

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

Resolution Res(2003)8

Participatory status for international non-governmental organisations with the Council of Europe

*(Adopted by the Committee of Ministers on 19 November 2003
at the 861st meeting of the Ministers' Deputies)*

The Committee of Ministers,

Recalling the Council of Europe statutory aim to achieve a closer unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage, and facilitating their economic and social progress;

Bearing in mind the missions entrusted to the Council of Europe by the Vienna and Strasbourg Summits and by the Budapest Declaration for a Greater Europe without Dividing Lines;

Considering that the achievement of this goal and the fulfilment of these missions cannot be realised without constant sensitivity to public opinion and to the driving forces in European society, which are constantly evolving;

Considering that the existence of an active civil society and its non-governmental organisations (hereafter NGOs), which are a vital component of European society, is an important and indispensable element of democracy;

Considering the essential role of counterbalance played by NGOs in a pluralist democracy, to intensify the active participation of all citizens in conducting public affairs, and promoting responsible democratic citizenship based on human rights and equality between women and men;

Convinced that initiatives, ideas and suggestions emanating from civil society can be considered as a true expression of European citizens;

Recalling that, in this spirit, the Council of Europe has, over the years, developed fruitful working relations with NGOs since it first created a consultative status for international non-governmental organisations in 1952;

Considering that the system of co-operation introduced by consultative status largely permitted the development and strengthening of co-operation between the Council of Europe and the voluntary sector, giving positive and particularly encouraging results for both parties;

Considering that it is indispensable that the rules governing the relations between the Council of Europe and NGOs evolve to reflect the active participation of international non-governmental organisations (INGOs) in the Organisation's policy and work programme, and to facilitate INGO participation and access to such bodies as the steering committees and governmental expert committees, and other subsidiary bodies of the Committee of Ministers. This participation will allow the INGOs to continue to draw the Council of Europe's attention to the effects of changes in European societies and the problems facing them;

Noting that the development and reinforcement of this co-operation between INGOs and the Committee of Ministers and its subsidiary bodies, as well as with the Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe has led to the "Quadrilogue" which is, within the Council of Europe, an expression of democratic pluralism and an essential element for the further development of a citizens' Europe;

Wishing, through the present rules, to reflect the active and constructive role of NGOs, and to clarify, facilitate and intensify the co-operation between the Council of Europe and the INGOs, in particular underlining its participatory character;

Recognising the important role to be played by the Liaison Committee as the democratically elected representative body of all of the INGOs enjoying participatory status with the Council of Europe, and by the INGO thematic groupings as their collective voice and, thus, of millions of European citizens, working in each of the fields represented by them;

Recognising the importance of the co-operation between the Council of Europe and national NGOs, provided for in Resolution Res(2003)9 on the status of partnership between the Council of Europe and national NGOs;

Hereby decides to adopt the rules for participatory status appended to this resolution which replace the rules for consultative status established by Resolution (93) 38.

Appendix to Resolution Res(2003)8

Rules for participatory status for INGOs at the Council of Europe

1. The Council of Europe may establish working relations with INGOs by granting them participatory status.

Conditions to be met by INGOs

2. Participatory status may be granted by the Council of Europe to INGOs:

- a. which are particularly representative in the field(s) of their competence, fields of action shared by the Council of Europe;
- b. which are represented at European level, that is to say which have members in a significant number of countries throughout greater Europe;
- c. which are able, through their work, to support the achievement of that closer unity mentioned in Article 1 of the Council of Europe's Statute;
- d. are capable of contributing to and participating actively in Council of Europe deliberations and activities;
- e. which are able to make known the work of the Council of Europe among European citizens.

Modalities of co-operation

3. The INGOs with participatory status may be invited to be represented by the Liaison Committee or the thematic groupings at events organised by the Secretariat General.

4. The steering committees, committees of governmental experts and other bodies of the Committee of Ministers, may involve the INGOs enjoying participatory status in the definition of Council of Europe policies, programmes and actions in particular by granting observer status to the Liaison Committee and to the INGO thematic groupings, in accordance with the terms of Committee of Ministers' Resolution (76) 3.
5. The committees of the Parliamentary Assembly and of the Congress of Local and Regional Authorities of Europe are invited to study ways of intensifying co-operation with and facilitating INGO participation in their work, for example by granting observer status or by inviting the Liaison Committee or INGO thematic groupings to provide their expertise.
6. The Commissioner for Human Rights is also encouraged to maintain close co-operation with the INGOs enjoying participatory status.
7. Additionally, considering their role as advisers in questions concerning civil society, the Secretary General may consult the INGOs, the Liaison Committee or the INGO thematic groupings, in writing or by means of a hearing, on questions of mutual interest.
8. The INGOs enjoying participatory status:
 - a. may address memoranda to the Secretary General for submission to the committees mentioned above, as well as to the Commissioner for Human Rights;
 - b. may be invited to provide, through their specific activity or experience, expert advice on Council of Europe policies, programmes and actions;
 - c. shall receive the agenda and public documents of the Parliamentary Assembly in order to facilitate their attendance at public sittings of the Parliamentary Assembly;
 - d. shall be invited to public sittings of the Congress of Local and Regional Authorities of Europe;
 - e. shall be invited to activities organised for them by the Secretariat;
 - f. shall be invited to attend seminars, conferences, colloquies of interest to their work according to the applicable Council of Europe rules.
9. The INGOs enjoying participatory status shall undertake to:
 - a. keep themselves regularly informed of Council of Europe activities and developments in standards by means of the numerous sources of information available, including the Internet;
 - b. furnish, either spontaneously or at the request of the Council of Europe's different bodies, information, documents or opinions relating to their own field(s) of competence on matters which are under consideration or which could be addressed by the Council of Europe;
 - c. work to promote the respect of the Council of Europe's standards, conventions and legal instruments in the member states, and assist in the implementation of these standards, and this in close contact with local, regional and national NGOs;
 - d. give maximum publicity to the initiatives and achievements of the Council of Europe in their own field(s) of competence;

- e. disseminate information on Council of Europe standards, instruments and activities, as well as information from the INGO thematic groupings, to their members, on a regular basis, and ensure that they too work actively to fulfil the requirements of the participatory status;
- f. submit every four years a report to the Secretary General which should specify:
 - their participation in the work of the various Council of Europe bodies (see paragraphs 4 and 6 of this appendix), the capacity in which they attended and their contribution;
 - their attendance at events organised by the Secretariat General, the capacity in which they attended, the contribution they made and any follow-up action;
 - their attendance at and contributions to the meetings of the INGO thematic groupings;
 - any meetings which they themselves have organised, in particular those which have dealt with the promotion of the Council of Europe's aims, standards and legal instruments;
 - any action they have undertaken with a view to ensuring respect of Council of Europe standards and to publicising its work.

Procedure for the granting of participatory status

10. The Secretary General shall keep the list of INGOs enjoying participatory status with the Council of Europe.

11. Any INGO wishing to be entered on this list shall submit to the Secretary General of the Council of Europe three copies of an application, in French or English, and, preferably, in both of these official languages of the Council of Europe, which must contain the following documents:

- a. the INGO's statute;
- b. a list of its member organisations with a French or English translation of the title of these organisations as well as an approximate number of members of each of these organisations;
- c. a report on its activities covering the previous two years;
- d. a declaration to the effect that it accepts the principles set out in the statute and other basic texts of the Council of Europe;
- e. the official application form on which it states clearly:
 - why it is applying for participatory status with the Council of Europe;
 - how it considers it will be able to contribute to and participate in the activities of the Council of Europe (as set out in its current programme of activities);
 - in what way it feels able to make such a contribution (studies, reports, previous work in the field concerned, expertise of its members in the area concerned, etc.);
 - what practical co-operation has already been established with the Council of Europe departments concerned;

– by what means and to which audience it would publicise the work of the Council of Europe.

12. The decision to grant participatory status to an INGO shall be taken by the Secretary General of the Council of Europe based on the criteria mentioned above. The Secretary General may also take into consideration the main priorities of the Council of Europe's programme of activities and the possible proliferation of INGOs in a given sector of activity.

13. The Secretary General will communicate the list of INGOs to which he or she intends to grant participatory status to the INGO Liaison Committee for its opinion. The INGO Liaison Committee's opinion must be expressed within two months of the Secretary General's Communication.

14. At the end of this time-limit, the decision of the Secretary General will be submitted for tacit approval to the Committee of Ministers, to the Parliamentary Assembly and to the Congress of Local and Regional Authorities. This decision will be accompanied by the names of the INGOs concerned, those items from the relevant files which are necessary for the assessment of each case, the Secretary General's reasons for suggesting they be added to the list, as well as any comments received from the Liaison Committee. In the absence of any objection founded on the conditions set out in paragraph 15 below, the said INGOs will be added three months later to the list of those enjoying participatory status.

15. During the three-month period, a member of the Committee of Ministers or ten members of the Parliamentary Assembly from five different national delegations or ten members of the Congress of Local and Regional Authorities of Europe from five different national delegations may request that an examination be made of the file of any applicant INGO. In the former case, the examination shall be made and the decision to add the name to the list shall be taken by the Committee of Ministers. In the latter case, the Committee of Ministers shall defer its decision until it has received a recommendation from the Parliamentary Assembly or the Congress of Local and Regional Authorities of Europe acting on a report from their competent committees.

Withdrawal of participatory status

16. Any INGO already on the list may be removed from it by the Secretary General if, in his or her opinion:

- a. it has failed to comply with its obligations under the rules set out in paragraphs 2 and 9 above;
- b. it is represented twice as a result of affiliation to a larger organisation working in the same field of activity which is itself on the list;
- c. no longer has any activity included in the Council of Europe's work programme;
- d. it has taken any action which is not in keeping with its status as an INGO.

To this end, the Secretary General shall review periodically the list of INGOs with participatory status. The review shall be based on the report submitted by the INGOs every four years.

However, the Secretary General shall first inform the INGO in question of his or her intention to withdraw its participatory status in order to give it an opportunity to present its observations within two months.

17. The reasoned decision to remove an organisation from the list shall be taken by the Secretary General of the Council of Europe in accordance with the above rules.

18. The Secretary General will communicate the list of INGOs from which he or she intends to withdraw participatory status to the INGO Liaison Committee for its opinion. The Liaison Committee's opinion must be expressed within two months of the Secretary General's communication.

19. At the end of this time limit, the decision of the Secretary General will be submitted for tacit approval to the Committee of Ministers, to the Parliamentary Assembly and to the Congress of Local and Regional Authorities. This decision will be accompanied by the names of the INGOs concerned and his or her reasons for suggesting they be removed from the list of those enjoying participatory status, as well as any comments received from the Liaison Committee. In the absence of any objection founded on the conditions described in paragraph 15 above, the names of the INGOs that have thus been communicated shall be removed from the list three months later.

20. During the three-month period, a member of the Committee of Ministers or ten members of the Parliamentary Assembly from five different national delegations or ten members of the Congress of Local and Regional Authorities of Europe from five different national delegations may request that an examination be made of the file of each INGO whose name has been communicated to them. In the former case, the examination shall be made and the decision to remove the name from the list shall be taken by the Committee of Ministers. In the latter, the Committee of Ministers shall defer its decision until it has received a recommendation from the Parliamentary Assembly or the Congress of Local and Regional Authorities of Europe acting on a report from their competent committees.

Sundry provisions

21. The procedures described above shall not restrict the right of the Council of Europe bodies to initiate any action concerning other NGOs in pursuance of their respective rules of procedure.

It should also not prevent the Secretariat of the Council of Europe from considering practical co-operation on an ad hoc basis with other NGOs in any field of mutual interest.

22. An INGO whose application has been refused or which has been removed from the list of those enjoying participatory status may submit a fresh application only after a period of two years following the date of the decision.

23. The present rules will enter into force following their adoption by the Committee of Ministers. From that date, the INGOs enjoying consultative status will have participatory status.

24. The INGOs enjoying participatory status will be required to submit their first report four years after the entry into force of these rules.