

OSCE Human Dimension Implementation Meeting

Warsaw, 29 September – 10 October 2008

Working Sessions 17 Democratic Institutions

Contribution of the Council of Europe

**COUNCIL OF EUROPE ACTIVITIES IN FAVOUR OF
DEMOCRATIC PARTICIPATION
(PART OF THE DIRECTORATE OF DEMOCRATIC INSTITUTIONS OF THE
COUNCIL OF EUROPE^{[11](#)})**

The programmes outlined below respond directly to the underlying theme of the Council of Europe's Programme of Activities of 2008, i.e. "the promotion of democracy by strengthening the role of civil society in democratic processes and at the same time continuing to support the promotion and protection of human rights and the promotion of the rule of law" (CM(2007)49). This sector of the Council of Europe programme introduces the assistance and co-operation dimensions to the pluridisciplinary approach of the Programme of Activities. Political priorities of the programme include the strengthening of democratic culture in all of Europe and, for certain activities, to promote intercultural and interreligious dialogue. South East Europe, the South Caucasus, Russia and Ukraine, as well as Belarus are the geographical priorities of the first two sections of the programme described below.

1. RELATIONS WITH INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS

Relations with international non-governmental organisations (INGOs) focus on the promotion of co-operation between the Council of Europe and the Conference of INGOs of the Council of Europe in a spirit of mutual interest to strengthen democratic stability through an active and responsible civil society.

The Council of Europe has developed fruitful relations with NGOs since the introduction of a consultative status for INGOs in 1952 (changed to participatory status in 2003, cf. Resolution (2003)8 of 19 November 2003). This status has enabled INGOs to increase active participation in the policies and work programme of the Council of Europe, and to reinforce co-operation between the Council of Europe and the various associations in member states. The more than 400 INGOs enjoying participatory status constitute, since

2005, the Conference of INGOs which represents civil society in the “quadrilogue” with the Committee of Ministers, the Parliamentary Assembly and the Congress of Local and Regional Authorities. To be more in line with the other pillars of the Council of Europe, the Conference of INGOs adopted in June 2008 a new structure consisting of five committees (human rights; civil society and democracy; social cohesion and eradication of poverty; culture, science and education; sustainable territorial development) and two transversal groups (Gender equality and Europe and global challenges).

Current priorities of the Conference of INGOs include participatory democracy, NGO legislation, Human Rights defenders, intercultural dialogue, and the fight against poverty. It co-operates closely with the institutions of the Council of Europe (e.g. the Committee of Ministers, the Parliamentary Assembly, the Congress of Local and Regional Authorities, the Commissioner for Human Rights), the stakeholders of the Council of Europe (e.g. political parties, NGOs, think tanks) as well as relevant departments (e.g. the Directorate General of Human Rights and Legal Affairs, the Co-ordinator for Intercultural Dialogue), who regularly participate in events held in Strasbourg and activities carried out in the member states.

In January 2008 the Conference of INGOs established the **Expert Council on NGO Law**. This body, which operates under the authority of the Conference of INGOs, provides specific follow-up to a declaration made by the Council of Europe Summit of 2005 on the positive role of civil society, and to a forward-looking Recommendation adopted in 2007 by the Council of Europe Committee of Ministers setting a framework for the legal status of NGOs in Europe (CM/Rec(2007)14). The Mandate of the Expert Council is to contribute to the creation of an enabling environment for NGOs throughout Europe by examining national NGO law *and its implementation*, and promoting its compatibility with Council of Europe standards and European good practice. The Expert Council will have an initial three-year time frame. It will monitor the legal and regulatory framework for NGOs in European countries, as well as the administrative and judicial practices in them which affect the status and operation of NGOs. It will provide advice on how to bring national law and practice into line with Council of Europe standards and European good practice. And it will propose ways in which Council of Europe standards could be developed. Its work will primarily be thematic.

The Expert Council will present an annual report to the Conference of INGOs and ad hoc reports as it judges appropriate.

The Expert Council is composed of five members with extensive experience in the law, regulations and practices affecting the status and operations of NGOs. To launch its work, the Expert Council in 2008 undertook a first thematic study on the conditions for the establishment of NGOs. The first report will be discussed at the Conference of INGOs' Session in October 2008.

Another standard-setting initiative of the Conference of INGOs in 2008 is the drafting of a Code of Good Practice on Civil Participation based on Rec (2007)14. The principal objective of the Code of Good Practice is to contribute to an enabling environment for NGOs in Council of Europe Member States by defining a set of European principles and guidelines for civil participation in decision-making processes that are to be implemented at local and national level. The drafting committee will present a first draft in October

2008; this will be followed by a consultation period of NGOs in different European regions.

2. SUPPORT TO CIVIL SOCIETY INITIATIVES

Civil society development remains one of the priorities of the Council of Europe for promoting democratic development and good governance in its member states. Civil society organisations play a key role in involving citizens in decision-making processes and controls, including through active dialogue with the legislative and executive powers.

Activities in the programme “Support to Civil Society Initiatives” mainly seek to reinforce the role of NGOs in a pluralist democracy by increasing dialogue and co-operation between NGOs and public authorities in policy making and by strengthening democratic accountability, transparency and local ownership through the participation of civil society in political processes. The project also addresses the function of NGOs in democratic society in terms of conflict resolution, reconciliation, as well as intercultural dialogue.

The Conference of INGOs is actively involved in the implementation of activities of the Civil Society Initiatives programme, thus giving a European dimension to national activities and contributing to the creation of regional networks of NGOs. The First Regional NGO Congress in Warsaw in March 2006 illustrates the active role of the Conference of INGOs. The second Regional NGO Congress in November 2007 in Kyiv, discussed major themes such as the role of civil society for democracy, NGO legislation and the situation of civil society in Belarus and the region. The Third Regional NGO Congress, planned for November 2008 in the Russian Federation will address such issues as civic participation, the role of NGOs in intercultural dialogue and NGO legislation and its implementation.

One of the major co-operation programmes in this sector is the CoE/EC Joint Programme “Setting-up and Developing a Civil Society Leadership Network in Ukraine, Moldova and the Southern Caucasus” 2008-2009 which aims at strengthening civil society in this region and its involvement in the solution of political, social, cultural and other problems in these countries. It aims at fostering a generation of civil society leaders who can advocate for democratic policy changes, and promote European standards in democracy, human rights and the rule of law in their countries and the wider region. The Civil Society Leadership Network is designed to promote networking, cross-sector and cross-border partnership at European level.

The CoE started in mid-2008 the implementation of a 3 Year Framework Co-operation Programme (2008-2011) “Strengthening Civil Society and Civic Participation in the Russian Federation”. In partnership with civil society actors in the Russian Federation, the Conference of INGOs works towards improving interaction and co-operation between NGOs and public authorities in order to strengthen the role of civil society in public life and policy making. The programme is designed to contribute to creating and maintaining favorable conditions for NGO initiatives in fields such as human rights, democracy, civil society, culture and education, social cohesion, equality between women and men in order to better respond to the needs of society and increase the impact of civic action. Special attention is paid to the improvement of Russian NGO legislation and its implementation in order to strengthen civil society and to meet

European standards. The implementation of the programme will further strengthen co-operation between Russian NGOs and European NGOs, establish co-operation between Russian NGOs and the Conference of INGOs, the Council of Europe and other regional and international organisations to improve the participation of Russian civil society representatives in European processes.

Under the Civil Society Initiatives the Council of Europe renders active assistance to civil society, human rights defenders and independent media in Belarus. Civil society representatives from Belarus participate on a regular basis in the session of the Conference of INGOs, attend meetings of committees of the Parliamentary Assembly of the Council of Europe and contribute to events devoted to Belarus in Strasbourg. The Civil Society Communication Platform on Belarus has hosted since 2006 regular conferences on civic activism, support to human right defenders, independent media and elections. The participants implemented several initiatives in the field of elections, independent information on Belarus and freedom of association.

The programme Civil Society Initiatives also benefits extensively from the experience and Network of the Schools of Political Studies which the Council of Europe supports in different countries in the Balkans, South East Europe and the Southern Caucasus.

3. GOOD GOVERNANCE IN THE INFORMATION SOCIETY

AD HOC COMMITTEE ON E-DEMOCRACY

In May 2006, the Council of Europe Committee of Ministers decided to establish an ad hoc committee on e-democracy (CAHDE). The committee examines developments on e-democracy/e-participation at European and international level, including government-to-citizen and citizen-to-citizen communication and interaction, with a view to identifying political, social, ethical, legislative and technological issues and their interdependence, as well as examples of emerging good practice which could be of interest to member states, and to elaborating definitions of key terms in this field. CAHDE, by looking beyond the widely addressed field of e-Government, fills a gap in intergovernmental work by examining the potential of ICTs to facilitate democratic practice.

The Ad Hoc Committee on E-Democracy (CAHDE) works in co-operation with other Council of Europe sectors, in particular the Steering Committee on the Media and New Communication Services (CDMC).

Based on the outcome of CAHDE's work, the Committee of Ministers is expected to adopt a recommendation on e-democracy in early 2009.

RECOMMENDATION ON E-VOTING

An intergovernmental meeting, held in November 2006, to review developments in the field of electronic voting (e-voting) since the adoption of Committee of Ministers' Recommendation Rec(2004)11 on legal, operational and technical standards for e-voting, two years earlier, has reconfirmed that the Recommendation has become accepted by member states as a valid and currently the only internationally agreed benchmark by which to assess and evaluate e-voting systems. Subjects that require further research and attention in this field include the accreditation and certification of e-

voting systems, the development of guidelines on the observation of e-enabled elections and the need for codes of conduct for e-campaigning. The next two-year review meeting will take place in Madrid on 16 October 2008, as part of the 2008 session of the Forum for the Future of Democracy.

RECOMMENDATION ON E-GOVERNANCE

The Council of Europe adopted a recommendation on electronic governance ("e-governance" - Rec(2004)15) of the Council of Europe's Committee of Ministers to member states) and is continuously following developments regarding e-governance and e-government, inter alia by taking part in the follow-up meetings to the World Summit on the Information Society (WSIS) and in the Internet Governance Forum (IGF) .

4. THE FORUM FOR THE FUTURE OF DEMOCRACY

At their 3rd Summit , held in Warsaw from 16 to 17 May 2005, the Heads of State and Government of the Council of Europe decided to establish, a Council of Europe Forum for the Future of Democracy to strengthen democracy, political freedoms and citizens' participation. The Forum is open to all member states and civil society, represented by policymakers, officials, practitioners or academics. It shall enable the exchange of ideas, information and examples of best practices, as well as discussions on possible future action. The Forum acts in close co-operation with the Venice Commission and other relevant Council of Europe bodies with a view to enhancing, through its reflection and proposals, the Organisation's work in the field of democracy.

The Forum process should support the development of proposals that address the different challenges to democracy in Europe. Each Forum meeting will deal with one main theme.

At the launch meeting of the Forum held in Warsaw from 3 to 4 November 2005 the main theme was "Citizen participation". The second Forum session, on "The Role of Political Parties in the Building of Democracy", took place in Moscow in October 2006. In June 2007, the third Forum was organised in Stockholm/Sigtuna, Sweden, on "Power and Empowerment – the interdependence of democracy and human rights". The theme of the 4th Forum session which will take place in Madrid, from 15 to 17 October 2008, is "E-democracy". The theme proposed by Ukraine, host country to the fifth meeting in 2009, is "Electoral Systems". Armenia has expressed its willingness to host the Forum in 2010.

The Forum for the Future of Democracy is an inclusive process under the auspices of the Council of Europe, associating all main stakeholders of a genuine democratic society (parliaments, governments, local and regional authorities, civil society, media and academia) as well as international partners, aimed at the promotion of democracy at all levels across the continent and furthering pan-European reflection on its multifarious aspects. The Parliamentary Assembly of the Council of Europe, the Committee of Ministers, the Congress of Local and Regional Authorities of Europe and the INGO Conference, as well as the European Commission for Democracy through Law (Venice Commission) play a leading role in this ongoing process. They are all represented on the

FFD Advisory Board. As each session's theme is different, the Forum involves different intergovernmental bodies in its work each year.

5. THE EUROPEAN LOCAL DEMOCRACY WEEK

The European Local Democracy Week was designed for all local citizens to take a closer look at the way our towns are developing in a globalising world – and to compare notes with other towns. This autumn thousands of municipalities all around Europe will participate in this “Week” from 13 to 19 October, celebrating 15 October as Europe's “Day for Local Democracy”. Decisions on the nature of the Democracy Week are being made at local level – as they should be. It's up to each town or city to set its own agenda and to organise the activities it deems more necessary and practicable at its own local level.

Local authorities interested to take part in the European Local Democracy Week can organise different kinds of activities aimed at different types of audiences with the objective of informing the citizens, compiling their opinions and expectations, and encouraging them to participate actively in local affairs.

The ELDW is a joint Council of Europe initiative of the Congress of Local and Regional Authorities and the European Committee on Local and Regional Democracy. It seeks the support of numerous organisations working towards promoting local democracy, anywhere in the Council of Europe's 47 member States.

The week including 15 October has been chosen for holding this event as the European Charter of Local Self-Government of the Council of Europe was opened for signature on that date in 1985 – it came into force twenty years ago in 1988. Through this instrument the signatory States undertake to recognise the principle of local self-government in domestic legislation. The “Week” was first launched in 2007. Towns or cities wishing to join the “Week” are advised to check out the website for more details:

www.coe.int/demoweeek

[1] The Department of Democratic Participation is part of the Directorate of Democratic Institutions within the Directorate General for Democracy and Political Affairs. Please note that DGDPA also has other democracy related programmes such as the Summer University for Democracy and its related Schools of Political Studies.