, the examination shall be made and the decision to remove the name from the list shall be taken by the Committee of Ministers. In the latter case, the Committee of Ministers shall defer its decision until it has received a recommendation from the Assembly acting on a report from its competent committee.

Sundry provisions

12. The procedures described above shall not restrict the right of the Committee of Ministers, or of the Parliamentary Assembly, or of the Standing Conference of Local and Regional Authorities to initiate any action concerning other non-governmental organisations in pursuance of their respective rules of procedure.

It should also not prevent the Secretariat of the Council of Europe from considering practical co-operation on an *ad hoc* basis with other international and national non-governmental organisations in any field of mutual interest.

13. An organisation whose application has been refused or which has been removed from the list of NGOs enjoying consultative status may submit a fresh application after a period of two years following the date of the decision.
14. Following the entry into force of these rules, the non-governmental organisations already enjoying consultative status will be required to submit their first report in January of the following year and thereafter every two years in accordance with the new rules.