



03/12/2020

Communiqué by the Verification and Dispute Committee of the Conference of INGOS

Further to the letter dated 23/11/2020 signed by five members of the Standing Committee (SC)

Anne Bergheim-Nègre, Karl Donert, Thierry Mathieu, Iamvi Totsi, Claude Vivier Le Got

addressed to the President of the Conference and communicated by the signatories on 27/11/20 to INGOs members of the Conference,

The members of the Verification and Dispute Committee (the Committee) are aware of the messages sent by email, on 27 November 2020, by the five afore-mentioned members of the SC to which was attached a copy of the letter sent by the said signatories to the President of the Conference.

In this communiqué, we refer to the terms and allegations that directly target the Verification and Dispute Committee by questioning its competence, independence and integrity in the exercise of its mandate and the publication of its Opinions.

Extracts of the letter of 23 November 2020 circulated by the 5 afore-mentioned signatories which target explicitly the Committee:

§.1 ***"In the name of the rules of democracy and ethics which prevail in the Council of Europe, we challenge the validity of the opinions and votes issued by the Verification and Dispute Committee and by the Standing Committee of the Conference of INGOs on the amendments to the draft Rules of Procedure submitted by NGOs".***

§.2 ***"(...)Departing from the Rules of procedure in force and from its initial mandate, on your proposal and after consultation by you of the Verification and Dispute Committee, which has had no jurisdiction in the matter until now, (...)".***

§.3 ***"This can be explained by the fact that these Opinions and vote are vitiated with partiality and irregularity with regard to the neutrality required (...)".***
(highlighted in bold in the text)

Moreover, in a message of 29 November on the Loomio platform, Mrs Claude Vivier le Got and Mr Karl Donert, members of the SC, invoke a conflict of interest regarding the Verification and Dispute Committee.

On this last claim, the Committee recalls that under the Rules of Procedure in force:

1. The Committee is represented on the SC in a **consultative capacity** and does not participate in SC debates and votes (art.3.1 of the Rules); therefore, its representative did not take part in the SC vote on the admissibility of the amendment proposals. The Opinion of the Committee of 18 September 2020 is limited to specifying the **criteria for defining an amendment**.

2. That the qualification of "conflict of interest" used by the two afore-mentioned signatories by no means corresponds to the definition given in arts. 9 and following of the **Code of Conduct** adopted by the Conference of INGOs on 10 April 2019. The qualification is therefore not applicable.

The Verification and Dispute Committee observes that in a rule of law governed by democratic rules, legally established institutions and their regularly adopted decisions cannot be called into question by those who participated in the voting process.

The allegations against the Verification and Dispute Committee made in the letter of the five afore-mentioned signatories, without any supporting evidence, seriously undermine the integrity and independence of its members. The unfounded accusations which directly target the Committee, also affect the Conference and all its bodies.

It is not within the competence of the Committee to comment on the reasons which prompted the afore-mentioned signatories to launch such attacks which they are pursuing on different platforms or networks. But it is the responsibility of the Committee to clearly point out that in the present case the **Code of Conduct** of the Conference of INGOs is directly applicable to the persons responsible for the allegations and the dissemination of unfounded information.

Faced with these unfounded allegations, remedies may be sought, on the one hand, by the Committee as a legally constituted body of the Conference, and on the other, by each its members.

Regarding the rest of the afore-mentioned letter that concerns the exercise of its powers by the SC the Committee refers to its [**Opinions of 18 September and 24 November 2020 and to its findings**](#).

Finally, the Committee wishes to observe that when certain members of a body disagree with the decisions regularly voted by it by the required majority, they cannot continually call into question the vote: either they democratically accept decisions, or the possibility of resigning is open to them.

Ethics and respect for democratic rules systematically invoked by the five co-signatories cannot allow individuals and bodies legally exercising their functions in accordance with their mandate and the rules in force to be questioned. As a result, those responsible for these accusations, widely publicised in writing, face various remedies being sought: within the Conference, within the framework of the Council of Europe, or through any other legal channel.

The Verification and Dispute Committee,
Salomon Levy, President
François Debrowolska
Philippe Grolleau
Jack Hanning
Jean-Bernard Marie