

## **Guidelines for support to civil society in the enlargement countries**

### **Outcomes of online and national consultations May-June 2013**

The European Commission's DG Enlargement is in the process of developing guidelines for support to civil society in the enlargement countries for the period 2014-2020. Consultation on the first draft of the guidelines took place in Brussels on 25 and 26 April 2013 with invited stakeholders representing civil society, government offices for cooperation with civil society and EU Delegations in the region.

Based on stakeholder input at the Brussels event, the draft guidelines were revised and published for broader consultation online as well as at national consultation events.

As a result of this broader consultation, DG Enlargement received a very high number of comments from individual and joint submissions on the regional guidelines. The submissions have provided an invaluable input into the further development of the guidelines and DG Enlargement would like to thank all those many organisations who took time to send their feedback.

For ease of presentation, the response to consultation suggestions is grouped thematically below.

| <b>Comments on the guideline text / General comments</b>  |   |
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| <b>Comment</b>  | <b>Response</b>   |
| The guidelines need to be assessed each year through the EC Progress Reports, not only measured as a result of IPA assistance through external evaluations. | One of the objectives of the guidelines is to establish a sound basis on which progress can be measured. It is the firm intention that this assessment should be reflected in the annual Progress Reports.  |
| CSOs' role under the guidelines should be that of monitors of reform and accession process, including EU financial support.                                 | Monitoring of reform processes is an important role for CSOs (in addition to other stakeholders) and this is clearly reflected in the guidelines. However, their role goes beyond just monitoring EU accession related reforms. The guidelines aim to reflect the role of civil society within all aspects of policy and decision making within their own societies.<br><br>There is no formal role of CSO in |

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|  | monitoring EU financial support.  |
| Civil society should be a horizontal priority and support needs to be provided in all relevant sectors   | The guidelines focus on the role of civil society in fostering pluralistic democracies. It sets out how the EC will support civil society to fulfill this role without entering into details on specific sectors. However, it highlights that the EU will promote the involvement of civil society in the formulation, implementation and monitoring of sector strategies. This will be set out in the sector strategies. |
| There should be space at regional and/or the national level to support the development of the civil society sector.  | Agree. This is strongly reflected in the guidelines   |
| In description of the role of civil society (section 1, paragraph 3), mention that civil society can demonstrate innovative alternative methods of public policy governance.   | It is not entirely clear what is meant. The guidelines already put a great deal of emphasis on the role of civil society in strengthening good governance.  |
| In section 1, paragraph 4, mention of the role of civil society in disseminating information and providing spaces for public debate.   | Para 4 is deliberately focused on the specific role of civil society plays in generating debate on the EU accession process. The more general role in stimulating public debate is covered in paragraph 2.  |
| In section 3, paragraph 2, add that 'The Commission will explore the possibility of establishing a separate funding stream that allows Enlargement countries' CSOs to participate as aggregate partners to new EU funded projects.   | Any decisions on specific funding mechanisms will be made at the programming stage. The guidelines set out the broad aims and objectives with EU support.   |
| In section 3, paragraph 5, add that 'In order to foster the interest of EU based potential private funders, the Commission will investigate the possibilities for promotion, fiscal or other types of incentives reserved for private entities financing Enlargement countries' CSOs | Although an interesting suggestion, this is a matter for civil society to explore rather than the EU. It is beyond the EU's remit.  |

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| programmes and projects.   |   |
| The section on financial assistance (section 3, paragraph 3) suggests a welcome change. How will this be done given human resource constraints?  | A valid concern. Fortunately most of the mechanisms mentioned (eg. longer term support, re-granting) should help to reduce the admin burden for the EU.   |
| The guidelines and EC in general should recognise the role of non-membership CSOs, in particular think-tank institutions and organizations providing expertise and evidence-based arguments on different sectors of the society.                     | Think tanks and other organisations play an important role in providing expertise on specialist subjects. When the guidelines talk about 'representativeness' it does not only mean representativeness though a membership base. Representativeness can also be achieved by being widely recognised as an expert. |
| The guidelines aim to strengthen the transparency and accountability of both national governments and civil society. The same principles should apply also to the EU itself, in particular the EC support to civil society in enlargement countries. | Fully agree. However, it is monitored as part of how the EC conducts its business overall and falls outside the scope of the guidelines.  |
| The EC should facilitate an official mechanism of donor coordination for civil society.  | Agree that donor coordination is a key issue. The Local Advisory Groups (LAGs) have been set up to foster coordination. In some countries the LAGs are more successful than others. Alternative models may be applied depending on the context and the players. The new TACSO will analyse options.               |
| A number of suggestions to add additional text to provide more detail on issues/processes.   | Generally valid, however, as a policy document it is crucial that the guidelines are kept very short.   |

### Comments on Annex A

| Section     | Comment  | Response   |
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| Result 1.1. | Indicators for civic non-formal forms of civic activism needs to be brought into the | Agree on the relevance of this, however, getting the data is complicated. Would value proposals. |

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|             | guidelines   |   |
|             | There should be an indicator on the development of legislation that enables a vibrant CSO environment  | This is covered in 1.1.d – the assessment of the legislation and policy framework   |
|             | The MoV for 1.1.b could be structured around annual feedback from CSOs – in particular CSOs dealing with human rights.   | Agree. Data could be disaggregated so it shows results for different types of CSOs.   |
|             | New indicator 1.1.e: Number of relevant press releases, petitions and other forms of public expression   | See the relevance – but counting just numbers does not say whether there are obstacles put in the way. Many other issues could also play into whether the number would go up or down.   |
| Result 1.2. | New indicator: existence of volunteering quality standards, ethical codes  | Valid and useful suggestion but sits better under result 4.2., which has been changed to focus on public understanding and trust in CSOs (see below). Quality standards and codes of conduct should not necessarily be developed by public authorities. They may be more effective when developed and agreed by the CSO sector. Moving the proposed indicator to result 4.2 supports this notion. |
|             | Various suggestions for the assessment of the legal framework in indicator 1.2.d., including ease of registration and formal procedures as well as fiscal incentives for employing young people. | Most clearly valid and will be taken into consideration when developing terms of reference for the independent assessment. Not clear that it is within the remit of the EU to push for specific incentives to employ young people. This is for the individual countries to decide.  |
| Result 1.3  | Change 1.3.b to from 'number and monetary value of grass-root projects funded by national/local authorities'   | Following comments from the consultation and considering that it is difficult to get 'hard' official data on grass-roots organisation activities, the indicator   |

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|             | to 'existing financing opportunities for grass-root organisations'                                     | for this result has been reformulated to a qualitative assessment of the environment for grass-roots organisations.   |
|             | Add indicator on flexibility of rules of registration  |   |
| Result 1.4  | Include new result: CSOs can become social enterprises to raise funds through commercial activities    | Comments from the consultation show that the main concern is for CSOs to be able to raise funding through socio economic activities. With this in mind, and given that social economy actors are not in essence civil society, the result has been deleted and the ability to raise funds through social entrepreneurship has instead been included under result 6 on sustainable CSOs. |
|             | Indicator 1.4.a: Change to quality of existing legislation and policy framework                        |   |
| Result 2.1. | Indicator 1.2.a needs some measure of the time and effort devoted to fulfilling financial obligations  | Agree. This can be incorporated into the CSO perception survey.   |
|             | Data for indicator 1.2.a needs to be disaggregated to show the situation for grass-roots organisations | Agree. This will be incorporated into the CSO perception survey.  |
|             | New indicators suggested on number of CSOs providing sub-grants  | There is only a tentative link between this indicator and the result which is about the ease of meeting financial rules. Measuring how many CSOs provide sub-grants does not tell us very much about the ease of complying with the financial rules.  |
| Result 2.2. | Add public donors to indicator 2.2.a   | No. The result is specifically about non-state donations.   |
|             | New indicators suggested on tax deductions and corporate giving  | This is better placed as part of the assessment of the legislation in result 2.3  |
| Result 2.3. | Assessment needs to look at the quality of the   | Agree   |

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|             | implementation of the legislation   |  |
| Result 2.4. | Indicators suggested measuring the volume of state funding and the number of CSOs applying.                           | Understand the interest in measuring the volume of state funding but the EU is not in any position to set benchmarks for this. The main interest is the manner in which the funding is provided (transparently, fairly etc).   |
|             | Suggestion to replace current indicator 2.4.a. with a CSO perception indicator  | Measuring the number of CSOs that apply for public funding says little about the way in which funding is provided.<br><br>Agree that a CSO perception indicator is more meaningful than the current indicator 2.4.a. which has been replaced in response to this suggestion. |
|             | Suggestions for parameters to look for when measuring indicator 2.4.d on the quality of frameworks for state funding. | All valid and will be taken into consideration when developing terms of reference for the assessment.  |
|             | Suggestions for new result on public/private partnerships and state funding for service delivery.                     | Goes beyond the scope of these guidelines which centre on the governance role of civil society.  |
| Result 3.1  | Add bylaws and strategies to indicator 3.1.a.   | Done   |
|             | Add CSO monitoring reports as MOV   | Added as MOV for indicator 3.1.a.  |
|             | There needs to be an indicator on the CSO perception of the cooperation.  | Agree. This has been added.  |
|             | There should be an indicator on the quality of the structures and mechanisms  | Agree. This has been added.  |

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|             | in place for dialogue and cooperation between CSOs and public institutions                                  |   |
| Result 4.1. | Add annual reports to indicator 4.1.a   | Agree. This has been added.   |
|             | Suggestion to assess CSO governance structures, looking at a variety of parameters                          | Valid suggestion but the degree of detail goes beyond the scope of the guidelines.  |
| Result 4.2. | Change formulation of result to reflect that it is more about public trust than performance measurement     | Agree on this point. Result changed to : CSOs and understood and trusted by the public  |
|             |   | New indicator added on the 'development and compliance with quality standards and ethical codes' in response to suggestions for result 1.2.                               |
|             | Proposal for indicator looking at the number of CSOs that have performance management systems               | Result 4.2. has been changed to focus more clearly on public trust in CSOs. But the issue of monitoring and evaluation is crucial. It has been added as a new result 4.4. |
| Result 4.3  | Add indicator on the number of CSOs conducting independent financial audits                                 | Valid point. Has been added to the existing indicator.  |
| Result 4.4. | Suggestion to add indicator on number of governmental initiatives developed with the participation of CSOs. | The result homes in on the representativeness' of the CSOs who participate in consultations. The proposed indicator measures something different.                         |
| Result 5.2. | Some confusion over what is meant by 'evidence-based' approach in indicator 5.2.a                           | Reformulated to say 'using research and other forms of evidence'.   |
| Result 5.3. | Suggestion to add that governments support CSOs in their networking efforts                                 | This result is about what CSOs need to do to be more effective and less about what governments could do to help.  |

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|             | Suggestion to add indicator looking at whether CSOs prioritise networking within their strategic document                            | Valid suggestion but goes beyond the scope of these guidelines.  |
| Result 6.1. | Suggestion to add indicators on fundraising skills and experience in CSOs and availability of permanent office space                 | These indicators would not measure the result which is about fundraising being rooted in the organisational strategy |
|             | Suggestion to add indicators that focus on different aspects of human resources management (talent development, staff retention etc) | This is already covered under result 5.1, indicator 5.1.a.   |