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REFORM OF COMMUNITY OF DEMOCRACIES GOVERNANCE WORKING GROUP ON REFORM

Background

In anticipation of the 10th anniversary of the Community of Democracies, the ministers gathered at the Fifth Ministerial Conference in Lisbon committed their Governments to: “Give a new impetus to the Community of Democracies, strengthen the core principles that presided over its creation, intensify its effectiveness and through action-oriented goals, reaffirm its fundamental role in promoting democratic governance globally”.

To that end, the Lithuanian Presidency of the Community of Democracies (CD) established a Working Group on CD Governance Reform, co-chaired by Sweden, to consider proposals for strengthening the effectiveness and efficiency of the CD governance structure in a way that would also generate more commitment and support for the Community of Democracies. Proposals for expanding CD activities are made through a variety of working groups and are intended to support democratic actors through technical assistance and exchange of best practices. Governance reforms are intended to facilitate timely consideration and concrete implementation of such proposals.

Based on consultations with CD states, nongovernmental experts and other stakeholders to date, the Working Group co-chairs make the following proposal regarding governance structure reform (a supplementary report will be circulated regarding CD activities):

Proposed CD Mission Statement

Building upon the Warsaw Declaration, the Community of Democracies seeks to support democratic transition and consolidation worldwide and help bridge the gap between principles of democracy and universal human rights and practice by:

- assisting societies in the development and strengthening of democratic institutions and values;
- identifying, alerting and responding, consistent with the UN Charter and the Warsaw Declaration to threats to democracy so as to assist states to remain on the path to democracy;
- supporting and defending civil society in all countries;
- advancing broad-based participation in democratic governance; and
- giving a voice to those working peacefully for democracy in all countries.

The Community of Democracies will seek to achieve these goals by: creating a global network of government representatives, members of legislative bodies, civil society and other stakeholders committed to these goals; sharing ideas, advice and best practices; providing opportunities for coordinating democracy support activities; and working towards a common democratic voice in international organizations.

Proposal for CD Governance Reform

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Expand the Convening Group

The Convening Group (CG) of the Community of Democracies should be expanded and be formalized as the Community's Governing Council. Current CG members would become members of the Council if they so desire and would recommit themselves to the purpose and activities of the CD. All other states which have been invited as participants to the Vilnius Ministerial will be invited to express their interest in joining the expanded Convening Group. There would be no time limit on membership nor any ceiling on the size of the Council. Since the Convening Group was so named because of its initial function of calling the first meeting, the expanded CG should be named the Governing Council to reflect its current functions.

In order to be considered for membership on the Council, new member states must respect the principles set forth in the Warsaw Declaration and the Criteria for Participation and Procedures (September 27, 2002), as reported by objective non-governmental reports.

In addition, new member states should meet the following criteria and will be evaluated according to consistent standards:

1. Support emerging and transitional democracies and respond to situations involving a serious disruption of democratic governance consistent with the UN Charter and the Warsaw Declaration;
2. Participate in the UN Democracy Caucus in New York and Geneva;
3. Designate a Senior Official of the Foreign Ministry or other relevant government office as the point of contact for the CD; and
4. Make tangible contributions to strengthening the CD through one or more of the following measures:
 - a. Contributing to the budget of the CD (it is recommended but not compulsory that all Governing Council states make a financial contribution, be it large or small, to the CD budget);
 - b. Seconding staff to the Permanent Secretariat; and/or
 - c. Playing an active role in and supporting one or more CD working groups and/or CD affiliated bodies such as the Parliamentary Forum and the International Steering Committee of Civil Society.

Geographical balance should also be taken into account, whenever deemed appropriate.

The Presidency, in consultation with the Troika and when created the Executive Committee, will review each state's expression of interest and present qualified candidates to the Convening Group for approval by a qualified majority (2/3) of all its members for each candidate country. Those interested states that receive the vote of the CG will be invited by the Presidency to a first meeting of the expanded Convening Group which may occur on the margins of the Vilnius Ministerial or on the margins of the UN General Assembly later in the year. The Presidency shall present to the Governing Council for its approval terms of reference for the Governing Council, Executive Committee, Presidency, and Secretariat.

The bi-annual Ministerial Meeting would continue to be the premier event of the CD. Ministers would exchange views and best practices, hear reports of the CD working groups, receive input from affiliated bodies such as the Parliamentary Forum, have a dialogue with civil society including civil society leaders from non-democratic countries, and provide pledges of assistance to new and transitional democracies. A Ministerial Declaration would continue to be issued by each Ministerial focused on the theme of the Presidency.

States would be invited to future Ministerial meetings by the Governing Council based on the existing CD criteria for participation adopted at the Seoul Ministerial meeting (see CD Criteria for Participation and Procedures, September 27, 2002). The “inclusive” approach adopted for Vilnius would be continued, aimed at offering a broad space for dialogue on democratic practice among committed actors. According to the criteria adopted by the GC, a small number of states would continue to be invited to Ministerial meetings as observers. Special forms of dialogue with the observer Governments would be sought as a means of assisting them to make progress on the democratic path.

The Council composed of the expanded Convening Group would be the decision-making body of the CD, i.e., make major decisions about the operations of the CD including:

- selecting future Presidencies of the CD, continuing to take regional diversity into account, among other factors;
- approving which countries to invite to Ministerial meetings as participants and observers upon recommendation of the Executive Committee;
- based on the above criteria, invite new member states to be part of the Governing Council taking into account the desirability of regional balance;
- endorsing cooperation agreements with partners;
- recognizing affiliated bodies;
- electing an executive committee from among its members composed of the Troika (past, current and incoming Presidencies) plus four other states nominated by the Troika which are committed and active CD participants, taking into account the need to ensure regional balance;
- approving activities, under-taken on behalf of the CD and proposed by the Presidency, the Secretariat or by CD states, including joint delegations from participating countries in support of democratic development;
- as necessary, and with the consensus of the Council (or with the support of every Governing Council member but one), suspending membership of a Government on the Council in the case of an unconstitutional interruption or comparable deviation from the democratic process.

The Governing Council shall seek consensus but if necessary be able to make decisions by a qualified majority (2/3) of all its members after appropriate debate.

The Governing Council would meet at ministerial level at each of the Ministerial meetings and annually on the margins of the UNGA. The Council would also meet from time to time at the call of the Presidency in the capital of the Presidency, in Washington, in Geneva, in Warsaw (headquarters of CD Permanent Secretariat), or in other cities as appropriate. Council members would be expected to send the designated senior official to these meetings.

Executive Committee

The mandate, authority and procedures of the Executive Committee will be only those explicitly delegated by the Council, which may consider assigning the following tasks:

- support the CD Presidency in performing its responsibilities;
- make recommendations regarding the activities of the CD.

The Executive Committee would meet as needed at the call of the Presidency. The Council should consider the criteria and conditions for membership on the Executive Committee of states not already part of the troika, including the possibility of rotation.

Presidency

Responsibilities of the Presidency shall include:

1. drafting and submitting CD's priorities and overall program for the biennium for approval by the Council
2. proposing the setting up of CD working groups
3. initiating or proposing specific actions in urgent or emergency situations
4. presiding over the full CD, the Council and the Executive Committee
5. overseeing CD activities during its term in office, and reporting to the Executive Committee, Council and Ministerial meetings
6. overseeing the activities of the Permanent Secretariat and endorsing all programmatic documents that may need to be drafted for submission to the Council
7. speaking on behalf of and representing the Community of Democracies in other fora and international meetings.

In performing its responsibilities, the Presidency would be assisted by the preceding and succeeding Presidencies which together with the Presidency would constitute a Troika. It would also be supported by the Executive Committee in carrying out its functions.

CD Permanent Secretariat (PSCD)

PSCD would carry out functions of an administrative, operational and technical nature, in support of and under the direction and guidance of the Presidency and the Council. PSCD will continue to provide conceptual and organizational support to the Council and the Presidency and attend Executive Committee and Council meetings as observers. PSCD would be responsible for preparing a draft annual budget, managing its funds, carrying out projects approved by the Council, serving as the institutional memory and official record keeper of the CD, and maintaining the official website of the CD.

Additional specific functions of the PSCD would be contained in a revision of the decision to establish the Permanent Secretariat adopted in Bamako in November 2007. Any changes of its functions shall be decided by the Council.

PSCD shall be composed of professional staff (governmental and nongovernmental) seconded by CD states or other affiliated bodies and employed or contracted on the basis of competitive selection.

The Presidency would provide the Permanent Secretariat with the necessary information in order to enable it to provide institutional memory and to promote continuity in the handling of CD operations from one Presidency to the next. PSCD will be invited to all official meetings and programs of CD working groups and CD affiliated bodies which may exercise the option of holding closed executive sessions.

Working Groups

The governing council, upon the recommendation of the Presidency, would be responsible for approving the creation of permanent and ad hoc working groups (WG). Each WG would be chaired by one or two member states and include other member states, at least two representatives from civil society and at least two representatives from the Parliamentary

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Forum. Each WG should prepare a substantive work plan for its area of attention, in consultation with the Presidency, and carry out projects and other activities.

Procedure for Approval

This proposal was approved by the Convening Group at its meeting on May 18. Following the meeting a few technical changes were made in response to comments from members of the CG. It will now be sent by the Presidency to states coming to Vilnius where they will be asked to approve a declaration which will include this proposal.