



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

WINTER SESSION CONFERENCE OF INGOs CONF/PLE(2016)SYN1

List of the decisions taken at the meeting held at the Palais de l'Europe, Strasbourg, on Friday 29 January 2016

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1. Opening of the meeting by Anna Rurka, President of the Conference of INGOs
2. Agenda: the agenda was adopted.
3. Synopsis of the meeting held on 25 June 2015: the synopsis was adopted.
4. Appointment of the meeting rapporteur

Jessica Chamba and Jean-Michel Caudron were appointed, each for half the day.
5. 2015 activity report of the Conference of INGOs: for discussion and adoption
 - For 2015, a new form of presentation of the activity report had been used, highlighting action taken in connection with the political priorities of the Conference's Action Plan adopted in June 2015.
 - The activity report was adopted unanimously.
6. Exchange of views with the Permanent Representatives of member States to the Council of Europe on strengthening the role of NGOs at the Council of Europe

Introduction/information:

A major event would be held in 2016 concerning the need for vigilance regarding legislation hostile to the freedom of INGOs and their political activities → a debate would be held with funders, national authorities and INGOs concerning the reasons for such legislation and its impact on the operation of INGOs in the countries concerned. Liaison was needed with the UN Special Rapporteur on the subject.

Statement by Ambassador Astrid Helle, Permanent Representative of Norway to the Council of Europe and Chair of the Ministers' Deputies' Rapporteur Group on Democracy (GR-DEM)

- There were some positive developments:
 - There was unanimity about the need to strengthen NGOs' role in political decision-making in the member states;
 - Practical objectives for this participation by INGOs had been agreed:
 - it was necessary to define performance indicators: what mattered was not so much an increase in the number of INGOs taking part in the meetings but, rather, the quality of the relationship to be established;

- it was necessary for contributions from INGOs to be timely, substantive and relevant regarding all the issues debated;
 - the level of dialogue with the INGOs had improved greatly, but it had started out from a very low base.
- Other points needed to be clarified, in particular regarding the road ahead:
- The Committee of Ministers needed to know what it could do to include the INGOs in its work and what the INGOs could do to contribute to its work.
 - Some proposals:
 - have information about the Conference of INGOs' work programme;
 - have feedback from the Conference President to the Committee of Ministers;
 - have facilities for providing offices or meeting rooms for INGOs within the Council of Europe;
 - be vigilant together in the event of warnings concerning reprisals against INGO human rights defenders;
 - depending on the Committee of Ministers' agenda (*at present: terrorism, refugee crisis, etc.*), submit contributions on the information at the Conference of INGOs' disposal and its analysis of the situation → the Committee of Ministers did not receive enough regular contributions. These could take several forms, including, for instance, invitations to side events of the Conference of INGOs.

Statement by Anna Rurka, Conference President:

- it was necessary to be informed in advance about the topics discussed by the Committee of Ministers;
- the Conference of INGOs felt that its position within the Council of Europe was weak;
- there was a need for follow-up in terms of action regarding the release of political prisoners.

7. Exchange of views with Thorbjørn Jagland, Secretary General of the Council of Europe

Many states were currently calling into question the decisions of the European Court of Human Rights. Some were even seeking to challenge the Geneva Convention in connection with the refugee crisis, although it was designed to protect people in periods of crisis.

Many of the Court's judgments were not executed and the Secretary General of the Council of Europe was counting on civil society to alert the other Council of Europe bodies and flag up the difficulties encountered in certain countries (*see statement by the Secretary General during the January 2016 ordinary session*).

In reply to the INGOs' questions:

- everyone agreed about the importance of the Istanbul Convention;
- the Committee of Ministers had an action plan on building inclusive societies and an action plan on combating terrorism; education played a fundamental role in this connection;
- the Secretary General wished to study the new legislative environments and exchange views with the governments concerned before taking a stance on the subject;
- in his view, it was most beneficial that young people could come and work at the Council of Europe as trainees;
- the big difference between the European Convention on Human Rights and the UN conventions was that in Europe all individuals were entitled to appeal to the European Court of Human Rights.

Statement by Anna Rurka, Conference President:

The Conference of INGOs shared the Secretary General's concerns about compliance with the European Convention on Human Rights in some member states. More and more civil society players were taking to the streets (*Republic of Moldova, Poland, etc.*) and the trends were very worrying.

Conclusion:

- The four pillars of the Council of Europe had to take action together to educate young people about the role of international treaties. Their key objective was to preserve peace between member states. Any restrictions at the level of the member states could lead to a slide back towards increased nationalism. That message had to be conveyed widely.
 - The Council of Europe's main role was to defend individuals (*human rights defenders, journalists, etc.*) and all those who contributed to freedom of expression and the dissemination of its fundamental values.
8. Report on the President's fact-finding visits to the Republic of Moldova and to Bulgaria, with the participation of NGOs and senior officials from those countries

Presentation of the reports following the fact-finding visits to the Republic of Moldova and to Bulgaria

Statement by the representative of Promo-lex on the general situation in the Republic of Moldova and then on the specific difficulties encountered by the association in the Republic of Moldova:

- the association monitored elections in the Republic of Moldova;
- it made recommendations for improvements and many of its proposals had been implemented;
- approximately 100 cases had been brought before the European Court of Human Rights (*which had already ruled on 26*); around 60 of them concerned difficulties encountered in the region of Transnistria.

Statement by the Permanent Representative of the Republic of Moldova to the Council of Europe:

- the participation and role of NGOs was very significant in the Republic of Moldova and within the Council of Europe;
- the Republic of Moldova took due note of the findings of the assessment which had been made by the Conference of INGOs and would seek to implement the recommendations;
- it would also be vigilant and would attach particular importance to the cases brought before the European Court of Human Rights, in particular those involving children.

Statement by the Forum for Citizens' Participation in Bulgaria:

- the association presented a slide show of its activities;
- it had conducted a study of the factors facilitating citizen participation: its findings confirmed those of the report by the Conference of INGOs; the factors facilitating participation needed further support and strengthening;
- the association proposed that the evaluation methodology be shared with other countries.

Statement by Ambassador Katya Todorova, Permanent Representative of Bulgaria:

- Bulgaria placed great emphasis on civil society participation; even though things were not perfect, much progress had been made;
- she was grateful for the report by the Conference of INGOs, which presented the legislative changes in progress in Bulgaria, which should respond to many proposals made in the report;

- there were 38 000 NGOs in Bulgaria, which amounted to one NGO for every 190 inhabitants and meant that the country was among those with most NGOs worldwide.

The visits by the Conference were going to continue: to Romania, Germany, Poland and/or Hungary. The aim was to assess the situation and see what could be done with national NGOs to boost their participation in the decision-making process.

9. Expert Council on NGO Law: information about recent studies and opinions

Report by Cyril Ritchie, President of the Expert Council:

- the opinions and the legal follow-up had a political role;
- several recommendations were under preparation, in particular concerning lobbying and the link between lobbying and politics (*there would be consultation and a hearing of the NGOs on the subject in June*);
- it was necessary to draw on the decisions taken by the Conference and submit them to parliamentarians in the member states concerned;
- monitoring the implementation of national legislation was very important; that was a key role for the Expert Council;
- scrutinising the action of governments was a matter for all citizens and hence for all the NGOs represented at the Conference of INGOs.

Anna Rurka invited members to consult the documents on the website and to continue the exchange of views at the June session.

10. Gender Equality Expert of the Conference of INGOs (Anne Nègre)

Anne Nègre presented a film by the Belgian broadcaster, RTBF, about daily assaults on women in Brussels to demonstrate the need for gender mainstreaming in the INGOs' work on the basis of the Istanbul Convention.

She added that the Council of Europe was beginning to address the issue of intersex persons following Malta's recognition of their suffering.

11. Information on the forthcoming revision of the Rules of Procedure of the Conference of INGOs (Salomon Levy) and Resolution (2003) 8 on participatory status (Jean-Bernard Marie)

Jean-Bernard Marie presented developments concerning the revision of Resolution (2003) 8. In his 2015 report on the State of Democracy, Human Rights and the Rule of Law in Europe, the Secretary General had recommended that the resolution on participatory status for INGOs with the Council of Europe be reviewed, in consultation with the Conference of INGOs, so that any necessary changes to the rules could be proposed. To that end, a working group comprising a representative of the Conference of INGOs and members of the Secretariat had been set up in autumn 2015. The main aim of the revision of the resolution was to define more clearly the criteria for granting or refusing participatory status. The draft would be presented to the Committee of Ministers' Rapporteur Group on Democracy in spring.

With regard to the quadrennial reports, a questionnaire would be sent to the representatives of the INGOs in the Conference, asking them to indicate their INGOs' activities in connection with the Council of Europe for the period from 2012 to 2015.

Salomon Levy explained that the purpose of the forthcoming changes to the Rules of Procedure of the Conference of INGOs was to make them clearer. The aim was to clarify the provisions, among other things to avoid a concentration of powers and limit the total length of time which individuals could hold posts on the Standing Committee. It also seemed

necessary to include the concept of competence as a prerequisite for standing for the post of President of the Conference. The entire text was to be submitted to a legal expert and would be presented to the Conference in June.

12. Information on the joint action of the INGOs to promote the Turin process for the European Social Charter and ratification of the additional protocol on the collective complaints procedure (Elisabeth Marie)

Marie-José Schmitt was appointed unanimously as the Conference of INGOs' representative to the European Social Charter.

13. Feedback from the thematic committees and from the Standing Committee and adoption of texts

Statement by Anne Kraus, member of the Bureau and representative for young people

The aims of the roadmap for youth participation were to foster:

- the participation of as many young people as possible, especially those not usually represented at international organisations;
- an intergenerational approach and enrichment of the Conference of INGOs' debates through their contributions.

To this end, it was also necessary to review the format of the exchanges and the interactivity of the work.

It might be worthwhile inviting trainees and other young people connected with the Council of Europe to the meetings of the Conference of INGOs.

- The roadmap for youth participation was adopted unanimously by the Conference. It would be appended to the Conference's action plan.

Statement by Didier Schretter, Vice-Chair of the Education Committee

The strategy adopted for the Communication Charter would lead to the introduction of practical tools.

- The Charter was adopted by the Conference, with one abstention.

The discussions which had taken place in the various committees would be published in their respective synopses on the Conference website.

14. Other business

Slogan

Each INGO was asked to take part in the consultation process to find a slogan for the Conference. The Standing Committee would choose the slogan from among the INGOs' proposals.

North-South Centre

The meeting of the Executive Committee of the North-South Centre had renewed the term of Jean-Marie Heydt, representing the Conference of INGOs, as Chair of the Executive Committee. Jean-Michel Caudron, member of the Conference Bureau, had joined the Executive Committee on the Conference's behalf.

The theme of the North-South Centre's Lisbon Forum in November 2016 would be migration. Jean-Michel Caudron had offered to co-ordinate the elements which the Conference might propose as its contribution.

At the same meeting of the Executive Committee of the North-South Centre, Morocco, which again held the vice-chairmanship of the Executive Committee, had asked the North-South Centre to become involved in ensuring the success of COP22, which would be held in

Marrakesh in November 2016. Jean-Michel Caudron had agreed to mobilise the Conference in this connection, carrying on from its action for COP21.

Call for contributions

The INGOs would shortly receive the 2016 call for contributions for the INGO-Service association.

15. Date of the next meeting

The Conference would meet again on the Friday at the end of the session (i.e. Friday 24 June 2016).