



European Network of
National Civil Society Associations



Participation for **impact**

Background

The European Network of National Associations brings together the major cross-sectoral umbrella bodies in each member state across Europe. It acts as a horizontal exchange platform to strengthen the operation of national bodies in their key roles.

The information found here will also be published and kept up to date on the ENNA website. ENNA will provide starting autumn 2011 a space to exchange good



OUR PROFILE

- CROSS-SECTORAL, GENERIC ISSUES
- 23 FULL & ASSOCIATE MEMBERS
- 17 EU MEMBER STATES
- 1 EEA MEMBER STATE
- 2 EU CANDIDATE COUNTRY
- SECRETARIAT BASED IN BRUSSELS
- TOP PRIORITY 1: CAPACITY BUILDING
- TOP PRIORITY 2: INTELLIGENCE
- TOP PRIORITY 3: POLICY ADVOCACY
- TOP PRIORITY 4: RESEARCH

ENNA has 23 MEMBERS, 20 COUNTRIES

practice for national bodies and to develop shared knowledge on civil society action.

The development of national framework agreements has been a central concern for the majority of network members as they are ideally placed to act as the primary interlocuteur with national authorities.

This paper considers the existing framework agreements and outlines shared priorities from the major examples, it builds on a questionnaire circulated and wider contributions by members at ENNA events.



**European Network of
National Civil Society Associations**



Key Questions

CONSIDERED IN THIS COMPARATIVE STUDY:

We aim to draw out key lessons on comparative relations with national government and highlight shared learning that can inform EU approaches to transparency and participation:

- What do framework agreements have in common?
- Who are major stakeholders in each country?
- How do models compare as a legal basis for engagement of civil society?
- What is the national contribution to European wide participation?

Relations with government fall into 3 groups of countries:

1. Structured framework agreement: Belgium, Cyprus, Estonia, France, Ireland, Portugal, Spain, Sweden, and the United Kingdom;
2. Informal mechanism for participation: Austria, Germany, Hungary, Norway, and Slovenia;
3. Absence of organised participation mechanisms: Lithuania, Malta, and Turkey.

Of those with a structured method of participation, there are a few key aspects to be shared:

1. Dialogue methods- Participation/Consultation
2. Good governance/Transparency
3. Funding
4. Volunteering practice



Countries with a structured

Since 2005, there is a Belgian federal law on voluntary work. This law sets out definitions and the framework for voluntary activities in associations. The law covers all formal elements - legal rights and duties - of voluntary work.

In 2006, following an intensive period of lobbying by civil society in Flanders, the Flemish government agreed a charter with civil society, represented by 'de Verenigde Verenigingen'. This charter was partly inspired by the examples of pacts and compacts in France and the UK.

Belgium (Flanders)

OUR MEMBER

- DE VERENIGDE VERENIGINGEN

The charter lays down certain agreed principles for both sides so that they can develop a relationship built on a spirit of mutual understanding and trust. The charter covers a wide range of aspects and key themes that are relevant to all different sectors of associational life: participation, volunteering, recognition of non-formal education, diversity, active citizenship and other aspects leading to an 'associations-friendly climate', such as transparency in funding and the reduction of administrative barriers for associations. The charter meant a formal recognition of the importance and the value of civil society as 'social capital' in society.

This represented a big step forwards in the building of a structural partnership between Flemish Government and civil society. In 2007, it was agreed that at least twice a year, a delegation of 'de Verenigde Verenigingen' would meet with the heads of Government (i.e. the prime minister and two deputy prime ministers). The charter itself is a framework for an annual action plan. These plans include a range of shared initiatives, participation procedures for civil society on important policy dossiers and coordinated actions.

In 2010 the new Flemish government updated the charter. New aspects were introduced including: increased participation, working on the 'policy culture' in Flanders and the concept of social innovation.

framework agreement

In Cyprus the dialogue between the Government and civil society takes place on a regular basis, based on good relations between the national umbrella body and the key ministries. One of its expressions is the legal status given to the Pan-Cyprian Volunteerism Coordinative Council.

The Pan Cyprian Volunteerism Coordinative Council (PVCC) is the co-ordinating body for the voluntary sector in Cyprus. The PVCC brings together hundreds of voluntary social welfare organizations and associations/NGOs at the local and national level, representing the interests of a



OUR MEMBER

• PVCC

Cyprus

wide range of civil society. The PVCC promotes co-operation and co-ordination between its member organisations and statutory or other independent bodies, aims to improve the organised voluntary welfare system in Cyprus, channels the concerns of its member organisations to the government, actively contributes in social programming, development of civil society capacity, civil dialogue and social policy formulation & implementation and shapes the voluntary sector policy.

In recognition of the key role of the Council, the Cypriot government established a legal framework for the operation of the Council [Pancyprian Welfare Council Law (152/89)].

In 2001 it was recognised that there was a need to further strengthen the legal framework of the Council in order to respond to its role and mission more effectively.

In 2006, the House of Representatives passed a new legislation that governs “the establishment and functioning of the PanCyprian Volunteerism Coordinative Council” (PVCC), which represents the continuation of the PanCyprian Welfare Council (PWC). Under the new legislation, the Council has a new operational framework, new responsibilities and a broader role for the coordination and development of the voluntary sector and volunteerism in general.



OUR MEMBER

- NENO

Estonia

The Estonian Civil Society Development Concept (adopted in 2002) or EKAK in Estonian, is the strategic agreement between NGOs and the public sector. The EKAK defines the mutually complementing roles of both sides, principles of cooperation, and mechanisms and priorities for cooperation in development of civil society in Estonia. It deals with cross-sectoral issues such as participation in policy making, funding, outsourcing public services, awareness and civic education, volunteering, philanthropy, etc. This guarantees that civil society development is seen in a strategic way as opposed to sporadic, disconnected approaches.

The process was initiated by NGOs and the strategy was rewritten three times before they were satisfied with it. It took more than two years, however, the long process allowed participation of hundreds of organisations and secured a feeling of ownership by the NGO community of the EKAK. Moreover, writing the document and consequently witnessing its adoption by the Parliament gave Estonian civil society actors a self-esteem and self-recognition boost as a united force.

The implementation of EKAK is overseen by representatives of ministries and NGOs. The committee reports on its work to the government and the public every year. Every second year, a public discussion on policy matters concerning civil society development takes place in the Parliament.

Since the EKAK, other documents have been prepared. Action plans, stating concrete tasks, deadlines, and resources, are made in every few years, currently for 2011-14. The NGO Code of Ethics serves as a tool for every individual to be able to evaluate whether an NGO is acting according to transparent principles. There are also Codes of Good Practice on fields like participation, public service delivery, funding and volunteering. As EKAK, these are voluntary agreements between civil society and the public sector, harmonizing the principles for cooperation from which both sides can proceed.

For information on EKAK, read more on:

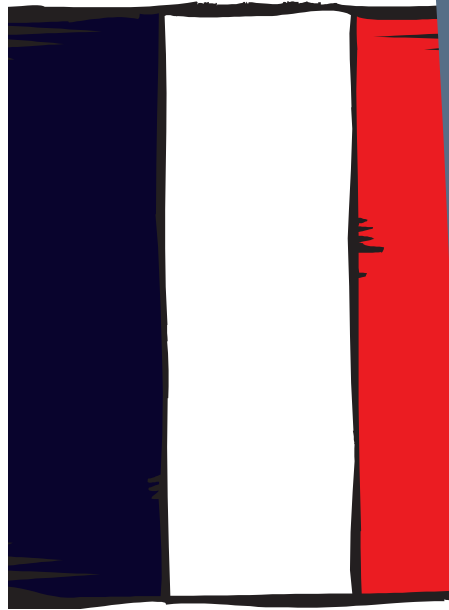
<http://ngo.ee/node/282>



A strong voice for civil society in Europe

France signed a Charter for Civil Society Relations (*Charte d'Engagements Réciproques entre l'Etat et les Associations Regroupés au sein de la CPCA*) with the Prime Minister Lionel Jospin on 1 July 2001, 100 years after the enactment of the 1901 Law of Associations in France.

This Charter established a partnership framework between the associational sector and the public authorities, with reciprocal commitments.



France

It is focused around the following shared principles:

1. trust and partnership for democratic renewal;
2. relationships based on respect for contract duration, transparency and assessment;
3. voluntary work and democracy as foundations of the associational sector;
4. civil society contribution to the economic, social and cultural life of France with the aim of establishing a new, more humane, vision of wealth.

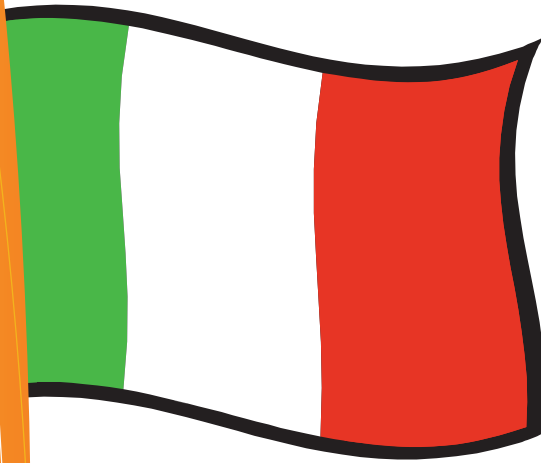
The Charter continues with a clear definition of the State's commitments on one hand and the associational sector commitments on the other hand.

The State agrees to promote and facilitate the development of civil society, including clear undertakings on a) funding relationships; b) volunteering policy as well as; c) guaranteeing a voice in legislative consultation and participation.

Civil society associations for their part, commit to a) promotion of their members' needs; b) assertion of an ethical approach to financing and transparency in their activity; c) recognition of the value of human resources of civil society; d) evaluation methods that demonstrate full value of social projects; e) constructive engagement in public consultation; f) involvement in support for constructive financial relations; g) structures of civil society for dialogue with government.

SOURCE

• [HTTP://CPCA.ASSO.FR/IMG/DOC/2001_CHARTE-ENGAGEMENTS-RECIPROQUES.DOC](http://CPCA.ASSO.FR/IMG/DOC/2001_CHARTE-ENGAGEMENTS-RECIPROQUES.DOC)



The Irish Government has recognised the importance of Civil Society through the increased importance placed on the national Social Partnership process.

This is made up of the Irish Congress of Trade Unions, the Irish Business and Employers Confederation, the Community and Voluntary Pillar (consisting of over 17 representative community and voluntary organisations) and farmers' organisations have participated at the invitation of Government in negotiating and delivering a series of national agreements.

OUR MEMBER

- THE WHEEL

Ireland

A special Taskforce on Active Citizenship, recommended that an Active Citizenship Office should be established to lead the implementation of the Taskforce's recommendations.

This should be established on a non-statutory basis as a cross-departmental team with staff co-located from relevant Departments, as well as appropriate external expertise and support.

It also recommends, given the significance and cross-Government nature of Active Citizenship, to convene a Consultative Forum to facilitate continued dialogue with representatives of community and voluntary organisations on the issues raised during the Taskforce's work, as well as other issues of concern.

This Forum should meet twice yearly and establish space for engagement with relevant Government Departments. It should include representatives from the community and voluntary pillar under Social Partnership and the National Community and Voluntary Fora.



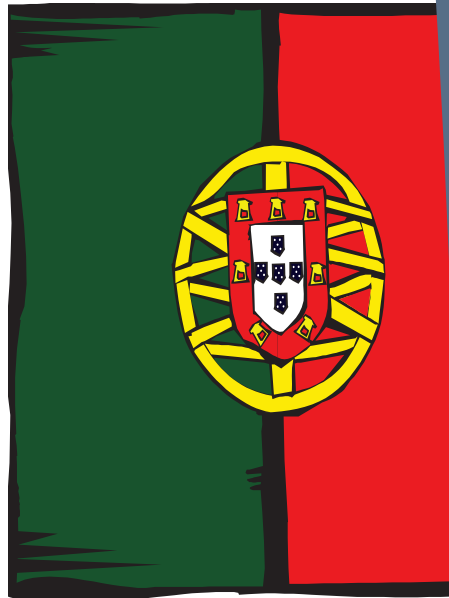
 A strong voice for civil society in Europe

Portugal has a structured framework in the Social Sector.

Dialogue methods - Participation/Consultation

In 1990 the “União Nacional das Instituições de Solidariedade” (National Union of Solidarity Institutions) was created and became the main representative body of the Portuguese social sector. In 2003 this Union changed its name and charter and became the “Confederação Nacional das Instituições de Solidariedade (CNIS)”.

CNIS consists of more than 2600 institutions in the whole country that are aggregated in 20 regional unions (“Uniãoes Distritais das Instituições Particulares de Solidariedade Social”). Those 2600 institutions were created mainly by the church, mostly Catholic, or by local individuals/communities supporting those less fortunate.



Portugal

OUR MEMBER

• ENTRAJUDA

Generally Portuguese institutions are financed by the Government through different subsidies of “Instituto de Solidariedade Social (ISS)”. CNIS has a protocol established with the Government so that it participates in the definition of ISS co-participation levels in each of the social areas (i.e. elderly, homeless, handicapped people, etc.) as well as negotiating the reference values for this funding (established per eligible user). Furthermore, the Portuguese Government consults CNIS when it redefines the minimum national wage.

Good Governance/ Transparency

CNIS and its regional unions have a standard government body elected every three years. Each institution affiliated to CNIS is allowed to vote for both national and regional union government body representatives.

Funding

The main funding source of CNIS is ISS´ subsidies. Also, each institution pays a fee to be associated to CNIS´s regional unions. Afterwards, each regional union pays a fee to CNIS.

Volunteering practice

Portuguese volunteering practice was legalized by a national legislation of 1998 (“Lei nº 71/98”) which was complemented by a Decree-Law (number 389/99) of 1999. This legislation’s main objective is to promote and regulate the volunteering activities establishing a legal framework for the rights and duties of volunteers and institutions when co-operating.

Based on this legislation, volunteers can contribute to the pension fund as if they were employed by corporate/state companies.



The National Council of Social Action NGOs, as a consultative body attached to the Central Government through the Ministry of Health, Social Policy and Equality, was established as a space for meeting, advice, participation and dialogue between the associations and the State Administration. The activity of the Council is organized through a series of working groups whose activities focus on the key challenges identified for the Third Sector in Social Action.

OUR MEMBER

• PLATAFORMA DE ONG DE ACCION

SOCIAL

Spain

Currently, there are the following five groups:

- Group for the Strategic Plan of Third Sector Social Action (organized into three Committees)
- Social, Employment, and Rural Inclusion Group.
- Law and Finance Group.
- Gender and Equality Group.
- Volunteer Group.

The Social Action NGO Platform has continued to animate the work of NGOs in the Council, firstly by making an assessment of the sector in Spain (2003), subsequently developing the 1st Strategic Plan (2006), implementing priority areas identified in the Plan (from 2006 to 2010), and finally promoting the external evaluation to achieve the Plan.

It has coordinated the work leading to the development of the 1st Strategic Plan approved February 2006 by the National Council of NGOs for Social Action and boosted by the Social Action NGO Platform, which coordinated the work of the Council Group established for that purpose.

It has been designed with the objective of strengthening the Third Sector working in this area and thus improving defense of social rights of underprivileged groups and improving the quality of life of the most vulnerable people.

On January 2011, the Social Action NGO Platform and the Committee developing the plan commissioned an external evaluation of the plan and a presentation of the

In 2009 the Swedish voluntary sector signed a framework agreement with the national government and the Swedish association of local authorities and regions. The process was launched in 2005 and was developed on the basis of detailed consultation with civil society. The agreement, Överenskommelsen, is based on six principles of good partnership working, and a series of commitments for both sectors. The principles are independence, dialogue, quality, continuity, transparency and diversity.

A national secretariat oversees the agreement, conducts research, runs events and undertakes promotion work. At an annual conference the partners present measures they



Sweden

OUR SOURCE

- [HTTP://WWW.OVERENSKOMMELSEN.SE/PDF/AGREEMENTSOCIALVOLSECTOR.PDF](http://www.overenskommelsen.se/pdf/agreementsocialvolsector.pdf)

have taken to promote and implement the agreement. A series of regional events are also under way to spread knowledge and encourage local engagement.

The Swedish agreement is particularly significant as it was developed with a clear link to EU-wide processes; it received support from the formation of the Council of Europe's Code of Good Practice for Civil Participation; and was strongly promoted by the Swedish government during the Swedish EU Presidency event at Orebro in October 2009.

Secretariat: www.overenskommelsen.se

The agreement (in English): <http://www.overenskommelsen.se/pdf/agreementsocialvolsector.pdf>



All four nations in the UK have some kind of framework agreements for the voluntary sector, called Compacts. The first one was the English, which was signed between the government and civil society in 1998. It underwent a significant review in 2009, and was again renewed with the election of the Coalition government in 2010. It was developed with large-scale consultation of the voluntary sector and provides a framework for the relationship between the government and voluntary sector. It is led by a team of Compact specialists at Compact Voice, and has regular links with government via the Office for Civil Society (in the Cabinet Office).

OUR MEMBERS

- NCVO
- WCVA
- SCVO
- NICVA

United Kingdom

The Compact lays down certain agreed behaviour, undertakings and principles for both sides so that they can develop a relationship built on a spirit of mutual understanding and trust.

It covers a wide range of aspects, under key themes including: consultation, communication, funding, volunteering, transparency and equality. It is a framework that complements the Charities Act in England and Wales and it potentially offers a framework under which improvements in the relationship between government and the voluntary and community sector can be made and disputes resolved.

The renewed document was accompanied by an Accountability and Transparency Guide, which introduced new mechanisms to increase accountability in case of disputes, and provide support in form of the Local Government Ombudsman to review any breaches.

The Compact Advocacy Programme, funded by the civil society national umbrella organization NCVO, runs an advice line, and works with local organizations in resolving disputes with their local public statutory body.



 A strong voice for civil society in Europe

For information on the English Compact:

Read more on www.compactvoice.org.uk or
www.ncvo-vol.org.uk/compactadvocacy

For information on the Scottish Compact:

<http://www.scotland.gov.uk/Publications/2004/02/18723/31449>

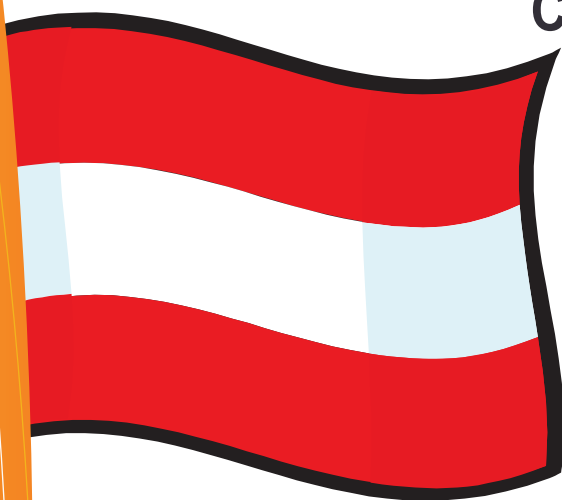
For information on the Welsh Compact:

[http://new.wales.gov.uk/topics/housingandcommunity/
voluntarysector/publications/volsectorscheme?lang=en](http://new.wales.gov.uk/topics/housingandcommunity/voluntarysector/publications/volsectorscheme?lang=en)

For information on the Compact in Northern Ireland:

[http://www.thecompact.org.uk/shared_asp_files/GFSR.asp?
NodeID=101334](http://www.thecompact.org.uk/shared_asp_files/GFSR.asp?NodeID=101334)

Countries with informal



PARTICIPATION

Austria has **no structured framework agreement** between civil society organizations (CSOs) and the public sector, but **a long tradition of informal participation** of certain “players”, the dialogue methods occur e.g. in the preparation of laws concerning certain fields like emergency services, fire services, or social and health care related services.

CONSULTATION

There is **no system of structured consultation** of civil society organisations, but since 2001 (on the occasion of the European Year for Volunteers) a structured dialogue of the Federal Ministry responsible for social issues has been established with CSOs providing voluntary work. Some other Federal Ministries are

Austria

OUR MEMBER

- WORLD OF NGOS

experimenting with dialogue structures as well, like the Federal Ministry for Environment (including forestry) in the frame of the “Austrian Forest Strategy”.

GOOD GOVERNANCE/TRANSPARENCY

Transparency in public affairs seems to be hard to reach in Austria as there is a long tradition of keeping data, information and procedures secretive, justified by “data protection” concerns.

Nevertheless there are developments and serious attempts of good governance, but still too few to be perceived as the norm.

FUNDING

Funding of civil society activities is very much dependant on public funding (on average, more than 75 % of budgets of Austrian CSOs come from the state) due to a tradition of immense state funding for social and health care organisations after the Second World War to help the reconstruction of society. Funding has also been traditionally dependent on the political party system and although this is changing since the EU accession in 1996, there still remain some funding peculiarities like a parallel (funded and functioning) system e.g. in the field of health care and social services.

VOLUNTEERING PRACTICE

Volunteering plays an important role for the whole society in Austria, 46% of Austrians are somehow engaged in voluntary work and the main areas of engagement are social and care services, culture and sports. With the European Year for volunteering 2011 the different dimensions of volunteering in Austria are gaining a lot of new attention.

participation mechanisms

Civil Dialogue in Germany traditionally is organized within single policy areas, does not have a cross-cutting dimension and is dominated by corporatist structures of large associations representing their areas of activities. An overarching framework agreement has not yet been established.

However, since 2002 the National Network for Civil Society (BBE) as a crosscutting and trisectoral network promotes the dialogue between Third Sector associations, business/work life and federal/ community institutions. BBE consists of 240 member organisations including the Churches, unions, corporations, foundations and governmental institutions as well as the full scope of the German civil society associations



Germany

on national level with the common aim to strengthen civil society and civic engagement. Key objective is the improvement of the general legal, organisational and institutional conditions for civic involvement. BBE strives to encourage and support concrete projects for actual practice in civil society, the state and business as well as to raise and activate political awareness.

In spring 2009 the Federal Ministry for Family, Senior Citizens, Women and Youth has taken the initiative to start a process within the German Cabinet to develop a National Strategy for Civic Engagement and Participation. BBE was asked to set up and coordinate a civil society forum to monitor and counsel this process as an innovative governance instrument. This “National Forum for Engagement and Participation” gathered around 350 Third Sector-experts, political advisors, administrators and CSR-specialists from various businesses and delivered a comprehensive agenda. In May 2010 the National Forum produced concrete proposals for legal actions, framework agreements and policy contents. On the basis of these proposals the German government has elaborated a cabinet decision that was published in October 2010.

The National Strategy of 2010 is not a structured agreement but a first step towards the establishment of a framework for civil dialogue and participation. The process is not yet finished; the BBE and the National Forum will keep their counseling function alongside the political process throughout the following years. It remains uncertain whether the German government has the intention to proceed further towards the establishment of rules of engagement for civil society dialogue, or to continue existing practice of informal mechanisms for participation.

OUR MEMBER

- BBE



2011 is the year of change in the civic sector. In July 2010 the Hungarian government initiated a consultation regarding a recast of civic sector legislation. The consultation is still on-going at time of writing.

Another important example of the changing conditions is the 2010 public consultation, with the involvement of NGOs, on Act CXXXI of 2010 on Public Participation in Developing Legislation which has been in operation since 01 January 2011.

This Act is about participation in the preparation of acts. and includes guidelines on regulation of participation and gives opportunities for citizens and NGOs alike to convey opinions to their decision makers.

The Act includes common rules on public consultations, the forms of public consultations, the general

Hungary

OUR MEMBER

- NIOK

consultation and direct consultation. Presently the government builds on these conditions to disseminate the forms of democratic participation in society.

The levels of NGOs' involvement in decision making differ between institutions and themes. Some local governments have a civic conception on which it bases relationships with NGOs, creating transparent cooperation between the public sector and civic sector. The cooperation between local governments and NGOs are not regulated by acts/law. Every local government decides in its own authority what sort of relations will be set up with the NGO in their local area.

The 2004 modification of the XXI. law of 1996 on regional development and regional organisation created an opportunity for civil participation in regional development work in Hungary. The law established the National Regional Development Council alongside regional, county and small region councils and the Civil Consultation Forums. It was an important step forward that NGOs had the opportunity to formally participate in regional development decision making.

In Hungary, the advocacy work by NGOs is strengthening, but remains in development. It is necessary to establish more collaborations supported by more numerous and pro-active government initiatives .

NIOK Foundation is focusing on supporting and strengthening of NGOs' advocacy activities. Since 2005 the foundation has been working on supporting projects addressing public consultations. NIOK considers it important that experience, opinion and expertise of NGOs have to be presented in the decision-making processes.

Norway has not established formal guidelines or codes of good conduct to govern participation and cooperation between NGOs and the government. Therefore, in Norway, there are no equivalents to the British Compacts or the Estonian EKAK outlined in previous pages.

The Norwegian Government, however, is a major contributor of funding to the non-profit sector. The funding is allocated based on policy fields creating many funding opportunities for various kind of organisations (i.e. environmental organisations, youth organisations, aid organisations, and others). Nonetheless, the conditions of these are solely

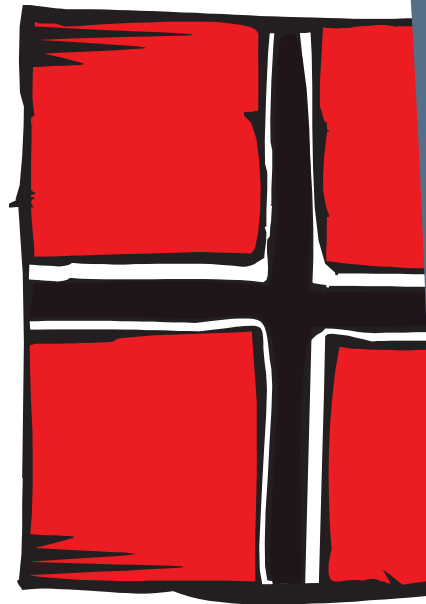
Norway

determined by the public authorities, and consequently we cannot see this as a prearranged cooperation.

The voluntary sector in Norway consists of 115 000 non-governmental and non-profit organizations. The majority of organisations are based locally, have no employees and very small financial means. 36 % of the funding of the voluntary sector comes from central and local governments, 7 % comes from private donors, and 57 % of the funding comes from membership fees and sales.

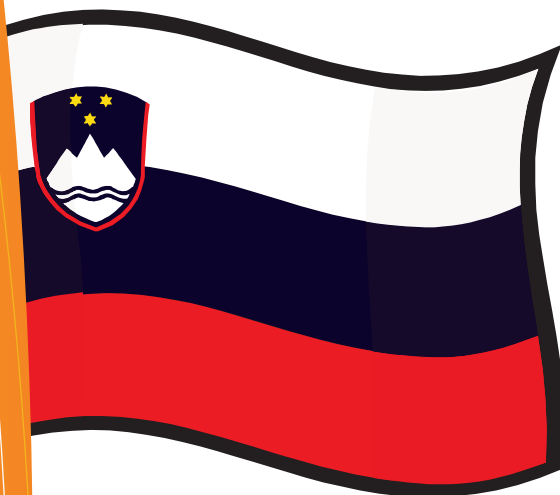
The Association of NGOs in Norway has had an extensive dialogue with The Norwegian Association of Local and Regional Authorities (KS) about developing a framework for cooperation and partnership between municipal authorities and local organisations.

This exchange was published on the 10th of January 2011 in guidance for local and regional authorities to enable participation of civil society. However, this is not legally binding, and the Association of NGOs in Norway has yet to see any municipal authorities that has developed the framework at this stage. The Association of NGOs take notice of the fact that KS is not putting much effort into marketing the frame work. The Association of NGOs in Norway has taken the responsible to promote and disseminate the framework within the NGO community so that they may lobby for its implementation in their communities.



OUR MEMBER

- ASSOCIATION OF NGOS IN NORWAY



Institutionalization of the NGO – Government cooperation in Slovenia is still an on-going process, which started in 2003 with the draft Agreement on cooperation between RS Government and NGOs, which was prepared by NGOs and should be passed by the Government. The Government only passed its' position to one part of the draft (civil dialogue) and the process stopped.

The process was re-launched in 2008 with the NGO initiative Plan C - an appeal to the prime ministerial candidate to improve civil dialogue with NGOs, to set up a unified system of financing for NGOs, and support public benefit organizations. NGOs repeated their proposals in the NGO Memorandum on NGO contribution to anti-crisis

OUR MEMBER

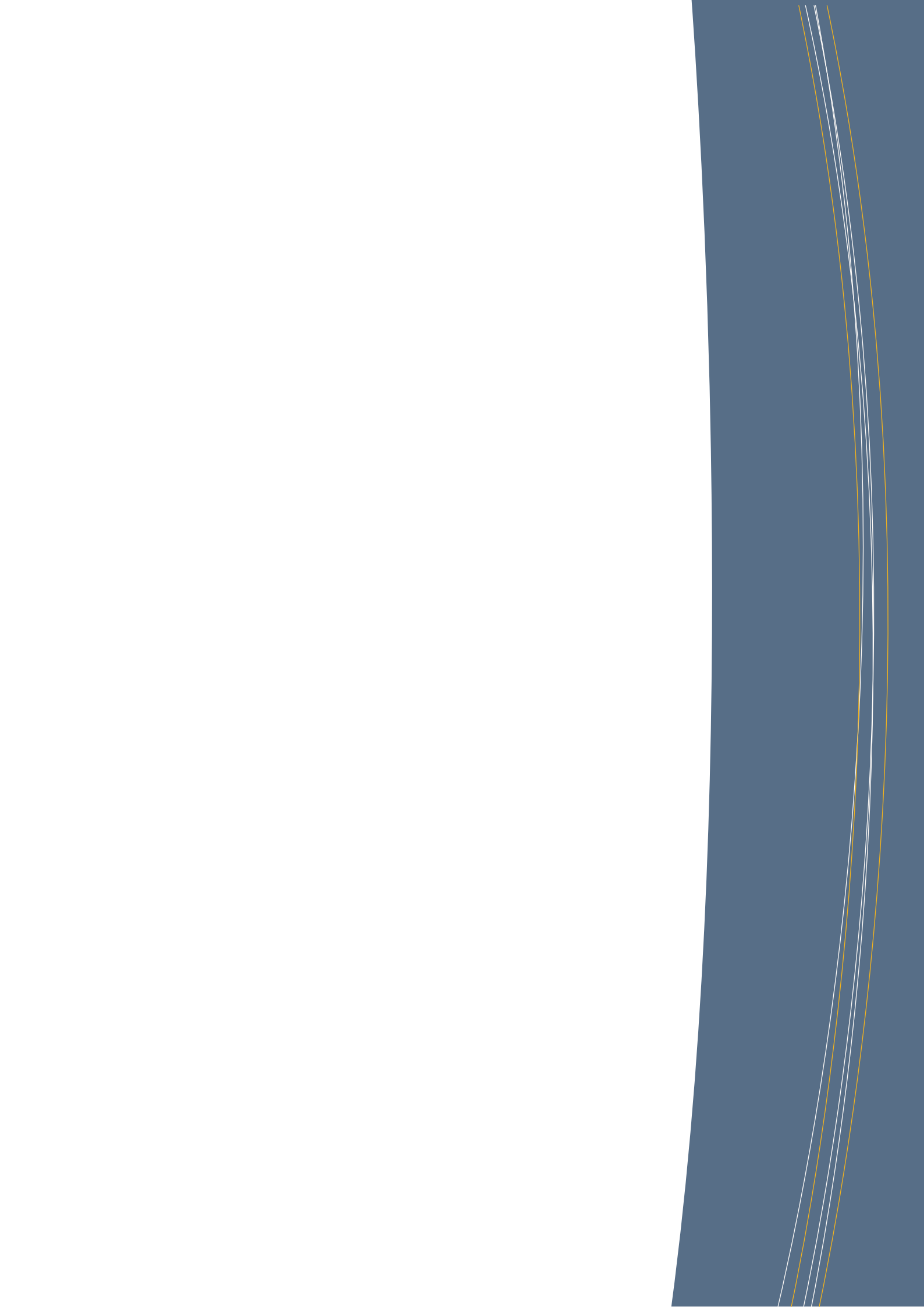
- CNVOS

Slovenia

measures, in which they also expressed their needs for better development. The Government this time passed their position on the whole document. The reply was drafted by the working group, consisting of Governmental and NGO representatives.

During the last two years several proposal from the Memorandum were realised. With the Resolution on Legislative Regulation and changes of the Government's Rules of procedure minimum standards of consultation were set: the consultation period for all drafts should last 30–60 days; and the responsible body for each draft should prepare a consultation report, clearly defining which comments were received, how they considered them, which were taken on board and which were not and why they were not.

Law on voluntarism, which sets basic principles and definitions of volunteer work and voluntary organizations, rights and obligations of volunteers and voluntary organizations was passed in February 2011. The law further provisions different support measures for voluntary organisations and envisages a Governmental Council for the development of NGOs. Also in February 2011 Law on Social entrepreneurship, which sets legal framework for establishment of social enterprises, as well as support measures for their development, was passed. The Ministry of Public administration established an Office for NGOs, which is responsible for the communication with the NGO sector.



Countries lacking



The process of consolidation of the NGO sector started in 1998 with the establishment of the first Committee for NGO Affairs. It was founded by the decision of the Government. The following years the NGO Committee was set up in the Parliament and the working group was formed to draft the Law on the NGO Development. In 2001 the Law was submitted to the Parliament, however it was not adopted. In 2006, a new Committee on NGO Affairs was formed following the Government decision to develop a strategic document for the development of the NGO sector, however it achieved no success.

Lithuania

OUR MEMBER

- NISC

Finally, in 2009 a new NGO Working Group was formed with the change of the Government. The Working Group developed the compact for NGO development, which was approved in 2010 by the Government. The same year the national NGO coalition was formed at the initiative and under coordination of the Non-Governmental Organisations Information and Support Centre. The coalition consists of 14 national associations, uniting NGOs all over the country and working in major public policy fields (youth, culture, social affairs, health, disable people, environment, etc). The coalition is recognised by the central government institutions, in particular, the President Office, the Government and ministries, and delegates its members to different bodies relevant for the sector (committees, commissions, steering groups, etc.).

The Coalition is represented in the joint Commission for Coordination of NGO Affairs, which was established in 2010 and meets regularly to discuss legal, financial and other topical issues of the sector.

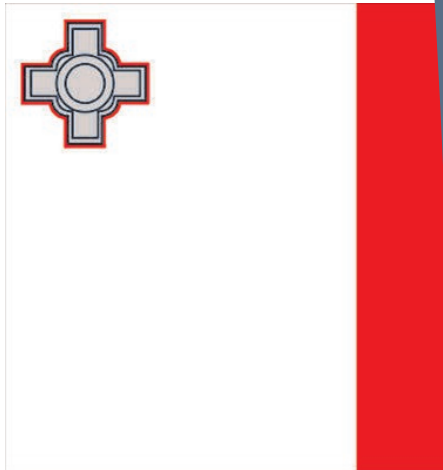


 A strong voice for civil society in Europe

participation mechanisms

The Voluntary Organisations Act, published in 2007 defines legal norms to qualify as a registered NGO. Although most NGOs already follow informal governance structures later established in the 'Act', some had evolved without proper statutes and structures in place for accountability and transparency.

The Voluntary Organisations Act sets a legal framework enabling registered organisations to benefit from grants, sponsorships or financial aid from government, from tax exemptions, privileges or entitlement in terms of the law; be beneficiaries of policies, contracts and other service



Malta

engagements for social purposes. The act also prevents tax-deduction for gifts and donations, and sets limits as regards VAT.

The 'Act' makes independence from government a requirement to qualify for registration as NGOs. The aim is to both increase legitimacy and increase access to funding (both EU and National). A Commissioner was appointed by government to regulate the sector.

The Malta Council for the Voluntary Sector was also established as a government appointed body composed of NGO nominees and government officials. It aims to support the Commissioner of Voluntary Organisations and provide a forum for NGO networking and capacity building.

An independent federation for NGOs in Malta has since been set up. The National Federation of NGOs of Malta (NFMN) is democratically elected by its members, many of which are umbrella organisations from across various sectors of the civil society. The role of the NFMN is to represent the interests of voluntary organisations, encourage sharing of best practices, support networking, and encourage good governance.

Since the enactment of the law governing voluntary organisations, Civil Society in Malta and Gozo has become a better organised and formal structure. However, a number of organisations have opted not to register leading to discussions on how these will be regulated. It is also unclear whether there will be active involvement of NGOs in consultation, policy, and decision-making by government.

OUR MEMBER

- NFMN



PARTICIPATION

Turkey has an absence of participation mechanisms. Dialogue between CSOs and public sector usually occurs on arbitrary basis. However, public sector has started to recognize CSOs more with the rising pressure coming from the CSOs and EU.

CONSULTATION

The system of structured consultation is also very weak and lacks a legal framework in Turkey. The only legislation regarding that issue is a regulation (a secondary legislation) ratified in 2006 that allows public institutions to consult related CSOs. However this article has not used effectively by public institutions and consultation remained arbitrary and shallow.

Turkey

OUR MEMBER

- TUSEV

GOOD GOVERNANCE

Transparency in public affairs seems to be hard to reach in Turkey as there is a long tradition of keeping data, information and procedures secretive, justified by “data protection” concerns. Yet there are some developments for good governance in the central level.

FUNDING

Funding of civil society activities is very much dependant on private or foreign sources. As regulated with a special framework law (Law No:5072), public funding is not allowed. Nevertheless some ministries re-regulated their structural laws in order to fund CSO projects. More good examples can be found in local municipal level however because of the lack of the mechanisms for funding the implementations are not clear and open to corruption.

VOLUNTEERING

Although the number of CSOs and the level of public awareness are increasing, low level of participation both in terms of membership and volunteering still remain as one of the major challenges of civil society in Turkey. According to the Civil Society Index Report only 2.5 % of the population reported volunteering in a CSO. In addition to that CSOs face difficulties in attracting and managing volunteers.



 A strong voice for civil society in Europe





There are clearly a wide range of models of frameworks for participation with civil society, with varying levels of direct legal status. Governments across Europe are in very different positions in terms of the priority given to civil society organisations. However we can draw out some key similarities in terms of the existing framework agreements. These may inform the discussion on relations between EU institutions and civil society.

We would stress the following 8 general observations:

8 conclusions

3 OBSERVATIONS FOR EUROPEAN PARTICIPATION

1. WIDEN THE DEMOCRATIC ROLE OF CIVIL SOCIETY, ESTABLISHED IN ARTICLE 11 OF THE LISBON TREATY, WITH A REGULAR STRUCTURED DIALOGUE BETWEEN CIVIL SOCIETY AND THE EUROPEAN COMMISSION.
2. DEVELOP ONE SET OF EASILY ACCESSIBLE GUIDELINES FOR FUNDING RELATIONSHIPS ACROSS ALL EU INSTITUTIONS.

Democratic role

1. Independence of the voluntary sector, volunteering & associational life

In all countries where a framework agreement exists, there is a clear commitment to respecting the independence of civil society, building on a recognition that the basis of democracy rests on a lively associational life in each country, for example in the case of Malta, the Voluntary Organizations Act established the rights of organisations and one of the core requirements is independence from government.

2. Basis of transparency

Throughout the European states that were surveyed, it is clear that the importance of consultation and open access to legislation is a pre-requisite for sustainable civil society engagement. The new Hungarian law on Public Participation in Developing Legislation provides a central position for civil society organisations to scrutinise and engage in the development of new laws.

Governance/financial relationships

3. Financial accountability (civil society – public authorities)

Many framework agreements aim to provide a higher level of trust between civil society and public authorities clarifying the contractual relationships on both sides. In particular the Compact agreements in the UK have been used on a number of occasions to ensure that appropriate notice of funding decisions is provided so that organisations are able to plan ahead and develop long-term financial sustainability. While at the same time, organisations agree to comply with clear standards of internal governance and ethics.



A strong voice for civil society in Europe

Conclusions



4. Fair guidelines for service delivery relationships

Without fair guidelines, service delivery is not possible. As more and more states look to civil society organisations to deliver public services, this aspect becomes increasingly important. A framework agreement can provide for social goals, that go further than purely considering cost effectiveness.

5. Wider support for recognition of the benefits of 'social economy'

Countries with formal or informal mechanisms both benefit from increased profile for the voluntary sector and the wider social economy. They are in a key position to link across sectors with foundations, public sector and business and are therefore in a strong position to develop new forms of social enterprise for the wider benefit of citizens.

Strategic planning

6. Agreed strategic planning process

Framework agreements enable organisations to engage with governments to develop a long-term relationship based on a strategic planning process. This reinforces the opportunity for shared priorities and mutual understanding, thereby improving the effectiveness of projects and providing guarantees for government and civil society.

7. Shared vision for civil society development

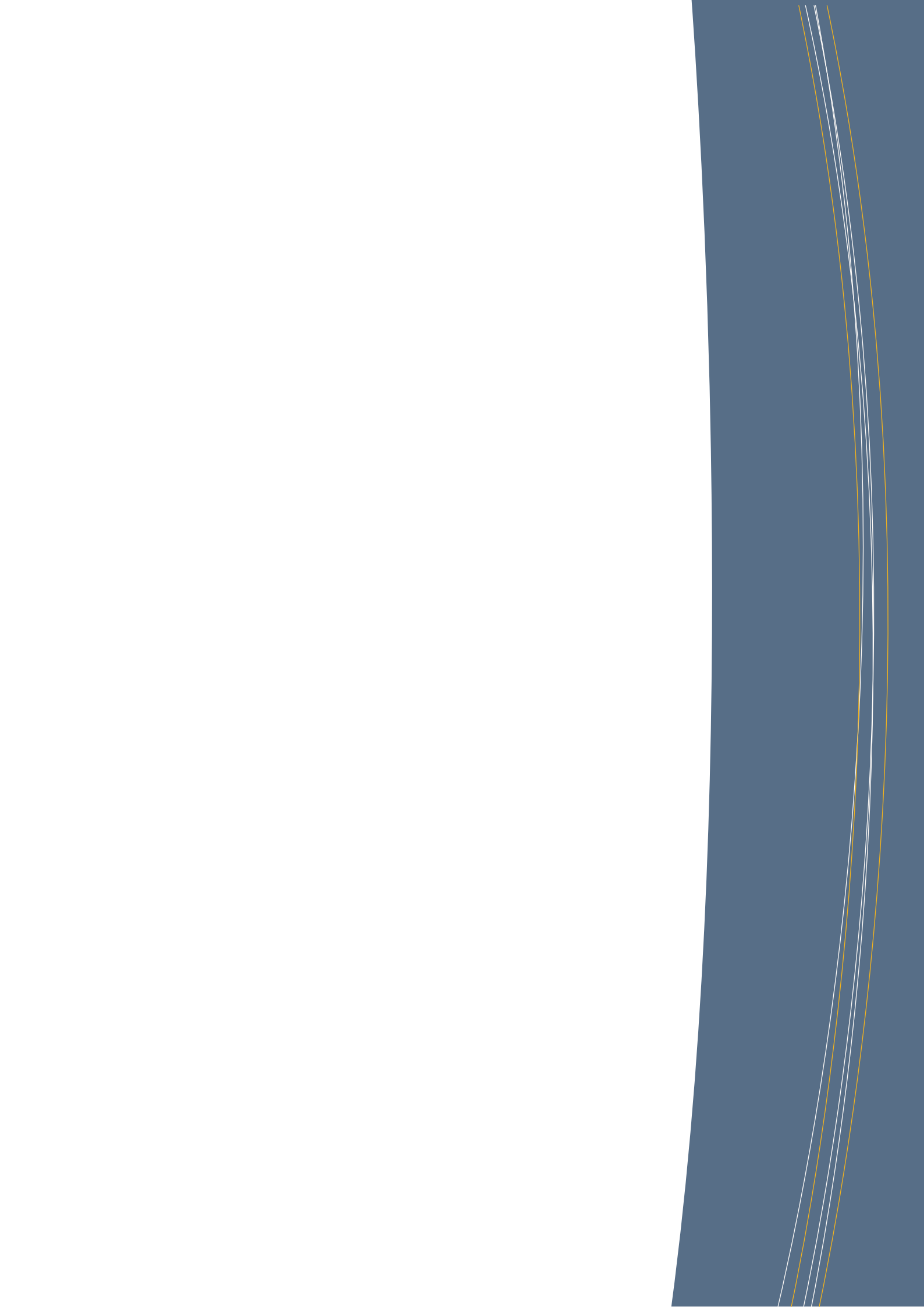
Working together to define a national framework, the process of dialogue and negotiation can in itself bring about a shared vision of the role of civil society. In the case of the German "National Forum for Engagement and Participation", they brought together around 350 experts and practitioners and acted as an ideas hub for new directions for civil society in Germany.

8. National infrastructure partnerships

Where the links between civil society organisations have become more formalised, an ongoing national infrastructure partnership can emerge. This may take varying forms and may be built on a range of specific sectoral platforms, such as in France with the CPCA (Permanent Conference of Coordinative Bodies of Associations); or be built on a looser alliance of organisations, such as the case of Slovenia with the CNVOS (Centre for Information Service, Co-operation and Development of NGOs).

3. AGREE ON MUTUAL UNDERSTANDING OF GOVERNANCE STRUCTURES OF CIVIL SOCIETY ORGANISATIONS, BUILDING ON FULL RANGE OF VIEWS OF CIVIL SOCIETY ACROSS EUROPE.





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If you are interested in finding out more, we are happy to answer any questions you might have.

Our website offers an excellent overview of our on-going activities and gives you a snapshot of the great work each of our member achieves.

If you have additional general queries, do not hesitate to contact us preferably by e-mail or phone:

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