

**Draft Rules of Procedure of the Conference of INGOs for adoption by the Conference of INGOs on 16 December 2020**

**Proposals for amendment to the draft (part 2 rational)**

1811/20

<b>Proposal for amendment / AM N°</b>	<b>Article</b>	<b>INGOs' rationale in support of the proposal for amendment</b>	<b>Standing Committee's opinion</b>	<b>INGO</b>
<b>1</b>	Article 2	[Applies only to the French version] There is no formal accession ( <i>adhésion</i> ) process by which INGOs join the Conference, of the kind that exists for INGO-Service, for example. The Conference brings together INGOs enjoying participatory status, without any other prior formalities. Article 4 c of the (2016) Resolution on participatory status for INGOs with the Council of Europe stipulates that INGOs shall "undertake to participate actively in the sessions and the work of the Conference of INGOs", wording that could be replicated in the Rules of Procedure.	The Standing Committee agrees that there is a problem with the translation in French. The Standing Committee endorsed the Verification and Dispute Committee's opinion and will make the necessary correction in French to say "L'objectif poursuivi comme membre de la Conférence est de faciliter et d'intensifier..."  <b>Accordingly, the Standing Committee is NOT in favour of the adoption of this proposal for amendment</b> (10 votes against and 5 abstentions). The "active participation" needs to be further defined. The use of this term may disqualify those who are not sufficiently active in the Conference of INGOs. This active participation is difficult to qualify and to measure.	European Union of Court clerks
<b>2</b>	Article 2	[Applies only to the French version] INGOs do not accede ( <i>adhérer</i> ) to the Conference, contrary to what is written in Article 2 of the draft dated 22/07/20: membership of the Conference is acquired when an INGO is granted participatory status by the Council of Europe (see resolution CM/Res(2016)3).	Following the correction made, as indicated by the Verification and Dispute Committee, the term "membership" is no longer used. Consequently, <b>the Standing Committee REFRAINS from proposing its opinion on this proposal for amendment by the majority of the abstention votes.</b>	Federation for Education in Europe (FEDE)
<b>3</b>	Articles 3 (a), 6, 74 & 12	The term "General Assembly" is too specific and is commonly associated with trade unions or the private sector. It is inappropriate here.	<b>The Standing Committee is NOT in in favour of this proposal</b> (9 votes against and 6 abstentions in para 3).	International Federation for Housing

	et seq & 74.	<p>The wording is ambiguous. In both languages, "general meeting" refers more generally to a community of shareholders (private sector) or trade unionists. It is held annually and is subject to different publicity rules from those that apply to the Conference (announcement in newspapers etc.).</p>	<p>The Standing Committee members pointed out that the term proposed "plenary assembly" is not appropriate. It may also be due to the translation into French.</p> <p>Considering that this proposal is the same as the one proposed by the same INGO in article 12 of the draft, the Standing Committee decided to join them both (8 votes for and 7 abstentions).</p>	and Planning (IFHP)
		<p>The term "General Assembly" cannot be used. It has a particular meaning in the French law of associations: it is the annual meeting of the members of the association during which the members must adopt the accounts of the association and give discharge to the President and the Treasurer. It is therefore proposed to maintain the term "Plenary Meeting" (LICRA).</p> <p>The term "General Assembly" cannot be used. It has a particular meaning in the French law of associations: it is the annual meeting of the members of the association during which the members must adopt the accounts of the association and give discharge to the President and the Treasurer. It is therefore proposed to maintain the term "Plenary Meeting". TO BE MODIFIED THROUGHOUT THE DOCUMENT (FEDE)</p>	<p><b>The Standing Committee is IN favour of this proposal</b> (8 votes for, 1 against and 6 abstentions).</p> <p>The Standing Committee states, that the denomination "plenary meeting", which is already in place, fulfils its function.</p> <p>Considering that this proposal for amendment is the same as the one proposed by LICRA regarding the same article of the draft rules, the Standing Committee decided (9 votes for and 6 abstentions) to join them both.</p> <p>For this vote, two proposals are presented "plenary assembly" or "plenary meeting")</p>	LICRA FEDE
4	Article 3 (e) & 74 et seq.	<p>While it may be helpful to have a permanent expert structure dedicated to INGO law, no other council should be allowed to draw attention away from the competence and expertise of the INGOs.</p> <p>It is essential to maintain a clear expertise in the field of NGO law. On the other hand, the message sent by the possible creation of multiple committees would suggest that NGOs do not have the necessary technical resources within them. While most of the experts present at the Conference exercise or have</p>	<p><b>The Standing Committee is NOT in favour of the proposal</b> (9 votes against and 6 abstentions).</p> <p>Expert Councils in the plural form have been included since the change in the Rules of Procedure of the Conference of INGOs adopted in 2008. Experts may come from member INGOs. There is no limitation on this subject. This gives the possibility to the Conference of INGOs to create more than one expert council on different subjects, with variable duration when needed.</p>	IFHP

		<p>exercised high-level activities in their field and they have within their NGO the necessary human resources in case of necessity.</p> <p>While most of the experts present at the Conference exercise or have exercised high-level activities in their field and they have within their NGO the necessary human resources in case of necessity</p>	<p>Adoption of this proposal will limit the capacity of the Conference of INGOs</p> <p>Considering that this proposal for amendment is the same as the one proposed by the same INGO in article 74 of the draft, the Standing Committee decided to propose it to the vote only once in article 3 (9 votes for and 6 abstentions).</p>	
5	Articles 3(b) 13 & 33	<p>The Conference of INGOs has been involved in drafting various Council of Europe texts on equality (for further details, see the author's rationale in the proposal).</p> <p>It would be a serious step backwards in terms of human rights, and one totally at odds with the work not only of the CoE and the other pillars of the CoE, but also of the majority of the member states, to do away with an elected Vice-President responsible for gender equality in favour of an arrangement where a member of the Standing Committee would cover this topic as they would any other, with no particular interest in the subject, which could easily get pushed down the Conference's agenda. Certain other member states are busy undermining women's rights, including reproductive rights.</p> <p>To abolish such a post in favour of an elected member of the Standing Committee, with no particular competence, would send a clear message that the Conference of INGOs has no interest in this issue, even though it is crucial for strengthening our democracies and making them fairer.</p> <p>It is important to have consistency in the articles in view of the particular mandate in question here. In strict compliance with CoE policy. And to continue</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (8 votes against, 2 for and 5 abstentions).</p> <p>Members pointed out that the proposal emphasizes an important point, however it is a political decision and not a procedure under the rules. Equality is a key priority for all. One person should not have the mandate to advocate for equality. Elected representatives must keep gender equality and the fight against discrimination in mind in all action of the Conference of INGOs. The members of the Standing Committee, once elected, will decide on the most optimal way to defend equality in all the work of the Conference of INGOs and will have the choice to appoint one or more Standing Committee members to promote equality and non-discrimination in the most adequate, effective and adjustable way. Furthermore, as equality goes far beyond the relations between women and men, it should be an integrated approach in all action of the Conference of INGOs, just as it should be a principle for all persons elected to the Conference to fight for equality within the framework of their mandate.</p> <p>Considering that this proposal for amendment is the same as the one proposed by the same INGO in article 13 and 33 of the draft rules, the Standing Committee decided (9 votes in favour and 6 abstentions) to</p>	University Women of Europe (UWE)

		the efforts in the field of gender equality and non-discrimination.	propose it to the vote only once in article 3. If adopted, the proposal will apply to the whole text.	
<b>6</b>	Article 4	This article is redundant.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (8 votes against, 1 for and 6 abstentions).</p> <p>The Standing Committee does not agree to delete this article. It announces the structure of the draft rules of procedure. It is very useful to maintain it for the coherence of the draft rules.</p>	International League against Racism and Antisemitism (LICRA)
<b>7</b>	Article 12	This article is redundant (see above)	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against and 6 abstentions).</p> <p>The objective of the draft rules is to make the procedure more explicit than it is today. So in this perspective, the Standing Committee does not agree to delete this article. It talks about the distribution of voting cards to the head of the delegation. Even if such provision may seem obvious to some, we have to think about new INGOs and new representatives who are not familiar with all the rules of the Conference.</p>	LICRA
<b>8</b>	Article 13	At the start of each term of office, the Standing Committee should present the General Assembly with a Strategic Plan (i.e. 3-year plan), indicating the priorities. This plan should be put to a vote at the General Assembly and should include several key themes related to the priorities of the Council of Europe and reflect the civil society perspective. It should also include detailed indicators so that it can be reviewed at the end of the term.	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions).</p> <p>The majority of the Standing Committee members are in favour of the idea that at the beginning of each mandate, the Standing Commission should propose to the General Assembly a three-year Strategic Plan outlining its priorities.</p>	International Federation of Associations of the Elderly (FIAPA)
<b>9</b>	Article 14	This article is redundant (see Article 5 proposal). Rationale provided by the author: the frequency of	<b>The Standing Committee is NOT in favour of this proposal for amendment (9 votes against, 1 for and 5 abstentions).</b>	LICRA

		<p>the sessions needs to be specified, something which Article 5 does not do.</p> <p>Two annual sessions would appear to be the minimum if INGOs are to have time to talk, work together and forge ties with the PACE and Congress of Local and Regional Authorities committees. Also, at Conference sessions, sufficient time must be allowed for INGOs to work together, whether in plenary or in committees/project groups, so as to improve efficiency and consistency.</p>	<p>The Standing Committee does not agree to delete this article. Whenever the Conference of INGOs has a session, a plenary meeting should take place. The article of the draft rules simply states that a plenary meeting of the Conference should take place at least once during a session.</p>	
10	Article 17	<p>Gender equality and non-discrimination have been brushed aside in these new rules.</p> <p>In order to comply with, for example, the Gender Equality Strategy and the Recommendation to prevent and combat sexism mentioned above, it is important if not imperative that there should be a report on the Conference's activities in this area, but also on the actions carried out by the CoE through its Gender Equality Commission, and the PACE Committee on Equality and Non-Discrimination, to monitor and report on the work of the Committee of the Parties to the Istanbul Convention, which seeks to prevent and combat violence against women, as well as of its Committee of Experts, GREVIO, to participate actively in relevant activities and discussions within the CoE and to report on them. Otherwise this would be a major step backwards.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against, 1 for and 5 abstentions).</p> <p>This topic should be included in the Standing Committee activity report presented during the plenary and not as a distinct item on the agenda. Moreover, this report should not be limited to equality between women and men but should include gender equality (LGBT + people) at large and all kinds of discrimination related to a diverse society.</p>	UWE
11	Article 22	<p>This role of the President is clarified further on, in the articles on the President's duties. It is important to avoid confusion and to clearly indicate what each person's duties are, so that there are no unnecessary disputes.</p>	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (8 votes for, 2 against and 5 abstentions).</p> <p>The Standing Committee agrees to delete this article. It is stated in article 34 that the President presides over</p>	LICRA

			the plenary meeting, so one can consider that it is a repetition.	
12	Article 23	Article 23 is redundant as this has already been said (see above)	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions). <b>The</b></p> <p>Standing Committee does not agree to delete this article. This provision is not written so clearly in the previous articles. The only point mentioned says that the Standing Committee decides if video-participation and electronic vote can take place. So this article is useful.</p>	LICRA
13	Article 24	This is a matter for the Standing Committee which is responsible for proposing agendas and hence organising debates.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>One can understand the sense of this amendment proposing the principle that it should be a more diverse body (Standing Committee) to decide on the way in which the discussion during the plenary meeting is conducted. However, the president is the facilitator/moderator of the plenary meeting, he / she needs to have the ability to manage the time of the discussion. The time allowed for specific points on the agenda belongs to time management.</p>	LICRA
14	Article 27	Article 27 is redundant as this has already been said above.	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions).</p> <p>One can consider that for each election or vote a Head of Delegation has one vote for each INGO he/she is authorized to represent, can be considered evidence.</p>	LICRA
15	Article 28	This is common practice. Except members have the option of dispensing with a secret ballot if, in an	<b>The Standing Committee is NOT in favour of this proposal for amendment</b> (8 votes against, 2 for and 5 abstentions).	International Office of Allotment and

		election, there are only as many candidates as there are posts to be filled.	Art. 29 of the draft rules covers the proposal made by INGOs saying that "A vote by secret ballot may be demanded by the President or by at least one third of the heads of delegation present". It is therefore not necessary to repeat it again in Art. 28 as proposed by the author.	Leisure Garden Societies (ALGS)
16	Article 28	There is no such concept in law as "normally" (see Article 28).	<p><b>The Standing Committee is NOT in favour of this proposal</b> (10 votes against and 5 abstentions).</p> <p>It proposes to distribute different colours of voting cards in order to distinguish the vote by proxy. There is no need to complicate the logistics by using different colours of voting cards. In addition, according to the draft rules, the term "proxy" should be plural (2 proxies by voter). Otherwise the amendment includes two proposals in one.</p>	FEDE
17	Article 29	It is not made clear on what grounds a secret ballot may be requested and granted. One can understand a third of the INGOs present requesting a secret ballot, for reasons relating to free suffrage. But it is not clear why the President should also be able to require a secret ballot. Hence the suggestion that the reference to the President be removed.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The President should have a right to request the secret ballot. Not all information in the possession of the President can be disclosed for the reason of confidentiality.</p>	International Catholic Peace Movement (Pax Christi)
18	Article 31	Article 31 is redundant because this has already been said above.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The deletion of this article will unbalance the draft rules. The definition of majority is important to avoid conflicts.</p>	LICRA
19	Article 32	Representatives of NGOs have an obligation to promptly pass on any decisions taken to those they represent. This is particularly important when adopted texts have to be disseminated.	With regard to the period of 5 working days proposed by the INGO, <b>the Standing Committee REFRAINS from proposing its opinion on this proposal for amendment by majority of abstentions.</b>	IFHP

20	Article 33a	It is vital that the President of the Conference be able to communicate in both working languages of the Council of Europe and to understand any document sent to him/her in these two languages.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The idea is interesting, and, in fact, the communication should be possible in both languages. However, what is "mastering" mentioned in the proposal? Which test to examine language level? The proposition is not formulated well enough to be adopted. The practice at the Council of Europe is that everyone can use French or English in active or passive form, but it is not a question of mastering both languages.</p>	ALGS
21	Article 33	<p>A 2-year term is more consistent with Council of Europe practice (annual elections in the PACE, biennial elections in the Congress). (IFHP)</p> <p>Length of term in other Council of Europe bodies: PACE: one year Congress: two and a half years The term of office of Chairs of Steering Committees is one year and is renewable. (ELISAN)</p> <p>The Conference will gain credibility by bringing its modus operandi into line with that of other Council of Europe bodies: 1-year term for the President of the Parliamentary Assembly of the Council of Europe 2-and-a-half-year term for the President of the Congress 1-year term for the Chairs of the Steering Committees (and two years for Bureau members) (IHFP).</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against, 1 for and 5 abstentions).</p> <p>The Conference of INGOs works mostly on a voluntary basis. The comparison with PACE or the Congress is therefore not adequate. These two bodies have a Secretary General who ensures continuity between the two terms of office of the President. The Conference of INGOs does not have such a position. Furthermore, the persons are not elected from a list, which means that they do not necessarily know each other and it can take a year to get to know each other; they would then only have one year of mandate left, which is too short to carry out an activity (with 2 sessions per year). The Conference of INGOs also does not have a large secretariat that could organize new elections after each cycle of 4 sessions. The Conference of INGOs needs to position itself differently and adopt other methods of knowledge acquisition than those of PACE and the Congress to ensure its continuity and networking.</p>	IFHP, ELISAN



22	Article 35	Article 35 is redundant as this has already been said above.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The Standing Committee does not agree to delete this article. This provision is not included elsewhere. It is important for the Conference of INGOs to have delegates from the Conference to represent it in the various committees and bodies of the Council of Europe. They need not be part of the Standing Committee or any kind of board but need to have the right qualification. It is therefore important to state that such people can be appointed to represent the Conference.</p>	LICRA
23	Article 42	<p>The article as it stands talks about elaborating strategies for consideration and adoption by the General Assembly.</p> <p>Far from being dispersed, the policy documents of the Conference of INGOs should be produced in the form of, or compiled into, a framework document so that they are visible and legible both internally and externally, time-bound and then updated.</p> <p>A single policy document in the form of a three-year Strategic Plan would set out the strategic direction of the Conference of INGOs for a three-year period, the term of office of the President, who has a major role to play in providing broad strategic and policy direction, in co-operation with the Vice-Presidents and the members elected within the Standing Committee.</p>	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (8 votes for, 1 against and 6 abstentions).</p> <p>Such a strategic document can give more visibility to the Conference of INGOs.</p>	FIAPA
24	Article 43	If the Standing Committee is to be representative and credible, it must represent both the different regions and the different competences.	<b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).	IFHP

		<p>The number of elected members of the Standing Committee is abnormally low in relation to the number of members of the Conference (8 as opposed to tens or even hundreds of members). It is proposed that this number be increased from 8 to 12 to ensure better representation of interest groups, geographical and thematic distribution, etc.</p>	<p>The number of elected members does not determine the representativeness or competencies represented. The proposal does not define in which way the number 12 is representative of 320 INGOs. Moreover, the number of INGOs that are members of the Conference varies according to the revision of the participatory status. So yes for more diversity and competencies within the Standing Committee but not to enlarge the management body.</p> <p>Considering that this proposal for amendment is the same as the one proposed by Pax Chirsti regarding the same article of the draft rules, the Standing Committee decided (8 votes for, 1 against and 6 abstentions) to propose to vote them together.</p>	Pax Christi
25	Article 44	<p>Members of the Standing Committee cannot continue to serve on the committee if they are no longer affiliated to their INGO. After all, they were elected in the name of their INGO. There are any number of circumstances in which the link with the INGO might be severed: resignation, exclusion for misconduct, conflict of interest in the case of a paid official, or even dismissal.</p> <p>It is advisable, therefore, to keep this connection with the INGO.</p>	<p><b>The Standing Committee REFRAINS from proposing its opinion on this proposal by the majority of the abstentions).</b></p> <p>Opinions are divided and there are advantages and disadvantages to both options.</p>	UWE
26	Article 46	<p>Article 46 is redundant because this has already been said above.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against, 1 for and 5 abstentions).</p> <p>The article is useful. So far it is not clear whether the bodies can hold formal meetings elsewhere than on the premises of the Council of Europe. This article clarifies and gives the possibility for the SC to meet elsewhere while maintaining the formal character of the meeting. In addition, the rational of the INGO does not indicate where this provision is written ("supra" is not precise).</p>	LICRA

27	Article 47	<p>It is only logical that this official should be able to be invited to raise certain items of business involving financial considerations.</p> <p>The President of the Association “INGO Service” is an elected member and it is strange that he or she should be classed with members of the Secretariat in Article 48.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>This article does not include the President of the Association ING-Service, because this association is a legally independent structure from the Conference of INGOs. The distinction made between articles 47 and 48 does not concern the status of the person as a democratically elected president.</p>	IFHP
28	Article 48	<p>The President of the Association “INGO Service” is an elected member and it is strange that he or she should be classed here with members of the Secretariat.</p> <p>It is only logical that the President of INGO Service should be able to be invited to raise certain items of business involving financial considerations. As proposed in Article 47.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions)</p> <p>The Standing Committee is not in favour the deletion of the article indicated This draft provision does not concern the status of the President of OING-Service as an elected person. The OING-Service Association is not part of the Conference, it is a legally independent structure from the Conference of INGOs. Along with the Secretariat, it helps the Conference of INGOs to work and to exist.</p>	IFHP
29	Article 54	<p>“normally” (this has no meaning in law!)</p> <p>Voting relating to persons always takes place by secret ballot.</p>	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions).</p> <p>The Standing Committee agrees to reword the article as proposed by the INGO.</p>	FEDE
30	Article 54	<p>It is inappropriate to specify that decisions are to be taken by a show of hands, still less “normally” This has no meaning in law!</p>	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions).</p>	LICRA

			The Standing Committee agrees with the proposal saying that it is not useful to specify some elements in this article.	
31	Article 58	Incomprehensible article on a subject that has already been dealt with in the section on the tasks of the Standing Committee.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The Standing Committee does not agree to delete the article 58. The question of when the Standing Committee can speak and when not on behalf of the Conference of INGOs is an important issue which needs to be clarified in order to make the responsibility clearer.</p>	LICRA
32	Article 60	If it is to retain its legitimacy, this body must remain bound by electoral procedures.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against, 1 pro and 5 abstentions).</p> <p>The Standing Committee does not agree to delete the article 60. The article states that in “the event of an elected Member resigning or becoming permanently unable to discharge his or her responsibilities, the Standing Committee can, if considered necessary, appoint another Delegate to replace him or her until an election is held at the next General Assembly” Here the designation is temporary and does not replace the election. In the context when two sessions of the Conference of INGOs are spaced out such provision is useful. The appointed substitute and any other candidate will be able during at the nearest Conference of INGOs session</p>	IFHP
33	Article 63(b)	Declarations should also be among the tools available to the Conference and its committees.	<b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions). "	ALGS

		Declarations should also be among the tools available to the Conference and its committees.	<p>Declarations" as a form of political and institutional expression are being used more often by the Conference of INGOs in recent times and indeed, this needs to be reflected in the rules.</p> <p>Considering that this proposal is the same as the one proposed by ALGS regarding the same article of the draft rules, the Standing Committee decided (9 votes for and 6 abstentions) to propose to vote them together.</p>	IFHP
34	Article 63	To make it easier for matters to be referred by other Council of Europe bodies.	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions).</p> <p>The Standing Committee considers that the proposed amendment is a useful reminder of the content included in article 64 point a).</p>	European Local Inclusion and Social Action Network (ELISAN)
35	Articles 63, 67 & 68	<p>Drafting amendment. In the French version, the use of the term "comité" rather than "commission" is unacceptable.</p> <p>Drafting amendment: The French wording cannot accept the term "comité" instead of "commission".</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against and 6 abstentions).</p> <p>According to the definition given by the Council of Europe translation service, there is a substantial difference between "committee" and "commission". It is not simply a question of translation as stated in the proposed amendment. A "Committee" (Comité) is more action-oriented and can deal with several issues. A Commission (Commission) is more oriented towards analysis and background work. A Commission deals with one central issue. So it is not adequate to the Conference of INGO functioning.</p> <p>Considering that the IFHP proposal is the same as the ones proposed by FEDE and LICRA in para 67 and Licra in para 68, the Standing Committee decided (8 votes for, 1 against and 6 abstentions) to propose to</p>	IFHP FEDE LICRA

			vote them together. If adopted, the amendment will apply to the whole text.	
<b>36</b>	Article 64(e)	The choice of theme or framework should not be tied to a specific Conference agenda, which may be very crowded during a session. If that is the case, other types of meetings should be considered.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against and 6 abstentions).</p> <p>Article 64 e) refers to the issue of the scheduling of the committee meetings in the calendar of the sessions. The Standing Committee and the General Assembly may choose the temporality with which they wish to discuss the work of the committee during its term of office.</p>	IFHP
<b>37</b>	Article 64	<p>Resonance between the work conducted and the issues addressed by the various Council of Europe bodies makes referrals more obvious, more natural and more frequent. (IFHP)</p> <p>In line with previous arguments along the same lines, this point f should be added to make referrals more obvious, more natural and more frequent and</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against and 6 abstentions).</p> <p>The proposal is already regulated by point a) of the same article</p>	IFHP ALGS

		to increase the resonance between the work carried out and the themes dealt with by the various bodies of the Council of Europe (ALGS).		
38	Article 64(a)	<p>When deciding to set up a committee, the General Assembly will have regard to its three-year Strategic Plan (preliminary adoption). When forming a committee, therefore, due account must be taken of the priorities and broad policy aims of the Conference. The work and actions of the committees are crucial to the implementation of the priorities of the Conference of INGOs in relation to its partners inside and outside the Council of Europe.</p> <p>Art 66 of the draft Rules of Procedure stipulates that "the duration of a Committee shall normally be limited to two years but, where a real need has been demonstrated, may be extended by the General Assembly for a third year". Committees may be set up throughout the three years of the Standing Committee's mandate.</p> <p>Given their important role, their gradual formation could be synchronised with a timetable of work to be carried out which would be included in the Conference's 3-year Strategic Plan.</p> <p>The gradual setting-up of committees in a reasoned, strategic manner, according to the challenges that arise, would be a testimony to the Conference's energy and dynamism and its capacity to rally people together.</p>	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (8 votes for, 1 against and 6 abstentions)</p> <p>The articulation between a three-year strategic plan and the committees is indispensable. While knowing that the committees can finish their mandate before 3 years, other committees can be created so also it makes sense to have a medium-term notion of benefit for each proposal.</p>	FIAPA
39	Article 65	In the interests of cohesion, the ballot must be secret.	<b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against, 1 for and 5 abstentions)	IFHP

			<p>If the prior proposal about the secret ballot on the natural person will be adopted, there is no need to state the same here. In addition, it was agreed by the Standing Committee that the Chair of the Committee should be elected in a simply and operational manner. as the Committees are the operational bodies. Only the elections of the members of the Standing Committee will be supported by a call for candidates.</p>	
40	Article 68	It is important to maintain a close relationship based on trust between the President and the rapporteur.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (8 votes against and 6 abstentions).</p> <p>This proposal prevents committee members from choosing their rapporteur in a democratic manner. Considering that these proposals of amendment are the same, the Standing Committee decided (8 votes for, 1 against and 6 abstentions) to propose to vote them together.</p>	ALGS IFHP
41	Article 69	This article is in the wrong place. It should come after the one which talks about the tasks of the Committee Chair. It is incomprehensible and badly drafted: who decides that the Chair is not able to continue performing his/her duties? Also, nowhere in the preceding text is it stated that the rapporteur is to replace him/her... Lastly, the conditions under which he/she is to be replaced are insufficiently clear.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The Standing Committee does not agree to delete this article which seems pragmatic. It regulates the replacement of a Committee Chairman when he/she could not continue to play this role. Until the next election, the Chairman could be replaced by the decision of the Standing Committee. If it would also be necessary to replace the Rapporteur, it will be up to the Committee to decide.</p>	LICRA
42	Article 72	Article 72 is redundant as this has already been said above.	<b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against, 1 for and 5 abstentions).	LICRA



			The Standing Committee does not agree to delete this article. This rule is new and in the light of the pandemic it becomes clear how important it is to have a flexibility - it should be explicitly stated. In addition, this provision is not written above, as the proposer stated.	
43	Article 73	<p>A subject as important as equality and non-discrimination cannot be left to the whim of the Presidency and the Standing Committee.</p> <p>It is important to ensure that these issues are aired, even if elected representatives are less than sympathetic to them.</p> <p>Proposals to maintain a VP in charge of gender equality have been systematically rejected by the current Standing Committee by a unanimous vote minus one.</p> <p>There is no guarantee that a future Standing Committee would be willing to treat this issue as crucial.</p> <p>Safeguards must therefore be put in place to enable the Conference to remain relevant.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against, 1 for and 5 abstentions).</p> <p>Equality should be a cross-cutting priority for all Standing Committee members, it should not be personified in one person. All elected representatives should be concerned about gender equality, as well as the perspective of the youth in their mandate and in the themes, they will deal with. In addition, despite the intention being known, the proposal as formulated is not clear what the purpose would be to provide room for the gender equality topic.</p>	UWE
44	Article 75	<p>It is essential to maintain a high level of expertise in the field of NGO law. Creating numerous committees, however, would send a message to the effect that the NGOs do not have the necessary technical resources within their own ranks. Whereas in fact most of the experts at the Conference are or have been active at a high level in their field and have the appropriate human resources within their NGOs, which can be drawn on if necessary.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The experts appointed to the Expert Councils must not come mainly from the INGO members but must put their expertise at the service of the Conference of INGOs. The INGO members propose their experts, and this is an important criterium because these people are supposed to know the Conference of INGOs, but it cannot be mandatory. Secondly, the experts must be chosen for their competence and not just because of</p>	ELISAN

			their affiliations. Some expertise may also be not “available” within the Conference.	
45	Article 75	<p>This change is fundamental.</p> <p>The Conference has expertise. It must not deny the expertise of its members by turning to third parties who are not members of INGOs affiliated to the Conference.</p> <p>This article, as currently worded, contains the seeds of the Conference’s destruction. It presupposes that the Conference does not have sufficient competence. It is a denial of the Conference and its INGOs.</p> <p>The Conference may call upon external testimonies or contributions, but it should not enshrine their use in its statutes or give them an active role in its functioning.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>Experts must not come <i>only</i> from member INGOs but must put their expertise at the service of the Conference of INGOs. INGO members propose experts, and this is an important criterium because these people are supposed to know the Conference but requiring all experts to be from a member INGO cannot be mandatory. Such a limitation could have negative consequences for the Conference's work and could even hinder the Conference from setting up expert council(s). Limiting in this way qualified people from working with us should not be the intention of any of the work of the Conference.</p>	FEDE
46	Article 75	This article is redundant (see above)	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The members of the current Expert Council (on NGO Law) are selected based on two main criteria: technical/academic skills and experience in civil society. The call for applications is also sent to INGO members of the Conference and currently there are several members from INGOs enjoying participatory status. Instead of suppressing a potential enrichment of expertise it is better to clarify the criteria so that it is clear to everyone. The Standing Committee does not agree to delete this provision from the draft rules.</p>	LICRA
47	Article 75	Experience in the specific field covered by the Expert Council(s) is an important part of the expertise. Past experience will complement the	<b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions).	FIAPA

		technical expertise and/or academic background required to prepare an opinion or studies (Art. 74) enabling the Council(s) to maintain a sense of reality regarding the implementation of the rights concerned.	Expertise and experience are two different kind of knowledge, so to add experience makes sense and stresses the practical aspect of knowledge. In addition, it should be possible to combine the expertise based on experience (expertise d'usage ou expertise du vécu) with technical / academical expertise in certain areas. This may be important especially if the Conference decides to create for example an Expert Council on Gender Equality and Non- Discrimination.	
48	Article 76	The article is redundant (see above)	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The Standing Committee does not agree to delete this article. It is good to state in our main rules where specific rules or terms of reference can be created - and here they would be necessary.</p>	LICRA
49	Article 77	More precise wording of the tasks	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against and 6 abstentions).</p> <p>The proposer justifies that it is for greater precision while in fact the new wording limits the range of the body. In the Standing Committee's opinion, the wording in the draft is more precise.</p>	LICRA
50	Article 77	<p>The ethical dimension of an organisation's own internal practices are a form of protection when it comes to reducing potential risks.</p> <p>The Secretary General of the Council of Europe created a new position of Ethics Officer in 2019 and it is important that the Conference of INGOs display a similar concern.  <a href="https://www.coe.int/en/web/ethics/mandate">https://www.coe.int/en/web/ethics/mandate</a></p>	<p><b>The Standing Committee is IN favour of this proposal for amendment</b> (9 votes for, 1 against and 5 abstentions).</p> <p>The ethical dimension, in addition to the legal one, may be of valuable added value to the Verification and Dispute Committee.</p>	FIAPA

		<p>The independence of members of the Verification and Dispute Committee derives from the fact that they are appointed by the General Assembly (Art. 79). They are not elected (election in this case would make them dependent on the voters). This committee is therefore in the best position to perform such a function. Its members should be beyond reproach and have the necessary expertise and experience in the ethical dimensions of democratic governance to ensure that they are respected.</p>		
51	Article 102	<p>They must remain affiliated to their INGO.</p> <p>For the sake of the Conference's credibility, elected officials cannot be lone operators. They must represent an NGO and cannot be allowed to remain in office if their NGO loses its participatory status or if they themselves leave the NGO, voluntarily or otherwise. They must at all times be a member of an NGO belonging to the Conference.</p>	<p><b>The Standing Committee REFRAINS from proposing its opinion on this proposal by majority of the abstentions.</b></p> <p>Opinions are divided and both options have advantages and disadvantages.</p> <p>However, considering that both proposals are the same, the Standing Committee decided (9 votes for and 6 abstentions) to propose vote them together.</p>	ELISAN IFHP
52	Article 102	<p>The eligibility criteria for the posts of President and Vice-President should include a requirement relating to the length of the association with the CoE: candidates must be Delegates of an NGO that has held participatory status for at least three years.</p> <p>The fact, too, that candidates for the post of President have been involved in the work of the Standing Committee or a Steering Committee of the Council of Europe will ensure they have the necessary experience and knowledge of the functioning of the Council of Europe.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The limitation proposed in this proposal is unfounded. A distinction should not be made on the basis of how long an INGO has held participatory status (as proposed in the amendment) but on the level of the candidate's experience within the working bodies of the Conference of INGOs and the Council of Europe which can give the candidate additional visibility of the work to be done.</p>	FEDE
53	Article 103	<p>In order to set a democratic example.</p>	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (9 votes against and 6 abstentions).</p>	ELISAN

			Although this may increase the number of candidates, the President must be familiar with the functioning of the Conference and the Council of Europe from the inside, and this is only possible by being a member of the Conference of INGOs' decision-making body or committee.	
54	Article 121	This is common practice. Blank or spoiled votes are also a way to express disapproval.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>Article 121 of the draft rules takes the existence of blank votes into account but they are not included in the counting of the votes cast. A blank vote is not an expression of opposition to the proposal put to the vote.</p>	ALGS
55	Article 121	Blank votes are a form of expression which civil society needs to acknowledge.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>Article 121 of the draft rules takes the existence of blank votes into account, but they are not included in the counting of the votes cast. A blank vote is not an expression of opposition to the proposal put to the vote.</p>	IFHP
56	Article 125	Any proposal to amend the Conference's Rules of Procedure should not be conditional on it securing the support of at least 10 INGOs. Every INGO should be able to table an amendment which is put to the sovereign vote of the General Assembly after the Verification and Dispute Committee has examined it to determine whether it is admissible, as provided for in Articles 127 and 128.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>In the Standing Committee's view this amendment is not practicable. Changing the rules takes a lot of time and energy and the Standing Committee cannot start the process at the request of just one INGO.</p>	European Union of Court clerks

57	Article 132	Counting blank votes is something that civil society has repeatedly called for. Blank votes are a form of expression that needs to be heard. (Same applies to Article 121).	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>Article 121 of the draft rules takes into account the existence of blank votes, but they are not included in the counting of the votes cast. A blank vote is not an expression of opposition to the proposal put to the vote.</p>	FEDE
58	Article 133	A two-thirds majority should be required only where decisions of the greatest importance are being taken. An absolute majority is sufficient for voting on amendments.	<p><b>The Standing Committee is NOT in favour of this proposal for amendment</b> (10 votes against and 5 abstentions).</p> <p>The Standing Committee does not agree to replace the 2/3 principle by absolute majority. 2/3 is a rule of long practice within the Conference, appreciated by the legal service of the Council of Europe. It provides a greater stability to the structure.</p>	European Union of Court clerks