

Conference: Giving a stronger voice to civil society in the European neighbourhood

***Development of civil dialogue and partnership relations between civil society, national governments and EU institutions***

International Conference

Brdo, Slovenia

2 April 2008

Ljubljana Declaration

**Policy recommendations to EU Institutions and national governments**

*Bearing in mind* that this Declaration is a common vision of civil society organisations participating at this Conference, irrespective of the State's relations with the EU and recognising the diversity of each country's civil society;

*Emphasizing* that the creation of a sustainable triangle – civil society, the EU and national governments – is expected to be completed in due time;

*Civil society organisations* from the countries of the Western Balkans, Turkey, the Eastern European Neighbourhood Policy region and the Russian Federation have gathered at Brdo, Slovenia, to call upon the EU Institutions and national governments to:

Listen to civil society: All that is required from EU institutions and national governments is to listen and understand but also to include civil society in the different policies and programmes. After more than a decade of experimentation and projects which has led to a significant development of NGOs, this community must now become an actor with a greater say in the policy making process. It is essential to establish more structured and transparent consultation mechanisms at EU level, but also at national level.

Develop a long-term strategy for a sustainable civil society: EU Institutions and national governments should provide strategic support to civil society thus avoiding financing and implementing mainly short-term projects. Lessons can be learned from the successful experience of the new EU member states where early capacity building created a platform for civil society organisations enabling them to access EU and national resources more extensively.

Put the partnership principle into practice thus overcoming problems the EU is facing with regards to the implementation of its legal framework. In order for the partnership principle to work, civil society organisations should be treated as actors and not only as beneficiaries. Moreover, the European Commission should remind governments of their legal obligations and ask them to come forward with consultation plans for implementation of the partnership principle at all stages, programming and evaluation of the national action plans.

Strengthen the capacity of small organisations: EU strategies and action plans lead to concentration on larger NGOs whereas small NGOs and those in remote and peripheral areas are receiving little information and no possibilities for involvement. EU institutions and national governments should improve this situation by engaging different stakeholders such as community foundations, civil society development organisations and NGO support structures. They bring together a wide spectrum of partners, which could be linked to EU programmes. There are models, including those within the new member states for re-granting instruments for small NGOs and support for micro-projects.

Focus on creating a supportive environment for CSOs sustainability: The EU should create its own policies that would influence national governments to develop an enabling legal, fiscal and institutional framework. EU institutions and national governments should build mechanisms for cross-sectoral cooperation, public participation and improved access to documents; they should support the civil society organisations to build coalitions and networking at the EU level and ensure strong and adapted capacity building. In this respect, the Donor Exchange, Coordination and Information mechanism (DECIM) and foundations are the best response to many concerns.

Civil society organisations are willing to work with EU Institutions and national governments in order to establish structured and transparent mechanisms for cooperation, adapted to each country's specificities.

The Annex attached to this Declaration specifies and further develops the above-mentioned recommendations on how to act more effectively in order to create a supportive environment for civil society organisations. The suggestions are made on the basis of analysis of national reports (see Annex) that address legal, fiscal, social and institutional environments as well as the importance of the European networking, exchange and scholarship programmes. At the end, a list of civil society organisations that support the Ljubljana Declaration is provided.

Ljubljana, 02 April 2008

## **Annex to the Ljubljana Declaration**

*1. Listen to civil society*

*2. Develop a long-term strategy for a sustainable civil society*

*3. Focus on creating a supportive environment for CSOs sustainability*

*4. Improve access to documents and fill in the information gaps*

*5. Put the partnership principle into practice*

*6. Help in building coalitions among CSOs*

*7. Train CSOs on how to access EU funds*

*8. Strengthen the capacity of small organisations*

*9. Encourage donor coordination*

*10. Facilitate European networking*

The Declaration represents a consensus view from civil society representatives across 12 countries<sup>1</sup>, which participated in the conference held on 2 April 2008 in Brdo, Slovenia. This Conference is part of the ITS<sup>2</sup> Advocacy campaign<sup>3</sup> to launch a debate at EU and national level about how to create sustainable partnership relations between civil society actors, EU and national authorities. Three international conferences are envisaged in the framework of this campaign: the Brussels conference, which was held in October 2007<sup>4</sup>, the Ljubljana conference and the concluding conference, which will be held in Zadar on 25-26 September 2008.

The results of the Brussels conference were used to develop a questionnaire for CSOs from the region. The questionnaire was sent to ECAS partner organisations in the Western Balkan, Eastern European Neighbourhood Policy region, Turkey and the Russian Federation, who translated it into the local language and disseminated it widely. Each partner collected and analysed the replies in order to make a national report<sup>5</sup>. The questionnaire involved more than 100 NGO representatives. The reports served as a basis for drafting this Declaration.

The participants are grateful to the Slovenian Presidency of the EU for making this event possible and urge that this Declaration should be followed up at government level.

There is support from all the EU Institutions to include civil society organisations in helping their governments to undertake the necessary reforms that will bring them closer to the Union and eventually make them EU members. In its recent communication on the European neighbourhood policy, the Commission states that “civil society organisations have a valuable role to play in identifying priorities for action and in promoting and monitoring the implementation of ENP action plans” (COM (2007) 774 final, page 11), whereas in the communication on the Western Balkans “Enhancing the European perspective” (COM (2008) 127), the Commission proposes a new facility to promote civil society and dialogue.

Such a facility should not just be about funding but part of the wider development of civil dialogue and partnerships between civil society, national governments and EU Institutions. In theory, a win-win situation could be created. Civil society stands to gain from the support of the EU for the process of reforms and the adoption of European standards. For the EU, civil society is a watchdog active precisely in the areas where reforms are most sensitive, an independent source of information and advice. National politicians also recognise, but by no means unanimously, that they need the critical support of an independent civil society to achieve the reforms, which will bring them closer to the Union. As one national report states, “the building up of the sustainable “triangle” – Civil society – the EU and national governments is expected to be completed in due time.”

The national reports and the conference’s outcomes reveal however to different degrees, the difficulties that have to be overcome to achieve such an objective:

- Enlargement fatigue in Western Europe and the absence of clear EU perspectives for the ENP countries are coupled with some reforms faltering. National reports make clear the dilemma of civil society organisations (CSOs) being in the forefront of the process of transition and change, but at the same time being held back in their development by its uncertainties and political setbacks.

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<sup>1</sup> Albania, Belarus, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Moldova, Montenegro, Russia, Serbia, Turkey, Ukraine

<sup>2</sup> ECAS NGO capacity building programme – Information, Training and Scholarship (ITS) – has been running since 2002 aiming to create a viable capacity among the civil society organisations from New members states, Western Balkans and Eastern Europe to deal with the EU.

<sup>3</sup> For more information see [ITS Advocacy campaign](#)

<sup>4</sup> For more information see ECAS website [Brussels conference](#)

<sup>5</sup> To read all the national reports please go to [ECAS's website](#)

- In pursuing reforms such as respect for human rights, better governance, independence of the judiciary, integrity of domestic war crimes proceedings and reconciliation there is insufficient questioning of whether civil society has the necessary capacity, and there is the danger that it can become a mere instrument of donor-driven priorities. There is little sense of a longer-term strategy to create a sustainable civil society in which the activities of different donors would be coordinated.
- In EU policies on partnership, it is a step forward that the legal instruments for the 2007 – 2013 legal instruments make clear reference to civil society not only as a potential beneficiary of funds but also as a partner in the strategy, programming and evaluation of national action plans under EU external assistance. From the national reports, it is clear that there is however no progress, except for a few initiatives. The EU has a major problem with implementation of its legal framework.

Against this background, recommendations in the national reports show strong convergence on action required to create a European civil society space. It is a sign of quite remarkable progress over the last 10 years that such a vision is not only possible, but also realistic. A common vision shared across countries as diverse as those in the Western Balkans and Eastern Europe is emerging irrespective of the stage that governments have reached in their relations with the EU. Civil society does not necessarily make a distinction between candidates and neighbouring countries and therefore advocates that the new civil society facility should be spread across the Region.

Following recommendations to the EU Institutions and national governments are formulated:

### ***1. Listen to civil society***

The basic but overlooked demand from across the region to listen to civil society is well summed up in one report: “Everything which is required from EU partners (donor partners and civil society partners) is to listen and understand”. Therefore, the EU as a donor has to have reflexes and be ready to change its approach. Too often donors are following their own agenda, and are not listening to the needs of CSOs. After a decade or more of experimentation and projects which has led to a significant development of the NGO community, the next stage must be to give this community a greater say in the shaping of the policies for enlargement and the EU neighbourhood. This means that the engagement with civil society has to occur at a much earlier stage before national strategies are formulated. There is no evidence that is happening. In this respect, all reports have comments and expect Commission delegations in their country to play a role for civil society dialogue. In particular, national governments gain from listening to civil society in order to take into account the concerns of socially excluded and minority groups which do not have sufficient voice in the decision-making process and to be made aware of emerging social trends.

### ***2. Develop a long-term strategy for a sustainable civil society***

From the national reports and the Ljubljana conference, a long-term strategy for a sustainable civil society is demanded. Lessons could be learned from the experience of new EU Member States since the fall of the Berlin wall. Early support from foundations and the European Commission through civil society development grants did bring about a situation where NGOs first developed the capacity to take advantage of larger-scale pre-accession funds and structural funds afterwards. Such a longer-term strategy included the gradual introduction of more favourable tax regimes and government funds. Without such longer-term perspectives, there can be no guarantee that a similarly strong European civil society will emerge in the Western Balkans and neighbouring countries. On the contrary, NGOs may be diverted from long-term sustainability and expected to carry out an advocacy and monitoring role in the national reform process without having first acquired the necessary capacity and public support. There is also a danger that “certain areas remain constantly in focus whereas others remain without any support.” As one report puts it, “Donors should choose the strategic support of civil society and avoid financing of short-term projects.” Capacity building has to be demand-led and respond to the real needs of the organisations.

### ***3. Focus on creating a supportive environment for CSOs sustainability***

From the national reports it is evident that one reason for a gap between the theory and practice of partnership is the lack of structures within the government. The national reports raise issues, which concern the legal, fiscal and administrative environment that is in some cases prohibitive, and rarely described as more than adequate. The EU (through DECIM under recommendation n° 9) should help promote policies and exchange of best practice in creating a legal and fiscal environment to encourage the right of association and the growth of civil society. Similarly, administrative reforms and better governance should include relations with civil society. Often at the instigation of NGOs or international donors, governments and parliaments have initiated reforms and frameworks of cooperation with civil society, and either set up appropriate offices within or outside the administration for relating with civil society, or have promised to do so. Consultation is often a legal requirement but methods of implementation are partial. Some countries, such as Croatia, have initiated a comprehensive set of enabling instruments, but this is more the exception than the rule. Compacts (official agreements between CSOs and national governments), for example, are an interesting model - like that of Estonia - covering all aspects of relations between civil society and government.<sup>6</sup> In many new EU member states, and accession countries, intermediary bodies are the link between the government and NGOs has been a useful capacity building tool. There is no single European model to create an enabling environment for civil society; each country has to work out its own response to include a set of strategies such as those outlined and developed fully in the national reports.

### ***4. Improve access to documents and fill in the information gaps***

In general, the country reports show that information about the EU is improving at least for public documents. There is however insufficient transparency and access to documents when it comes to consultations with stakeholders on the national strategy. There is evidence in the national reports that early drafts of working documents from the European Commission or the national governments are not reaching NGOs. Even where they are available, it is very difficult for NGOs to relate to them. “Examinees claim that strategic documents regarding EU external policies and financial assistance from the EU are not available and understandable for them, because they are not translated into their language.” Either there should be official translations of documents or intermediary bodies should undertake this task. Furthermore, the same report stated “so far the communication from the EU level, as well as from the level of national authorities is mainly unilateral and does not include CSOs in the process of creating important documents and policies.” But not everything can be expected of public authorities particularly to reach and involve small NGOs in Europe. Each country should have an NGO portal with translations, adapting information exchange to and from the EU national governments and other organisations. All the reports point to the need for governments and EU delegations to develop communication tools and transparency measures to reach beyond an “inner circle”.

### ***5. Put the partnership principle into practice***

The legal texts requiring partnership are difficult to implement and in no country in the Region is civil society being involved by national governments in the determination of strategies or action plans to implement neighbourhood or pre-accession policies. “None of the organisations that completed the questionnaire was consulted” is a critical refrain. As one report puts it, “CSOs (especially those in peripheral areas) do not have any idea about strategy papers and programmes at this early stage.” The national reports are based on a wide circulation of the questionnaire but still fail to come up with any firm evidence of the partnership principle being applied. The only positive examples they mention are initiatives by think tanks, sometimes in association with NGOs and meetings with Commission delegations about specific programmes, rather any involvement with national strategies. The Commission should remind the governments of their legal obligations and ask them to come forward with consultation plans for implementation of the partnership principle at all stages of the design, programming and evaluation of the national action plan. EC delegations should make civil society participation mandatory in policy shaping and programming process; provide

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<sup>6</sup> See the website of the Compact Commission in the UK: [www.thecompact.org.uk](http://www.thecompact.org.uk)

transparent and operational mechanisms for structured and regular consultation to include small and local level NGOs. Without extensive application of the partnership principle to include CSOs, the possibilities for absorption of EU funds will in any case be limited.

### ***6. Help in building coalitions among CSOs***

In its communication on a strong European neighbourhood policy, the Commission suggests “the organisation of a platform for civil society representation on ENP issues would be a welcome development.” The national reports lend support to this view to the extent that “coalition building is a condition for interaction with EU institutions and national authorities because single CSOs... are hardly to be heard in the process.” They also show that where CSOs have been heard, it is through such coalition building on European issues. Creating such coalitions is not an easy task because national action plans and strategies often concern a wide range of CSOs such as advocacy as well service delivery NGOs (from social exclusion and minorities to rural development and environmental protection NGOs). Moreover, there is a need not only for building general coalitions; they can be especially effective when they are targeted on specific issues and sectors of the population. Particularly among CSOs at an early stage of development, there is recognition of the value and efficacy of coalitions, but also criticism that they are not sufficiently open and inclusive and that the dialogue concentrates on a small number of large NGOs and think tanks. Technical assistance from the funds should be made available to allow for the creation of coalitions and support services to CSOs .

### ***7. Train CSOs on how to access EU funds***

To support coalition building and to include small and peripheral organisations, training in how the strategy, programming and evaluation for the EU funds actually works can help increase the capacity of CSOs to participate. On the one hand, many respondents to the questionnaire said that EU funds usage is too complex for young non-governmental organisations and that the only possibilities for access were often as a subcontractor or as a partner with a EU based NGO and larger international organisations. On the other hand, to the extent that CSOs have the necessary training and are able to work in consortia with other interests in the context of the national action plan, the programmes do offer more scope for making a sustainable contribution to improving quality of life in the local community. Technical assistance from the funds should be used to carry out training sessions on a regional basis. The proposal to open up TAIEX to train not only officials, but also CSOs, is welcome in this respect and could encourage partnership between the governmental and non-governmental spheres. CSOs recognise that completing the triangle civil society, EU and national governments- requires training and capacity building for state’s officials dealing with civil society issues at national and local levels.

### ***8. Strengthen the capacity of small organisations***

The national reports all point to the danger that EU strategies and action plans lead to concentration on larger NGOs and that small NGOs and those in remote and peripheral areas are receiving no information and no possibilities for involvement. There are models, including those within the new member states for re-granting instruments for small associations and support for micro-projects. The setting up of civil society development foundations is a useful model and one of them is available in Croatia. They can be particularly useful for small associations if they have regional branches. Efforts by foundations and other donors to come together have also made it easier to create small grants and seek money for exploratory projects. As pointed out in some national reports, small NGOs can find a solution to accessing EU funds by seeking out a larger lead partner and being a sub-contractor. It is though frequently mentioned in the reports that smaller local associations are outside the circle of EU information, let alone consultation, and are not connected to the Internet. Yet they represent 90% of any viable civil society. EU institutions and national governments should improve this situation by engaging different stakeholders such as community foundations, civil society development organisations and NGO support structures. They bring together a wide spectrum of partners, which could be linked to EU programmes.

## ***9. Encourage donor coordination***

If the long-term aim is a sustainable civil society, coordination among donors is essential since no single donor – whether governmental or non-governmental - can do this alone. DECIM (Donor Exchange, Coordination and Information mechanism) is a pioneering instrument of the European Commission, the World Bank and foundations. It is the nearest response to many of the concerns in the national reports for a strategic long-term approach to civil society. DECIM promotes a holistic approach covering CSO legal framework, financial sustainability, public advocacy, delivery of social services and networking. The national reports do point out some instances of donor fragmentation or duplication with support for basically the same projects carried out by different organisations, but also gaps in support, particularly for small local organisations. DECIM operates currently at the international level through exchange of information and seminars for practitioners, CSOs and academics. It is though beginning an operation on the ground in Croatia this year, which should be spread to other countries in the Region. On the basis of the follow up to this declaration and the completion, publication and discussion of the national reports, it could be useful to assess progress and make proposals for the future in a civil society – DECIM dialogue. One recommendation made for such a dialogue is to include CSOs, not just as beneficiaries but also as responsible partners in the shaping, implementation, monitoring and evaluation of programmes.

## ***10. Facilitate European networking***

The creation of a European civil society space based on equality between civil society within the EU and in the EU neighbourhood should be the objective. As the Commission points out, for example in the recent communication on the Western Balkans (COM (2008)127) there should be an overall objective of increasing the number of opportunities for students, trainees, journalists, NGOs and other sectors to visit the European Institutions and other European countries. All CSOs stress that visa facilitation and liberalisation is an important objective to encourage such people-to-people contacts. Current levels of contacts are low and often discouraged by visa application procedures. To make the idea of a European civil society beyond the EU borders a reality, such people-to-people contacts should offer the prospect of leading to more strategic partnerships and lasting contacts. Three approaches are considered, which are not mutually exclusive:

- Study visits to the EU Institutions and neighbouring countries are an essential part of training programmes, in order to make sense both of European decision-making in practice, on the spot, and the thinking behind the enlargement and neighbourhood policies. One month or more “scholarships” hosted by European associations can create more lasting contacts. There is scope for donor coordination among foundations and EU youth, volunteering or active citizenship programmes since all offer such training opportunities.
- European civil society umbrella organisations have now developed around the EU Institutions to cover practically every sector of association activity. They should consider opening up their membership to CSOs from the EU neighbourhood, since this is a realistic way for the latter to develop their knowledge of EU policies and participate in the European level funding programmes, which are gradually becoming open to their countries.
- In some of the national reports, the idea of an NGO office in Brussels is seen as a distant prospect and beyond the current means of civil society. It should be borne in mind for the future as a particularly useful way to develop the three-way dialogue between civil society, national governments and the European Institutions mentioned at the outset of these recommendations.

Finally, whilst these recommendations show that there are common concerns among civil society organisations in relation to EU policies, they also show a European diversity. The first and most important of these recommendations – to listen to civil society - might be put into effect with the rest by a series of national seminars. ECAS and its partners will communicate these recommendations officially to the European Institutions and national governments.

By this declaration, we claim that a European citizenship and a civil society space, beyond the EU borders, will make Europe a better place.



## **List of Civil society organisations that support this declaration:**

Academy for Political Development, Croatia  
Albanian Civil Society Foundation, Albania  
Albanian Media Institute, Albania  
Association for European Information and Training, Moldova  
Autonomous Women Center, Serbia  
Association for Supporting and Training Women Candidates – KADER, Turkey  
Center for Civic Initiatives – CCI, Bosnia and Herzegovina  
Centre for Civic Education, Montenegro  
Center for Democracy and Human Rights – CEDEM, Montenegro  
Centre for Development of Nonprofit Organizations – CERANEO, Croatia  
Centre for information service, cooperation and development of NGO's – CNVOS, Slovenia  
Center for Institutional Development (CIRa), Macedonia  
Centre for Social Innovations, Belarus  
Cenzura - Association for Promotion of Human Rights and Media Freedoms, Croatia  
Citizens' Pact for South Eastern Europe, Serbia  
Civic Initiatives, Serbia  
Diakonia Agapes, Albania  
Documenta, Croatia  
Dvv international, Bosnia and Herzegovina  
European Movement, Montenegro  
European Citizen Action Service, Belgium  
European Civic Forum, France  
European Youth Forum, Belgium  
Euclid Network, UK  
EveryChild, Ukraine  
Gong, Croatia  
Gurt Resource Centre, Ukraine  
Humanitarian Law Center, Serbia  
Impunity Watch, The Netherlands  
International Development Alternatives NGO, Moldova  
International Renaissance Foundation, Ukraine  
Kosovar Civil Society Foundation, Kosovo

Legal information centre for NGOs, Slovenia  
Macedonian Centre for International Co-operation, Macedonia  
Macedonian Centre for European Training, Macedonia  
Montenegrin Helsinki Committee for Human Rights, Montenegro  
National Foundation for Civil Society Development, Croatia  
New Europe, Belarus  
Open Society Institute, Macedonia  
Open Society Institute, Montenegro  
Platform for development cooperation and humanitarian aid – SLOGA, Slovenia  
ProRuralInvest, Moldova  
Regionalni center za okolje, Slovenia  
Research and Documentation Center, Bosnia and Herzegovina  
The AIRE Centre-Advice on individual rights in Europe  
Third Sector Foundation of Turkey – TUSEV, Turkey  
TRIALOG, Austria  
Vesta Association, Bosnia and Herzegovina  
Young Europe, Russia

**If you would like to add your organisation to this list please send an email to [elena.tegovska@ecas.org](mailto:elena.tegovska@ecas.org)**