

DG NEAR Guidelines and Strategic Directions for EU Support to Civil Society in the Enlargement Region 2021-2027

WORKING DRAFT of 19 February 2021

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The Guidelines for EU Support to Civil Society in Enlargement Countries, 2014-2020 (EUCSG) were developed during 2013. The revised version is based on lessons learned and feedback received from representatives of Civil Society Organisations (CSOs), public institutions and other stakeholders at various occasions – in particular the Western Balkans and Turkey Civil Society Forum held in Skopje, North Macedonia on 22 and 23 January, 2020; on-line consultations carried out over 2020; {and consultations in each IPA beneficiary in February and March 2021}. The revised version also draws on the findings of the 2017 evaluation of the Civil Society Facility.

These Guidelines outline how the EU will support civil society in the enlargement region in the period of 2021 – 2027, in the context of the enlargement agenda. It is intended for a three-fold audience:

- For **EU staff**: to assist them in preparing and implementing EU support to civil society and monitoring its effectiveness; and in analysing the evolution of state of affairs concerning civil society in IPA beneficiaries, including in the work to assess progress on the Copenhagen political criteria and the fundamentals cluster in the context of accession negotiations;
- For **policy-makers and officials in the region**: to understand the standards and expectations in terms of IPA beneficiaries' own support to civil society – notably in terms of the enabling environment for civil society and their involvement in public-policy making and in the EU integration process; as well as to assist them in developing and monitoring their own strategies for civil society development.
- For **civil society in the region**: to know the standards towards which to work, in terms of their own capacity, professionalism, effectiveness, resilience, independence and accountability.

The document presents the objectives for EU support to civil society across three key areas: 1) conducive environment; 2) cooperation between civil society and IPA beneficiary authorities/institutions; and 3) capacity and resilience of CSOs. It also presents indicators to measure progress of provided support, and the benchmarks to strive for.

EU support to civil society within the Enlargement policy will continue to focus on enabling and stimulating participatory democracy and will aim at the following specific objectives:

- **A conducive environment for civil society**
 - o An enabling legal and policy environment, for the exercise of fundamental freedoms and rights, with focus on association, assembly and expression;
 - o An enabling financial environment, which supports sustainability of CSOs, with adequate funding of the sector.
- **Strengthened relations between CSOs and IPA beneficiary authorities/institutions**
 - o Civil society and public institutions working in partnership through dialogue and cooperation, based on willingness, trust and mutual acknowledgment around common interests.
- **Reinforced CSO resilience and capacity**
 - o Capable, transparent and accountable CSOs;
 - o Strategically-led and supported CSOs;
 - o Resource-based CSOs.

The benchmarks, results and objectives **represent a solid set of standards**. For the conducive environment for civil society and relations between CSOs and IPA beneficiary authorities/institutions, they are anchored in the international and regional human rights framework, including the European Charter of Fundamental Rights and the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). They are aligned to numerous recommendations, opinions, guidelines, codes of conduct and other documents adopted by the Council of Europe (CoE), Organisation for Security and Cooperation in Europe (OSCE), the EU, the Organisation for Economic Co-operation and Development (OECD), and other internal inter-governmental fora. As regards civil society resilience and capacity, they took inspiration primarily from two main self-assessment standard-setting attempts developed by civil society for civil society at the global level: the Global Standard for CSO Accountability; and the Civic Civil Society Index.

The way in which IPA beneficiaries address these issues is an important aspect under the political criteria, on which the Commission reports in the context of the annual enlargement package. It is also addressed in the context of accession negotiations, including in the fundamentals cluster of the revised enlargement methodology adopted in 2020¹.

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¹ COM (2020) 57 final: Enhancing the accession process - A credible EU perspective for the Western Balkans.

1. CIVIL SOCIETY AND PARTICIPATORY DEMOCRACY – A NECESSITY FOR SUSTAINABLE DEVELOPMENT

The Treaty on the European Union (Article 49) establishes that any European State which respects and is committed to promoting the principles of human dignity, freedom, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, may apply to become a member of the Union. An empowered civil society plays an important role in ensuring that these principles are upheld in practice and is a crucial component of any democracy. CSOs are essential partners in achieving longer-term transformative societal change.

The enlargement region faces a range of challenges, in fields such as rule of law, corruption, organised crime, economic development, environmental protection and social cohesion. Civil society actors can make a substantial contribution to addressing many of these, through advocacy, monitoring and oversight activities at IPA beneficiary, regional and local level.

When it comes to democratic governance, the rule of law and fundamental rights, including freedom of association, assembly, expression and minority rights, they can create demand for enhanced transparency, accountability and effectiveness from IPA beneficiary authorities/institutions and facilitate a focus on the needs of citizens.

CSOs in the enlargement region have also demonstrated their ability to initiate effective anti-corruption initiatives; contribute to regional integration and reconciliation processes; strengthen media pluralism and freedom of expression; campaign for gender equality and fight discrimination; and promote social inclusion and social and labour rights, and environmentally sustainable policies and practices; and help citizens deal with emergencies.

In addition, the involvement of civil society in the enlargement process can contribute to deepening citizens' understanding of the reforms needed in order to qualify for EU membership. This can help ensure that EU accession is not just an institutional, government-led exercise, but also based on genuine civic participation in the public debate. This is crucial to achieving a well-informed decision on EU membership at the end of the process. For all these reasons, the EU is strongly committed to supporting a vibrant civil society in the enlargement region.

2. WHO ARE THE MEMBERS OF CIVIL SOCIETY?

Civil society embrace a wide range of actors with different roles and missions. Definitions vary over time and contexts.

The EU considers CSOs to include all non-state and non-profit making structures, non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic. Operating from the local level to national, regional and international levels, CSOs comprise both urban and rural organisations, as well as formal and informal organisations, and include membership-based, cause-based and service-oriented CSOs. Among them, community-based organisations, non-governmental organisations, faith-based organisations, foundations, research institutions, women's rights and LGBTIQ organisations, cooperatives, professional and business associations, and the not-for-profit media. Trade unions and employers' organisations, the so-called social partners, constitute a specific category of CSOs.

The EU values CSOs' diversity and specificities and engages with transparent, accountable and capable CSOs, which share a commitment to social progress and the fundamental values of peace, freedom, equal rights, and human dignity.

3. CIVIL SOCIETY - A FUNDAMENTAL OF THE ENLARGEMENT AGENDA

The enabling environment for civil society, and the relations between civil society and IPA beneficiary authorities/institutions are important components of the fundamentals. The role of EU support in this area is thus ever more important.

Structured participation of CSOs in policy- and decision-making is a key priority for the EU². Legislation, policies and programmes must be designed, implemented, monitored and evaluated in an open, transparent and inclusive manner, and duly integrate the achievement and fulfilment of human rights. With the Communication “The Roots of Democracy and Sustainable Development: Europe’s Engagement with Civil Society in External Relations”³ in 2012, the European Commission laid down preconditions and priorities for EU support to civil society organisations in the external relation context.

For the Enlargement region, these conditions were brought forward into a more detailed tool for monitoring civil society development in the enlargement region in 2013 – the Guidelines for EU Support to Civil Society in Enlargement countries, 2014-2020 (EUCSG). A similar framework for media – the Guidelines for EU support to media freedom and media integrity in enlargement countries, 2014-2020 – was laid out in 2014.

The state of the enabling environment for civil society is part of the political criteria for EU accession. Since 2014, civil society has been treated as a sub-chapter of “Democracy” under the Political criteria in the EC Annual Reports and in 2008, a single comprehensive financial framework for support to civil society in the region – the Civil Society Facility (CSF) – was established.

The Western Balkans Strategy⁴ calls for structured dialogue with an empowered civil society, and emphasises the need for an enabling environment for CSOs. Moreover, in the internal EU Better Regulation Agenda the European Commission commits to listening more closely to citizens and stakeholders, and to ensuring that those affected by policies have the opportunity to contribute their improvement. The 2030 Agenda for Sustainable Development and the new EU Consensus on Development reiterate this commitment, calling for stronger and more inclusive multi-stakeholder partnerships.

With the 2020 Communication *on Enhancing the accession process - A credible EU perspective for the Western Balkans* a key novelty was introduced: in the new methodology, the current negotiating chapters would in the future be grouped into six thematic clusters: fundamentals; internal market; competitiveness and inclusive growth; green agenda and sustainable connectivity; resources, agriculture and cohesion; and external relations. Negotiations on the fundamentals – which includes the rule of law, democratic institutions and public administration – will be opened first and closed last and will determine the overall pace of negotiations⁵.

² COM (2012) 492 final: The roots of democracy and sustainable development

³ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0492:FIN:EN:PDF>

⁴ COM (2018) 65 final: A credible enlargement perspective for and enhanced EU engagement with the Western Balkans

⁵ COM(2020) 57 final: Enhancing the accession process - A credible EU perspective for the Western Balkans

4. EU SUPPORT TO CIVIL SOCIETY IN THE ENLARGEMENT CONTEXT

For the period 2021 – 2027, the overall objective of EU support to civil society within the enlargement policy is **to strengthen participatory democracies and the EU approximation process** in the enlargement region as follows:

- a) **Achieving an environment that is conducive to civil society operation and activities;**
- b) **Strengthening relations between CSOs and IPA beneficiary authorities/institutions; and**
- c) **Reinforcing the capacity and resilience of CSOs to be effective and accountable independent actors.**

Specific objectives, detailed results indicators, and sources of verification are provided in the results framework in Annex A. The below sections provide an overview of the overall ambitions.

4.1 Conducive Environment

A country wishing to join the EU needs to have in place an **appropriate legal, judicial and administrative environment** for exercising the fundamental freedoms and rights, with a focus on association, assembly and expression. This includes rights such as formalised, transparent and non-discriminatory registration procedures, free and independent operation and cooperation between citizens – formal or informal - and absence of disproportionate or unwarranted state interference.

An **enabling financial environment** is required to support the sustainability of CSOs, and to ensure that CSOs are adequately funded to exercise their rights in practice. In the majority of EU Member States, legislation provides benefits to CSOs pursuing activities considered to be in the public interest. This can be achieved through favourable tax rules for private donations, membership fees and philanthropy. Others provide direct, public funding.

4.2 Relations between CSOs and IPA beneficiary authorities/institutions

Civil society participation is a key factor in ensuring good governance and in developing quality legislation and sustainable policies that reflect people's needs and are accepted by those concerned. This also applies to the reforms a country needs to implement to qualify for EU membership. **Structures and mechanisms for cooperation between public authorities and CSOs** should enable full involvement of CSOs in the decision-making process. **Free, clear and accessible flows of information** on matters of public interest is of critical importance. Minimum standards of consultation should be respected, including **functional feedback mechanisms**.

4.3 CSO Capacity and Resilience

CSOs take many forms and operate with different degrees of formality. The EU values CSOs' diversity and specificities and engages with transparent, accountable and capable CSOs, which share a commitment to social progress and the fundamental values of peace, freedom, equal rights, and human dignity.

The Commission will engage with CSOs that are committed to strengthening their own resilience and capacity to deliver effectively on their mission. As actors of participatory democracy and social progress, CSOs must also work on improving and safeguarding their own **autonomy, representativeness and accountability**. This includes for example strengthening their membership base, and adhering to high internal governance standards. The EU will also support CSOs in increasing

their **effectiveness** to achieve sustainable results in their respective socio-political environments (local, central, regional), and in their respective **thematic mission areas**. This can include support to improve their capacity for analysis, monitoring and advocacy as well as for networking, coalition-building and active involvement in the policy- and decision-making processes. Finally, financial sustainability requires membership development and improved capacity for diversified fundraising targeting public as well as private sources of income.

5. THE UNDERPINNINGS OF CSO GUIDELINES

The specific outcomes and indicators presented in these Guidelines are based on a solid set of international standards.

For the conducive environment and relations between CSOs and IPA beneficiary authorities/institutions, objectives and indicators are anchored in the international and regional human rights framework, including the European Charter of Fundamental Rights and the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

They are furthermore aligned to numerous recommendations, opinions, guidelines, codes of conduct and other documents adopted by the Council of Europe, Organisation for Security and Cooperation in Europe, the EU, OECD, and other inter-governmental fora.

As regards civil society resilience and capacity, the guidelines take inspiration primarily from two main self-assessment standard-setting attempts developed by civil society at the global level: the Global Standard for CSO Accountability⁶; and the Civicus Civil Society Index⁷.

The Guidelines contribute to the implementation of the accession process in line with the Copenhagen political criteria and the revised accession methodology; and they contribute to operationalising the political priorities of the {new Instrument for Pre-accession Assistance - IPA III. They are directly linked to the following specific objectives of the instrument:

- a) To strengthen the rule of law, democracy, the respect of human rights, fundamental rights and international law, civil society and security as well as improve migration management including border management;
- b) To reinforce the effectiveness of public administration and support structural reforms and good governance at all levels⁸.

The **results framework presented in Annex A** also indicates the specific origin of the outcomes and results indicators selected for these guidelines.

6. EU SUPPORT

DG NEAR will offer a combination of political and financial support to help stakeholders meet the strategic objectives.

In its **political support** the Commission will encourage candidates and potential candidates to make legislation more conducive for civil society to fulfil its functions. It will promote the involvement of civil

⁶ <https://accountablenow.org/the-global-standard-for-cso-accountability/>

⁷ <https://www.civicus.org/view/media/CSIAssessingandStrengtheningCivilSocietyWorldwide.pdf>

⁸ Here a note on the final IPA III Regulation when available

society in the pre-accession process, including in the formulation, implementation and monitoring of sector strategies for EU financial assistance which will be strengthened under IPA III.

The Commission will continue to deliver its **financial assistance** through a mix of funding modalities to respond to different types of CSOs, needs and contexts. Building on the experience of the IPA II period, attention will continue to be given to the need for longer-term engagement; fostering partnership and coalition building; and continuing to reach out to smaller organisations, in particular through sub-granting (financial support to third parties) and flexible support mechanisms to respond to their specific needs.

As in the previous period, support will be provided both through **bilateral and regional** channels and targeted at **local, central as well regional** work.

Project specific outputs and activities and thematic focus areas will be defined during the regular detailed programming and contracting stages.

Civil society will also be supported under sector programmes through measures that enhance their role and capacities to participate actively in formulation and implementation of sector strategies for EU financial assistance.

The EU recognises that a genuine culture of active citizenship requires local ownership and a diversified, stable source of both private and public funding. As the IPA beneficiaries move towards accession, the Commission will support CSOs to become less dependent on international donor funding, including funding from the EU

7. MEASURING RESULTS AND IMPACT

Beyond **project level monitoring** in line with DG NEARs internal procedures, the EU will analyse the overall effectiveness of its support, and the evolution of the IPA beneficiary state of affairs concerning civil society. This will be done through a **yearly participatory monitoring exercise, including bilateral and regional meetings** with CSOs and other stakeholders. The exercise will make use of the indicators and the sources of verification indicated in the results framework in Annex A.

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ANNEX A: DETAILED RESULTS FRAMEWORK FOR EU SUPPORT TO CIVIL SOCIETY IN THE WESTERN BALKANS AND TURKEY IN THE ENLARGEMENT CONTEXT 2021 - 2027

Explanation of the terminology of the framework:

- **Overall objectives:** The broader, *long-term impact* and *situation to be achieved*; a standard enshrined in international and European-level human rights legal framework and EU best practices;
- **Specific Objectives/Outcomes:** *Short to medium term effects* targeted by an intervention;
- **Results Indicators:** Measures of progress in achieving the agreed objectives and outcomes;
- **Benchmark:** Situation attainable under ideal conditions and representing a concrete *optimum situation* to be achieved within the time period. Benchmarks are defined in reference to existing regional standards (for Area 1 and 2) for which aspirant countries already have obligations derived from them, while for Area 3 these contain existing recognized civil society self-regulating frameworks or assessment tools in the area of civil society development;
- **IPA Beneficiary Target:** This column is provided in support of IPA beneficiaries' development and revisions of their own specific CSO strategies. Targets refer to a *specified level of performance for an indicator at a predetermined point in time*. In preparing their own strategies, IPA beneficiary authorities/institutions and CSOs will set their own specific targets - in many cases, the target can not justifiably be different from the outcome and benchmark, but, in others, the target may need to be formulated differently, or may represent a step towards achieving the benchmark;
- **Baseline:** The level of performance at a specified starting point. Provides the initial point of comparison for the future measures of performance. For determining a baseline, the EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) is to be used alongside other relevant reports;
- **Source of verification (SoV):** Primary and secondary information sources used to monitor and assess the situation in the given time period, i.e. annually.

Guidelines for EU Support to Civil Society in the Enlargement Region, 2021-2027: DRAFT Result Framework

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|---|--|--|---|---|---|
| Overall objective: The overall objective of the EU support to civil society within the enlargement policy is to strengthen participatory democracies and the EU approximation process in the Enlargement region | | | | | |
| Specific objectives for Conducive environment | | | | | |
| SO 1.1 All individuals and legal entities in the Enlargement region can establish, join and participate in non-formal and/or registered organisations, can assemble peacefully and can express themselves freely | <p>1.1.a. Number of cases of infringement of basic constitutional rights of individuals and legal entities to express freely, to assemble, to join and/or participate in non-formal and/or registered organisation, and of these, the number of cases duly investigated and sanctioned (disaggregated to show human rights defender cases) by IPA beneficiary authorities</p> <p>1.1.b. There is no case of grave violation or infringement of the freedom of association, assembly and expression in practice</p> <p>1.1.c. Progress with the adoption and implementation of relevant legislation in terms of:</p> <ul style="list-style-type: none"> - establishing/registration requirements without discrimination (age, nationality, legal capacity, gender, etc); - no restrictions in determination of the scope of activities, and pursuing of their objectives; - rules for dissolution and termination meet the standards of international law; - adequate (appropriate and justified) restriction of freedom of assembly (in line with international standards); - freedom of expression for all, with limited restriction for hate speech (for example). | <p>EU Charter of Fundamental Rights: Article 12 - Freedom of assembly and of association Article 11: Freedom of expression</p> <p>European Convention on Human Rights (ECHR) Article 11 – freedom of assembly and association Article 10 – freedom of expression</p> <p>Joint Guidelines on Freedom of Association European Commission for Democracy Through Law (Venice Commission)</p> <p>Acquis Chapter 6: Company law (registration process)</p> <p>Acquis Chapter 23: Judiciary and fundamental rights</p> | <p>Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports.</p> | <p>Documents: Annual courts statistics</p> <p>Reports by international, regional and national human rights bodies and organizations</p> <p>European Court for Human Rights judgments</p> <p>Methods: Review of legislation Survey with CSOs Focus groups Interviews</p> | <p>Legal framework: Legal framework is in full compliance with international standards on basic freedoms and any needed improvements are made till 2027.</p> <p>Practice: No grave case of violation or infringement is present and if it happens, it is properly sanctioned.</p> |

⁹ Offered in support of IPA beneficiaries development/revision of domestic CSO strategies or CSOs own strategic plans

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|--|--|---|--|--|--|
| <p>SO 1.2. All IPA beneficiary authorities protect CSOs from interference and attacks, respects privacy and have targeted and proportional measures for CSOs in place when fighting extremism, terrorism, money laundering and corruption</p> | <p>1.2.a. Existence of law provisions that clearly protect the right of CSOs and CSOs have access to effective complaint and appeal mechanism to challenge or seek review of decisions affecting exercise of their rights measured in terms of:</p> <ul style="list-style-type: none"> - number of complaints concerning lack of protection of CSOs; - number of attacks on civil society activists, and undertaken measures by the state institutions to protect; - number of attacks on CSOs and their members (in forms of: threats, defamation, smear campaign, intimidation, harassment, hate speech on-line and off-line), and undertaken measures by the IPA beneficiary authorities/institutions to protect; - number of reported damages to property, and undertaken measures by the IPA beneficiary authorities/institutions to protect. <p>1.2.b. Laws to combat extremism, terrorism, money laundering and corruption do not include provisions that restrict or make it impossible for CSOs to undertake legitimate activities or enjoy fundamental rights, as well as in practice CSOs activities are not limited due to unjustified or disproportionate claims of connections with all these deviations to be measured in terms of:</p> <ul style="list-style-type: none"> - number of organisations unjustly accused and convicted for their alleged connections with extremism, terrorism, money laundering and corruption; - disproportionality of measures for restriction of funding applied to CSOs in comparison to other entities, e.g. political parties; - number of cases where the IPA beneficiary authorities/institutions or banks disrupt or discourage CSOs to open bank accounts, to send or receive money. | <p>EU Charter of Fundamental Rights: Article 7 Charter – Respect for private and family life Article 8– Protection of personal data Acquis Chapter 4: Free movement of capital (<i>relevance and proportionality of measures for CSOs</i>) Acquis Chapter 23: Judiciary and fundamental rights Acquis Chapter 24: Justice, freedom and security</p> | <p>Based on EU TACS0 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports</p> | <p>Documents: Annual courts statistics Reports by international, regional and national human rights bodies and organizations CIVICUS Monitor European Court for Human Rights judgments</p> <p>Methods: Survey with CSOs Media reports</p> <p>Documents: GRECO and MONEYVAL thematic and country evaluations</p> <p>Methods: Review of legislation Survey with CSOs Media reports Focus groups Interviews</p> | |

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|--|--|---|--|--|--|
| <p>SO 1.3. IPA beneficiary authorities treat all CSOs equally with regards to their operation, and equitably with business entities</p> | <p>1.3.a. CSOs are treated equally and any preferential treatment is based on clear and objective criteria such as: - number of cases where state bodies, have preferential and/or discriminative treatment toward specific CSOs.</p> <p>1.3.b. CSOs are not subject to stricter administrative and operational requirements than business entities, can receive benefits and compete in public procurement on equal basis with business entities: - number/percentage of inspections and sanctions for CSOs comparing to other business entities; - numbers of rejections or limited CSOs access to public procurement competition; - reporting requirements are proportional to the size and operation of CSOs.</p> | <p>EU Charter of Fundamental Rights: Article 21 – non-discrimination</p> <p>ECHR: Article 14 - Prohibition of discrimination Acquis Chapter 3: Right of establishment and freedom to provide services (equal access by CSOs to providing services) Acquis Chapter 5: Public procurement</p> <p>Acquis Chapter 6: Company law <i>(proportionate reporting requirements for CSOs, request for audits etc.)</i></p> <p>Acquis Chapter 22: Regional policy and coordination of structural instruments <i>(CSOs as beneficiaries of EU funds, or contractors)</i></p> | <p>Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports</p> | <p>Documents: (Business) registers and agency for employment website, reports</p> <p>Methods: Review of legislation Survey with CSOs Focus groups Interviews</p> | |
| <p>SO 1.4. Central and/or local IPA beneficiary authorities have enabling policies and rules for small community organizations and civic initiatives (grass-roots organisations*)</p> | <p>1.4.a Small community/local organisations and civic initiatives are recognised by the law or in case not, can operate freely without registering</p> <p><i>Definition of grassroots: *A grass-roots organisation is a self-organised group of individuals pursuing common interests through a volunteer-based, non-profit organisation. Grassroots organisations usually have a low degree of formality but a broader purpose than issue-</i></p> | <p>Acquis Chapter 23: Judiciary and fundamental rights</p> | | <p>Documents: Annual report on public funding and consultations CIVICUS Monitor</p> <p>Methods: Review of legislation Survey with CSOs Focus groups Interviews</p> | |

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|--|--|--|---|---|--|
| | <i>based self-help groups, community-based organisations or neighbourhood-associations.</i> | | | | |
| SO 2.1. All CSOs are free to solicit and receive funding | <p>2.1.a. Legislation stimulates and practice allows all kind of donations (including from abroad) according to international standards measured in terms of:</p> <ul style="list-style-type: none"> - regulated and practiced cash and in-kind donations from all sources; - possibility for funding from public bodies; - possibility for funding from institutional/corporate or individual donors -no obstacles for funding from other states or multilateral agencies; - subject only to the laws generally applicable to customs, foreign exchange and money laundering, counter terrorism and those of the funding of elections and political parties. | Council of Europe Recommendation CM/Rec (2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe | Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports | <p>Documents:</p> <ul style="list-style-type: none"> Tax authority reports/data CatalystBalkans report on donations World Giving Index <p>Methods:</p> <ul style="list-style-type: none"> Review of tax legislation Survey with CSOs Media reports Focus groups Interviews | Legal framework allows for access to diverse types of funds. The volume and type is comparable to the needs of civil society and include institutional/multi-year funding. There is a consistent positive trend of increase in public funding. |
| SO 2.2. Public financial and non-financial support to CSOs is available in IPA beneficiaries, and provided in a transparent, accountable, fair and non-discriminatory manner. | <p>2.2.a. CSO's perception of the provision of funds in terms of transparency, fairness and non-discrimination</p> <p>2.2.b. Ratio of amount sought vs. amount approved/disbursed annually through public funding to CSOs and trend/increase of funding each year</p> <p>2.2.c. Quality of the IPA beneficiary authorities funding frameworks for CSOs (focusing on procedural document) in terms of:</p> <ul style="list-style-type: none"> - clear and objective criteria; - regulated conflict of interests; - monitoring and evaluation of used public fund; - regular reporting for used public funds <p>2.2.d The application process for public funding is simple, transparent, information is widely published and selection criteria are publicly announced in advance.</p> | <p>Council of Europe Recommendation CM/Rec (2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe</p> <p>No. 57 "<i>NGOs should be assisted in the pursuit of their objectives through public funding and other forms of support (...)</i>"</p> <p>No. 58. "<i>Any form of public support for NGOs should be governed by clear and objective criteria</i>"</p> | | <p>Documents:</p> <ul style="list-style-type: none"> Annual reports on public funding, lottery proceeds etc. (if existing) Final account of the state budget <p>Methods:</p> <ul style="list-style-type: none"> Review of legislation Survey with CSOs Media reports <p>Focus groups</p> <p>Interviews</p> | |

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|---|---|---|--|--|--|
| <p>SO 2.3 Individuals and corporates enjoy tax benefits for their donations for CSOs</p> | <p>2.3.a. Number and kind of donations to CSOs from individual and corporate donors (specified in monetary values)</p> <p>2.3.b. Individuals and corporates can use clearly defined and available tax benefits without administrative burdens. Sub-indicators to be considered:</p> <ul style="list-style-type: none"> - Tax deductions for individual (including philanthropy) and corporate donations are provided in the legislation (with clear requirements and conditions) - CSOs involved in creation of state policies for Corporate Social responsibility | <p>CoE Recommendation CM/Rec (2007)14</p> <p><i>No. 57 “NGOs should be assisted in the pursuit of their objectives through public funding and other forms of support, such as exemption from income and other taxes or duties on membership fees, funds and goods received from donors or governmental and international agencies, income from investments, rent, royalties, economic activities and property transactions, as well as incentives for donations through income tax deductions or credits.”</i></p> <p>Acquis Chapter 16: Taxation ((donations are not-taxed or preferably there are tax benefits for such activities)</p> | <p>Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports</p> | <p>Documents: Tax authority reports/data CatalystBalkans report on donations World Giving Index</p> <p>Methods: Review of tax legislation Survey with CSOs Media reports Focus groups Interviews</p> | |

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|---|---|---|--|---|---|
| <p>2.4. Financial (e.g. tax or in-kind) benefits are available for CSOs</p> | <p>2.4.a. Percentage of CSOs aware of tax incentives and benefiting from them.</p> <p>2.4.b.: The legislation provides and practice supports favourable tax benefits for grants, donations, economic activities, passive investments, endowments, membership fees, etc. that support non-profit activities, and does not provide for additional taxation in case of donation to CSOs.</p> | <p>Council of Europe Recommendation CM/Rec (2007)14</p> <p><i>No. 57 “NGOs should be assisted in the pursuit of their objectives through public funding and other forms of support, such as exemption from income and other taxes (...).”</i></p> <p>Acquis Chapter 16: Taxation ((donations are not-taxed or preferably there are tax benefits for such activities)</p> | | <p>Documents: Tax authority reports/data CatalystBalkans report on donations World Giving Index</p> <p>Methods: Review of tax legislation Survey with CSOs Media reports Focus groups Interviews</p> | |
| <p>2.5. IPA beneficiaries authorities’ policies and legal environment stimulate and facilitate volunteering and employment in CSOs</p> | <p>2.5. a. Number of employees in CSO (permanent and part-time) and number of volunteers in CSOs (both subject to availability of data)</p> <p>2.5.b. Number and type of incentives and state supported programmes for the development and promotion of volunteering. Alt.: Number of hours that citizens spent in volunteering annually.</p> <p>2.5.c. Quality of legislative framework for employment and volunteering in terms of: - supportive employment policy and incentive programmes for employment in CSOs; - Clearly defined and non-discriminatory contractual relationships and protections covering organized volunteering.</p> | <p>EC Communication on EU Policies and Volunteering: Recognizing and Promoting Cross- border Voluntary Activities in the EU, COM (2011) 568 final Acquis Chapter 2: Freedom of movement for workers</p> <p>Acquis Chapter 24: Justice, freedom and security (ability for easy and effective cross-border volunteering)</p> | <p>Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports</p> | <p>Documents: Pension fund, statistic office, agency for employment, register of other relevant institution World Giving Index (perception on volunteering) Methods: Review of employment and volunteering legislation UN National Accounting Handbook on Non-Profit Institution sin the System of National Accounts and ILO Manual on measuring volunteering in civil society Survey with CSOs Focus groups Interviews</p> | <p>Legal framework: Access to (aggregated) date on employment is easy.</p> <p>Practice: Engagement of volunteers is easy and records are available (through regular statistical data-gathering)</p> |

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|--|--|---|--|---|---|
| Specific objectives for Changing relations between CSOs and public authorities (institutions) | | | | | |
| SO 3.1. IPA beneficiary authorities include CSOs in decision- and policy-making process and acknowledge the importance of CSOs in improving good governance | <p>3.1.a. Percentage of laws/bylaws, strategies, other acts of public interest and policy reforms effectively*¹⁰ consulted with CSOs * in terms of:</p> <ul style="list-style-type: none"> - access to information on draft policy/legal act from the beginning of its drafting until the end of the adoption procedure - sufficient time (min 15 days) for commenting prior the sending of draft/policy act into the procedure for adoption - use of extraordinary/expedited procedures in adopting legislation without adhering to minimum standards of consultation is an exception and dully justified - timely publication of reports on results of public consultations, with elaboration of reasons for not accepting certain comments - selection of working groups members from CSOs, based on public call, equal treatment and clear criteria ensuring diversity and balance between quality and quantity representativeness of CSOs. <p>3.1.b. Mechanisms for dialogue are clear, open, accessible and efficient* (issues are resolved in timely manner) on state (government, ministries, parliament) and local level (mayor, local administration, municipality council) efficient* in terms of:</p> <ul style="list-style-type: none"> - frequency (regularity) of sessions - right of CSOs members to initiate the session and agenda items - adequate follow-up of conclusions and recommendations etc. | <p>CoE Declaration by the Committee of Ministers on the Code of Good Practice for Civil Participation in the Decision-Making Process, 2009</p> <p>Domestic PAR legislation – based on EU/SIGMA Principles of Public Administration</p> <p>EC Communication - Towards a Reinforced Culture of Consultation and Dialogue – General principles and minim standards for consultation of interested parties by the Commission, COM (2002) 704</p> <p>Principles of Public Administration – Principle 11: Policies and legislation are designed in an inclusive manner that enables</p> | <p>Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports</p> | <p>Documents: Annual reports on public consultations (if existing) Example: https://ekonsultacije.gov.ba/; https://zqm.rks-gov.net/en/; https://ener.gov.mk WeBER report (CSOs inclusion in PAR)</p> <p>Annual implementation reports of PAR strategies (prepared by the IPA beneficiaries themselves) as well as the Commission's and SIGMA's assessment of PAR implementation</p> <p>Methods: Review of legislation Survey with CSOs Focus groups Interviews</p> <p>Documents: Mechanism (office, council etc.) report, minutes from sessions, website Methods:</p> | <p>Minimum standards (see indicators) of consultation are respected in legal framework and practice. FIO and feedback mechanisms are functional. Data on consultations are collected and annual reports produced and published.</p> |

¹⁰ For the purpose of Guidelines and monitoring effective consultations are those when minimum standards of consultations, as follows, are respected:

1. there is a legal obligation to publish draft laws on the Internet and drafts are regularly published,
2. sufficient time to comment: minimum 15 *working days*,
3. if there is a working group or other advisory body established for the preparation of specific draft, the working group members represent various stakeholders and criteria for appointment of the representatives are transparent, open, inclusive and known in advance,
4. there is an obligation to publish a feedback report with a summary of consultation process, list of involved stakeholders, summary of received comments/proposals, their impact on the draft law and justification of rejected comments/proposals.

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|---|---|---|--|---|--|
| | | active participation of society and allows for co-ordination of different perspectives within the government, 2014 | | Review of regulatory framework (rulebook etc.) Survey with CSOs Focus groups Interviews | |
| SO 3.2 IPA beneficiary authorities are capable to mainstream civil society and to acknowledge importance of development and cooperation with civil society through a strategic framework, polices and which is based on adequate basic data and needs | <p>3.2.a Strategic framework or measures are efficiently * (see definition above) drafted in cooperation with civil society</p> <p>3.2.b Central level institution or mechanism(s) have sufficient (HR, financial) resources and mandate for facilitating CSO-public authorities (institutions) dialogue, discussing the challenges and proposing the main policies for the development of civil society</p> | <p>Acquis Chapter 6: Company law</p> <p>Acquis Chapter 18: Statistics (<i>the issue of CSO data</i>)</p> <p>Acquis Chapter 28: Consumer and health protection (<i>role for consumer associations ensured in line with the acquis</i>)</p> | | <p>Documents: Mechanism (office, council, etc.) report, minutes from sessions, websites</p> <p>Methods: Review of regulatory framework (rulebook etc.) Survey with CSOs Focus groups Interviews</p> | <p>Strategies frameworks and measures transpose EUCSG objectives. Mechanism for dialogue and action plans are resources appropriately (human resource capacity, funding).</p> |
| Specific objectives for CSO resilience and capacities | | | | | |
| <p>SO 4.1. CSOs' internal governance structures follows the principles of good governance*</p> <p><i>*CSOs have clearly defined management structure, including a recognised division of responsibilities between the governance (governing board) and executive bodies (director, staff members).</i></p> | <p>4.1.a. CSOs follow legal obligation for internal governance structures (which are not excessive) in everyday work</p> <p>4.1.b. Percentage of CSOs publishing their organizational structure and internal documents (statutes, financial regulations, rulebooks, codes of conduct etc.), incl. gender balance policies</p> <p>4.1.c. Actual role of governing and/executive bodies is in line with their legal role/expectations of members/constituencies</p> <p>4.1.d. Existence/establishment of sub-sector or sector-wide initiative for self-regulation in the area of transparency and accountability</p> <p>4.1.e. Gender balance in organization structures</p> | <p>Global Standard for CSO Accountability</p> <p>Civicus Civil Society Index</p> <p>Civicus Civil Society Index Rapid Assessment (CSI-RA)</p> | <p>Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports</p> | <p>Documents: CSO Sustainability Index</p> <p>Methods: Survey with CSOs Case studies Focus groups Interviews</p> | <p>CSOs are able to participate to policy- and decision-making and act on behalf of their constituency as independent actors in cooperation with others or alone and be guided by their vision and mission in doing so. CSOs act in accordance with the right to</p> |

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|---|---|---|---|---|---|
| SO 4.2. CSOs in the Enlargement region are able to communicate the results of their activities to the public | 4.2.a. Percentage of CSOs having at least one on-line channel (website, social media etc.) | | Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports | Documents: CSO Sustainability Index Reports based on Civicus methodology (if existent) Methods: Survey with CSOs Case studies Focus groups Interviews | freedom of association and are responsible to their governing structures, employees, members and continuities. They are able to attract support from different sources and are able and willing to communicate to general public on their achievements. |
| | 4.2.b. Presence of specialized PR/Communication staff in organizations structure (except in small local organizations) | | | | |
| SO 4.3. CSOs are transparent about their programme activities and financial management | 4.2.c. Cases of cooperation between CSOs and media Alt: Level of media coverage of CSOs activities and number of cases of positive analysis of the role CSOs play in civil society | | | | |
| | 4.3.a. Percentage of CSOs making their (audited) financial accounts and annual reports publicly available | | | Documents: Aggregated report from register (if available) Reports based on Civicus methodology (f existent) Methods: Survey with CSOs Focus groups Interviews | |
| SO 4.4. CSOs monitor and evaluate the results and impact of their work | 4.4.a. Share of CSOs that monitor and evaluate their projects and programmes funded by the EU using baselines and quality indicators (alt. Share of CSOs that engage in data collection) | | | Documents: CSO Sustainability Index Reports based on Civicus methodology (f existent) CSF-project databases (if existent) Methods: Survey with CSOs Case studies Focus groups Interviews | |
| | 4.4.c. Cases of conducted evaluation of EU-funded project and programme | | | | |
| SO 5.1. CSO activities are guided by long-term mission, vision and goals (VMG) defined by its members and are able to consistently follow it in their actions | 5.1.a. Number of CSOs, which have clearly defined VMG by its members | Civicus Civil Society Index | | Documents: National reports based on Civicus methodology (f existent) Methods: Survey with CSOs Case studies Focus groups | |
| | 5.1.b Use of stakeholder analysis and feedback mechanisms from constituency/members | Civicus Civil Society Index Rapid Assessment (CSI-RA) | | | |

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|--|--|---|---|---|--|
| SO 5.2. CSOs use research and other forms of evidence to underpin their activities as well as their advocacy addresses root causes | 5.2.a. Number of CSOs' who use adequate argumentation and analysis for achieving advocacy goals , incl. gender equality | | Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports | Interviews Documents: CSO Sustainability Index Reports based on Civicus methodology (f existent) | |
| | 5.2.b. Cases of use of evidence in EU-funded project activities focused on advocacy | | | Methods: Survey with CSOs Case studies Focus groups Interviews | |
| SO 5.3. CSOs regularly network within and outside borders and make use of coalition-building for increased impact in campaigning and advocacy | 5.3.a. Number of CSOs taking part in local, national, regional and international networks and cases of cross-sectoral partnership (academia, private sector) | | | Documents: Reports based on Civicus methodology (f existent) | |
| | 5.3.b. Cases of start/boost of networking through EU-funded projects aiming at campaign and advocacy | | | Methods: Survey with CSOs Case studies Focus groups Interviews | |
| SO 5.4. CSOs pursue public good¹¹ in their work | 5.4.a Percentage of public trust in CSOs (in general population surveys vis-à-vis other institutions) | | | Documents: General public perception survey report CSO Sustainability Index Reports based on Civicus methodology (f existent) Methods: Survey with CSOs | |

¹¹ Benefits or well-being of the public. In contrast to private, individual good of a group or individual.

| RESULTS LEVELS (Overall objective, specific objective/outcomes) | Results indicator | Benchmarks/ Reference to Regional Standards | Baseline/ Current Value | Source of Verification (SoV) | IPA beneficiary time-bound target ⁹ |
|---|---|--|---|--|--|
| SO 6.1. Fund-raising activities are underpinned by CSOs' core VMG | 6.1.a. Percentage of CSOs that confirm that they are able to raise funds according to their planning and in line with their VMG | Global Standard for CSO Accountability | Based on EU TACSO 3 Annual Monitoring Report 2020 (available in spring 2021) and other relevant reports | Documents: CSO Sustainability Index Reports based on Civicus methodology (f existent) | |
| | 6.1.b. Donor policies are based on and inclusive of CSOs needs (indirect indicator) 6.1.c. Data on sources of CSOs funding are available (incl. disclosure of names of the donors in line with data protection regulations) | Civicus Civil Society Index Civicus Civil Society Index Rapid Assessment (CSI-RA) Acquis Chapter 9: Financial services (<i>occupational insurance</i>) Acquis Chapter 22: Regional policy and coordination of structural instruments (<i>CSOs as beneficiaries of EU funds, or contractors</i>) | | | |
| SO 6.2. CSO have a diversified funding base, including reliance on membership fees, corporate/individual giving and social entrepreneurship | 6.2.a. Diversity in CSO sources of income, e.g. at least 2 different donor types, no single donor is more them 50% of the organization's budget | Acquis Chapter 19: Social policy and employment (treatment of staff in CSOs) | | Documents: CSO Sustainability Index Aggregated report from register (if available) Reports based on Civicus methodology (f existent) | |
| | 6.2.b. Cases of alternative funding sources (i.e. crowdfunding) practiced by CSOs | | | | |
| SO 6.3 CSOs have effective, empowered and developed human resources (employees, volunteers) | 6.3.a. Existence of internal codes of conducts for employees and staff | Acquis Chapter 19: Social policy and employment (treatment of staff in CSOs) | | Documents: CSO Sustainability Index Reports based on Civicus methodology (f existent) | |
| | 6.3.b Cases of support to exchange know-how, learning by staff and volunteers | | | | |
| | 6.3.c. Hiring process are transparent and fundamental labour rights and standards are upheld, incl. gender policies | | | | |