



Anna Rurka

The Conference of INGOs – a collective voice of the NGOs in the Council of Europe – in the context of closing civic space

The closing civic space is a global trend and phenomenon which still need to be assessed and answered through political dialogue and economic measures in favour of civil society, consider as a democratic actors which engagement in elaboration, implementation and monitoring public policies at local national and international levels of the democratic governments, including Intergovernmental Organisations (IGOs) is the crucial point for the future of our democracy.

However, the closing civic space should not be observed and assess only in the national or local context but also within the intergovernmental organisations and democratic institutions. There also, the space for civil society is shrinking.

The civil society platforms and structures, based on membership or other form of belonging, which institutionalise the work of the civil society and bring the collective voice of the NGOs in the democratic institutions are the factor of protection against the restrictions, discrimination and harassment which civil society organizations and their leaders face in some countries.

Acting from insight, as a Council of Europe body, the Conference of INGOs continues to use the institutional proximity with the Council of Europe member States (governments, parliaments and local elected representatives) as an opportunity to promote and defend human rights, democracy and rule of law without which the enabling environment for NGOs cannot grow and be maintained.

The Conference of INGOs as a political force within the Council of Europe quadrilogue – historical background

Since its foundation, the Council of Europe has developed working relations with nongovernmental organisations in order to get advice and take actions to promote human rights, democracy and rule of law. Since the beginning, the Council of Europe considers NGOs as an essential part of the democratic process. The formalisation of relations between NGOs and the Council of Europe started in 1952 when the Committee of Ministers opened the possibility for nongovernmental organisations to acquire a »consultative status«. Even at that time, the INGOs understood that in order to reinforce the voice of civil society in the Council of Europe, they must be united. In 1977, INGOs met in a plenary conference and elected a Liai-

son Committee. With the agreement and support of successive Secretary Generals of the Council of Europe, this Liaison Committee was in charge of improving the functioning of the consultative status. Moreover, the Liaison Committee launched a number of initiatives in Central and Eastern Europe aimed to contribute to the promotion of democracy and civil society. The establishment of this permanent liaison structure had added a new dimension to relations between the Council of Europe and NGOs. This liaison committee is the predecessor of the Conference of INGOs, which has been considered as a part of the quadrilogue of the Council of Europe, since the Warsaw Summit in 2005. It was possible because two years before, in 2003, the Committee of Ministers changed the consultative status to the participatory status and the Conference of INGOs started to participate in the steering committees and expert committees of the CoE, on the same basis as the Parliamentary Assembly and the Congress of Local and Regional Authorities. NGOs have been granted and continued to have the possibility to be an observer in on-going an ad-hoc basis with various expert committees according to subjects which they have a special competence of. The steering committees are important places for NGOs for providing expertise, influencing the content and participating in the intergovernmental process of elaborating the standard setting or contributing to the monitoring of existing documents. The participatory mechanism within the Council of Europe is based on the Committee of Ministers Resolution 2016(3), which is an actualisation of the resolution 2003(8). The international NGOs which apply to have participatory statutes should collaborate with the Council of Europe, be active in the field(s) of their competence at European level, and they should be able to support the achievement of closer unity through their work as stated in Article 1 of the Statute mentioned before. Participatory status is given to INGOs by the Secretary General of the Council of Europe, who asks the Standing Committee of the Conference of INGOs for its opinion before communicating its decision for tacit approval to the Committee of Ministers, the Parliamentary Assembly and the Congress of Local and Regional Authorities. The status gives INGOs a set of rights and obligations, such as the possibility to address memoranda to the Secretary General; be invited by the bodies for hearings, engage with the PACE committees and the Congress, be registered on the list of INGOs entitled to lodge collective complaints in the framework of the Additional Protocol to the European Social Charter. The status is revisited every 4 years and in order to maintain the status, the INGOs must report the results of the collaboration established with the Council of Europe during this period.

In 2008 and 2012, the Conference of INGOs, supported by the Council of Europe Civil Society Division of the Council of Europe, undertook two major reforms: In 2008, it adapted its functioning to the changes in its role following the Warsaw Summit; and in 2012, it adapted its organisation and functioning to the new architecture of the Council of Europe as a result of the major budgetary and structural reform. One of the consequences of this reform was a reduction of the number of sessions from 4 to 2.

During those reforms, the Ordinary Budget devoted to the Conference of INGOs was decreased significantly. Whereas in 2010, the Conference of INGOs budget represented 0,52%

of the total Council of Europe Ordinary budget, in 2011, the Conference of INGOs was asked to contribute more than a quarter of the total decrease in the Council of Europe's budget (25.85%). At that time the Conference of INGOs budget for statutory and operational activities was around 400,000 euros. Today the Conference of INGOs has to function with around 150,000 euros. Since 2015 the budget is more or less the same even if the number of activities has increased significantly. The Civil Society Division supports courageously our activities because they are committed to democracy and civil participation in the Council of Europe. Without the Council of Europe Secretariat, the Conference of INGOs cannot operate in the Organisation.

Despite this very narrowed means, the Conference of INGOs, over the years, has gained recognition as part of the Organisation's quadrilogue, bringing the collective voice of the (I)NGOs into the Council of Europe. Without the Conference of INGOs and the Advisory Council of Youth, civil society would no longer represent a political force in the Council of Europe. Without these representative structures, the strength of the INGOs would be dismantled and weakened, leaving their contribution to be individual and sectoral, linked only to their particular interests without a process of democratic validation which grants it democratic legitimacy. These bodies should be independent from politics and this independence is guaranteed by the service provided by the staff and funding provided by the ordinary budget of the Council of Europe

Courant challenges and uncertain future

However, despite the huge work already achieved the Conference of INGO is obliged to face the closing civic space, as phenomenon, within the Council of Europe itself. Why? Just because in the context of the political and economic crisis that the Council of Europe has been going through for a few years, the contribution of INGOs as the collective voice in the Council of Europe is not seen as a priority, as a factors that can strengthen the vitality of the whole Organization. It is possible that the internal reorganization that the Council of Europe is obliged to do in case when Russia Federation will continue to not pay its contribution will deprive the Conference of INGOs of the financial and human resources until then granted from the ordinary budget of the Council of Europe. The coming days will show what is the future.

What will be the consequences of that?

The Council of Europe has been the leader in adopting progressive recommendations and guidelines related to civic space and participation. In addition to promoting these in the member States, the Organisation should also ensure that it actually implements those same principles. NGO participation at national and international level are strongly connected. Any attempt to limit/sideline the involvement of CSOs within the Council of Europe would be a sign of approval for further restrictions at the national and local level. Without guarantees of

independence for NGOs at the country level, there is no guarantee for participation of authentic NGOs in the Council of Europe debates and structures which helps the latter carry out its mandate.

To avoid eroding civil society's trust in the Council of Europe it is crucial that we show that the Council of Europe is working to reinforce the contribution of the NGOs not undermining them. The sustainability of our civic space depends on the consideration given to the NGOs and resources devoted to the participatory mechanism. It will allow the Council of Europe to ensure the sustainability of the multilateral political sphere of discussion, rich in ideas and open to dissent, uniting the member States horizontally and vertically. Democracy thrives through progressive standard setting which can only emerge through dynamic and inclusive debates, horizontal dialogue and bottom-up approaches.

The (I)NGOs are part of the political system at the local, national and international level. The Council of Europe quadrilogue is a historical European achievement. I hope strongly that it will not be a historical fact but the reality that will make democracy alive also in the future.

The views expressed in this article are those of the authors and do not necessarily represent the position of the Council of Europe.

Author

Anna Rurka is President of the Conference of INGOs of the Council of Europe. The Conference of INGOs is collective Council of Europe body representing the INGOs enjoying participatory status with the Council of Europe. Its role is to bring the voice of civil society and affirm its voice at the Council of Europe, strengthen the freedom of association and associated rights in the member States and reinforcing NGO participation in decision-making processes. With a view to achieving its objectives, the Conference of INGOs work together with the other bodies of the Council of Europe and governmental and intergovernmental institutions.

Further Information:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806450f9>

<https://www.coe.int/en/web/ingo/home>

Contact: Anna.RURKA@coe.int; **Twitter:** @anrurka

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BBE-Newsletter für Engagement und Partizipation in Europa

Bundesnetzwerk Bürgerschaftliches Engagement (BBE)

Michaelkirchstr. 17/18

10179 Berlin

Tel.: +49 30 62980-114

europa-bbe@b-b-e.de

www.b-b-e.de