



CONF/PRES/SPEECH(2017)07

Address by the President of the Conference of INGOs at the exchange of views with the Ministers' Deputies of the Council of Europe, Strasbourg, 7 November 2017

Chair, Ministers' Deputies, Secretary General, Deputy Secretary General,

I should like to begin by congratulating the Committee of Ministers on adopting the Guidelines for civil participation in political decision-making. The guidelines are a key document for civil society and for member countries' citizens. While the agreement concerning the principles is important, we clearly must go further and try out these principles in practice so as to improve democratic governance at local and national level. As you are aware, political decisions are pointless unless they change individuals' social reality even by a very small degree. Today, civil society really wants to take part in decision-making processes which affect it, not only by electing representatives to take decisions on its behalf but also by contributing to public policies as they are developed and at each stage in the legislative process. It is necessary to ensure fair and responsible participation which takes account of the ethical imperative that applies to the public sphere. The Conference of INGOs was very actively involved in drawing up the guidelines alongside the European Committee on Democracy and Governance. We remain involved in distributing them and we want to carry out real trials of the guidelines so that they become an established practice and form a constructive democratic experience for everyone.

Allow me now to share with you some information about the Conference of INGOs' recent activities (the Secretariat will send you a summary table shortly).

Believing that preventing the risk of corruption and conflicts of interest concerns all Council of Europe institutions, I asked the GRECO President to conduct a review and make recommendations so as to help us draw up an internal instrument to prevent this type of risk more effectively. The corresponding report was adopted and published by GRECO in October. Further to the report, the Standing Committee of the Conference of INGOs set up an ad hoc group mainly comprising highly qualified legal experts representing civil society to draw up an instrument suited to the way the Conference operates. The initial proposals will be discussed at the plenary meeting during the January session.

On 10 October 2017, we held a debate concerning the threat of the return of the death penalty in Europe. This was a major event to which the Secretary General and many ambassadors contributed. Thank you for your contributions and for attending. On behalf of the Conference, I should like to congratulate and thank the Ministers for Foreign Affairs of Austria, Germany, Liechtenstein, Luxembourg, Slovenia and Switzerland who published a joint declaration marking the World Day against the Death Penalty on 10 October 2017, confirming their abolitionist

commitment. The debate held on 10 October sent a strong message to the representatives of the authorities and of human rights NGOs from Belarus who were invited by the Civil Society Division to take part in the event. We must remember that the death penalty does not eradicate crime or terrorism. It increases them, as does any other type of vengeance.

I would also like to inform the Committee of Ministers that our Expert Council on NGO Law is currently finalising two opinions, the first on freedom of association in Turkey and the other on the Austrian law from 2015 on the foreign funding of mosques.

I should like to thank the permanent delegations of Ireland and Estonia for their contributions to very successful visits by the Conference of INGOs to Dublin and Tallinn.

It is important to emphasise more particularly the positive, non-restrictive approach adopted by Ireland concerning the requirement in terms of the reports for which NGOs are responsible. We have been able to draw much inspiration from the example of deliberative democracy through the Citizens' Assembly, and we hope that the recommendations made by the assembly will be taken into consideration by the authorities. In addition, we have invited representatives of the Citizens' Assembly to contribute actively to the World Forum for Democracy and to Lab 5 concerning the role of participatory democracy as an antidote to populism ([link to the report on the visit to Ireland](#)).

It was also very inspiring to discuss NGO participation in the context of a highly digitised society in Estonia and to see the determination to ensure open and citizen-friendly government that constantly questions the relevance of the policy measures proposed. We were also impressed by the delegation of the management of public funds for NGOs to non-governmental partners, the partnership with NGOs which the authorities regard as strategic partners, the way in which transparency serves respect for human rights rather than as an end in itself, the streamlining and structuring of the working time needed for decision-making and the very broad range of tools available for public consultation processes.

I would thank the two countries for these practices which we hope may inspire the other member states in a constructive manner. You can count on our efforts to disseminate them.

Next week, the Conference of INGOs' delegation will visit Serbia, and I should like also to thank its permanent delegation for helping to organise the visit. The reports following the visits to Estonia and Serbia will be sent to the permanent delegations at the beginning of January, with a request for preliminary comments for a discussion at the Conference's plenary meeting in January.

An environment favourable to the functioning of NGOs includes five interdependent dimensions, which are now being weakened and sometimes even compromised:

- the legal and regulatory dimension: here we see changes in legislation which affect how NGOs operate;
- the financial position of the NGO sector and its funding: difficulties in access to financial resources can be seen here;

- access to the decision-making process: in a fairly uneven manner from one member state to another, there are difficulties here in terms of gaining access to decision-makers and contributing to legislative processes and policy development;
- a safe and enabling environment: in this connection, there are attacks on and harassment of human rights defenders, including negative rhetoric aimed at delegitimising and stigmatising NGOs, separating them from the public and discouraging civic engagement;
- the capacity of NGOs: in the context which I have mentioned, there are many challenges to the development of NGOs' potential which are impacting on their ability to build our democratic fabric, with NGOs being obliged, above all, to protect themselves and ensure their members' safety.

The Conference's visits to the member countries, which are intended to help understand how these five dimensions are implemented, the work of our Expert Council on NGO Law and my exchanges with you, Ambassadors, when I am alerted to risks and threats are all efforts to promote freedom of association. Unfortunately, they are no longer enough.

In this connection, I should like to propose that a platform be set up to receive alerts from NGOs in a more transparent and verifiable manner. The highlighting of risks and threats identified at an early stage would make it possible to involve more players, to consolidate the analysis process on the basis of legally sound arguments, to assess the scale of the problem and to establish dialogue with the authorities through you.

The Conference of INGOs, which is seen as an appropriate institution for defending the rights of NGOs, would receive the alerts. The civil society organisations which met during the 9th annual assembly of the EU's Eastern Partnership (EaP) Civil Society Forum in Tallinn in October this year and, in particular, the participants in the side event on NGOs in distress adopted a declaration urging the Conference of INGOs to take an initiative of this kind.

An early warning mechanism to prevent violations of freedom of association, analyse threats to NGOs and foster dialogue on the subject between NGOs and Council of Europe institutions and other parties involved with a view to defending NGOs' rights would be a significant advance. It would be a practical response to Parliamentary Assembly Recommendation 2086 (2016) on 'How can inappropriate restrictions on NGO activities in Europe be prevented?' In response to the recommendation, the Committee of Ministers urged member states to apply Rec(2007)14, which is a reference document for many of us. Through the voluntary contributions of member states to support a project of this kind, the donors would be investing in civil society itself and in its regenerative capacity which is so vital to democracy.

Ministers' Deputies, thank you for your attention. I should now be glad to answer any questions. Your comments and suggestions will be most valuable.

Anna Rurka

**Exchange of views of the Ministers Deputies with Ms Anna Rurka, President of the Conference of INGOs
(1299th Meeting, 8 November)**

**List of actions by the Conference of INGOs which could be of interest to the Ministers' Deputies
(actions undertaken from 30 November 2016 to 8 November 2017)**

Human Rights

Protecting human rights defenders	The situation of NGOs based in Turkey: Adoption of a Resolution on the protection of freedom of expression and of association in Turkey, following the attempted coup on 15 July 2016	Link to the Resolution
	Support by the President to Valentina Cherevatenko, women rights defender in the Russian Federation, Chair of the Coordination Council of Women of the Don Union, Chair of the Board of the Women of the Don Foundation of Civil Society Development (July 2016)	Link to statement by the President
Women rights	Organisation of a Side event organised in co-operation with PACE Committee on Equality and non-discrimination: "Women's mobilization in Europe: What impact on policies?"	Link to the programme
Migration: challenges and consequences	Colloquy "Reception of refugees and migrants in European societies: challenges and solutions" Co-organised by the Conference of INGOs and the Euro Institute in Kehl	Link to the news and conclusions
Death penalty	Debate on 'Return of the death penalty in Europe: genuine threat or populist fiction?' organised on 10 October 2017 in collaboration with the International Federation of Action by Christians for the Abolition of Torture (FIACAT), INGO with participatory status with the Council of Europe	Link to information
Social rights	<p>Debate and ceremony organised at occasion of the 30th World Day to Combat Extreme Poverty with participation of</p> <ul style="list-style-type: none"> - Ambassador Emil Ruffer, Chair of the Ministers' Deputies of the Council of Europe, Permanent Representative of the Czech Republic - Ms Gabriella Battaini-Dragoni, Deputy Secretary General of the Council of Europe - Mr Guiseppe Palmisano, President of the European Committee of Social Rights - Ambassador Božidarka Krunić, Chair of the Ministers' Deputies Rapporteur Group on Social and Health Questions, Permanent Representative of Montenegro to the Council of Europe - Ms Gudrun Mosler-Törnström, President of the Congress of Local and Regional Authorities - Mr Guido Raimondi, President of the Court of Human Rights - Mr Antoine Fontanel, first representative of the Mayor of Strasbourg 	Link to the news
Human rights and business	Speech by the President at the Council of Europe High-level seminar on Human Rights and Business: "Promoting the effective implementation of global and regional instruments", Strasbourg, 9 June 2017	Link to the presentation

Freedom of association (Human Rights and Democracy)

Organisation of a meeting with NGOs based in Turkey (Strasbourg, December 2016)	Link to the news
Organisation of a meeting with NGOs based in Turkey (Strasbourg, June 2017)	
Fact finding visit on participation of NGOs in the decision making process in Germany (November 2016)	Link to the news
Fact finding visit on participation of NGOs in the decision making process in Ireland (April 2017)	Link to the report
Fact finding visit on participation of NGOs in the decision making process in Estonia (September 2017)	Link to the news
Statement by the President of the Conference of INGOs and the President of the Expert Council on NGO Law concerned about the statements made by certain Hungarian politicians and information reported by the media, labelling some non-governmental organisations (NGOs) as foreign agents	Link to the news
“The Conference of INGOs calls on Hungary not to adopt draft Act (Bill T/14967) undermining freedom of association”. Legal opinion of the Expert Council on NGOs Law on the Act (Bill T/14967)	Link to the opinion
Letter addressed to the Permanent Representation of the Russian Federation to the Council of Europe on 8 June 2017 about the arbitrary and politicised charges against human rights activist Valentina Cherevatenko	Link to the statement
Letter addressed to the Permanent Representation of Turkey to the Council of Europe on 8 June 2017 about the detention of Mr Taner Kiliç, Chair of Amnesty International Turkey	Link to the news
Statement by the President on the situation of Human Rights Defenders in Turkey	Link to the statement
Communiqué of the President and exchange of letters with Mr STANCYZK, Ambassador of Poland to the Council of Europe, concerning the draft Act on the National Freedom Institute - Centre for the Development of civil society in Poland	Link to the documents
Declaration of the Standing Committee - 10th anniversary of the adoption of CM Recommendation(2007)14	Link to declaration

Democracy

Democratic governance through increased participation of civil society in decision making procedures at local, national and international level	Creation and co-presidency of a joint Working Group of the CDDG and the Conference of INGOs on the guidelines for meaningful civil participation in political decision making. Participation throughout the working process	Link to the terms of reference GT-SC(2016)1rev
Active citizenship in an inclusive society	Contribution and sponsoring of the LAB 5 - Participatory democracy: an antidote to populism? ‘ (World Forum of Democracy, 8 November 2017)	Link to the news
	A training day on intercultural dialogue in Nicosia by the Nicosia NGO Support Center. The main content resource for this event was the INGO Dialogue Toolkit launched in 2012 by the Conference of INGOs.	Link to the website

Rule of Law - Relations of the Council of Europe with civil society

Committee of Ministers	Exchange of views with Permanent Representatives during the plenary meetings of the Conference of INGOs (January and June 2017)	
	Presentation of the outcome of the Session of the Conference of INGOs to the Ministers' Deputies' Rapporteur Group on Democracy (February and June 2017)	Link to the presentation in February Link to the presentation in June
	Speech by the President at the 127th session of the Committee of Ministers of the Council of Europe	Link to the presentation
PACE	Call for further interaction between PACE and Civil Society	Link to the news
	Meeting with the President of the Parliamentary Assembly, Mr Pedro Agramunt, in follow up to the letter of the President of INGOs of 23 January	Link to the news
Exchange of views with the Deputy Secretary General of the Council of Europe on the role and functioning of NGOs at the Council of Europe	The Deputy Secretary General addressed the plenary conference in June 2017	Link to speech

Participation of the Conference of INGOs in intergovernmental steering committees and ad hoc committees

CDDH	Steering Committee on Human Rights
CDCJ	European Committee on legal co-operation
CDMSI	Steering Committee on Media and Information Society
CAHDPH	Ad hoc Committee of experts on the rights of Persons with disabilities
CAHENF	Ad hoc Committee for the rights of the Child
CDDG	European Committee on Democracy and Governance (participation in the enlarged Bureau)
CDPPE	Steering Committee for Educational Policy and Practice
GEC	Gender Equality Committee
CDEJ / CCJ / CMJ	European Steering Committee for Youth / Advisory Council on Youth / Joint Council on Youth
CDCPP	Steering Committee for Culture, Heritage and Landscape
PECS	European platform on social cohesion
CAHVE	Ad hoc Committee of experts on legal, operational and technical standards for e-voting
Governmental Committee	European Committee on social rights (on invitation only)

Participation of the Conference of INGOs in expert committees

CDDH-SOC	Expert Committee on social rights
DH-SYSC	Expert Committee on the European Convention of Human Rights System
DH-GDR	Expert Committee on the Reform of the European Court of Human Rights
DH-BIO	Committee on Bioethics
CJ-DAM	Expert Committee on administrative detention of migrants

Participation of the Conference of INGOs in drafting / working groups

CDDH-MF	Drafting group on female genital mutilations and forced marriages
CDDH-MIG	Drafting group on migration and human rights
CDDH-INST	Drafting group on civil society and national human rights institutions
CDDH-	Drafting group on the freedom of expression
CDDG	Drafting group on the guidelines on democracy and governance
CPP-ESA	Working group on gender equality in the audiovisual sector

Participation of the Conference of INGOs in Partial Agreements

Venice Commission	Plenary meeting (on invitation only)
North-South Centre	Executive Committee
European and Mediterranean Agreement on Major Hazards Agreement (EUR-OPA)	Working group on migrants with disability

Participation of the Conference of INGOs in EU structures

EHERRI	Joint Platform of the Fundamental Rights Agency of the European Union and the Social Charter of the Council of Europe
--------	---

Documents and Instruments of the Conference of INGOs

Action Plan of the Conference of INGOs 2015-2018	Link to the Action Plan
Code of Good Practice for Civil Participation in the Decision-making Process	Link to the web page on the Code
Dialogue Toolkit	Link to the web page on the Dialogue Toolkit
Expert Council on NGO Law	Link to the web page on the Expert Council on NGO Law

Website Conference of INGOs	Link to the website of the Conference of INGOs
Facebook Conference of INGOs	Link to the Facebook page of the Conference of INGOs
Twitter Conference of INGOs Anna Rurka	@CoE_NGO @anrurka