



Rimska 8
SI - 1000 Ljubljana
Slovenija
Tel.: + 386 1 2 000 250
Fax: + 386 1 2 000 260



Legal and Information Centre for NGOs (LIC)

Metelkova 6, 1000 Ljubljana

Tel. +386 1 521 18 88, E-mail: pic@pic.si, W: www.pic.si

CIVICUS CIVIL SOCIETY INDEX
POLICY ACTION BRIEF
DRAFT

Tatjana Rakar, Senka Š. Vrbica, Tomaž Deželan, Zinka Kolarič,
Andreja Črnak-Meglič, Mateja Nagode, Ana Matoz Ravnik

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CIVICUS, World Alliance for Citizen Participation



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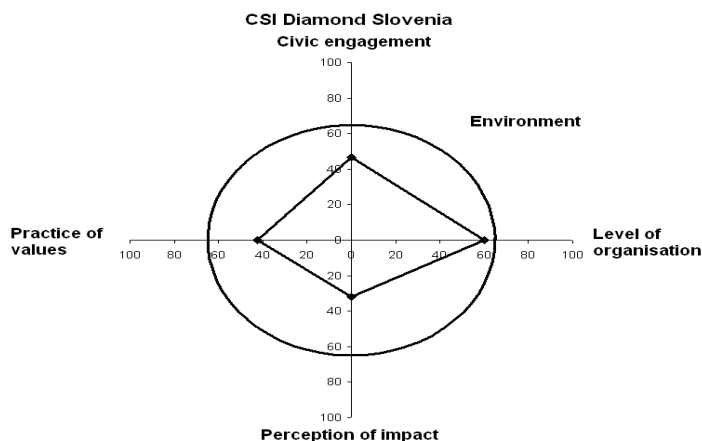
TABLE OF CONTENTS

1 Project Description	3
2 Civil Society in Slovenia.....	4
3 Proposed Activities	7

1 Project Description

The CIVICUS Civil Society Index (CSI) is an international action-research project that comprehensively assesses the state of civil society in various countries. It is carried out in collaboration with the CIVICUS World Alliance for Citizen Participation (<http://www.civicus.org/>) and in accordance with CIVICUS methodology, which is the same for all participating countries. CSI began as a pilot project in thirteen countries in 2000. Between 2003 and 2006, it was carried out in fifty-three countries, including Slovenia, and between 2008 and 2010, an additional forty countries joined the project. In Slovenia, the project was carried out by the Legal and Information Centre for NGOs (LIC) in Ljubljana, in collaboration with the Social Protection Institute of the Republic of Slovenia and under the auspices of the Ministry of Public Administration.

The main aim of the project is to promote and strengthen civil society. While the research part focuses on assessing the state of civil society and identifying its strengths and weaknesses, the action part seeks to promote the development of concrete recommendations and measures to improve the current situation. The state of civil society is assessed through the four main dimensions of *Civic Engagement*, *Level of Organisation*, *Practice of Values*, and *Perceived Impact*. These are then analysed from the viewpoint of the fifth dimension, termed *External Environment*, in which civil society operates. A summary of assessment results can be presented in the so-called Civil Society Diamond which comprises the abovementioned dimensions. The CS Diamond for Slovenia looks like this:



In Slovenia, the project was carried out in three stages between November 2008 and the end of May 2010. The first involved a quantitative survey conducted among civil society organisations (CSOs) and external experts; the second involved qualitative methods, i.e. case studies for all the basic CSI dimensions; and the third involved the presentation of results at regional focus group meetings and a national workshop in order to obtain feedback on key findings, identify the strengths and weaknesses of civil society in Slovenia and formulate basic guidelines to improve its position. The following five case studies were conducted as part of the project:

- *Volunteering: Does Volunteering Contribute to Social Welfare in Slovenia?* for the dimension *Civic Engagement*;
- *The Scope, Structure and Role/Function of Slovenian CSOs* for the dimension *Level of Organisation*;
- *The Carbon Footprint of Slovenian CSOs* for the dimension *Practice of Values*;

- *The Influence of Civil Society on Youth Policies* for the dimension *Perceived Impact*;
- *The Relationship Between CSOs and the Government* for the dimension *External Environment*.

The project's main findings are summarised in the Final Report. The Report, the analysis of the state of civil society in Slovenia and the CSI will be used to make an international comparison among participating countries. In Slovenia, the Report will be published and made available to all interested parties.

2 Civil Society in Slovenia

The research has shown that people quite readily engage as members of CSOs and volunteers. While the contribution of volunteering to social welfare through fast and efficient responses to social needs is readily recognised, voluntary work still lacks the social affirmation that would result from systemic government support. Harnessing the energy of volunteers entails good organisation, protection of volunteers and expert guidance. A law on voluntary work, which was to address these issues, and which CSOs drafted in 2004, has still not been submitted to the legislative procedure. As regards popular political engagement, which was surveyed within the Civic Engagement dimension, there is no doubt that the most influential force in society is political parties, despite the fact that a comparatively tiny share of population is actively engaged in their work, for which low trust is one of the causes. Within the Level of Organisation dimension, there have been no significant positive shifts in terms of financing and employment in the civil society sector. While the number of CSOs increased (growing 2.3-fold between 1996 and 2008), their total income expressed in terms of GDP increased only from 1.92% to 1.99%. At the same time, the number of employees in the sector relative to the total number of employees in the country remained practically unchanged (0.7%). Given the lack of substantial government funding, the modest funds CSOs acquire from other sources, mainly donations, coupled with the constant struggle for grants awarded at public tenders and the need to meet all the eligibility criteria greatly reduce their autonomy. As far as the dimension Practice of Values is concerned, we can say that CSOs generally adhere to the regulations regarding democratic decision-making governance, labour regulations, codes of conduct and transparency and environmental standards as required by law; however, they do not feel an explicit need to emphasise and promote these values and standards of their own accord. However, practice has seen violations of these rules, and often of labour regulations, sometimes even with employees' consent. The reason for this is the general shortage of labour and finance in the sector. Financial survival often demands that CSOs sacrifice their values. The lowest score in the dimension Perception of Impact is the most telling sign of the state of civil society in Slovenia. There is clear discrepancy between the activity of civil society and its impact on society and on the government. The government fails to (or will not) recognise civil society as a relevant actor and partner. There are many reasons for this, from the traditionally administrative role to the merely formative inclusion, which is mainly justified through meeting the criteria for the legitimisation of policies and civil society's lack of useful contributions. The government's distorted motivation, the apathetic population and questionable practices on the part of civil society often result in the latter's neutralisation, although there are at least a few positive exceptions. The apathy of civil society, rooted in the low confidence (or a complete lack thereof) that its representatives can really make a change, was reflected in the relatively low interest in participating in regional focus groups and the national workshop. This is also the reason the same participants found it so challenging to

comment on the External Environment dimension, although they agreed that the culture of silence and ‘herd instinct’ distinctly marked Slovenia’s civil society.

As far as the lowest scoring dimension, Perception of Impact, is concerned, procedures are underway to improve the government’s role in civil dialogue. In November 2009, the National Assembly passed a Resolution on Legislative Regulation that lays down guidelines for improved regulations and minimum standards of public participation in drafting legislation. Although by 31 March 2010, the Centre for Information Service, Co-operation and Development of NGOs (CNVOS) had identified 104 violations of the resolution, the situation is expected to improve once adequate online support – currently under construction – is established by the authorities to facilitate participation. The government rules of procedure have also been amended to aid public participation. At the European level, good practices of public participation in the legislative process are contained in the Code of Good Practice for Civil Participation in the Decision-Making Process, which was adopted at a conference of INGOs on 1 October 2009 and officially published by the Council of Europe on 21 October 2009. The Code is a reference document for the participation of civil society in decision-making processes, which contains a list of European principles and guidelines for the participation of CSOs in decision-making processes and strengthening of public participation in public matters that will be implemented in Council of Europe members at local and national levels.

Generally speaking, since 2005, when the first CIVICUS report was published on the state of civil society in Slovenia, cooperation between CSOs and the government has been at a standstill. At the time, two documents were being drafted in collaboration between the government and CSOs, namely the Strategy of the Systemic Development of NGOs in Slovenia in 2003–2008 and the Cooperation Agreement between NGOs and the Government of the Republic of Slovenia 2005–2008. Although cooperation efforts date back eight years, little has been achieved other than compiling the agreement. After CSOs had drawn up a draft version, the Government was expected to put forward its position. An inter-departmental working group drafted the official position, but the Government adopted a position only on civil dialogue, which effectively put the initiative on hold. While there have been no major efforts since 2005 to establish a systemic framework that would facilitate the development of the civil society sector, the Ministry of Public Administration did provide for the funding of CSO networks from EU structural funds. The dialogue between the Government and CSOs was re-launched after the general election, when CSOs appealed to the PM and the new coalition to include provisions regarding the development of CSOs in the coalition agreement, which they did. In February 2009, following a request by the PM, CSOs submitted to him a memorandum detailing their potential role in overcoming the economic crisis and expressing their expectations regarding the development of the civil society sector. The memorandum is thus a new joint document of CSOs based on open discussions and containing arguments for the development of the civil society sector in the near future. The Government also appointed an inter-departmental working group responsible for coordinating responses by government departments to the CSO memorandum, designing a government strategy for collaboration with CSOs between 2009 and 2012, and monitoring and coordinating its implementation. The working group first convened in February 2010; its first task is to prepare the Government’s response to the CSO memorandum.

One of the final goals of the Civil Society Index research is to identify the strengths and weaknesses of Slovenian civil society. To accomplish this, meetings of regional focus groups and the national workshop were organised to discuss the state of civil society in Slovenia.

After presenting the outline and conclusions of the survey, and the Civil Society Diamond, participants identified the strengths and weaknesses of civil society as they appeared in each dimension.

The main strengths regarding **civic engagement** included: we have many associations and are active locally; CSOs know their areas of work very well; we are flexible; we have participatory and deliberative democracy; we respond quickly to violations of human rights and in natural disasters; civil society has a synergetic effect on the environment; social capital and inclusion are increasing as a result of civil society's activities. The main disadvantages included: a low standard of living prevents people from engaging more in civil society's activities; young people are not educated for democracy; conformism, fear of potential consequences of critical engagement, based on previous negative experience; lack of integration among CSOs; CSOs' image cannot compete with that of companies, the status of CSOs is not as highly regarded; 'bad' perception of CSOs' not-for-profit character (i.e. if it's not-for-profit, it has to be voluntary); working in the sector is not valued highly; CSOs are too unfamiliar with the concept of civil dialogue; organising voluntary work costs money and time; CSOs employees never change; some CSO leaders connect with local authorities (cronyism); some CSOs carry the stigma of their end users (i.e. marginalised groups such as the Roma and people suffering from addictions).

The main strengths regarding the **level of organisation** included: we are well organised, motivated and fully engaged; our structures in the region are well organised (regional CSO hubs are well accepted); procedures are flexible; establishing a CSO is simple and cheap; people are employed on the basis of values; there is a good working atmosphere. The main disadvantages included: there are no uniform criteria for the work of CSOs in the public interest; current financing schemes do not facilitate further development; in Slovenia there is no practice of donations; CSOs are forced to subject their work to financing opportunities; particularly in local communities CSOs have no autonomy because finance providers, i.e. local communities, direct their work; grants allocated through calls for funding are provided to cover the work of CSOs, but not to maintain or upgrade their infrastructure; various sectors engage in unfair competition when applying for funding (often entities from other sectors are free to apply to such public calls for proposals, which puts CSOs at a disadvantage); increasing red tape (disproportionate relationship between the funds allocated through a public contract and the amount of red tape needed for application and implementation of a project); unstable financing causes (expert) staff turnover and prevents long-term employee stability; nepotism; too few international connections (youth organisations being a notable exception).

The main strengths regarding the **practice of values** included: promoting positive values is intrinsic to the civil society sector; social welfare is a matter of daily engagement of civil society; we find it easier to exercise our values; we have an increased awareness (employees are motivated), and we uphold CSO values; a quality assurance system in CSOs is a prudent measure. The main disadvantages included: financial survival often demands that values be sacrificed; members of associations rarely participate in democratic governance; the structures of some CSOs are often too rigid; lack of employees results in the dominance of a narrow circle of individuals; lower standard of employee rights (often with their agreement); apathy, passivity; lack of interest in including new energies; lack of self-criticism; lack of social responsibility (i.e. when the main reason for establishing a CSO is easy access to grants and other funds).

The main strengths regarding the **perception of impact** included: CSOs are familiar with social needs and are in close contact with the local environment; CSOs wish to participate in civil dialogue and have the necessary expertise to advance policies. The main disadvantages included: because CSOs are fighting for survival, they cannot engage on a wider scale; the government is unresponsive to initiatives and proposals from civil society – although civil society is actively engaged in putting forward proposals and initiatives, there is no real effect, since the government is not required by law to adopt them; the dependence on sources of financing weakens CSOs' involvement for fear of consequences if the financing were reduced or stopped altogether; lack of trust in the government; apprehensiveness toward EU directives; inability to present proposals effectively (the need for good marketing and lobbying); conflicting needs (CSOs recognise the needs of individuals, but the government does not follow); too few public functions are the domain of CSOs; CSOs should continuously develop activities instead of falling victim to the indiscriminate accumulation of funds (i.e. being at the mercy of funding opportunities).

With regard to the **external environment**, participants at regional focus groups and the national workshop found it difficult to identify potential strengths and weaknesses, which could be attributed to the fact that they live in this environment, which is difficult to compare with others. The culture of silence as a consequence of the Slovenian mentality was singled out ('herd instinct'). Additionally, participants stressed that EU mechanisms render the situation in institutions, among civil servants and in civil society, even less transparent.

3 Proposed Activities

The research showed that while increasing the financial strength of the sector and its ensuing professionalisation are the two chief factors identifying the point at which the sector's growth is transformed into development, given the information collected, this has not yet begun in Slovenia. To improve the situation of CSOs, the government should not only provide for the better funding of CSOs, but by introducing new measures and amending legislation, encourage financing from other non-public sources, i.e. mainly private donations by individuals and companies. Reducing dependence on public funds would increase the autonomy of CSOs. In order to facilitate the implementation of such changes, both the government and non-government side require clear-cut development strategies detailing the development of the civil society sector, while they must also reach consensus. The absolute prerequisite for this, however, is to strengthen civil dialogue in Slovenia.

Only if civil society strengthens its networks and establishes more effective communication channels will the government be compelled to take notice of it, interact with it and develop more favourable policies, and only a civil society of this sort has the potential to activate the otherwise apathetic population.

On the basis of the abovementioned strengths and weaknesses of civil society, recommendations were finalised at the national workshop to improve the state of civil society.

The following recommendations were made regarding **civic engagement** (recommendations 1–5 were identified as priorities):

1. To expand the concept of democracy in practice (not only parliamentary, but also participatory and deliberative democracy). Citizens are not sufficiently aware of the fact that democracy is not just parliamentary, but that there are also the possibilities of participatory and deliberative democracy. Civil society's activities to raise this awareness should be strengthened.
2. To overcome the political deficit (political parties represent a comparatively small share among CSOs). CSOs need better organisation. Given the depth of civic engagement, the number of people engaged in political parties is very small (also because of their distrust of political parties), while the parties have a predominant influence in the society. This deficit should be overcome through other forms of democratic engagement.
3. To empower CSOs – increasing their competitiveness by attracting experts and promoting links with academia. Experts, academics and intellectuals represent the segment of society which has a better understanding of society, and therefore has greater responsibility to constructively contribute through know-how.
4. To improve CSOs' image in the media. The image of civil society in the media is not a favourable one, and civil society has not invested additional efforts into improving it, although this is essential to winning popular approval.
5. To design a plan for the long-term development of civil society. Civil society must set itself long-term strategic objectives that will guide its actions and result in positive changes in the long run.
6. To increase education for civic responsibility and rights. A reason for a relatively passive population with regard to civic engagement is the lack of education in civic rights and responsibilities. Individuals – who make up society – are too little aware of their (co)responsibility for the situation.
7. To strengthen links between CSOs. Further vertical and horizontal connections between CSOs are essential to strengthening civil dialogue.
8. To strengthen CSOs' support structures, such as agencies or an NGO fund. A national agency or a fund needs to be established to advocate the interests of and provide support for the civil society sector; something the sector has unsuccessfully been working on for years.
9. To facilitate the organisation and development of volunteering (determining the formal status of a volunteer). It is absolutely necessary to pass a law on voluntary work which will define this activity as an important social value, provide for the basic rights of volunteers, and establish a systemic and material framework for the implementation and development of volunteering at the national and local levels. Voluntary work should also be systematically recorded and evaluated; it should be viewed as a material contribution of an organisation in the implementation of projects.
10. To ensure that CSOs continuously respond to their environment and take part in policy and decision-making processes. Despite the apathy and lack of success so far, there is a need for continuous and professional responses to, and participation in, policy and decision-making processes.
11. To encourage critical thinking and expression at the level of individuals. This is particularly important for developing a sense of civic and social responsibility in individuals and ending the culture of silence.

The following recommendations were made regarding the **level of organisation** (recommendations 1–7 were identified as priorities):

1. To establish uniform criteria for the work of CSOs in the public interest. This basic condition, which the government should ensure (at present, bodies working in the public

interest have very different statuses), would be an essential contribution to strengthening the social responsibility of CSOs and provide for the distribution of public funds to all the socially useful areas of their work.

2. To establish an NGO fund that would ensure co-financing in cases when it is necessary to raise additional funds for the implementation of a project. CSOs find it extremely hard to cope with project-based financing in which they are either required to provide a share of the funds or even finance a particular project entirely until they are finally (and often late) reimbursed. Thus they are compelled to use their own resources, which eventually leads to their depletion. A CSO fund would provide for the uninterrupted liquidity of CSOs.
3. To increase donations by amending the Foundations Act and tax legislation. The lack of donations has weakened CSOs and rendered them even more dependent on public finance. Stimulating legislation for donors would be a step towards improving the situation.
4. To replace the short-term financing of CSO's with long-term programme-based financing. Annual financing through public calls have obvious drawbacks; given the lack of finance and staff, sporadic financing makes it difficult to launch projects and, especially, retain know-how and staff when a project has been completed (the know-how invested in the project dissipates). Long-term programme-based financing that would provide funds ahead of projects, rather than subsequent compensation is therefore essential.
5. To increase the number of socially responsible partnerships between CSOs and companies. Strong, constructive and healthy connections between CSOs and companies are vital to strengthening social responsibility on both sides, and to raising the profile of CSOs.
6. To amend the Institutes Act (separating institutes from public institutes) and thus reduce demands on institutes that are NGOs. Many CSOs are organised as institutes, so the rules, regulations and restrictions that apply to them are the same as for public institutes, sometimes making the burden on CSOs too heavy.
7. To introduce employment opportunities – not only through continuous financing, but also by other measures – the government should promote employment in CSOs.
8. To foster international integration through a shared infrastructure. There are too few international connections, and CSOs sorely lack international experience and practices which they could use in their work. Therefore, new international connections need to be established. Likewise, to strengthen their position, CSOs should integrate more at the local level – in local hubs that provide the necessary services and know-how.
9. To strengthen transparency and responsibility within civil society. CSOs are responsible to the public for what they do, so their transparency must be improved and their social responsibility strengthened.

The following recommendations were made regarding the **practice of values** (recommendations 1–2 were identified as priorities):

1. To include values in CSOs' strategic plans (strategic planning training). CSOs should publically promote the values they themselves uphold to set better examples.
2. To continue the implementation of the quality assurance standard in CSOs. The introduction of the quality assurance standard has proved effective in streamlining operations within CSOs, so this practice needs further promotion.
3. To improve ethics in civil society (highlighting examples of good practice). CSOs should eliminate irregularities in their work and generally pursue higher ethical goals on their mission.

4. To raise awareness among CSOs about the importance of promoting values through their own examples. Owing to their social responsibility, CSOs provide an important example to the wider public, which should be one of the strategic orientations of the sector.
5. To respond promptly to current issues. CSOs' view of the values they advocate and the promotion of positive values is also shown through timely responses to developments in society.

The following recommendations were made regarding the **perception of impact** (recommendations 1–5 were identified as priorities):

1. To acquire political will and train civil servants for civil dialogue. Civil servants are generally not familiar enough with the civil society sector and its participatory role; their awareness needs to be raised.
2. To increase the influence of civil society in pre-election periods (to attract better candidates). During pre-election periods, CSOs should counter popular apathy by encouraging political candidacy at the local and national levels.
3. To improve communication methods with a view to attaining objectives (lobbying). One of the reasons for failing to attain objectives is poor communication and lobbying.
4. To vigorously campaign for civil dialogue (NGO strike, civil disobedience). The importance of the civil society sector should be demonstrated in the face of the government's ignorance (e.g. consequences should be felt if all volunteers went on strike).
5. To demand that the government establish appropriate mechanisms for civil dialogue in concrete cases. Even if the law stipulates public participation (e.g. environmental issues), the government meets the requirements only in principle; but to achieve civil dialogue, every specific example needs to be examined and concrete actions identified to fully exploit the existing regulatory framework.
6. To improve the promotion of, and acquire public approval for, the civil society sector (promoting the advantages of civil society and supporting the case with examples of good practice from abroad). Through better promotion, public support should be won for establishing better civil dialogue.
7. To resort to legal remedies under EU law in cases of specific violations on the part of the government. These legal remedies should be used to better advantage.
8. To educate citizens for civil dialogue (in school and at home). Civic education should also comprise education for civil dialogue; people need to be informed about their opportunities.
9. To ensure stable sources of financing that enable the independence of CSOs;
10. To strengthen the network of CSOs. The integration process must be continued to strengthen the civil society sector.
11. To broaden expertise and improve know-how. Stronger cases need to be built in civil dialogue also by including experts as far as this is financially feasible.
12. To boost the confidence of individuals and CSOs in their belief that they can make a change. We need to conquer the limiting mentality that nothing can be changed.
13. To increase employment in CSOs. Better financing should result in more jobs and better employee stability; thus CSOs would be able to engage in more than just work for survival.
14. To encourage activism. The recent *Let's Clean Up Slovenia* campaign showed that large-scale activism has a synergetic effect, so this practice should become regular.
15. To increase the number of well-conceived long-term campaigns. Poor financial opportunities are one of the reasons that ideas develop for a short time only and,

consequently, fail to achieve the desired effect. CSOs should draw up long-term strategic plans, acknowledge this problem, and pursue their goals in the long term.

CSOs, and particularly their networks, should include the above-mentioned activities – which were proposed at discussions of CSO representatives and are supported by the findings of this research – in their respective strategic plans and consistently implement them in order to improve the state of civil society.