

International NGO Forum “Civil G8”

Section “Human Rights”

Roundtable

“Non-Governmental Organizations and Public Authorities: Legislation and Practices of Interaction. International Experience.”

Moscow July 3-4, 2006

Address to the Leaders of the G8 Countries

We, the participants of the International Forum of Non-Governmental Organizations “Civil G8” in Moscow, July 3-4 2006, emphasize the key role that non-governmental organizations (NGOs) are playing in addressing modern global issues of socio-economic and public development.

We stress that certain global threats and challenges undermine the role of civil society and prevent NGOs from playing their critical role. These include:

1. Government labeling of non-conformism of NGOs and their criticism of government actions as equivalent to extremist or terrorist activity; putting pressure on NGOs and prosecuting activists justifying it by the necessity to ensure security and fight terrorism.
2. Adoption of restrictive legislation in the area of regulation of NGOs toughening procedures for registration and reporting for NGOs, which allow governments to unreasonably and unlawfully interfere into activities of NGOs.
3. Policies of governments to establish quasi-NGOs (GONGO) and imitations of public consultative bodies affiliated with the government.
4. Resistance of a number of governments to international programs of cooperation in the area of development of democracy and civil society under the guise of prevention of foreign interference in internal political life.

At the same time, most member states of G8 have adopted and do implement policies and regulations of NGO activities that include positive models and best practices. These include:

1. Freedom to establish an NGO without government registration, and voluntary choice on whether to establish a legal entity, and therefore to register.
2. Simple registration procedure for those NGOs which seek registration, not more difficult than for business organizations.
3. Simple requirements for reporting for the majority of NGOs, with those reporting requirements which are imposed being proportionate to the benefits and preferences granted to them by the government.
4. Equal rights and absence of discrimination between citizens and foreigners in the process of founding of and participating in activities of NGOs, as well as between national and foreign NGOs.
5. Promotion of self-regulation of activities of NGOs and their public reporting.
6. Delegation to NGOs of some social responsibilities that currently belong to national government bodies and local governments.
7. Institutionalization of relationship and mutual responsibilities between governments and the NGO sector (similar to the Compact in the UK and Accord in Canada).

We insist that national laws regulating NGOs are based on the norms and principles of international law, enshrined in such documents as the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, the European Convention on Human Rights, European Convention on Recognition of International Non-governmental Organizations

as Legal Persons, UN Declaration on Human Rights Defenders of 1998, Fundamental Principles of the Status of Civil Society Organizations by the Council of Europe, as well as the materials of the International Center for Not-for-Profit Law which summarize international best practices in regulation of NGOs.

We believe that NGO regulation should be aimed at achieving the following goals:

1. Legislative system should stimulate civic activity.
2. Taxation system should promote domestic giving.
3. Interaction between governments and NGOs should be aimed at increasing the NGO participation in the process of decision-making on the issues of public interest.

Through our work during the Civil G8 International NGO Forum, we have identified the following principles in which should serve as a foundation for the relationships between governments and NGOs:

1. Mutual transparency before each other and before the society.
2. Dialogue based on the principles of equality and subsidiarity.
3. Participation of NGOs in decision making by government bodies (including in developing public policy) and in implementation of such decisions as well as in carrying out civil control over the government.
4. Recognition of independence of NGOs, their rights to critically assess actions of government bodies and defend interests of different social groups.

Therefore, we propose to prepare a Charter on the Relationships between the Governments of the G8 Countries and NGOs, which shall institutionalize the above-defined principles and best international practices, and to adopt this Charter at the next G8 summit in Germany in 2007.