

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

Produced by DG NEAR with the support of EU TACSO 3
Skopje, June 2022

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The first version of the “Guidelines for EU Support to Civil Society in Enlargement Countries”, 2014-2020 (EUCSG) was developed during 2013 through a consultative process involving key stakeholders from the region. This present revised version is based on lessons learned and feedback received from representatives of Civil Society Organisations (CSOs), public institutions and other stakeholders on 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. This revised version also takes into account the findings of the 2017 evaluation of the Civil Society Facility and the findings of the Evaluation of the EU’s engagement with Civil Society in the enlargement, neighbourhood regions and Russia 2007-2018. Extensive attention has been given to defining results indicators that can be objectively monitored.



These Guidelines are for EU staff, civil society in the Enlargement region and IPA beneficiary policy makers and officials.

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SUMMARY

The present Guidelines outline the results towards which EU support to civil society in the enlargement region will aspire in the period 2021 – 2027. They are intended for a three-fold audience:

- » For **EU staff**: to assist them in designing and implementing EU support to civil society; and in analysing the state of affairs concerning civil society in the IPA beneficiaries, including as part of assessing progress towards the Copenhagen political criteria.
- » For **civil society in the region**: to ensure there is a shared view regarding the expected results of EU civil society support, as regards the enabling environment; cooperation between civil society and public authorities; as well as the performance and standards that CSOs themselves should meet.
- » For **IPA beneficiary policy-makers and officials**: to assist them in developing and monitoring their own strategies and support for civil society development, by laying out relevant standards and expectations - notably in terms of the enabling environment for civil society and the involvement of civil society in public-policy making and in the EU integration process, and in particular with regards to the fundamentals cluster.

The way in which IPA beneficiaries address these issues is an important aspect under the political criteria, including in the context of the accession negotiations. The Commission's Enlargement Packages thoroughly report on these issues under the fundamentals cluster introduced with the revised enlargement methodology adopted in 2020.

The guidelines are anchored in a solid set of standards. These are based on EU Rule of law Acquis (Chapter 23 “Judiciary and fundamental rights” and Chapter 24 “Justice, freedom and security”) and other relevant international and European standards. They are furthermore aligned with recommendations, opinions and guidelines adopted by international organisations and inter-governmental fora. They apply standards developed by civil society for civil society at the global level.

In the 2021-2027 period, EU support to civil society will continue to focus on strengthening participatory democracies and the EU approximation and integration process in the Western Balkans and Turkey through a strengthened contribution by civil society. EU support will aim at achieving the following three outcomes:

A conducive environment for civil society to carry out its activities

- » An enabling legal and policy environment, for the exercise of fundamental freedoms and rights, with a focus on freedoms of association, assembly, and expression.
- » An enabling financial environment, which supports the sustainability of CSOs, with adequate funding and tax rules for civil society.

Strengthened cooperation and partnership between CSOs and public institutions

- » IPA beneficiary public institutions include CSOs in decision- and policy-making process and oversight, and acknowledge the importance of CSOs in societal policy debate and EU integration processes.
- » IPA beneficiary public institutions contribute to civil society strengthening by cooperating with civil society through strategic policy frameworks and relevant institutional mechanisms.

Reinforced CSO capacity and resilience to carry out their activities effectively

- » CSOs are capable, transparent and accountable.
- » CSOs' work is vision-driven, strategic, and evidence based.
- » CSOs work with adequate financial and human resources.



1 — Civil society – an essential player in the enlargement agenda

The Treaty on European Union (Article 49) establishes that any European State which respects and is committed to promoting the values set out in Article 2 of the TEU, namely the respect 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.

The enlargement region faces a range of challenges in fields such as the rule of law, including judicial independence, fight against corruption and organised crime, and media freedom, as well as economic development, environmental protection, and social cohesion. Civil society can make a substantial contribution to addressing these, through advocacy, monitoring, innovation, services, and oversight activities. CSOs are essential partners in achieving longer-term transformative societal change.

When it comes to democratic governance, CSOs create demand for enhanced transparency, accountability and effectiveness from IPA beneficiary institutions and facilitate a focus on the needs of citizens. They also contribute to regional integration and reconciliation processes.

In addition, the involvement of civil society in the enlargement process can contribute to deepening citizens' understanding of the reforms needed in order to meet the requirements of EU membership. This will help ensure that EU integration is based on genuine civic participation in the public debate.

The way in which IPA beneficiaries address these issues is an important aspect under the political criteria. The Commission's Enlargement Packages thoroughly report on these issues under the fundamentals cluster introduced with the revised enlargement methodology adopted in 2020.





② — EU engagement with civil society – key EU policy commitments

In its 2012 Communication “The Roots of Democracy and Sustainable Development: Europe’s Engagement with Civil Society in External Relations”², the European Commission outlined preconditions and priorities for EU support to civil society organisations in the external relation context. For the Enlargement region specifically, a more detailed tool for supporting and monitoring civil society development was developed – the Guidelines for EU Support to Civil Society in Enlargement countries, 2014-2020³.

Structured participation of CSOs in policy- and decision-making is a key priority for the EU. The Communication on The Roots of Democracy and Sustainable Development indicates that 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.

The 2018 Commission communication on A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkan⁴ also 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 to their improvement. The 2030 Agenda for Sustainable Development and the EU Consensus on Development reiterate this commitment, calling for stronger and more inclusive multi-stakeholder partnerships.

The 2020 Communication on Enhancing the Accession Process - A Credible EU Perspective for the Western Balkans⁵ introduced a new negotiation methodology: the current negotiating chapters are now grouped into six




² COM(2012) 492 final of 12.9.2012: The Roots of Democracy and Sustainable Development

³ https://ec.europa.eu/neighbourhood-enlargement/guidelines-eu-support-civil-society-enlargement-countries-2014-2020_en

⁴ COM(2018) 65 final of 6.2.2018: A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans

⁵ COM (2020) 57 final of 5.2.2020: Enhancing the Accession process - A Credible EU Perspective for the Western Balkans



thematic clusters, including one on fundamentals, which includes judiciary and fundamental rights, the rule of law, democratic institutions and public administration. The backbone of the fundamentals is the EU Rule of Law Acquis (Chapter 23 “Judiciary and fundamental rights” and Chapter 24 “Justice, freedom and security”) and other relevant International and European standards. Negotiations on the fundamentals will be opened first and closed last and will determine the overall pace of negotiations. Thus, these fundamentals will become even more central in the accession negotiations.

The increased emphasis on the fundamentals of EU accession is in line with an increased focus on strengthening and promoting the EU’s core values within the EU through a number of recent EU initiatives, including: The European Democracy Action Plan⁶; the new European Rule of Law

Mechanism⁷, and the new EU Strategy to Strengthen the Application of the Charter of Fundamental Rights⁸.

In October 2020, the Commission adopted the Economic and Investment Plan for the Western Balkans⁹, in order to boost the economic and social development and recovery of the region. Up to €9 billion in EU grants from IPA III is allocated for the Plan, which will mobilise an additional €20 billion of investments. The Plan will invest into flagships in the areas of transport, energy, green and digital transition, private sector and human development, to create sustainable growth and jobs. The Plan also supports regional economic integration to help accelerate convergence with the EU, ultimately speeding up the process of EU integration. Implementation will need to go hand in hand with reforms. Wide involvement of civil society is key to help with the plan’s implementation.

⁶ COM (2020) 790 final of 3.12.2020 on The European Democracy Action Plan (EDAP) seeks to strengthen the resilience of EU democracies through measures to strengthen media freedom and pluralism, to fight disinformation and ensure free and fair elections.

⁷ The European Rule of Law Mechanism provides a process for an annual dialogue between the Commission, the Council and the European Parliament together with Member States as well as national parliaments, civil society and other stakeholders. The EU-27 Rule of Law Reports published annually since 2020 are the foundation of this new process.

⁸ COM (2020) 711 final of 2.12.2020: The Strategy to Strengthen the Application of the Charter of Fundamental Rights focuses on ensuring effective application of the Charter by the Member States and the EU institutions and strengthening people’s awareness about their rights under the Charter. It acknowledges the key role played by civil society organisations and rights defenders and stressed that they should be able to work without fear in a supportive environment.

⁹ COM(2020) 641 final of 6.10.2020: An Economic and Investment Plan for the Western Balkans



3 — Definition of civil society

Civil society is highly heterogeneous and encompasses a wide range of actors and aims. The EU considers civil society organisations to embrace a wide range of actors with multiple roles and mandates which includes all non-State, not-for-profit, independent and non-violent structures, through which people organise to pursue shared objectives and ideals, whether political, cultural, religious, environmental, social or economic or related to health [...] They include, but are not limited to: Non-governmental organisations, organisations representing indigenous peoples, women's and youth organisations, diaspora organisations, migrants' organisations, local traders' associations and citizens' groups, cooperatives, employers' associations and trade unions (social partners), organisations representing economic and social interests, organisations fighting corruption and fraud and promoting good governance, civil rights

organisations and organisations combating discrimination, local organisations (including networks) involved in decentralised regional cooperation and integration, consumer organisations, environmental, teaching, cultural, research and scientific organisations, universities, churches and religious associations and communities, philosophical and non-confessional organisations, the not-for-profit media and any non-governmental associations and independent foundations, including independent political foundations¹⁰.

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 EU values CSOs' diversity and specificities and engages with transparent, accountable and capable CSOs.

¹⁰ This general definition is established in the Neighbourhood, Development and International Cooperation Instrument (NDICI) Thematic Programme for Civil Society Organisations - Multi Annual Indicative Programme 2021-2027. It should be noted that for calls for proposals under IPA III more specific criteria may apply.



4 — EU support to civil society under IPA III

In 2008, the Commission established the Civil Society Facility and Media Programme - the CSF - a comprehensive financial framework for support to civil society and media under the Instrument for Pre-Accession Assistance (IPA). Under IPA II, the EU programmed more than € 330 million through the CSF.

The EU is committed to continue to support civil society under the new financial framework – 2021 - 2027. The IPA III Regulation clearly indicates the eligibility of support to the enabling environment for civil society, and to civil society capacity, independence and plurality. The IPA III programming framework¹¹ refers extensively to support to civil society, both in a cross-cutting manner and as a specific thematic priority.

For the period 2021 – 2027, the overall objective of the Civil Society Facility is **to strengthen participatory democracies and the EU approximation and integration process** in the enlargement region through an enhanced contribution of civil society.

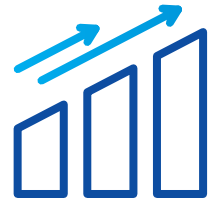
Three overarching outcomes will be targeted as enablers for civil society to be able to play its dedicated role across any thematic area of work:




A conducive environment for civil society to carry out its activities.



Strengthened cooperation and partnership between CSOs and public institutions.



Reinforced capacity and resilience of CSOs to carry out their activities effectively.

The below sections provide an overview of these three outcomes. More details are provided in the results framework in Annex A. 

¹¹ C(2021) 8914 final, Commission implementing decision of 10.12.2021 adopting the Instrument for Pre-Accession Assistance (IPA III) Programming Framework for the period 2021-2027. https://ec.europa.eu/neighbourhood-enlargement/system/files/2022-01/C_2021_8914_COMMISSION_IMPLEMENTING_DECISION_EN.pdf



4.1 A conducive environment for civil society to carry out its activities is in place

A country wishing to join the EU needs to have in place and implement an **appropriate legal, judicial and administrative environment** for exercising the fundamental freedoms and rights, with a focus on freedoms of association, assembly and expression. This includes transparent and non-discriminatory registration procedures for CSOs, free and independent operation and co-

operation between citizens – formal or informal – and absence of disproportionate or unwarranted state interference, including when dealing with challenges such as terrorism, extremism, money laundering and corruption. 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. Direct, public financial and non-financial support should be provided and reported in a transparent, accountable, fair and non-discriminatory manner.

4.2 Strengthened cooperation and partnership between CSOs and IPA beneficiary authorities/institutions

Civil society participation is a key factor in ensuring good governance and in developing and implementing legislation and policies that reflect people's needs and are accepted by those concerned. It is also important in the reforms that IPA beneficiaries need to implement

as part of their EU integration agenda. **Structures and mechanisms for cooperation between public authorities and CSOs should enable meaningful involvement and genuine consultation and consideration of CSOs' contributions** in the decision-making process. **Free,**

clear and accessible flows of information on matters of public interest are of critical importance. Minimum standards of consultation should be respected, including **functional feedback mechanisms**.

4.3 Reinforced CSO Capacity and Resilience to carry out their activities effectively

The EU 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 **independence, representativeness, transparency and accountability**. This includes for example strengthening their membership base and adhering to high internal

governance standards. The EU will also support CSOs striving to increase their **effectiveness** in achieving 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 **evidence-based** involvement in pol-

icy- 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. A genuine culture of active citizenship requires local ownership and a diversified, stable source of both private and public funding.



4.4 Modalities of EU Support

The EU will offer a combination of support to help reach the objectives outlined in these Guidelines. It will offer support to IPA beneficiaries to adopt and implement legislation more conducive for civil society to fulfil its functions. Similarly, it will offer support to public institutions to enhance their strategies for civil society development and their implementation. The EU will also continue to promote the involvement of civil 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.

Financial assistance to CSOs will continue to be delivered through a mix of funding modalities to respond to the needs of different types of CSOs, including resilience. Building on the experience of the IPA II period, and within the remits of financial rules and regula-

tions, attention will continue to be given to the need for longer-term engagement and flexible support for core activities; fostering partnership and coalition building. There will be continued out-reach to smaller organisations, in particular through financial support to third parties and flexible support mechanisms to respond to their specific needs. 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.

Support will be provided both through **bilateral and regional** channels and will target **local, central as well regional levels**. Project-specific results will be drawn from the Results Framework in Annex A and outputs, targets and activities will be adapted to each IPA beneficiary situation.

Specific thematic focus areas for support will be defined during the regular detailed programming and contracting stages, and will include, among other things, priority areas stemming from the **Economic Investment Plan**. Overall, increased participation of CSOs in political criteria issues will be favoured (especially transparency, rule of law, fight against corruption, freedom of expression and media; and fight against discrimination), but also in key economic reforms and acquis alignment, from the dual green-digital transition to human capital and social affairs.



5 — The underpinnings of the Guidelines' specific objectives and indicators

The specific objectives and indicators outlined in these Guidelines are based on a solid set of regional and international standards.

For the conducive environment and relations between CSOs and public institutions, objectives and indicators expressed in the results framework are anchored in the international and European human rights framework, including the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), as well as in the EU Charter of Fundamental Rights, which is binding on the Union institutions, and on Member States when they apply EU law. They are furthermore aligned with recommendations, opinions, guidelines and codes of

conduct adopted by the Council of Europe, the Organisation for Security and Cooperation in Europe, OECD, the UN, and other inter-governmental fora as well as in similar documents adopted by the European Union.

As regards civil society resilience and capacity, the Guidelines take inspiration primarily from the Global Standard for CSO Accountability¹² developed by civil society at the global level.

The **Results Framework** in Annex A presents the detailed outcomes and results indicators selected for these Guidelines. The **Explanatory Note** in Annex B describes the standards underpinning the Guidelines.

 The specific objectives and indicators outlined in these Guidelines are based on a solid set of regional and international standards.

6 — Measuring results and impact

DG NEAR will monitor and evaluate its support to civil society at several levels. It will carry out **project and programme level monitoring** and **evaluations**. Beyond this, it will analyse the evolution of the state of affairs concerning civil society in the Western Balkans and Tur-

key including as a means to identify key areas for future attention and support. This will be done through a regular **monitoring exercise** making use of the indicators and the sources of data indicated in these Guidelines and their annexes. Data will be collected by a combina-

tion of desk work, surveys, interviews, and in-depth focus groups. Findings will be validated with CSOs, public authorities and other stakeholders.

¹² <https://accountablenow.org/the-global-standard-for-cso-accountability/>



Annex A

Results Framework



SUMMARY OF SPECIFIC OBJECTIVES

The overall objective is to strengthen participatory democracies and the EU approximation process in the Enlargement region through an enhanced contribution of civil society

SPECIFIC OBJECTIVE



A conducive environment for civil society to carry out its activities is in place.

- 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
- SO 1.2.** Public authorities protect CSOs from interference and attacks and respect their right to privacy
- SO 1.3.** Measures used to fight extremism, terrorism, money laundering or corruption are targeted and proportionate, in line with the risk-based approach, and respect human rights standards on freedom of association, assembly and expression
- SO 1.4.** Public authorities treat all CSOs equally with regards to their operations, and equitably with other entities (such as businesses)
- SO 1.5.** Central and/or local public authorities have enabling policies and rules for small community organizations and civic initiatives (grass-roots organisations)
- SO 1.6.** All CSOs are free to solicit and receive funding
- SO 1.7.** Public financial and non-financial support to CSOs is available in IPA beneficiaries, and provided in a transparent, accountable, fair and non-discriminatory manner
- SO 1.8.** Individuals and corporations enjoy tax benefits for their donations to CSOs
- SO 1.9.** Tax benefits are available to CSOs
- SO 1.10.** The policies and legal environment provide incentives and facilitate volunteering and employment in CSOs



Strengthened cooperation and partnership between CSOs and public institutions.

- SO 2.1.** Public authorities and institutions include CSOs in decision- and policy-making processes
- SO 2.2.** Public authorities and institutions acknowledge the importance of civil society in societal policy debate and EU integration processes
- SO 2.3.** Public authorities contribute to civil society strengthening by cooperating with civil society through strategic policy frameworks and relevant institutional mechanisms



CSO capacity and resilience to carry out their activities effectively are reinforced.

- SO 3.1.** CSOs' internal governance structures follow the principles of good governance
- SO 3.2.** CSOs are able to communicate the results of their activities to the public
- SO 3.3.** CSOs are transparent about their programme activities and sources of funding
- SO 3.4.** CSOs monitor and evaluate the results and impact of their work
- SO 3.5.** CSOs use research and evidence to underpin their work
- SO 3.6.** CSOs work in fair and respectful partnerships to achieve shared goals
- SO 3.7.** CSOs have a diversified funding base
- SO 3.8.** CSOs have effective, empowered and developed human resources



RESULTS FRAMEWORK

OVERALL OBJECTIVE / IMPACT The overall objective is to strengthen participatory democracies and the EU approximation process in the Enlargement region through an enhanced contribution of civil society

SPECIFIC OBJECTIVE



A conducive environment for civil society to carry out its activities is in place.

Specific Objective

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.

» Indicator 1.1.a

Extent to which relevant domestic legislation provides that:

- » Associations can be established or registered without discrimination on any grounds;
- » No unlawful restrictions are placed on the scope of their activities or pursuit of their objectives;
- » Their termination may only occur following a decision by an independent and impartial court;
- » No unlawful restrictions are placed on freedom of peaceful assembly;
- » Freedom of expression is exercised by all, and no unlawful restrictions imposed.

» Relevant EU and other standards

- European Convention on Human Rights (ECHR) Article 11 – freedom of assembly and association, Article 10 – freedom of expression
- EU Charter of Fundamental Rights: Article 12 - Freedom of assembly and of association; Article 11: Freedom of expression
- OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015
- ODIHR Guidelines on the Protection of Human Rights Defenders
- 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, 10 October 2007, para. 44.
- Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, Articles 10 & 11.

**Specific Objective****1.2****Public authorities protect CSOs from interference and attacks and respect their right to privacy****» Indicator 1.2.a** **Extent to which CSOs have access to an effective remedy to challenge or seek review of decisions affecting exercise of their rights.****» Relevant EU and other standards**

- Acquis Chapter 23: Judiciary and fundamental rights
- Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, Article 13
- OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 36
- UN General Assembly, Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (UN Declaration on Human Rights Defenders), 1998, Article 9.
- UN Declaration on Human Rights Defenders, Article 9(5)
- EU Charter on Fundamental Rights, Article 47
- European Court of Human Rights, Guide on Article 13 of the European Convention on Human Rights, updated on 31 December 2021, paras. 32-44.
- OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, paras. 116-117.

» Indicator 1.2.b **Extent to which CSOs are protected by law from threats, attacks, judicial harassment and discriminatory treatment, in particular:**

- » threats including intimidation, harassment, defamation, as well as hate speech online and offline;
- » attacks including acts of violence, physical abuse, searches and damage to property;
- » judicial harassment including arbitrary arrest and detention, unlawful interference with communications, and abuse of criminal, civil and administrative proceedings or threats thereof;
- » discriminatory treatment including disproportionate reporting requirements for CSOs.

» Relevant EU and other standards

- UN Declaration on Human Rights Defenders, 1998, Article 12(3).
- UN Human Rights Council, Report of the Special Rapporteur on Human Rights Defenders, UN Doc. A/HRC/25/55, 23 December 2013, para. 55.
- ECHR articles 2, 3, 5, 6, 8, 11, 14 and article 1/protocol 1, article 1/protocol 12,
- EU Charter articles 4, 6, 7, 17, 21, 47
- OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 94. and para 228



» Indicator 1.2.c

Proportion of CSOs that operate effectively without threats, attacks, judicial harassment and discriminatory treatment, in terms of:

- » number of complaints concerning lack of protection of CSOs;
- » number of attacks on CSOs and their members;
- » number of instances of damage to property;
- » number of instances of discriminatory treatment in reporting;
- » number of instances when CSO offices were unlawfully searched, subjected to inspections;
- » number of instances of interference with the communications of CSOs.

» Relevant EU and other standards

See 1.2.b.

Specific Objective

1.3

Measures used to fight extremism, terrorism, money laundering or corruption are targeted and proportionate, in line with the risk-based approach, and respect human rights standards on freedom of association, assembly and expression.

» Indicator 1.3.a

Extent to which laws to combat extremism, terrorism, money laundering and corruption do not unduly restrict legitimate activities of CSOs.

» Relevant EU and other standards

- Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, Article 10 & 11.
- UN Human Rights Council, Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering ter-

- rorism, Martin Scheinin: Ten areas of best practices in countering terrorism, UN Doc. A/HRC/16/51, 22 December 2010, paras. 14. 16, 26-31
- UN Human Rights Council, Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism:

Impact of measures to address terrorism and violent extremism on civic space and the rights of civil society actors and human rights defenders, UN Doc. A/HRC/40/52, 1 March 2019, paras. 8, 20, 25, 27, 42, 34-35.



» Indicator 1.3.b

Proportion of CSOs whose ability to undertake legitimate activities is not restricted by the implementation of laws to combat extremism, terrorism, money laundering and corruption, and in particular by:

- » being judicially harassed for their alleged connections with extremism, terrorism, money laundering and corruption;
- » discriminatory restrictions placed on funding,
- » authorities or banks preventing them from opening bank accounts, sending or receiving money.

» Relevant EU and other standards

See 1.3.a.

Specific Objective

1.4

Public authorities treat all CSOs equally with regards to their operations, and equitably with other entities (such as businesses)

» Indicator 1.4.a

Extent to which laws (1) do not require CSOs to submit more reports and information, and (2) do not submit CSOs to more inspections and sanctions, than business entities, all else being equal.

» Relevant EU and other standards

– European Court of Human Rights, Guide on Article 11 of the European Convention of Human Rights, 31 December 2021, paras. 160, 164.

– OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, paras. 104, 212, 214, 225, 226, 228, 234, 252

– European Court of Human Rights, Guide on Article 11, para. 169.



Specific Objective

1.5

Central and/or local public authorities have enabling policies and rules for small community organizations and civic initiatives (grass-roots organisations)

» Indicator 1.5.a Small community/local organisations and civic initiatives are allowed to operate by law without registering

» Relevant EU and other standards

- OSCE/ODIHR Guidelines on the Protection of Human Rights Defenders, 2014, para. 65.
- UN Human Rights Council, UN Special Rapporteur on the situation of human rights defenders, UN Doc. A/59/401, 1 October 2004, para. 82 (a).
- OSCE, Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, Moscow 1991, para. 43.
- OSCE, Istanbul Charter for European Security: III. Our Common Response, Istanbul 1999, para. 27.

» Indicator 1.5.b In law, unregistered small community/local organisations and civic initiatives enjoy the same right to participation in decision making processes as registered CSOs.

» Relevant EU and other standards

- UN General Assembly, International Covenant on Civil and Political Rights, 1966, Article 25 (a).
- UN Human Rights Committee, General Comment 25, para. 8.
- Council of Europe Committee of Ministers, Guidelines for civil participation in political decision making, CM(2017)83-final, adopted on 27 September 2017, para. 2 (d).
- EU Charter on Fundamental Rights, articles 25, 26
- Council of Europe Framework Convention for the Protection of National Minorities, 1995, article 15
- Council of Europe, Advisory Committee on the Framework Convention for the Protection of National Minorities, Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs, ACFC/31DOC(2008)001, adopted on 27 February 2008, para. 19
- UN Declaration on Human Rights Defenders, 1998, article 8



Specific Objective

1.6

All CSOs are free to solicit and receive funding

» Indicator 1.6.a

Extent to which relevant laws allow CSOs to seek a broad range of funding, including from abroad, without undue restrictions, as regards:

- » cash and in-kind donations from all sources;
- » funding from domestic public bodies;
- » funding from institutional, corporate or individual donors;
- » funding from foreign governments or multilateral agencies.

» Relevant EU and other standards

- UN Human Rights Council, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, UN Doc. A/HRC/23/39, 24 April 2013, para. 8.
- UN Human Rights Council, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, UN Doc. A/HRC/23/39, 24 April 2013, paras. 10, 17.
- OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 220.
- Court of Justice of the European Union, Commission v Hungary, C-78/18, 18 June 2020.

» Indicator 1.6.b

Proportion of CSOs that can access a broad range of funding without undue government interference.

» Relevant EU and other standards

See 1.6.a

Specific Objective

1.7

Public financial and non-financial support to CSOs is available in IPA beneficiaries, and provided in a transparent, accountable, fair and non-discriminatory manner

» Indicator 1.7.a

The level of public funding available for CSOs and associations is clearly articulated in laws and regulations, and the rights and duties of the state body invested with the ability to set and revise the level of public funding available is clearly defined in law.

» Relevant EU and other standards

OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 203, 207.



» **Indicator 1.7.b** **Percentage of public budget actually disbursed to CSOs in a year.**

» Relevant EU and other standards See 1.7.a

» **Indicator 1.7.c** **Extent to which legal provisions regulating the award of public funding to CSOs ensure that:**

- » funding criteria are clearly defined, objective and publicly announced;
- » conflict of interest is clearly regulated;
- » evaluation of proposals is clear and impartial;
- » reporting requirements are clear and proportionate.

» Relevant EU and other standards OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 205-206, 208, 210-213, 214

» **Indicator 1.7.d** **Central governments make the information on awards publicly available and sufficiently detailed to identify individual awards.**

» Relevant EU and other standards OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 209, 211.

» **Indicator 1.7.e** **Proportion of CSOs indicating that the provision of domestic public funds is transparent, fair, and non-discriminatory.**

» Relevant EU and other standards See 1.7.d

» **Indicator 1.7.f** **Public funding does not exclude CSOs on the basis of their constituency representation.**

» Relevant EU and other standards OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 208-210



Specific Objective

1.8

Individuals and corporations enjoy tax benefits for their donations to CSOs

» **Indicator 1.8.a**

Tax legislation allows for tax relief as regards:

- » Individual giving
- » Corporate giving

» **Relevant EU and other standards**

- Council of Europe Committee of Ministers, Recommendation of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe, CM/Rec(2007)14, adopted on 10 October 2007, para. 57;
- OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, paras. 206, 223.

» **Indicator 1.8.b**

Proportion of private individuals who have given money to a CSO.

» **Relevant EU and other standards**

n/a

Specific Objective

1.9

Tax benefits are available to CSOs

» **Indicator 1.9.a**

Extent to which applicable tax laws provide for the following:

- » CSO income generated from grants, donations, and membership dues, income from economic activities, investment income, real property, gifts and inheritance is not subject to taxation;
- » any excess revenue or profit generated through economic activity and used for mission-related purpose by CSOs is not subject to corporate income/profit tax.

» **Relevant EU and other standards**

- Council of Europe Committee of Ministers, Recommendation of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe, CM/Rec(2007)14, adopted on 10 October 2007, para. 57;
- OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, para. 223.



Specific Objective

1.10

The policies and legal environment provide incentives and facilitate volunteering and employment in CSOs

» **Indicator 1.10.a** **Laws regulating volunteering are adopted.**

» **Relevant EU and other standards**

- UN General Assembly Resolution Recommendations on support for volunteering, UN Doc. A/RES/56/38, 10 January 2002.
- European Commission Communication on EU Policies and Volunteering: Recognising and Promoting Crossborder Voluntary Activities in the EU, COM(2011) 568 final, 20 September 2011, pp. 3, 11.

» **Indicator 1.10.b** **Government volunteering strategies and programmes support volunteering for CSOs and have sufficient resources allocated for implementation.**

» **Relevant EU and other standards**

- Council of the European Union Conclusions on The role of voluntary activities in social policy, 14552/11, 3 October 2011, p.7.
- Commission Communication on EU Policies and Volunteering: Recognising and Promoting Crossborder Voluntary Activities in the EU, COM(2011) 568 final, 20 September 2011, p.3

» **Indicator 1.10.c** **Proportion of CSOs that benefit from state employment strategies and programmes.**

» **Relevant EU and other standards**

OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association, 2015, paras. 225, 228, 233, 237



» **Indicator 1.10.d** Proportion of CSOs that benefit from state volunteering strategies and programmes.

» Relevant EU and other standards

UN General Assembly Resolution Recommendations on support for volunteering, UN Doc. A/RES/56/38, 10 January 2002.

» **Indicator 1.10.e** Proportion of employees in CSOs in relation to the total workforce.

» Relevant EU and other standards

n/a

» **Indicator 1.10.f** Percentage of people who have volunteered their time to an organisation.

» Relevant EU and other standards

See 1.10.a, 1.10.b, 1.10.d.



SPECIFIC OBJECTIVE



Strengthened cooperation and partnership between CSOs and public institutions

Specific Objective

2.1

Public authorities and institutions include CSOs in decision- and policy-making processes

» Indicator 2.1.a

Laws, bylaws, strategies, other acts of public interest and policy reforms are effectively consulted with CSOs in that:

- » CSOs have access to the draft document from the beginning of the drafting process to the end of the adoption procedure;
- » At least 15 days are allowed for commenting before the draft document enters adoption procedure;
- » The use of extraordinary/expedited procedures to adopt legislation without allowing for consultation is an exception and duly justified;
- » Reports on results of public consultations, including reasons for rejection of comments, are published in a timely fashion;
- » Working groups members from CSOs are selected based on a public call, clear criteria and in line with equal treatment;
- » Working group members from CSOs include representatives of society as a whole, including women's groups, LGBTIQ groups, migrant groups, minorities, disability groups, and others as appropriate, in line with the Human Rights Based Approach.

» Relevant EU and other standards

- Council of Europe Recommendation Rec(2001)19 of the Committee of Ministers to member states on the participation of citizens in local public life, 6 December 2001, Appendix 1, para. 12.
- UN General Assembly, International Covenant on Civil and Political Rights, 1966, Article 25 (a).
- UN Human Rights Committee, General Comment 25, para. 8.
- Council of Europe Committee of Ministers, Guidelines for civil participation in political decision making, CM(2017)83-final, adopted on 27 September 2017, para. 2 (d).
- EU Charter on Fundamental Rights, articles 25 & 26
- Council of Europe Framework Convention for the Protection of National Minorities, 1995, Article 15.
- Council of Europe, Advisory Committee on the Framework Convention for the Protection of National Minorities, Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs, ACF-C/31DOC(2008)001, adopted on 27 February 2008, para. 19.
- UN Declaration on Human Rights Defenders, 1998, Article 8
- Council of Europe Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority, Articles 1-3. Signed and ratified by Montenegro, North Macedonia and Serbia. Signed by Albania.
- Council of Europe Committee of Ministers Guidelines for civil participation in political decision making, CM(2017)83 final, 27 September 2017.
- EU/SIGMA Principles of Public Administration 2017 Principle 11, Policies and legislation are designed in an inclusive manner that enables active participation of society and allows for co-ordination of different perspectives within the government



- EC Communication - Towards a Reinforced Culture of Consultation and Dialogue – General principles and minimum standards for consultation of interested parties by the Commission, COM (2002) 704
- Commission Staff Working Document - Applying the Human Rights Based Approach to international partnerships, SWD(2021) 179
- European Consensus on Development ‘Our World, Our Dignity, Our Future’ (2017)5

» **Indicator 2.1.b** CSOs are effectively included in oversight mechanisms.

» Relevant EU and other standards See 2.1.a.

» **Indicator 2.1.c** Proportion of CSOs that have participated in consultations during preparation of state reports under international human rights and other legal obligations and the implementation of treaty body recommendations.

» Relevant EU and other standards

- UN International Human Rights Instruments, Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties, UN Doc. HRI/GEN/2/Rev.6, 3 June 2009, p. 13.
- UN Committee on the Elimination of All Forms of Racial Discrimination in UN International Human Rights Instruments, Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties, UN Doc. HRI/GEN/2/Rev.6, 3 June 2009, p.50.
- UN Committee on the Rights of the Child in UN International Human Rights Instruments, Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties, UN Doc. HRI/GEN/2/Rev.6, 3 June 2009, p.91.
- UN Committee on the Rights of Migrant Workers in UN International Human Rights Instruments, Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties, UN Doc. HRI/GEN/2/Rev.6, 3 June 2009, p.129.
- Council of Europe Advisory Committee to the Framework Convention for the Protection of National Minorities, Outline for State reports to be submitted under the fifth monitoring cycle of the Framework Convention for the Protection of National Minorities, 4-8 March 2019, para. I.c.



Specific Objective

2.2

Public authorities and institutions acknowledge the importance of civil society in societal policy debate and EU integration processes.

» **Indicator 2.2.a** Extent to which CSOs assess the attitude of public officials towards civil society as supportive.

» Relevant EU and other standards

UN Declaration on Human Rights Defenders, 1998, Article 8

Specific Objective

2.3

Public authorities contribute to civil society strengthening by cooperating with civil society through strategic policy frameworks and relevant institutional mechanisms

» **Indicator 2.3.a** Proportion of CSOs that were effectively consulted in the preparation of civil society cooperation strategies.

» Relevant EU and other standards

See 2.1a

» **Indicator 2.3.b** IPA beneficiaries have adopted currently valid civil society cooperation strategies.

» Relevant EU and other standards

Based on interpretation of standards under 2.1a

» **Indicator 2.3.c** Civil society cooperation strategies are accompanied by adopted budgeted action plans.

» Relevant EU and other standards

Based on interpretation of standards under 2.1a



» **Indicator 2.3.d** Proportion of CSOs that rate civil society cooperation strategies as relevant and effective.

» Relevant EU and other standards See 2.1.a

» **Indicator 2.3.e** Public structures responsible for the implementation of civil society cooperation strategies are appropriately resourced.

» Relevant EU and other standards Based on interpretation of standards under 2.1a

» **Indicator 2.3.f** Mechanisms for dialogue between civil society cooperation councils and central governments meaningfully include CSOs in that:

- » they have an agreed programme of work
- » they have agreed rules of procedure
- » they meet regularly
- » rules allow CSOs to call the meetings and contribute to agenda setting
- » there is adequate follow-up to conclusions and recommendations

» Relevant EU and other standards Based on interpretation of standards under 2.1a



SPECIFIC OBJECTIVE



CSO capacity and resilience to carry out their activities effectively are reinforced.

Specific Objective

3.1

CSOs' internal governance structures follow the principles of good governance.

» **Indicator 3.1.a**

Proportion of CSOs that have an independent and effective governing body with clear terms of reference to oversee the organisation's strategic goals, impact, management, legal compliance, and accountability, in line with Commitment 12 of the Global Standard.

» Relevant EU and other standards

– Global Standard for CSO Accountability, 12 Commitments for Dynamic Accountability Guidance Materials, 2019, pp. 30-31. Available at https://www.csostandard.org/wp-content/uploads/2019/09/2017_The-Global-Standard-Guidance-Materials.pdf.
– Global Standard for CSO Accountability: Commitment 12

» **Indicator 3.1.b**

Proportion of CSOs that regularly check potential conflicts of interest with regard to the political, economic and personal relationships of their governing body.

» Relevant EU and other standards

Global Standard for CSO Accountability: Commitment 12

» **Indicator 3.1.c**

Proportion of CSOs that share relevant information on their organisation using means and channels that are accessible to all stakeholders in terms of publishing

- » their statutes
- » governance structure
- » organisational policies.

» Relevant EU and other standards

Global Standard for CSO Accountability: Commitment 8



» **Indicator 3.1.d** Proportion of CSOs that have an organisational gender equality policy.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 2

» **Indicator 3.1.e** Proportion of CSOs that have an organisational strategy, including vision, mission, and goals.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 12

Specific Objective **3.2** CSOs are able to communicate the results of their activities to the public

» **Indicator 3.2.a** Proportion of CSOs that have at least one on-line channel of communication

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 8

» **Indicator 3.2.b** Proportion of CSOs that have specialised communication staff

» Relevant EU and other standards n/a

» **Indicator 3.2.c** Proportion of CSOs that cooperate with the media.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 6



Specific Objective

3.3

CSOs are transparent about their programme activities and sources of funding

» **Indicator 3.3.a** Proportion of CSOs that publish their annual reports and financial statements.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 8

» **Indicator 3.3.b** Proportion of CSOs that publish information on their sources of funding and amounts received in the previous year.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 10

» **Indicator 3.3.c** Degree of public trust in CSOs.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 12

Specific Objective

3.4

CSOs monitor and evaluate the results and impact of their work

» **Indicator 3.4.a** Proportion of CSOs that have carried out an evaluation of their work in the last year

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 4



Specific Objective

3.5

CSOs use research and evidence to underpin their work

» **Indicator 3.5.a** Proportion of CSOs whose work is based on evidence generated through research

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 7

» **Indicator 3.5.b** Proportion of CSOs whose work is informed through consultation with people who have a stake in their current or future work

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 1

Specific Objective

3.6

CSOs work in fair and respectful partnerships to achieve shared goals

» **Indicator 3.6.a** Proportion of CSOs taking part in local, central and international CSO networks.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 6

» **Indicator 3.6.b** Proportion of CSOs engaged in cross-sectoral partnerships with academia, social partners and private sector.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 6



Specific Objective **3.7** CSOs have a diversified funding base

» **Indicator 3.7.a** Proportion of CSOs whose sources of donor income are diversified.

» Relevant EU and other standards n/a

» **Indicator 3.7.b** Proportion of CSOs raising funds from sources other than donors e.g. membership fees, corporate/individual giving and income generating activities

» Relevant EU and other standards n/a

Specific Objective **3.8** CSOs have effective, empowered and developed human resources

» **Indicator 3.8.a** Proportion of CSOs that employ staff

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 9

» **Indicator 3.8.b** Proportion of CSOs that have organisational human resources policies

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 9



» **Indicator 3.8.c** Proportion of CSOs that have advertised publicly their staff and volunteering vacancies in the last year.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 9

» **Indicator 3.8.d** Proportion of CSOs that have organisational policies encouraging recruitment of a diverse workforce.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 9

» **Indicator 3.8.e** Proportion of CSOs whose staff and volunteers have attended a training course in the past year.

» Relevant EU and other standards Global Standard for CSO Accountability: Commitment 9

