



OING Conf/Exp (2008) 2

EXPERT COUNCIL ON NGO LAW

Introductory Memorandum

In January 2008 the Conference of International Non-Governmental Organisations of the Council of Europe undertook a new ground-breaking initiative, the establishment of the **Expert Council on NGO Law**.

The creation of the Expert Council responds to calls expressed at regional European NGO Congresses in Warsaw in 2006 and Kyiv in 2007. The Expert Council operates under the authority of the Conference of INGOs of the Council of Europe. It provides specific follow-up to a positive declaration on civil society's role made by the Council of Europe Summit of 2005; 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 timeframe. 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 such ad hoc situation reports as it judges appropriate.

The Expert Council is composed of five members (see annex) with extensive experience in the law, regulations and practices affecting the status and operations of NGOs. They have experience across a wide range of nations, cultures and NGOs.

To launch its work, the Expert Council will in 2008 undertake a first thematic study on the conditions for the establishment of NGOs, a subject touched on in 34 of the Articles of the Committee of Ministers Recommendation. The first report will be discussed at the Conference of INGOs Plenary Session in October 2008.

Full information can be found on www.coe.int/ngo.

Cyril Ritchie
President, Expert Council on NGO Law
Cyril Ritchie
CIC Case 20, CH-1211 Genève 20
Tél. +4122 733 67 17, Fax. +4122 734 70 82
E-mail: c.ritchie@fiig.org

Annex

Members of the Expert Council on NGO Law

President (appointed by the Plenary of the Conference of INGOs):

Cyril Ritchie, who was instrumental in the writing of the original Council of Europe Guidelines on the functioning of NGOs in Europe, and represented the Conference of INGOs to the expert committee drafting the Committee of Ministers Recommendation – CM/Rec(2007) 14 – on the legal status of NGOs in Europe. Ritchie has since 2000 been President of the NGO Grouping on Civil Society and Democracy in Europe and its predecessors. Ritchie resides in Geneva.

Members appointed by the Bureau of the Conference of INGOs:

Dragan Golubovic, from Serbia, a Senior Legal Advisor with the European Centre for Non-profit Law, advising governments, Parliaments, judges, lawyers, and NGOs on legal frameworks for NGOs. He collaborates with the Council of Europe, UNDP, and OSCE on projects relating to freedom of association. Golubovic resides in Budapest.

Mihaela Preslavska, a Bulgarian NGO activist and lawyer who is responsible for governance and accountability standards in the International Planned Parenthood Federation European Network, a pan-European body covering over 40 countries. Preslavska resides in Bruxelles.

Eric Svanidze, a lawyer from Georgia heavily engaged in NGO issues. Svanidze also served on the expert committee drafting Recommendation CM/Rec(2007) 14. Svanidze resides in Tbilissi.

Jeremy McBride, an English barrister who is Chair of Interrights and who was instrumental in drafting both the Council of Europe « Fundamental Principles on NGOs in Europe » and CM/Rec(2007) 14. He will serve as coordinator to the Expert Council McBride resides in Strasbourg

In addition, a member of the Secretariat General of the Council of Europe attends the meetings of the Expert Council; and the Expert Council may itself appoint ad hoc members who are specialised on specific issues under examination.