

***The President***

**Speech of Gerhard Ermischer, President of the Conference of INGOs  
at the Spring Session of the Conference**

**Strasbourg, 8-10 April**

**A review of the three years mandate from April 2021 to April 2024**

Three years ago, we were in a very particular and specific situation. When we held the elections in April 2021 we were in the middle of the longest and hardest lockdown in the Corona Pandemic. And I recall very well how I was riding out the lockdown in my birthplace in Salzburg and I had to drive to Strasbourg for the elections. It was actually just the two candidates and the acting president of the time, my predecessor Anna Rurka, who were allowed to come to Strasbourg. And I had to cross two borders, I had to go from Austria through Germany to France – and I needed a special permit to do that. To land here in the one hotel which was open for business travellers with all the restaurant closed, so we had to order food to eat at the hotel room. So, Anna and I were deciding every day, your room or mine, which actually meant, where shall we have dinner.

This was a very difficult situation for everyone, and that after we had just come out of a very long and difficult process of reform of the Conference – a process which had been very controversial, which had ripped up ditches in the Conference which we somehow had to close again, and we had now to implement the ideas which stood behind the reform process. I am absolutely grateful to a wonderful standing committee which has been so supportive for this work with each and every one of them taking on their responsibilities, making the best out of the crisis because the one thing we had learned was to work online. Before that all the meetings were always physically in Strasbourg. We all know that coming to Strasbourg is not easy and is not cheap. You have a meeting for half a day it means a three-day journey for most people. Now suddenly we learned to use online tools which made it so much easier to meet, to work together, to meet regularly. So instead meeting twice a year in person we decided to meet at least once a month. So, we decided that each first Thursday in the month we would meet from 09:00 to 11:00 to work through our agenda and if necessary we could simply add additional ad hoc meetings on short notice. This was a real improvement.

Slowly we made our way out of the pandemic crisis. The April session in 2023 was still under the influence of the pandemic crisis, because when we were planning the meeting, we did not know what the rules would be. This was especially difficult for the Council of Europe, as some rules here were different from France or the rest of the EU, simply because we have so many employees here from outside the EU, we have all the diplomatic representations from non-EU

member countries and of course all the experts and representatives of our own Conference who do not come from EU countries. And for a long time, there were different rules for people who came from inside or outside the EU. Therefore, the Council of Europe had negotiated that people could come here, but under very special conditions. So, the October session in 2023 was really the first one which was completely free from any consideration of restrictions and limitations.

So, for a long time we had difficulties to organise the kind of exchange and interaction we wanted to create, but still we started with our first networking events, starting with a small number of people who could come to Strasbourg but with a growing number of participants to make our physical meetings here more interesting, more lively, more interactive for our members. What also happened was that we had our new committees. And these new thematic committees were really new. So, it took some time until committees had worked out how to best operate. After they had been approved and officially created, they still needed some time to find their modus operandi in the new structures. But most of them did incredibly well, have committed in a fantastic way to the work of the Council of Europe, have linked up with the different bodies of the Council of Europe, have created relationships with these bodies which are really meaningful and have made the Conference of INGOs much more visible inside the Council of Europe, the administration and all its various structures. And at the October session last year we could also see how the committees had started to cooperate with each other, work together, identify common themes and create common strategies on these themes. We had the round table on equality to which all committees contributed, we had a number of webinars, initiatives, declarations which were created by various committees in cooperation. Most of our committees would like to continue their work with new agendas. I think that through the lessons we have learned these three years we will see a much quicker start of the new committees which we want to create on Wednesday, they already have built up so many connections inside the Council of Europe, they have already started to link up with each other in the preparation phase.

These processes had to be moderated by the Standing Committee. So, in the Standing Committee we had distributed the jobs and different members of the Standing Committees were acting as liaison officers to our committees, but also for example to all the experts we have sent into the various intergovernmental steering committees, (enlarged) partial agreements, conventions and monitoring mechanisms as well as drafting groups. And something new has happened during this mandate, when some of the very strong INGOs in our Conference approached the Standing Committee and offered to represent the Conference in various bodies of the Council of Europe. That worked out very well, as we had a clear communication with these organisations and their representatives from the very beginning, we have set out clear rules what it means if you represent the Conference of INGOs in a body of the Council of Europe, because that is different from representing your own INGO as an observer, how the communication should run with the Standing Committee and we appointed a liaison officer in the Standing Committee to keep in contact with these organisations and their representatives. To ensure that before they would join a meeting, we would discuss what

our priorities were, where the challenges were, what did we want to achieve, and afterwards of course how did it go, where do we stand, how do we have to follow up. This is a lot of hard work which must be done behind the scenes, it is not very glamorous, it is also not very visible, but it has to be done. And it has been done – for which I am very grateful. I dedicate a full-time job to be president of the Conference, I have moved to Strasbourg, I am living now for nearly two years in Strasbourg, I have become a proud Strasbourgeois, I have learned French and in fact I am even learning “Elsässisch” now, doing this with really great pleasure. But still, I could not do everything, that is simply impossible. I rely on the members of the Standing Committee who are taking on so many responsibilities and help to do this work.

And the work became ever more “interesting”. We were just making our way slowly out of the pandemic crisis, and what happened? Russia invaded Ukraine. Russia’s war of aggression against Ukraine – and within a couple of days the Council of Europe reacted. It was first the Parliamentary Assembly that asked for consequences and then it was in the Committee of Ministers. And I was in Strasbourg at the time, and it was not a foregone conclusion how that would work out. There were lots of debates what we should do, should we exclude Russia, could there be other measures. I was talking to many ambassadors and in the time to many NGOs, especially those who had connections to Russia or were based in Russia. And they told me, there have to be strong consequences. Russia cannot stay in the Council of Europe, otherwise this institution would lose all credibility. And as much as it would pain them, Russia had to leave, had to be excluded from the Council of Europe, even at the cost that they would lose the protection of the Court of Human Rights, as feeble as it already was, this step had to be taken. So, it was important that I could relay this message to the ambassadors, to bring the message to those countries still wavering, that even the Civil Society was clear and united on this stance. And it was done, which was great, because the Council of Europe was the only international institution that could actually do this.

It was right, it was a great moment, but it was also a moment of shock. People here were asking themselves, what is the role of the Council of Europe in this world? How could this happen? Where have we gone wrong? What are our values and how do we protect these values. In that moment there was an enormous momentum, a willingness to change things. Out of this momentum was born the idea of a Summit of Heads of State, the fourth one in the history of the Council of Europe. And what happened then? Well, what happened were summer holidays. And you know what happens in summer holidays. Before that, everything was vigour and speed, and when you come out of the summer holidays, everything is much slower and calmer. So, we were pressing from Civil Society to relay the message, that not only we needed the summit, but the summit had to be meaningful and change things. We were pressing for our ideas and values, and it was quite hard work because there was also resistance, even in the house, what the role of Civil Society should be how far we should go. The Icelandic Presidency of the time was very supportive, but also with member states not all were. In the end it was a lot of work, we had the Civil Society Summit in the Hague to consolidate views of Civil Society, not just inside the Conference of INGOs, but far beyond, and we got a lot of our ideas into the Reykjavik declaration. Of course, not everything, you cannot

expect that, but the declaration sends a strong signal, when it comes to human rights, to artificial intelligence, to environment and climate change, to social rights, to democracy and civil society participation – the words are wonderful.

These words now must be brought to life, the promises have to be fulfilled, the declaration has to be implemented in all its parts. As our Vice-President Christoph Spreng has put it so succinctly: The test of the summit comes in the climbing. The heads of state have put a flag on top of a high mountain, a European flag signalling our values, and everybody was congratulating each other, and everything seemed fine. But this was only a beginning, a signal after which all this must be implemented. And already before the summit it was difficult. Because when it comes e.g. to environment and human rights, not all countries really want that taken seriously – that the right to a clean and healthy environment should really become a fundamental human right. So, in the running up to the summit it was foreseen that there should be a new intergovernmental committee, called a Reykjavik committee, to coordinate all this work on environment, climate change, social rights, democracy, civil society participation. So, what happened was that inside the administration this department was created, but on the political side we still do not have the appropriate steering committee. So, this time the administration has acted more swiftly, while on the political side we still see a lot of bickering and debates about how should this be done and should it be done at all.

This will need a lot of Civil Society engagement to motivate our member states to actually fulfil the promises made in Reykjavik. Because that is what they did in signing the Reykjavik declaration, they have made a promise to act on all these issues. This will be an important role for our new committees, to support this process, to push for the full implementation of the promises made at the summit. And I am convinced they will do a great job in that. In a way the story repeated itself: after the summit in the may there was quite a big momentum, and then again came the summer holidays. And when we came out of a very hot summer, everything had slowed down. And some started to question the role of the Civil Society, the role of the Conference of INGOs. The Secretary General held finally a first dialogue with Civil Society, three years after the Helsinki decisions that had asked for this dialogue and published a road map for the cooperation of the Council of Europe with Civil Society. And some thought, this is a parallel structure emerging next to the Conference of INGOs which in the future might replace the Conference or at least diminish its role.

So in autumn we were again working hard to support our Conference, me running from ambassador to ambassador, my colleagues from the Standing Committee linking up with all different bodies in the Council of Europe and with all their networks and contacts to bring the message across that this is the voice of organised Civil Society in the Council of Europe and we need to play an important role in this process. And it finally paid off. Because in the beginning of the New Year the new administrative structures were implemented and I can tell you when after the summit I heard about the intended administrative reform my first thought was: Oh my god, not another one. We have seen so many already and all of them have been driven by money and finances far more than by content. But this time it has worked out very well. We

have a new structure in the house, a directorate for democracy, chaired by Matjaž Gruden, and I know Matjaž for quite a long time because he was responsible for all the conventions dealing with culture and cultural heritage, including the Landscape Convention, which once brought me to the Council of Europe, but he is also somebody who is very dedicated for Civil Society engagement. This is very important for him and when you talk with him, and I had very long and intensive talks with him, you can feel his passion for the theme. He will be with us on Wednesday afternoon, when we have the open part of our General Assembly with the representatives of member states with us, where he will tell us about his agenda with this new directorate. In this directorate we have the newly formed intergovernmental committee on democracy, the CD-Dem, supplanting the old CDDG, which has always been very close to us, and we must make sure that we will be as close to the new CD-Dem, which is envisaged to have more power and be even more important than its predecessor has been. In the same directorate is still all that has to deal with culture and cultural heritage also the intergovernmental steering committee that is still dealing with the environment conventions, the World Forum of Democracy, the Conference of INGOs and the new roadmap of the Secretary General for Civil Society.

What is even more important is the new structure of the secretariats. Because in the past our secretariat was also responsible for the World Forum for Democracy. That was very difficult for us, at in the second half of the year our secretariat was basically working for the World Forum of Democracy, which always takes place in November. This is a global event and makes a massive demand on the administrative structures, so then our secretariat was basically working for the World Forum and could not pay full attention to us. But now the World Forum has its own secretariat which is separate from us, while our own secretariat has been strengthened, we have Christophe Speckbacher, we have got back Fabienne Deyrolles, we still have Lusine Shakayan and Benedicte Kern, after three years we have lost our Finnish secondment Anu Juvunen, as her term has run out, but we hope that there is a chance for a new secondment in the foreseeable future. And we have a slight increase in our budget.

So, the situation has improved. And when it comes to the budget, this is even better, and this not just due to the Council of Europe but also to you, our members. Because more members than ever have paid their membership fees, and very few of those chose to go for the reduced rate we offer to members who have financial problems. Nearly all paid the full membership fees and some even put some donation on top of this. This is a double gain for us, as we get a co-financing by the Council of Europe where we can get one Euro for each one, we generate ourselves. Even more important for me is the signal this message sends: that our members see the added value of our Conference and are willing to pay to sustain it. That is the best prove you can get when your members are willing to pay. We can also see that this has reached the upper echelons of the Council of Europe – not just that Michael O’Flaherty has been with us today, Matjaž Gruden will be with us on Wednesday, but we have got requests from leading figures to present themselves and their programme to us in the Conference. So, Tanja Kleinsorge, the Head of the newly created Reykjavik department has asked to explain this important new structure to us. She will be responsible for coordinating this process across the

different directorates and as I tend to say boxes of the Council of Europe – a job which will be very important to us, at it is how to bring together the goals on environment, climate change, social rights, democracy, and civil society participation. This is exactly what we want and will be key to the implementation of the Reykjavik process.

We were also asked by Mr Best, the new special rapporteur on migration of the Secretary General to be present on our session on Wednesday afternoon, not the least when the commentary of our own committee of migration shall be approved by the General Assembly. Unfortunately, he was called on a visit to Armenia and so will not be able to come, but we have already established a very good working relationship with him. We have heard already about the many conflicts we have in Europe, some very visible others forgotten, and this is one that bothers us a lot and which more limelight on it. For us this was a first to be asked by several high-ranking officials of the Council of Europe to present themselves to us and I am really happy about that. As the conventions in this package are being revived, I could talk with the representatives of the Landscape Convention, the Bern Convention, and the Partial Agreement on Major Disasters.

We see how different sectors of the Council of Europe become more and more interested in us. Its the same for the execution department of the committee of ministers which is responsible for the implementation of the judgements of the European Court of Human Rights, which is extremely important because many judgements are not implemented by the member states. This is one of the big problems we have in face of human rights and democracy. The execution committee has become very close to us and linked up with us on many issues, not the least on issues on environment, which is not yet one of the key areas.

These are the good news. On the other hand, we still have to fight. And continue to fight. We had to fight last year when there was the reform of the Social Charta process and we really would have wanted to have a stronger reform of that process, which would give more power to citizens and to civil society organizations and makes the social Charta more binding. At least there will be a high-level conference this July in Budapest on the issue, and we will be present there and hopefully we can push for an improvement. In the Reykjavik declaration there is a clear commitment to a stronger Social Charta and to see this as a priority of the Council of Europe.

We have participated in the drafting of the new framework convention on artificial intelligence and human rights and on a feasibility study on legally binding or non-binding instruments for the environment and human rights. This has been a frustrating experience, because it started with a very strong commitment, and then during the process it was watered down more and more. We were really fighting against this development. Our official representative did a wonderful job together with a great number of other NGOs and civil society organizations but in the end, we were more or less side-lined.

So, what did we do in these cases. So, for the final draft of the paper on environment and human rights we drafted a one-pager expressing our strong commitment to see an additional

protocol for the human rights convention on a clean and healthy environment as a recognized human right and that we want to see strong legally binding instruments to help member states to implement this demand. We found it curious that the deadline for the comments on this last draft was set for today. Tomorrow the court of human rights will issue judgements on three major cases on climate change and human rights. We expect it to be a ground-breaking judgement that might be a real game changer. So, we would have expected that one would wait for the judgement(s) before the drafting process is closed. And therefore, we had to send our one-pager quickly, which we would have otherwise presented to the General Assembly for adoption.

The drafting process on a new framework convention on artificial intelligence and human rights was really frustrating for us, especially because more and more exceptions for national security, for military use, for binary use, economy, finally even excluding a strong statement on environment which was dropped at the very last moment. As the Parliamentary Assembly will discuss this issue next week, we sent our reservations to the sub-committee on Artificial Intelligence in their committee for human rights and rule of law. We got a very quick and positive response and were also informed that they had already investigated our comments and open letters and taken them into account of their own work. They will forward our comments to the Parliamentary Assembly, and we hope that the parliamentary assembly achieve more than we could.

And one of the major problems expressed also in the dialogue of the Secretary General with Civil Society is transparency inside the Council of Europe. There are two developments in which we have been implicated: The one is in the Committee of Ministers where a new strategy of transparency shall be developed. Today practically all documents of the Committee of Ministers are confidential. There are no clear rules even for journalists how to access these papers, how the papers can be declassified, how we could work with them. This is not a very agreeable state for an organization like the Council of Europe. We approve that the committee of ministers has finally decided that they would investigate that, and that they would create an ad hoc drafting group to see how the transparency in the house could be improved. And we have been invited to participate in this process. Thanks to input from our committees, we could produce a strong statement on our expectations. The drafting group of the Committee of Ministers is very limited now, looking only into the documents, not other areas of transparency and participation. But we took the chance and in our written statement, we went far beyond the scope of the drafting group to describe our expectations on transparency in the Council of Europe, not just in the Committee of Ministers but in all its different bodies.

The second one is an attempt in the Parliamentary Assembly to introduce a transparency-register. In the first moment that looks quite feasible. But if you look where it came from, this might be more an attempt to limit the access of Civil Society to the Parliamentary Assembly. Unfortunately, we have seen collateral damage of other well-meaning instruments. Fortunately, many of the parliamentarians saw this danger. A questionnaire was issued to the Civil Society, and we asked you to participate in great number. Fortunately, many of you have

done so. Again, a great thank you for that! Because it has helped. The responsible persons have taken our comments into consideration. Just a couple of weeks ago Jeremy McBride, the chair of our expert council on NGO law, and I were invited to come to Paris for a meeting of this drafting group, and to give our opinion. We really could communicate that we need to have a better access for Civil Society to the PACE, and not additional hurdles. Jeremy was really doing a great job on the legal part, and I was concentrating on what our member organizations have asked for in the questionnaire, and all the problems we have in approaching the Parliamentary Assembly and how the access for civil society organizations, especially our member-organizations, could be improved.

With this I come to end my rep-up, just in time, as I am reminded by my dear colleagues.