

Strasbourg, 25 October 2024

GT-CS(2024)8

**STEERING COMMITTEE ON DEMOCRACY
(CDDEM)**

**WORKING GROUP ON CIVIL SOCIETY PARTICIPATION
(GT-CS)**

REPORT OF THE 2nd MEETING

(Online meeting, 2 October 2024)

Secretariat Memorandum
prepared by the
Directorate General of Democracy and Human Dignity
Democratic Institutions and Civil Society Division

The CDDEM Working Group on Civil Society Participation (GT-CS) held its 2nd meeting on 2 October 2024 (by videoconference via Zoom – 09:30-17:30). The meeting was facilitated by the CDDEM Secretariat (Secretary Ms Urška Umek) with the approval of the GT-CS, pending the election, during the 2nd plenary meeting of the CDDEM, of Committee Chair, Vice-Chair, and the subsequent election of Working Group Chair, Vice-Chair and Bureau.

1. Opening of the meeting and adoption of the agenda

The Secretariat opened the meeting and welcomed all participants, the list of which appears in Appendix I of this report. The agenda was adopted as it appears in Appendix II.

2. Discussion of the revised draft Guidance Note on civil society participation in the intergovernmental work of the Council of Europe

The members and participants of the GT-CS examined the revised text of the draft Guidance Note in detail; they reviewed individual comments made on the text during the last revision and discussed their implications. Members and participants commented on the Secretariat's drafting proposals and sought the most appropriate solutions to the outstanding issues.

Prior to the meeting of the Working Group, the Secretariat had received proposals and comments from several delegations (Belgium, Finland, Greece, Romania, United Kingdom), from the secretariats of other Steering Committees and Council of Europe bodies and services (Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI), Children's Division, Directorate of Programmes and Budget, Directorate General of Human Rights and Rule of Law, Civil Society Unit), as well as from twelve member organisations of the Conference of INGO's of the Council of Europe (CINGO)), which were either already included in the text or whose inclusion was to be discussed during the meeting. The GT-CS discussed each comment in turn.

The discussion focused on the scope of the document and whether it was advisable to include references to specific groups (such as children) or specific issues (such as environmental protection). Several members felt that the inclusion of references to specific groups and/or issues risked excluding other groups and thus limiting the scope of the text. The GT-CS also discussed the scope of the Guidance Note, which is only applicable to intergovernmental committees, but could also serve as an inspiration for other Council of Europe structures in their engagement with civil society. A number of suggestions were made to reinforce the importance of consistent approaches and clarity for the benefit of civil society, and an addition to this effect was proposed to be finalised at the CDDEM plenary. The members of the Working Group also discussed a proposal to call for a single information point for civil society actors with easily accessible information and different ways to engage with the Council of Europe. However, as a civil society portal already exists, the text rather emphasised the importance of providing substantive information on opportunities for civil society participation. In this context, the Directorate for Programmes and Budget proposed an addition, which was included in the introductory text, mentioning the different possibilities for civil society to cooperate with intergovernmental committees under the existing rules.

With regard to the guidelines part of the Guidance Note, their structure was slightly modified, in particular because it was agreed that, in order to respect the different mandates of the different Council of Europe structures, the Note should be limited to substantive issues, while refraining from calling for specific changes to existing instruments. It was also decided not to broaden the scope by including in the text the possibility for National Human Rights Institutions (NHRIs) to contribute to the exchange of information about the Organisation; however, it was accepted to include a guideline encouraging regular dialogue with civil society at the national and sub-national levels with a view to exchanging views on topical issues related to the activities of the Council of Europe. Members agreed to include a provision on the possibility for civil society to participate in the work of intergovernmental committees and subsidiary bodies, in order to express their views, including critical ones, freely and without fear of repercussions. One delegation drew attention to the possibility that individual civil society organisations could pose a risk to legitimate interests of member states, such as national security or public order concerns. Some text was redrafted to reflect the conclusions of the Working Group and some parts were repositioned between different sections to better reflect the logic of the Guidelines. The Secretariat

made several drafting proposals during the meeting in order to finalise the text as far as possible and proposed to make further drafting proposals after the meeting, in line with the agreed orientations, for consideration and finalisation at the CDDEM Plenary.

3. Discussion of the draft Feasibility Study on updating Recommendation CM/Rec(2007)14 of the Committee of Ministers to member States on the legal status of non-governmental organisations in Europe

At its first meeting in July 2007, the GT-CS had mandated Mr Jeremy McBride, Council of Europe consultant and President of CINGO's Council of Experts on NGO Law, to prepare a feasibility study on updating Recommendation [CM/Rec\(2007\)14](#) of the Committee of Ministers to member States on the legal status of non-governmental organisations in Europe. The resulting draft Feasibility Study had been circulated to the GT-CS in advance of the meeting for review and comments at the meeting.

Mr McBride presented the draft text, which received general approval from the Working Group members, who expressed their satisfaction with the quality of the document. Mr McBride addressed the structure of the study, as well as issues which were covered in the original Recommendation but which would need to be further addressed in the revised text, and finally possible additions to be made in the context of a new Recommendation to replace CM/Rec(2007)14. In the ensuing discussion, it was stressed that the new text should not weaken the achievements of the original Recommendation in terms of the level of protection of civil society organisations and their ability to operate. Mr McBride considered that about two thirds of the original Recommendation was still valid and should therefore be incorporated into the new text without significant changes.

The Secretariat reiterated the need to reach a basic agreement on the aim, form, direction and content of the feasibility study so that it could serve as a useful basis for updating the Recommendation. The Working Group then discussed some of the issues raised in the study, such as the need to further differentiate between "lobbying" and "advocacy" in the context of civil society activities. The GT-CS agreed to review certain aspects of the text and asked the consultant to provide drafting suggestions in writing.

4. Next steps

Regarding the draft Guidance Note on civil society participation in the intergovernmental work of the Council of Europe, the GT-CS agreed that the Secretariat would revise the text in accordance with the conclusions and orientations expressed during the meeting, and send it to members with the possibility of making final suggestions before or at the 2nd Plenary meeting of the CDDEM.

Concerning the draft Feasibility Study on updating Recommendation [CM/Rec\(2007\)14](#) of the Committee of Ministers to member States on the legal status of non-governmental organisations in Europe, the GT-CS agreed to provide possible further written comments and suggestions until 15 October, upon which they would be taken into account for the revised text to be presented during the 2nd Plenary meeting of the CDDEM. Comments and suggestions submitted past this date would be considered at a later stage.

With regard to the third task before the GT-CS, namely to contribute to the review of the implementation of Recommendation [CM/Rec\(2018\)11](#) of the Committee of Ministers to member States on the need to strengthen the protection and promotion of civil society space in Europe, to be prepared by the Steering Committee for Human Rights (CDDH), several delegations provided good practices pertaining to their national and/or sub-national legal framework and practices. The Secretariat informed the members of the GT-CS that in addition, a brief overview of the results of recent studies by the CINGO Expert Council on NGO Law was being prepared for possible inclusion as a CDDEM contribution and would be circulated by 10 October, prior to the CDDEM Plenary meeting.

5. Any other business

None.

6. Date of the next meeting

The decision on the date of the next meeting (2025) of the Working Group was postponed until after the election of CDDEM and GT-CS Chairs, Vice-Chairs and Bureaus during the 2nd plenary.

APPENDIX I

LIST OF PARTICIPANTS

MEMBERS / MEMBRES

ARMENIA / ARMENIE

Ms Lilya AFRIKYAN, Coordinator of the "Open government partnership" Initiative, the Prime Minister's Office

AUSTRIA / AUTRICHE

Mr Peter ANDRE, Ministry of Interior, Senior Expert for Legal Affairs

BELGIUM / BELGIQUE

Mr Edwin LEFEBRE, Deputy Director, Ministry of the Flemish Community, Agency for Home Affairs

BULGARIA / BULGARIE

Ms Desislava ILIEVA-BARIENTOS, state expert, Department "Prevention and protection from domestic violence, cooperation on ethnic and integration issues and interaction with civil society", Administration of the Council of Ministers for election

CYPRUS / CHYPRE

Ms Menelaos VASSILIOU, Ministry of Interior

CZECHIA / TCHEQUIE

Mr Pavel MIČKA, Head of the unit of the Government Council for Non-Governmental Non-Profit Organisations Office of the Government of the Czech Republic

ESTONIA / ESTONIE

Mr Martin TULIT

FINLAND / FINLANDE

Ms Anu JUVONEN, Advisory Board on Civil Society Policy (KANE)

GREECE / GRECE

Mr Georgios CHRYSAFIS, expert within the Department of Organisation and Functioning of Second Level of Local Government

ICELAND / ISLANDE

Apologised for absence / Excusé

ITALY / ITALIE

Ms Maja BOVA, Ministry of Foreign Affairs and International Cooperation

REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA

Ms Natalia POSTICA, Deputy Head of the Human Rights and Cooperation with Civil Society Department

Ms Daniela SORAHMETOV, main consultant

Ms Aurelia ISAC, main consultant, Human Rights and Cooperation with Civil Society Department

MONTENEGRO

Ms Bosiljka VUKOVIC-SIMONOVIC, Head of Division for the Council of Europe Department for the OSCE and CoE/DG for Multilateral Affairs, Ministry of Foreign Affairs

NETHERLANDS / PAYS-BAS

Ms Hester MENNES, Policy officer Democracy, Directorate-General Public Administration and Democratic Rule of Law, Democracy and Governance Department, Ministry of the Interior and Kingdom Relations

NORWAY / NORVEGE

Mr Vebjørn HEINES, Policy Director for Democracy and Human Rights, Ministry of Foreign Affairs

PORTUGAL

Ms Tânia MOURATO, Head of Department for Cooperation and Financial Affairs of the General Directorate of Local Authorities

SLOVENIA / SLOVENIE

Ms Maja KERŽAN SOKLIČ, Ministry of Public Administration, Directorate for Local Self-Government, Non Governmental Organisations and Political System

SPAIN / ESPAGNE

Ms Silvia NEGRO ALOUSQUE, Sous-directrice des Relations Européennes et Internationales du Ministère de la Politique Territoriale et de la Mémoire Démocratique

SWITZERLAND / SUISSE

Mr Beat KUONI, Conseiller juridique, Chancellerie fédérale, juriste au sein de la Section des droits politiques

UNITED KINGDOM / ROYAUME-UNI

Ms Coralie BLATCHFORD-NEAVE, Governance Reform and Democracy, Ministry of Housing, Communities & Local Government

PARTICIPANTS / PARTICIPANTS

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE / CONGRES DES POUVOIRS LOCAUX ET REGIONAUX DU CONSEIL DE L'EUROPE

Mr Niall SHEERIN, Centre of Expertise for Multilevel Governance / Centre d'expertise sur la gouvernance à multiniveaux

CONFERENCE OF INGOS OF THE COUNCIL OF EUROPE / CONFERENCE DES OING DU CONSEIL DE L'EUROPE

Mr Roy VIRAH-SAWMY, European Platform for Democracy

ADVISORY COUNCIL ON YOUTH / CONSEIL CONSULTATIF SUR LA JEUNESSE (CCJ)

Ms Margo VORYKHAVA, Vice-Chair

Ms Emma WEDNER

OTHER PARTICIPANT / AUTRE PARTICIPANT

EUROPEAN UNION / UNION EUROPEENNE

Ms Elena HAIG, European Commission, Directorate General for Justice and Consumers, Directorate C – Rule of Law, Fundamental Rights and Democracy, Unit C2 – Fundamental rights policy

GUEST SPEAKER / INTERVENANT

Mr Jeremy McBride

SECRETARIAT

SECRETARIAT DU CDDEM / SECRETARIAT DU CDDEM

Ms Urška UMEK, Secretary of the CDDEM / Secrétaire du CDDEM

Mr Alexander VOGT

Ms Isabelle ETTER, Assistant / Assistante

OTHER SECRETARIAT / AUTRE SECRÉTARIAT

Ms Irena GUIDIKOVA, Head of the Democratic Institutions and Freedoms Department / Cheffe du Service des institutions démocratiques et des libertés

Ms Lotta VALTONEN, Civil Society Unit / Unité de la société civile

OTHER COUNCIL OF EUROPE PARTICIPANTS / AUTRES PARTICIPANTS DU CONSEIL DE L'EUROPE

European Committee on Legal Co-Operation / Comité européen de coopération juridique (CDCJ)

Mr James D'AGOSTINO, Senior Lawyer, Office of the State Advocate, Malta

Steering Committee on Anti-Discrimination, Diversity and Inclusion / Comité directeur sur l'anti-discrimination, la diversité et l'inclusion (CDADI)

Ms Charlotte GILMARTIN, Co-Secretary of the CDADI

Division for Gender Equality / Division pour l'égalité de genre

Ms Camille GANGLOFF

INTERPRETERS / INTERPRETES

Ms Remy JAIN

Mr Nicolas GUITTONNEAU

Ms Lisa WOJCIECHOWICZ

APPENDIX II**AGENDA**

1.	Opening of the meeting by the Secretariat	
2.	Adoption of the agenda	[GT-CS(2024)OJ2]
3.	Discussion of the Revised Draft Guidance Note on Civil Society Participation in Council of Europe Work	[GT-CS(2024)6]
4.	Discussion of the Draft Feasibility Study on updating Recommendation CM(2007)14 of the Committee of Ministers to member States on the Legal Status of Non-Governmental Organisations in Europe	[GT-CS(2024)7]
5.	Next steps	
6.	Any other business	
7.	Date of the next meeting	