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Co-operation between the Assembly and the Conference of INGOs

Reply to Recommendation[1]: Recommendation 1820 (2007)
Committee of Ministers

1. The Committee of Ministers recalls that, on the occasion of the 3rd Summit of Heads of State and Government of the Council of Europe, member states expressed the conviction that effective democracy and good governance can only be achieved "through the active involvement of citizens and civil society". Therefore, the Committee of Ministers shares the objective, underlying the recommendation of the Assembly, to strengthen the role of NGOs in member states.

2. The recommendation refers to Assembly Resolution 1589 (2007) on co-operation between the Parliamentary Assembly and the Conference of INGOs. The Committee of Ministers takes this opportunity to express its satisfaction with the co-operation of the Conference of INGOs, not only with the Assembly, but equally with the other sectors of the Organisation.

3. As to the specific measures proposed by the Assembly, the European Committee on Legal Co-operation (CDCJ) is empowered to follow the status of ratification of the treaties within its competence, including the European Convention on the Recognition of the Legal Personality of International Non-Governmental Organisations (ETS No. 124). This activity is most effective in promoting signature, ratification and implementation of the convention in question, which the Committee of Ministers indeed encourages.

4. In addition, the Committee of Ministers is pleased to inform the Assembly that it adopted Recommendation CM/Rec(2007)14 on the legal status of non-governmental organisations in Europe at its 1006th meeting on 10 October 2007. This text builds, *inter alia*, upon the "fundamental principles on the status of non-governmental organisations in Europe", mentioned by the Assembly in paragraph 2.3 of its recommendation, which then becomes moot.

5. The Committee of Ministers notes the setting up of the Expert Council on NGO Law by the Conference of INGOs and acknowledges that Recommendation Rec(2007)14 will be one of the main reference texts for the work of the Expert Council.

6. Finally, as far as the participation of national NGOs in meetings of the Standing Committee is concerned, the Committee of Ministers takes note of the invitation extended by the Assembly to member states holding the chairmanship of the Committee of Ministers of the Council of Europe, to encourage the active participation of key national NGOs in meetings of the Standing Committee that they host in their countries.

1. Adopted by the Committee of Ministers on 11 June 2008, at the 1029th meeting of the Ministers' Deputies.

Appendix – Opinion of the European Committee on Legal Co-operation (CDCJ) on Parliamentary Assembly Recommendation 1820 (2007)

1. Following the adoption by the Parliamentary Assembly of Recommendation 1820 (2007) on co-operation between the Assembly and the Conference of INGOs, the Committee of Ministers decided to communicate it to the European Committee on Legal Co-operation (CDCJ), for information and possible comments by 15 March 2008.

2. The Bureau of the CDCJ took note of the recommendation of the Parliamentary Assembly and decided to comment on areas that are of particular interest to the CDCJ.

3. The Bureau of the CDCJ welcomes the invitation made by the Parliamentary Assembly to the Committee of Ministers to "encourage those member states, which have not yet done so, to ratify the European Convention on the Recognition of the Legal Personality of International Non-Governmental Organisations (ETS No. 124), opened for signature in 1986" (hereinafter Convention No. 124) (paragraph 2.1 of the recommendation).

4. The Bureau of the CDCJ underlines that Recommendation Rec(2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe – which is referred to in paragraph 2.2 of the recommendation of the Parliamentary Assembly – was adopted by the Committee of Ministers on 10 October 2007 at the 1006th meeting of the Ministers' Deputies.

5. The Bureau of the CDCJ furthermore notes that the preamble of Recommendation Rec(2007)14 has regard to Convention No. 124 and to the desirability of enlarging the number of its contracting parties.

6. The Bureau of the CDCJ recalls that, like the other steering committees, the CDCJ has an important role to play in evaluating the status of the existing Council of Europe legal instruments in its areas of competence and, where necessary, their implementation in member states, as well as disseminating good practices.

7. Therefore, in accordance with its tasks of implementation, monitoring and evaluation of standards, as defined in its terms of reference and in its Action Plan for 2008-2010, the CDCJ will, should financial and human resources permit, raise awareness of Convention No. 124 and Recommendation Rec(2007)14, and promote legal reforms aimed at increasing NGO participation in Council of Europe member states, thus contributing to fulfilling the Warsaw Action Plan, Chapter I, item 3, paragraph 5.