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## CODE OF CONDUCT OF THE CONFERENCE OF INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS

### OF THE COUNCIL OF EUROPE

*Adopted by the Conference of INGOs on 10 April 2019*

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#### ***Preamble***

The Conference of INGOs after receiving recommendations from the Council of Europe organ known as GRECO (Group of States against Corruption) and seeking to implement the good practices that it advocates and that are in force within the Council of Europe and elsewhere:

- Recalling its unwavering commitment to the values of transparency, equity, ethics, accountability and exemplarity in its governance;
- Bearing in mind that the Conference of International NGOs is one of four pillars of the Council of Europe, alongside the Committee of Ministers, the Parliamentary Assembly, and the Congress of Local and Regional Authorities of Europe;
- Stressing that the Conference of INGOs is a self-governing organ, respectful of the Council of Europe legal framework;
- Welcoming the active co-operation of the Conference with other Council of Europe entities;
- Aware that the Conference of INGOs – which is the bearer of the ethical values of civil society - has the duty to be exemplary in respecting and disseminating good practices, especially within itself;
- Affirming that this Code of conduct applies to all member organisations of the Conference, their representatives, elected persons in charge of the Conference and more broadly to all participants in Conference of INGOs activities, be they regular occasional, and shall in consequence be disseminated to them;
- Affirming that the principle guiding the application of this Code is the presumption of good faith of each participant;
- Stressing that the first instance to examine complaints and make a recommendation will be the Conference's Verification and Dispute Committee, whose independence and past record must provide assurance of justice and fairness;

Decides to implement this Code of Conduct which supplements the Rules of Procedure of the Conference of INGOs.

## **Purpose**

1. The purpose of this Code of Conduct is to govern participation in the activities of the Council of Europe's Conference of International Non-Governmental Organisations ("the Conference").

## **Scope**

2. Unless otherwise specified in this Code of Conduct, its provisions apply to all, whether legal or physical persons, who participate in the activities of the Conference ("Participants") i.e.:
  - International Non-Governmental Organisations enjoying participatory status with the Council of Europe ("INGOs"),
  - All other non-governmental organisations invited to participate in the activities of the Conference ("NGOs"),
  - All delegates or representatives of these INGOs and NGOs;
  - The INGO Service association;
  - Persons who are not members of the Conference appointed as experts by the President or the Bureau;
  - The members of the Expert Council on NGO Law
3. The activities of the Conference comprise its plenary meetings, activities undertaken by its President, Vice-Presidents and "chargés de mission" in the name of the Conference, the work of its Bureau, Standing Committee, Thematic Committees, Working Groups, the activities of the INGO Service on behalf of the Conference, the activities of the Expert Council on NGO Law, events at any of the Conference's sessions and any activity undertaken by any Participant on behalf of the Conference.
4. The application of this Code of Conduct shall be a matter for the Conference.

## **General principles of behaviour**

5. While participating in the activities of the Conference, Participants shall:
  - Respect and defend the values and principles of the Council of Europe;
  - Act with integrity and honesty;
  - Not engage in sexist or discriminatory behaviour;
  - Take decisions solely in the general interest while pursuing their declared objectives;
  - Not act in a way as to bring the Conference into disrepute or tarnish the Conference's image;
  - Use responsibly the means made available to them on behalf of the Conference;
  - Not use their participation in the Conference's activities for their, or anyone else's, private gain;
  - Seek to avoid any conflict of interests relating to their participation in the Conference's activities;
  - Promote and support these principles by leadership and example; and
  - Undertake to comply with the Rules of conduct set out below.

## **Rules of conduct**

6. Participants shall not take any action which would cause unwarranted damage to the reputation or the integrity of the Conference of INGOs, of any Participant and of the Council of Europe.
7. Participants shall not engage in sexist or discriminatory behaviour while participating in Conference activities.
8. Participants with overlapping missions shall share relevant information and mutually support each other in the activities of the Conference.
9. Participants shall seek to avoid any conflicts between their economic, financial or other interests on a professional, personal or family level that can affect, or be perceived by others as likely to affect, the conduct of participants in any activity of the Conference
10. Where a conflict referred to in the preceding Article cannot be avoided, participants shall, as a general rule, draw attention to it through a written declaration submitted before the meeting or the activity to the register of interests made available by the Secretariat and copied to the President of the Conference. The President of the Conference shall transmit the information to the Verification and Dispute Committee. However, where an advance declaration is not feasible, an oral declaration shall be made before any intervention in the meeting or activity concerned and then added to the register.
11. Participants shall not accept directions from any governmental or intergovernmental body in respect of their contribution to the activities of the Conference of INGOs.
12. Participants shall not request or accept any fee, compensation or reward (“an inappropriate payment or gift”)<sup>1</sup> intended to affect, or potentially perceived by others as likely to affect, their conduct as participants, particularly in their decision to support or oppose any motion, report, amendment, written declaration, recommendation, resolution or opinion.
13. Participants shall not use their position as Participants to further their own or another person’s or entity’s interests in a manner incompatible with this code of conduct.
14. Participants shall not exploit information acquired confidentially in the course of their participation.
15. Participants shall not misrepresent the nature of their involvement in the activities of the Conference and shall not use any official symbols of the Council of Europe without prior authorisation from the Secretariat.
16. Participants shall enter into an online public register held by the Secretariat any gifts or similar benefits in connection with their role as a Participant<sup>2</sup>. They shall register such gifts and benefits as soon as practicable after their receipt.
17. Participants shall ensure that their use of expense claims, allowances, facilities and services provided by the Council of Europe is strictly in accordance with the relevant regulations laid down on these matters.

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<sup>1</sup> this rule is not intended to cover salary or expenses provided by an NGO to its employees or elected representatives

<sup>2</sup> such as travel expenses, accommodation, subsistence, meals or entertainment expenses, donations and other resources received from entities other than the Council of Europe, INGO Service or their own INGO

### **Observance of this Code of conduct**

18. Anyone concerned about a possible breach of this Code of conduct either by him/herself or by another Participant may notify in writing the Verification and Dispute Committee<sup>3</sup> with a copy to the Secretariat<sup>4</sup>. In all cases the notification should include supporting details regarding the possible breach.
19. A notification without supporting details shall not be considered and the person sending it shall be informed accordingly. In all other cases, the Verification and Dispute Committee shall inform the Bureau of the Conference of INGOs of any such notification immediately following its receipt and, within fourteen days shall also inform the person sending the notification that this has occurred. At the same time, it shall provide the Participant concerned (and, if applicable, the INGO or NGO which the Participant represents) with a copy of the notification.
20. Following a notification, the Verification and Dispute Committee shall in the first instance attempt to mediate. It shall examine the circumstances of the alleged breach of the present Code, seeking clarification and further information from the person alleging the possible breach, the Participant concerned and any other person or organisation that may be in a position to assist it. When doing so, it shall inform the Participant concerned and, if applicable, the INGO or NGO which the Participant represents of the right to seek any assistance considered appropriate in connection with the examination of the alleged breach.
21. All Participants invited to do so shall cooperate with the Verification and Dispute Committee when undertaking this examination.
22. If the explanations given by the Participant concerned and/or his/her organisation are judged to be sufficient, the Verification and Dispute Committee shall sign its report and close examination of the case and inform in writing the Bureau, the Standing Committee and the Secretariat of the Conference of INGOs.
23. The examination by the Verification and Dispute Committee shall be confidential until its findings have been adopted and its report has been transmitted to the Conference and its bodies.
24. The Verification and Dispute Committee shall, within two months of receiving the notification, inform the Participant concerned (and, if applicable, the INGO or NGO which the Participant represents) and the person who notified it of a possible breach of the Code as to the provisional findings of its examination as well as any recommendation considered appropriate for action to be taken, inviting her, him or it to present the comments within 14 days.
25. Following the receipt of any comments from the Participant concerned, (and, if applicable, the INGO or NGO which the Participant represents) and the person who notified it of a possible breach of the Code, the Verification and Dispute Committee shall amend or adopt its provisional findings. It shall then communicate them to the Bureau (and, if applicable, the INGO or NGO which the Participant represents) and the person who notified it of a possible breach of the Code, together with any recommendations for action considered appropriate (including the sanctions referred to in paragraph 30). The formulation of any recommendations shall take into account steps that may have been taken by the Participant concerned to remedy any breach of

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<sup>3</sup> Common e-mail address for the Verification and Dispute Committee

<sup>4</sup> [NGO-Unit@coe.int](mailto:NGO-Unit@coe.int)

this Code found to have occurred. The communication and recommendations shall be copied to the Secretariat.

26. The matter shall not be considered further if the findings of the Verification and Dispute Committee are that there has been no breach of this Code of Conduct.
27. At the request of the person concerned, the Bureau shall transmit the findings and any recommendations of the Verification and Dispute Committee to the Appellate Panel<sup>5</sup>.
28. Where there has been a finding of a breach of this Code of Conduct, the Participant(s) concerned – accompanied by a person of his, her or their choice – and (if applicable) the INGO or NGO which the Participant represents shall have the possibility to address the Appellate Panel and call any evidence or findings in his, her or its support where this has not already been considered by the Verification and Dispute Committee and where it would not have been possible to submit the evidence concerned to the Verification and Dispute Committee.
29. The Appellate Panel shall then decide whether to accept or reject the findings of the Verification and Dispute Committee and, if the former, whether to confirm or modify its recommendations. The findings and recommendation of the Verification and Dispute Committee shall become final if no request for an opportunity to address the Appellate Committee is made by the Participant(s) concerned within 15 days of these being received.
30. The sanctions that may be imposed for a breach of this Code of Conduct, if this is considered appropriate by the Conference and is consistent with the principle of proportionality, are one or more of the following:
  - A temporary deprivation of the right of the Participant (if he or she represents an INGO or NGO) to speak and to be enrolled on the list of speakers;
  - A temporary deprivation of the right of the Participant (if he or she represents an INGO) to vote and participate in the drafting process;
  - A temporary bar on the Participant (if he or she represents an INGO) from acting as an office-holder of the Conference or representing it in any way;
  - A temporary bar on the Participant (if he or she represents an INGO or NGO) from meetings of the Conference;
  - A permanent bar on the Participant (if he or she represents an INGO or NGO) from meetings of the Conference;
  - A recommendation to the Secretary General of the Council of Europe to consider withdrawing the participatory status granted to the Participant (if an INGO).

A temporary deprivation of the rights mentioned above may be for one or more sessions of the Conference.

31. Each year the President of the Verification and Dispute Committee shall provide the Conference with an overview of the notifications received, the findings made and the action taken pursuant to them.

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<sup>5</sup> The working methods of the Appellate Committee will be detailed in the Rules of Procedure of the Conference of INGOs