



CONFERENCE OF INGOs  
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

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**Address by Anna Rurka, President of the Conference of INGOs  
during her exchange of views with the Ministers' Deputies at their 1272<sup>nd</sup> meeting  
on 30 November 2016**

Madam Chair, Ministers' Deputies, Ladies and Gentlemen,

First of all I would like to thank you for giving me this opportunity to present this brief report on our activities over the past year and to inform you of some of our priorities for next year, in light of the Action Plan adopted by the Conference in June 2015.

A table of the activities carried out by the Conference has been distributed to you by the Secretariat. They have been divided up into three main subject areas: human rights, democracy and the rule of law, and, more specifically, freedom of association.

Our activities to protect and support human rights defenders have this year been enhanced through:

- My support and the meeting held in Moscow with Valentina Cherevatenko, the women's rights activist
- the contribution which Intigam Aliyev made to the debate we held at the Council of Europe in June 2016 on freedom of association and the situation of NGOs whose activities are considered by the Russian authorities to be political, and on the consequences of being given the status of or being considered a foreign agent on the grounds that NGOs have received funding from other countries.

I would like to thank the many permanent delegations for their active participation in this debate, and more particularly for their collaboration with the Ambassador of Azerbaijan. Thanks to your collaboration, Ambassador, the authorities gave Mr Intigam Aliyev permission to leave Azerbaijan for 10 days. I regret however that once he had returned the sanctions against him were rapidly implemented and that he was unable to come to Strasbourg in October for the meeting of the Expert Council of which he is a member. I remain confident that we will be able to continue our dialogue on the subject of the establishment of conditions that are conducive to the work of human rights defenders in your country.

The indivisibility of human rights, which the Conference of INGOs considers to be one of its guiding principles, requires us to be proactive in promoting social rights in co-operation with the Social Charter Division. This year the INGOs have decided to co-ordinate their action and to increase their involvement in the ratification of the collective complaints protocol. As Mr Michele Nicoletti pointed out in his General Report on the Turin Conference, enhancing the collective complaints system leads to an on-going and independent dialogue between the INGOs and the authorities, and makes the monitoring of the application of social rights much more dynamic, more democratic, more transparent and more open. Our work to support vulnerable groups - people living in situations of extreme poverty, people with disabilities, the elderly, refugees and asylum-seekers - continues to occupy an important place on the political agenda of the Conference of INGOs. The International Day against Extreme Poverty organised each year by the Conference of INGOs at the Council of Europe or in a member state is an opportunity to underline our joint commitment to eradicating poverty. The progress made in ensuring access to rights should be gauged through the eyes of those for whom such access is most difficult. The democratic challenge directly linked to social cohesion is to reduce the gap between

political elites and the ordinary life of vulnerable groups in each of the Council of Europe's member countries.

This year, many of our activities have focused on freedom of association in the context of the restrictions on civil society. I have already mentioned the debate that was held in June, in which numerous delegations took part, and I wish to thank Ms Astrid Helle, the Norwegian Ambassador, the Commissioner for Human Rights, and Mr Cruchten, Member of the Luxembourg Parliament, who was at that time rapporteur for the Recommendation of the Parliamentary Assembly of the Council of Europe on inappropriate restrictions on NGO activities in Europe, for their major contribution to the success of this event.

We are very concerned at the restrictions that Turkey has introduced with regard to freedom of association and civil society. With a view to discussing together what can be done to support NGOs based in Turkey we have, in collaboration with the Civil Society Division, invited Turkish NGOs to Strasbourg. These meetings and consultations will take place tomorrow and the following day.

I would also like to say that I welcome the fact that in replying to the Parliamentary Assembly's Recommendation on inappropriate restrictions on NGO activities in Europe you focused on Recommendation 2007(14). We must concentrate our efforts on the implementation of this Recommendation, which was adopted nine years ago. This document and the joint guidelines of the Venice Commission and the OSCE are the basic documents to which we refer and to which we give prominence during visits to member states, as such visits focus on NGOs' participation in the decision-making process. This year we were able to visit Poland, Romania, Germany and Hungary. I thank the diplomatic delegations for their collaboration and for their assistance in preparing these visits. You no doubt read the short press releases issued after each of them. The corresponding reports are in the process of being drafted and will be forwarded to you by the beginning of January at the latest, with an invitation to attend the debate that is to be held at the plenary meeting of the Conference on 27 January 2017.

The five visits that have already taken place have brought to light some transversal measures concerning public consultations and NGO's participation in the decision-making process which need to be improved. First of all, despite the existing legal framework, it can be seen that it is often secondary regulations and administrative procedures which make participation difficult. In the opinion of many NGOs, the procedures are arbitrary, the choice of the NGOs consulted is not objective, and public registers, in which NGOs can enrol so as to be invited to meetings, have seldom been introduced. Consultation through web pages, set up by the authorities for that purpose, is not very effective. The period during which draft legislation or other documents are made available for consultation is either too short or undetermined. The NGOs ask for a reasoned opinion explaining why their contribution has been rejected or accepted, but they seldom receive one. The positive examples that we were able to identify show that such collaborative examples are the result of constant and on-going dialogue between the public authorities and the NGOs. The important element of such practices is the possibility for NGOs to contribute to the political agenda of various ministries, and therefore to be consulted not only on the solutions put forward by the authorities - which the NGOs often find wanting - but to be consulted at an early stage in the legislative or administrative process.

It is therefore very important that the guidelines on civil participation in political decisions, which are currently being drawn up by the joint Government Representatives/Conference of INGOs drafting group and will be presented to you once they have been adopted by the CDDG, be adopted and that they should become Recommendations. Given that we continue to be confronted with the problem of the difference between adopting a text and ensuring that it is implemented on the ground, I very willingly propose that the Conference of INGOs take part in an experiment in one or two member states, which would undertake to apply these guidelines at local or national level so that we can gauge their effects and any problems arising from their implementation.

We are proud of the role which the INGOs play at the Council of Europe in the context of participation in the decision-making process, initially through their consultative status and now through their participatory status. The Conference of INGOs, as a political and collective institution, contributes to the far-reaching impact of this participatory mechanism. I had the opportunity to highlight this at the event organised by the ECNL at the UN Human Rights Council to open the consultations on equal participation in political and public affairs.

Finally, I would like to announce a number of events and themes for future work. First of all, on 7 December, we will be in the Brussels Capital region to exchange views with the local authorities, NGOs and the representations of the different religious and cultural communities of Molenbeek Saint-Jean, Schaerbeek and Forest, on the actions they consider useful in helping to prevent violent extremism. I also think that giving those affected by terrorist attacks a say is a good antidote to any attempt to reintroduce the death penalty as in most cases it is not the families of the victims of terrorism who want the death penalty to be applied.

We are therefore also going to undertake actions that will help to prevent the use of torture and the death penalty. The reintroduction of the death penalty in any Council of Europe member state would be an inestimable setback, which would require you, Deputy Ministers, to take strong measures to prevent a knock-on effect and to ensure that the fundamental commitments entered into by not only member states but also the INGOs, are not jeopardised.

Thank you for attention. I am prepared to answer any questions you may have.