

DRAFT CODE OF CONDUCT
OF THE CONFERENCE OF INTERNATIONAL NON-GOVERNMENTAL
ORGANISATIONS
OF THE COUNCIL OF EUROPE

(for adoption by the Conference of INGOs at its meeting on 29 June 2018)

13/06/2018

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 good practices within the Council of Europe and elsewhere:

- Bearing in mind that the Conference of International NGOs, as one of the organs and as 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, has to meet Council of Europe standards regarding its governance and operation;
- Stressing that the Conference of INGOs remains a self-governing organ, fully respectful of the Council of Europe legal framework;
- Taking into account the harmonious and fruitful co-operation of the Conference with many other Council of Europe entities such as the Office of the Secretary General, the Commissioner for Human Rights, the various Directorates General and intergovernmental Steering Committees, and the European Commission for Democracy through Law (the Venice Commission);
- Aware that the Conference of INGOs - by definition reflecting the ethical values of civil society determines as its duty to be a witness to, and a model in, upholding and propagating these standards;
- Recognising that the Code is intended to be exemplary, and to apply to all member organisations of the Conference, their representatives, and more broadly to all participants in Conference of INGOs activities;
- Taking into account the necessity to make this Code accessible for all interested stakeholders and to communicate this document to all INGOs members and their representatives and participants in the activities of the Conference of INGOs;
- Noting that to be effective, a Code of Conduct has not only to be drafted with precision and adopted democratically; it must also provide for mechanisms of implementation and accountability, and of course for sanctions for non-observance of its provisions;
- Stressing that the first instance to examine complaints and make a recommendation will be the Conference's own Verification and Dispute Committee, whose independence and past record provide assurance of justice and fairness.
- Recognising that above all, participation - a leitmotiv of civil society - will be the keyword and the fundamental motivator of the successful implementation of this Code of Conduct, from which we will all benefit;

Agrees to implement this Code of Conduct which is a legally binding instrument complementary to the Rules of Procedure of the Conference of INGOs.

Purpose

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

Scope

2. Unless otherwise specified, the provisions of this Code of Conduct apply to all 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; and
 - The INGO Service.
3. All participants shall examine the text of the Code of Conduct and shall declare that they have read it and agree to be bound by its provisions.
4. The activities of the Conference comprise its plenary meetings, activities undertaken by its President and Vice-Presidents in the name of the Conference, the work of its Bureau, Standing Committee, Thematic Committees, Working Groups, the functioning of the INGO Service, the activities of the Expert Council on NGO Law, events at any of the Conference's sessions and any activity undertaken by any Participant purportedly on behalf of the Conference.
5. The application of this Code of Conduct shall be a matter for the Conference. Guidance on all matters covered by this Code of Conduct and advice on its application in particular situations may be sought from the Secretariat.

General principles of behaviour

6. 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;
 - Take decisions solely in the public interest;
 - Not act in a way as to bring the Conference into disrepute or tarnish the Conference's image;
 - Use the resources available to them responsibly;
 - Not use their participation in the Conference's activities for their, or anyone else's, private gain;
 - Declare any relevant interests relating to their participation in the Conference's activities and take steps to resolve any conflicts arising in a way that protects the public interest;
 - Promote and support these principles by leadership and example; and
 - Undertake to comply with the Rules of conduct set out below.

7. These principles will be taken into consideration when any complaint is received of breaches of this code of conduct.

Rules of conduct

8. Participants shall respect the values of the Council of Europe and the general principles of courtesy and respect and not take any action which would cause unwarranted damage to the reputation and integrity of the Conference or of any other Participant.
9. Participants with overlapping missions, values and target groups shall share relevant information and mutually support each other in the activities of the Conference. They shall also refrain from competing with each other and with other civil society organisations and shall refrain from unnecessary duplication of services and avoidable disruption of each other's projects.
10. Participants shall avoid conflicts between any actual or potential economic, commercial, financial or other interests on a professional, personal or family level on the one hand, and the public interest in the activities of the Conference on the other, by resolving any conflict in favour of the public interest; if the Participant is unable to avoid such a conflict of interests, it shall be disclosed.
11. As a general rule, participants shall draw attention to any relevant interest in any proceedings of the Conference, its committees or other activities through a written declaration submitted beforehand to the online public register of interests held by the Secretariat and copied to the President of the Conference. However, where an advance declaration is not feasible, one shall be made orally before any intervention in the meeting or activity concerned and then added to the online register of interests by the Secretariat.
12. Participants shall not accept directions from any governmental or intergovernmental body or political party in respect of their contribution to the activities of the Conference of INGOs
13. Participants shall not request or accept any fee, compensation or reward ("an inappropriate payment or gift") intended to affect, or be 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.
14. 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.
15. Participants shall use information obtained through participation in the activities of the Conference with discretion and, in particular, shall not exploit information acquired confidentially in the course of their participation.
16. Participants shall not misrepresent the nature of their involvement in the activities of the Conference and shall not use any image or symbols of the Council of Europe without prior authorisation from the Secretariat.

17. Participants shall enter into an online public register held by the Secretariat any gifts or similar benefits (such as travel expenses, accommodation, subsistence, meals or entertainment expenses, donations and other resources received from entities other than the Council of Europe or INGO Service) of a value in excess of €200 that they accept as a Participant. They shall register such gifts and benefits as soon as practicable after their receipt.
18. 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.

Observance of this Code of conduct

19. Anyone concerned about a possible breach of this Code of conduct by a Participant should notify in writing the President of the Conference or, if that is not appropriate given the possible breach concerned, one of the four Vice-Presidents of the Conference. In all cases the notification should be copied to the Secretariat.
20. The President of the Conference or the Vice-President shall forward any such notification to the Verification and Dispute Committee immediately following its receipt and, within fourteen days and, shall also inform the person sending the notification that this has occurred.
21. The Verification and Dispute Committee shall then examine the circumstances of the alleged breach, seeking clarification and further information from the person alleging the possible breach, the Participant concerned and any other relevant person or organisation.
22. All Participants shall cooperate with the Verification and Dispute Committee when undertaking this examination.
23. The conduct of the examination by the Verification and Dispute Committee shall be confidential until its findings have been adopted and reported to the Conference.
24. The Verification and Dispute Committee shall, within two months of receiving the notification, inform the Participant concerned as to the provisional findings of its examination and 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, the Verification and Dispute Committee shall amend or adopt its provisional findings and communicate them to the President or the Vice-President, together with any recommendations for action considered appropriate (including the proceedings mentioned in paragraph 26 and 27 and the sanctions referred to in paragraph 28). The communication and recommendations shall be copied to the Secretariat.
26. The President or Vice-President shall read out the findings and any recommendations of the Verification and Dispute Committee at the next session of the Conference, which shall then decide whether to confirm the recommendations or to take different action.

27. The Participant(s) concerned shall have the possibility to address the Conference 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.
28. The sanctions that may be imposed for a breach of this Code of Conduct, if this is considered appropriate, are one or more of the following:
- A temporary deprivation of the right of the Participant to speak and to be enrolled on the list of speakers;
 - A temporary deprivation of the right of the Participant delegate concerned to vote and participate in the drafting process;
 - A temporary bar on the Participant concerned from acting as an office-holder of the Conference or representing it in any way;
 - A permanent bar on the Participant concerned from meetings of the Conference;
 - A recommendation to the Secretary General of the Council of Europe to withdraw the participatory status granted to the Participant concerned.

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

29. Each year the Chair of the Verification and Dispute Committee shall report to the Conference on the notifications received, the findings made and the action taken pursuant to them.