

Comparative overview and
description of the Macedonian situation

CRITERIA AND PROCEDURES FOR SELECTION OF CIVIL SOCIETY ORGANIZATIONS IN CROSS-SECTOR BODIES

**CRITERIA AND
PROCEDURES
FOR SELECTION
OF CIVIL SOCIETY
ORGANIZATIONS
IN CROSS-SECTOR
BODIES**

*Comparative
overview and
description of
the Macedonian
situation*

October 2011

CRITERIA AND PROCEDURES FOR SELECTION OF CIVIL SOCIETY ORGANIZATIONS IN CROSS-SECTOR BODIES

Authors:

Emina Nuredinovska
Katerina Hadzi-Miceva Ewans

Translation:

Silvana Stojanova

Proofreaded:

Elena Georgievska

Designed, edited and printed by: Skenpoint, Skopje, 2011

Circulation: 500 copies

CIP – Каталогизација во публикација

Национална и универзитетска библиотека „Св. Климент Охридски“, Скопје

340.13:342.51 (035)

Criteria and procedures for selection of civil society organization in cross-sector bodies/[Emina Nuredinovska, Katerina Hadzi-Miceva Ewans]. - Skopje : OSCE, 2011.

– pp. ; charts ; 20 cm

Библиографија: стр. 44-45

ISBN 978-608-4630-02-9

1. Хаџи-Мицева Еванс, Катерина [автор]

а) Закони – Донесување – Граѓанска партиципација - Прирачници

COBISS.MK-ID 86122506

Supported by:



The content of this publication does not necessarily represent the view or the position of the OSCE Mission to Skopje.

Table of Contents

I. INTRODUCTION	5
II. DESIGNING MECHANISMS FOR CSO PARTICIPATION	6
III. EXAMPLES OF SELECTION PROCEDURES FROM SELECTED COUNTRIES IN EUROPE	11
BULGARIA: The Civic e-Governance Platform, BlueLink.....	11
CROATIA: The Council for Civil Society Development and the National Volunteering Board	13
HUNGARY: Selection of CSOs in the National Civil Fund.....	18
POLAND: Selection of members to the Council of Public Benefit Activity	21
SERBIA: Monitoring and Evaluation of the Poverty Reduction Strategy Serbia	22
SLOVENIA: Rules of Procedure for Selection of CSO representatives developed by CNVOS	23
IV. CURRENT PRACTICE OF SELECTION OF MACEDONIAN CSOs	26
Selection by the state administration bodies	26
Selection by the civil society organizations	29
V. CONCLUSIONS	36
VI. RECOMMENDATIONS	38
VII. PROPOSED MODELS	40
Annex 1: Matrix for administrative review and assessment of the applications	46
BIBLIOGRAPHY	48



I. INTRODUCTION¹

Involving citizens and their organizations in the processes of developing and implementing policies and laws is highlighted as one of the important values of a democratic legislative process. Such involvement assumes the right of citizens and civil society organizations (CSOs) to be informed about the upcoming legislative initiatives and the opportunity to provide their opinion on the draft documents, especially if they affect them. It also provides the possibility for active involvement in working groups and other bodies which make decisions about the policy environment and legal drafts which affect the society. While the aspect of information and consultation tend to be regulated in more detail in different laws and regulations, the active involvement in cross-sector government bodies is not always guaranteed through legal documents. And when there is openness for such involvement, often the question arises – how to select the members of the public and especially the CSOs. This analysis will focus on the aspect of selection - what criteria and procedures are being used in Europe in order to identify the current practices and recommend model(s) for consideration among the Macedonian Government and CSOs.

The first part of the paper presents examples of procedures and criteria from Europe. Examples include not only processes where organizations are involved in actual law drafting or policy making, but also processes for selection of CSOs in government bodies responsible for development of strategic policy for the sector or a specific area of activity in which organizations work (e.g., environment). The paper focuses on processes that concern CSOs, but also mentions other organizations where relevant.

The second part of the paper provides an analysis of the current trends and procedures for involving Macedonian CSOs in the work on cross-sector working groups or government bodies. The examples of involving CSOs are divided in two main groups: first, where selection is done by the governmental institutions, and second, where representatives are selected by CSOs.

The third part of the paper proposes possible models for selection of CSO representatives that can be used as guidelines for state institutions in the processes of establishing of transparent procedure. They can be used by CSOs as a tool for advocacy and lobbying for clear and transparent rules for involvement in working groups and other bodies.

¹ The following paper was commissioned by the Organization for Security and Co-operation in Europe (OSCE) Mission to Skopje. It was developed by Emina Nuredinoska (Macedonian Center for International Cooperation – MCIC, Macedonia) and Katerina Hadzi-Miceva Evans (European Center for Not-for-Profit Law - ECNL, Hungary), September 2011. *Copyright © 2011 by the OSCE, MCIC, ECNL. All rights reserved.*

II. DESIGNING MECHANISMS FOR CSO PARTICIPATION

The following section discusses the general considerations that should be considered when planning a model for selection of CSOs in government bodies which have been set up to serve a specific function. The following *general considerations* have been identified: type and mandate of the body; purpose of involvement of the CSO; possibility for diverse groups to nominate; transparency and openness of the process; clarity of criteria which are predefined; use of web portals and databases.

In addition to these general issues, *specific consideration* should be given to issues such as: who appoints the members, who selects the members, what are the timelines and deadlines, is the process organized in one or two steps, should organizations be required to register and what documents should they submit for this purpose, and similar.

1) *Procedure for selection*

i. *General considerations of the process*

CSOs take active part in different bodies. For example, they can take part in: (1) bodies which have consultative or advisory role to the government, such as councils, (2) bodies which monitor the implementation of a national strategy or legal act, or a funding program, (3) bodies which decide on distribution of funds, (4) management bodies of within state bodies, such as national foundations or funds, (5) bodies which make decision on certain issues, such as granting public benefit status, as well as in (6) working groups which develop and monitor implementation of policies, strategies, laws, regulations, guidelines etc. Therefore, when designing the mechanism, first consideration should be given **on the type and the mandate of body** where CSOs will participate.

The role of the CSOs in these bodies can be different. They can have a *representative* function, when they represent their own organization or a network (either cross-sectoral, nation-wide alliance, or network on particular issue - for example, network of women's rights organizations). CSOs can also have an *experts' role*. In these cases, while they may be selected because of the organizations or networks they represent, the main factor and criteria will focus on particular expertise that CSOs or the individuals possess in a specific area which is a competence of the body. Therefore, when deciding on which criteria or mechanism to adopt, second consideration should be given to the **purpose of the CSO involvement, type of input and role the participating individual or organization is expected to provide** in the process.

The group of organizations that can potentially nominate representatives in the government bodies, especially in a representative role can be large. Therefore, the government and organizations which facilitate the process should make all attempts necessary to **allow for candidacies from wider group of organizations and treat them equally based on clearly defined criteria** to ensure credibility of the process. In addition, the process should rely on methods which will help facilitate involvement of groups with special needs and/or vulnerable groups, or under-represented groups in society.

The European Commission reinforces this principle:

"[...] the challenge of ensuring an adequate and equitable treatment of participants in consultation processes should not be underestimated. The Commission has underlined, in particular, its intention to "reduce the risk of the policy-makers just listening to one side of the argument or of particular groups getting privileged access[...]. This means that the target groups of relevance for a particular consultation need to be identified on the basis of clear criteria. Clear selection criteria are also necessary where access to consultation is limited for practical reasons. This is especially the case for the participation of interested parties in advisory bodies or at hearings."¹

Further, the baseline principle of all selection mechanisms is that the procedure should be **public, open and transparent**. Such processes help build trust and cooperation among the state bodies and the CSOs. In line with this all interested parties should be informed about the process and be clear about the steps in it and the specifics of the selection mechanism. Various channels can be used to distribute information about the process: media (printed, electronic), social networks, web portals of ministries, government-CSO liaison offices, networking channels of the organizations.

The process should be based on **clear, predefined criteria**. Criteria should be designed for the candidates and can also be designed for the organizations, if the organizational background is relevant. The process should make sure that the criteria and the selection mechanisms employ **balance**, where relevant, between the representatives of: different types and sizes of organizations, wider constituencies, specific target groups (people with disabilities, volunteers, women, veterans), gender and nationality.

When shaping the process and the criteria it is also important to look at the **state of development of the sector**. Specifically, the capacity of the sector, its experience and financial resources, to take part and constructively contribute to the process is always a challenge so the selection mechanism should consider how to best address that. Imposing burdensome selection procedures or high level criteria may deter, what can be an inactive or disinterested sector.

In order to increase transparency and openness, governments and organization can work together to develop an **online database** or **web portal(s)** where they can post information on the existing calls for nominations, rules and procedures, list of active working bodies and representatives of the CSOs selected to take part in it, reports from sessions and works on different bodies, possibility for online voting, and other information that may facilitate the process of information sharing about the participatory processes.

ii. *Specific considerations*

The examples from Europe show that the design of the process depends on **who organizes the selection** and **who appoints the members** (whether the government or the CSOs), and **how much discretion is required by the government to make a final decision**. In case of representative role of the CSOs, mechanisms leave it to the organizations to decide who will represent them. In case of experts' role, the specific government body may have an increased role in the decision process. In addition, even when the government or government body make the final decision, they base it on the results of the selection process. The following models have been identified in the examples considered in this paper:

1. CSOs select their representatives based on a procedure prescribed in a law or regulation, or criteria determined by the state body;
2. CSOs select their representatives based on own procedure;
3. The government body organizes the process and selects the CSOs (with or without clear rules);
4. The state body cooperates with the CSOs in the procedure and selection process.

Some mechanisms provide for *ad-hoc cross-sector group* to review the applications. However, when planning for such groups one should consider the cost-effectiveness of the process and the time limitations that may be imposed with it.

Further, the process could be organized in **one, two or several steps**. For example, organizations may be required to pre-register, as a first step, then nominate candidates, as second and vote as a third. In Slovenia, organizations also have an in-between step – presentation meeting, where nominated candidates are given the possibility to agree on who of them should be selected by themselves. Only if they don't agree, voting takes place.

The process should provide enough and clear **timeline and deadlines**, for:

1. Pre-registration of organizations in case it is prescribed;
2. Nomination and voting;
3. Posting of the results (usually within a week from the end of the selection process);
4. Deadlines for appeal on the decision;
5. Timeline and deadlines for the renewal of the members;
6. The term of representation.

The process should design mechanism for **replacement of the candidate**. To ensure smooth transition and continuous operation some mechanisms provide for selection of deputies parallel to selection of candidates.

Other issues which should be prescribed in the process include:

1. Voting (procedure, majority required, method, technology used, tie voting);
2. Who reviews the nominations, (a) CSOs, (b) government body, (c) separate

commission set up for this purpose;

3. Circumstances where conflict of interest may arise and ways to prevent it;
4. Do candidates need to be supported by more than 1 organization or network;
5. The term and assignments for which they are selected;
6. Methods on reporting about the process,
7. Are there any rights or responsibilities assigned to the selected representatives (e.g., right to reimbursement of expenses and by whom, obligation to solicit input from the sector and report back on results from the body), etc.

To facilitate the process, the organizer could develop **standardized forms** for pre-registration, application, biographies of candidates, declarations, descriptions of activities and CSOs and nomination and voting.

2) Typical categories of criteria for the organization

The following categories of criteria are usually considered, in case state body or organization which facilitates the selection process requests prior registration of CSOs in order to be eligible to nominate members. Not all of these criteria should be used to determine the process; the following is an illustrative list which can guide the deliberation process on which criteria may be appropriate in the specific circumstances.

1. **Type of organization** – is the process open to the main forms of CSOs such as associations and foundations or is it also open for other types of broader civil society representatives such as trade unions, employers associations etc.
2. **Functional criteria** – are there any requirements in the terms of the areas of activities organizations should be involved in;
3. **Geographical area of work** – should the organizations be working on national, regional, local, international level;
4. **Alliances** – should the candidates represent one organization or representation of alliances is allowed; should organizations be part of a network or can they act as stand-alone candidates;
5. **Methods for communication** with other organizations – should organizations have established method and channels of communication;
6. **Time of operation** – is there any time limit the organizations should exist before they nominate candidates;
7. **Independence** from state bodies and other potential interferences;
8. **Internal governance rules** – should organizations have well established internal rules that govern the organization;
9. **Principles and standards** – should organizations have signed up to certain principles and standards of work in a certain area
10. **Conflict of interest and other restrictions** – are candidates limited in that they cannot be part of a political party establishment, or be applicants for funding (e.g., in case the body decides on distribution of funding), can can-

didates already serve on other governing bodies, or working groups, should there be a limit in terms of the age (can minors take part in the body that makes a particular decision).

In case the selected representatives have certain experts' role in the body, then the following criteria may also be considered:

1. The type of expertise required;
2. Should the person be employee of the organization, or is it allowed for organizations to propose independent experts;
3. Areas of expertise required;
4. Years of expertise;
5. Specific skills (drafting documents, communication);
6. Previous involvement in similar projects, activities;
7. Previous collaboration with the respective state body or other actors, and/or contributions on the topic.

III. EXAMPLES OF SELECTION PROCEDURES FROM SELECTED COUNTRIES IN EUROPE

The following section provides list of illustrative examples procedures and criteria for selection of CSO representatives in bodies on international and national level. A short summary of the criteria, and where available the procedure is provided in order to facilitate the thinking of the specific model that could be considered in the country.²

BULGARIA: The Civic e-Governance Platform, BlueLink

The Civic e-Governance Platform is an Internet-based platform for election of representatives of CSOs in working groups and committees at state institutions. It concerns only environmental and sustainable development policies elaboration and implementation in Bulgaria. The Civic e-Governance Platform aims to facilitate (1) selection of organizations through nomination of candidates and voting, and (2) information sharing on the participation of the selected members in the working groups, thorough their reports.

1) Procedure for selecting members

Preregistration of organizations

In order to take part in the process organizations have to register in the on-line system. BlueLink developed a *Procedure for Election of Environmental CSO Representatives*.³ BlueLink maintains a list of organizations registered to vote and list of representatives selected in different government bodies. A right to register for voting and participate in the platform is granted to every organization, which is registered in accordance with the Law on Non-for-Profit Legal Persons and works in areas such as: environmental issues, nature protection, and sustainable development. In order to register the organization must provide the following documents:

1. Court decision on registration or re-registration according the Law on Non-for-Profit Legal Persons;
2. Certificate issued by the court that contains the latest information on the CSO from the court registry (which must be resubmitted every 2 years);
3. A letter expressing the desire of the organization to participate in the selection process signed by the official representative of an authorized person or organization;
4. A brief description of the organization on issues of conservation, environment and sustainable development.

² For further details and more updated information please refer to the referenced web sites.

³ <http://vote.bluelink.net/index.php>, last accessed on September 15, 2011

Further details regarding the registration and the right to vote are regulated with the internal rules.

The elections are coordinated by BlueLink and the procedure commences upon request of the state body or other organization.

Nomination

According to the Procedure, each organization registered to participate in the elections may nominate only 1 nominee for 1 position, based on prior cooperation with the candidate. Nominations are sent to ECO via e-mail, fax or postal service during the nomination period, which is 12 days from the announcement of the call.

The nomination letter should contain:

1. the name of the candidate;
2. declaration of the organization which nominated him or her (format available on the web site);
3. the nominee's CV (in standard format available on the web site);
4. a motivation letter from the candidate (format available on the web site).

ECO must distribute the list of nominations within 5 days from the date when the call for nominations closes.

Voting

Voting is conducted within the period of at least 10 working days, and registered organizations may vote by email, fax or postal mail during the voting period. They can only vote for one candidate.

The candidate which will receive the majority of the votes will be selected as representative. The candidate with the second largest number of votes is the first deputy, and the candidate with the third largest number of votes is the second deputy. In case candidates for one position have an equal number of votes, a runoff election is held. Election results are announced through BlueLink's distributes the results within 7 days after the voting deadline. Anyone may view the election documentation in the ECO office three days after the voting deadline.

Rights and obligations

The Procedure lists specific rights and obligations for the selected representatives. For example, the selected representative is entitled to receive adequate information from the responsible institution, it can delegate some responsibilities to its deputies and to resign from its position (but has to stay until a new person is selected). The representatives have the following obligations: (1) to present and to defend the position of the CSO in the institutional body for which he or she was elected, (2) to participate in the meetings of the institutional body; (3) to disseminate information through BlueLink Information Network about the progress and results of the institutional body's work; (4) to solicit the views of the CSO community regarding relevant issues prior to the working meetings.

2) Criteria for selecting members

The following criteria are considered when selecting members:

1. The representatives should have at least 1 year of experience at an environmental CSO;
2. This experience should be in the last 3 years;
3. The representative's education and the experience should relate specifically to the requirements of the institutional body, if applicable;
4. The candidate should provide the motivation letter demonstrating the nominee readiness to be a CSO representative.

The selected candidates represent the environmental community for a period of two years and may not be elected to two or more institutional bodies concurrently. They may resign or be recalled from the position with majority of votes or in case the body for which it is selected ends its mandate.

CROATIA: The Council for Civil Society Development and the National Volunteering Board

Croatia features several examples of selection of CSOs. First, the *Code of Practice on Consultation with the Interested Public in Procedures of Adopting Laws, Other Regulations and Acts*⁴ stipulates that when members of expert working groups are appointed from the ranks of the representatives of the interested public, account should be taken of criteria such as: expertise, previous public contributions to the subject-matter in question, and other qualifications relevant to the matters regulated by the law or other regulation, or established by the act of the state administration body.

Second, the Government Office for NGOs maintains an online database of state bodies where organizations have own representatives including the names of those representatives in the body: <http://www.uzuvrh.hr/drzavnatijela-savjeti-clanovi.aspx>

A. Selection of CSO representatives in the Council for Development of Civil Society⁵

The Council for Civil Society Development is an advisory body to the Government of the Republic of Croatia acting towards developing cooperation between the Government with the civil society organizations in Croatia in the implementation of the National Strategy for Creating an Enabling Environment for Civil Society Development; the development of philanthropy, social capital, partnership relations and cross sector cooperation.

⁴ www.uzuvrh.hr; last accessed on September 19, 2011

⁵ The following section has been based on information from the Regulation of the Council for Development of Civil Society, 2010 and the web site of the Government Office for Cooperation with NGOs in Croatia: <http://www.uzuvrh.hr/page.aspx?pageID=75> (the last accessed on September 15, 2011).

The Council is composed of 27 members, specifically:

- 12 representatives of associations and other organizations of civil society;
- 12 representatives of state institutions;
- 1 representative of trade unions;
- 1 representative of employers association;
- 1 representative of Foundation.

The subsectors for which associations and other organization of civil society may be elected are:

- (1) Promotion and protection of human rights;
- (2) Protection of health and improvement of the quality of life;
- (3) Disabled persons care;
- (4) Child care;
- (5) Protection of environment and sustainable development;
- (6) Social welfare
- (7) Youth activism;
- (8) Democracy, Rule of Law and Education;
- (9) Culture;
- (10) Organizations involved in homeland and veteran care,
- (11) Sports
- (12) Technical

Culture.⁶



Picture 1: Composition of the Council for Development of Civil Society⁷

⁶ Decision for Establishment of the Council for Development of Civil Society, last amended November 2009

⁷ Presentation: *Framework for Government –CSO cooperation in the Republic of Croatia*, delivered by the Office for Cooperation with NGOs in Croatia at the regional workshop on Effective Government-CSO Cooperation, organized by ECNL in Budapest, June, 22-23, 2011

1) **Appointment of members**

The Government appoints the members and their deputies based on suggestion from the:

1. Associations, for the 12 participants from the enlisted fields of activities;
2. Government office for NGOs, for representatives from the trade unions, employers association and foundations; and
3. Government bodies, for representatives from the ministries and different government offices.

Members are appointed for three years.

2) **Procedure for selection of the members from the civil society**

The members of the Council are selected through a two steps system: (1) nomination of members and (2) voting for members.

Nomination for members and their deputies:

The Government Office for NGOs announces on their internet page and other newsletters the call for nominations of candidates, the criteria and deadlines. Any registered CSO or network of CSOs can nominate a candidate and a deputy for the particular sub-sector or area of activities in which they are active, and they can nominate only one person. The candidacy process is open at least 15 days.

Nominations are sent to the Government's Office for NGOs. The nominations should be submitted on a standardized form and supported by the following documents:

1. letter of motivation of the candidate including information how the candidate will keep its sub-sector informed about the activities in case of appointment to the Council;
2. curriculum vitae of the candidate submitted on standardized form;
3. copy of last registration certificate of the organization or other organizations that nominate the candidate (or any changes submitted to the register) or notice from the register not older than 30 days;
4. confirmation on active involvement of the candidate (professionally or as volunteer) in the fields of activities (in the association or other organization) for which the person is nominated sub-sector for at least 3 years of continuous involvement, signed by the legal representative of the CSO or other organization of civil society.

An independent Commission selected by the current Council members, reviews the nominations and checks the eligibility of the Candidate within 8 days from the end of the deadline for nominations. The list of candidates with valid nominations is published on the Internet and applicants have 8 days deadline to appeal in case their nomination has been considered invalid.

Voting for members:

The voting procedure lasts 15 days. Every registered association or network has one vote for the candidate and its deputy and they may vote only for the fields of activities in which they are active. Voting is completed on a standard form, which can be downloaded from the internet page of the Government Office for NGOs and the form should be sent via post the Government Office for NGOs. The form should be stamped, signed by CSO representative. An independent Commission counts the votes and prepares the list of elected candidates according to the sub-sectors within 8 days from the deadline of submission of votes. The Government Office for NGOs then publishes on its internet page two lists (1) list of candidates and deputies who have won the biggest number of votes in the specific field and will be appointed as members of the Council and (2) list of all other candidates and deputies with number of votes they have received. The proposed list of candidates and deputies is submitted to the Government in order to appoint those members.

3) Criteria for selection of members from civil society:

Candidates must comply with the following criteria:

1. To be of a legal age;
2. Not to be member of political party;
3. At least 3 years of working experience in the field of activities of the associations or other organizations of civil society which the person will represent.

B. Selection of members in the National Board on Volunteering

The National Board on Volunteering is an advisory and consultative body of the Government of Croatia which is responsible to implement measures for promotion and protection of volunteering. The Board is composed of 19 members:

- 1 representative of the Ministry of family, veterans affairs and intergenerational solidarity;
- 1 from the Government Office for NGOs,
- 1 representative of the Government Office of Human Rights,
- 1 representative of the National Foundation for Civil Society,
- 1 representative of the central government body responsible for education,
- 1 representative of the Ministry of Health and Welfare,
- 7 representatives of civil society organizations that organize volunteering,
- 6 independent experts who are engaged in volunteering and civil society as follows: three representatives based on the proposal of the CSOs and three representatives based on the proposal of local and district (regional) governments.

The members are selected for period of 2 years with a right to be re-elected. *The Decision on the Criteria and Procedure for Selection of Representatives in the National Board on Volunteering (2007)* further describes the process of the selection.

1) Appointment of members

The members are appointed by the Government based on recommendation of the Ministry.

2) Procedure for selection of members of the Board from the civil society

The selection of representatives of civil society who represent organizers of volunteering is conducted through the Ministry of Family, Veterans and Intergenerational Solidarity. The Ministry will invite federations, coordination and networks of associations whose members are organizing volunteers to nominate 1 candidate who meets the criteria.

The applications should include:

1. An explanation of the reasons for nominating a candidate;
2. Candidate's CV
3. Confirmation of the number of years of active work by civil society, certified by a responsible person in the association.

The selection of representatives the proposal of civil society organizations from the ranks of independent experts who are engaged in volunteerism and civil society, is also conducted upon invitation of the Ministry issued to organizations and networks that can nominate a candidate who meets the criteria. The application should include: (1) an explanation with the reasons for nominating a candidate and (2) the candidate's CV.

Nominations should be submitted within 15 days from the receipt of the call. A Commission for selection of members in the Board is set up to review the nominations, which recommends the persons who should be taking part in the Board. Based on this recommendation the Ministry submits the list to the Government which appoints the members.

3) Criteria for selection of representatives from civil society

The Decision lists the following criteria for members of the organizations which are *volunteer organizers*:

1. The person must be of legal age (an adult citizen) of Croatia;
2. It is not an official political party representative;

3. To continuously for at least 3 years be an active member of civil society organization that promotes and develops volunteering:
 - a) through education of associations and volunteers;
 - b) by connecting, monitoring and supporting volunteers;
 - c) through intensive work on sensitizing the public and changing attitudes about volunteering through promotional activities, humanitarian actions and other;
 - d) by encouraging the public (citizens) to activism, involvement and participation in voluntary activities;
 - e) by keeping record and database of volunteers and volunteer activities;
 - f) through cooperation with local governments to promote volunteering;
 - g) through cooperation with international volunteer organizations.

The following criteria are listed for the expert members *recommended by the CSOs and the regional/local government*:

1. It is not an official political party representative;
2. It is an independent expert who has been active in the field of volunteering and civil society in a period of at least three (3) years, specifically:
 - a) a member of the academic community who is engaged in this area through scientific research; or
 - b) an expert in the field of social services involved in the projects of civil society organizations that promote volunteering; or
 - c) other areas in which the person has contributed to the promotion of volunteerism and cooperation with CSOs.

HUNGARY: Selection of CSOs in the National Civil Fund

The National Civil Fund (NCF) in Hungary is a government fund which distributes operational and project grants to support the work of CSOs. The principal governing body of the NCF is the Council while the operative decision-making bodies are the Colleges which are organized on regional and professional bases. The members of the Council and the Colleges are elected for 3 years. Most of the members in the different managing bodies are CSO representatives. They are elected by representatives of national and regional organizations on electoral meetings. The candidates who receive most of the votes become members. One part of the members is elected on a geographical principle (i. e. they represent a geographic region), and another part represents a particular field of activity.⁸

⁸ The government recently published a draft of the new Law on freedom of association and the operation and the support of the CSOs for general consultation in the end of June and plans to adopt it in autumn. The draft law regulates the civil sector comprehensively and introduces significant changes essentially affecting the operation of the CSOs. A National Civil Fund will be replaced with a new fund, so-called "National Cooperation Fund" in which the representation of the CSOs is planned to be significantly less. According to the current draft law the Council would have only 9 members out of which 3 members would be elected through the civil representation system, 3 members would be appointed by the competent committee of the Parliament

1) Selection of CSO representatives in the Council and the Colleges

The Council

The Council has 17 members out of which

- 12 members are elected by the CSOs through the civil representation system;
- 2 members are elected by the competent committee of the Parliament; and
- 3 members are elected by the minister responsible for running the fund (currently Ministry of Public Administration and Justice).

Through the civil representation system 5 members of the Council are elected by CSOs with national scope of influence and from civil organizations in the area of:

1. health-conservation, illness prevention, recovery, health rehabilitation activity, social activity, family-assistance, nursing of elderly people, rehabilitation employment, assistance of the socially disadvantaged;
2. cultural activities, educational, pedagogical activities, activities concerning Hungarian national and ethnical minority, activities related to Hungarians outside Hungary;
3. nature protection, animal protection, environmental protection and cultural heritage protection;
4. child and youth representation, protection, sport, leisure-time;
5. the protection of public order and safety, voluntary fire-fighting, rescuing, prevention of catastrophes, protection of human and constitutional rights, consumer protection, improvement of Euro-Atlantic integration, services, support and donations for the non-profit civil sector, other non-profit activities.

The rest of the CSO members of the Council are selected from the 7 regions of Hungary also through the civil representation system.

The Colleges

The Colleges have at least 5 but not more than 11 members; the exact number depends on the decision of the minister. One of the members is commissioned by the minister at his discretion and the rest of the members are selected by the CSOs through the civil representation system.

and 3 members would be invited by the minister at his discretion, on the basis of the strategic partnership agreements concluded with CSOs. Each College would have also 9 members out of which 3 members would be elected through the civil representation system, 3 members by the competent minister after liaising with the strategic CSOs partner and 3 members by the minister at his discretion. According to the draft law the members of the Colleges and the Council will be elected for 4 years.

2) The civil representation system - Procedure for selection in the Council and the Colleges

Registration to be an elector

In order to become an elector the CSOs need to register at the Secretary of NCF. Those CSOs are entitled to send electors which have either regional or national scope of influence. They need to submit their charter document, court certificate of the valid data of the organization and a statement which includes the valid data, the name of the elector representing the organization, the operational influence of the organization (if regional which region, if national⁹ the professional field of its activity) and the introduction of the scope of activity. The Secretary issues a certificate of each registration which meets the above requirements and notifies the registered CSOs of the date and place of the electoral meeting. In case of deficient application the CSO is called upon to submit the missing documents; in case the organization fails to comply with this its application will be rejected. The rejected organizations may turn to the minister with objection.

The application period should not be less than 30 days. Each organization which has regional scope of influence may set up only one elector in the region which is affected by its operation. Those CSOs which have national scope of influence may set up an elector only on the national electoral meeting.

Voting procedure- the electoral meeting

The CSO members and the alternative members of the Council and Colleges are elected on national and regional electoral meetings. The minister publishes the place and date of the electoral meetings in at least two national daily newspapers, the CSO press and forums, and the website of the NCF.

The voting is organized in two stages. At first, the electorate votes on candidates through an open vote procedure. Only those candidates who have received 10% of the votes of the electors present in the open vote will be shortlisted for a second round of voting. The electors can vote for as many candidates as the number of members that need to be elected (for example, they can give vote for 5 candidates for the 5 slots of national representatives in the Council). Candidates who have obtained majority of the votes will be selected as members of the Council and the Colleges. In case of a tied vote members are selected through the drawing of lots. The names of the members of the Council and the Colleges are disclosed on NCF's website.

3) Criteria for selection of members

The basic regulations of the organization and the civil representation system are put down in Act L of 2003 on National Civil Fund Program and further specified in 160/2003 (X.7) governmental decree on the execution of the Act.

⁹ The influence of its operation expands to at least 7 counties.

The requirements for members are defined in the form of exclusive criteria, which aim to prevent a conflict of interest. Specifically, they highlight that the member of the Council and the Colleges cannot be:

1. a representative of the Parliament, member of the municipal council at local government, member of the county/metropolitan local assembly, mayor;
2. a close relative of the member of the Council or the College;
3. a person who is already member of one of the bodies of the NCF;¹⁰
4. a person who was the executive officer of a CSO within 5 years prior to his/her nomination which has terminated and s/he or his/her legal successor was ordered by a final authority or court decision to pay its public debt within 2 years prior to its termination and it did not comply with the order, except for that case if the executive officer was commissioned specifically for the sake of settling the financial situation of the organization;
5. a person whose mandate was already withdrawn by the minister due to the fact that he/she became unworthy for the position.¹¹

The members of the Council and the Colleges make a statement simultaneously with their assignment that the above circumstances do not exist. If such circumstances arise after the candidates are selected, then they are obliged to terminate such conflict of interest within 30 days. Further, the members should submit a list of organization with which they share a certain relation that may give a rise to a conflict of interest issue¹² and report it within 15 days if such list has changed. The lists are published on the NCF website. This rules aims to strengthen prevention of conflict of interest. Namely, if a CSO from the list applies for a grant the head of the Council will appoint another College, which does not have conflict of interest to decide on the grant.

POLAND: Selection of members to the Council of Public Benefit Activity

The Council of Public Benefit Activity was created by the Law on Public Benefit Activity and Volunteering in 2003 (amended in 2009 and 2010). The Council is an advisory body to the minister responsible for social security matters. It has twenty members – 10 representatives of CSOs and their unions, and other entities listed in the law and ten of public authorities (5 of local governments and 5 of central administration bodies). The Council is co-chaired by one representative of the authorities and one of the CSOs included in the Council's work.

¹⁰ This condition is not included in the new draft law.

¹¹ The new draft law introduces one more precondition: the member of the Council and the Colleges cannot be member of the executive body or the official of a political party

¹² If the member, the person participating in the decision or their close relative is 1) the founder of the foundation, the member or the official of the managing body or the organization of the foundation, the member of the managing or representing body of the association 2) in legal relationship for employment with the CSO or if any of the above conditions existed within the past 3 years prior to the inspected date.

1) Procedure for selection of members of the civil sector

The process is as follows: the Minister responsible for social security, announces in two daily newspapers nationwide, and places on the websites of its office, information on inviting organizations to nominate candidates for to serve as Council's members. The notice contains information on the call, content of the application and date and place for submission of the application.

The application should contain the following information:

1. Description of the work and justification for participation of the CSO representative in the Council, the CSO relationship and understanding of the work of the council;
2. The candidate's application, which states his qualifications to perform the tasks which will be useful as member of the Council;
3. Statement of the candidate to consent to the candidacy;
4. Statement of no criminal convictions for intentional crimes;
5. Extract from the National Court Register, and other evidence of the nature and scope of the CSO operations.

Each candidate must be supported by at least 20 CSOs. The Minister appoints the representative from among the list of candidates nominated by the organizations.

2) Criteria and appointment

The application process is regulated by the Law and the Regulation of the work of the Council.¹³ All members of the Council are appointed by the Minister for a 3 year period. In terms of CSO, the Minister must make a decision based on the list of nominations for candidates however there are no criteria based on which the Minister will decide which organization to appoint.

SERBIA: Monitoring and Evaluation of the Poverty Reduction Strategy Serbia

The work of the Civil Society Focal Points and Programme Management Unit of the Government of Serbia Poverty Reduction Strategy are evaluated by the Monitoring and Evaluation Team. Evaluation targets results of the focal points and the unit after six (6) and twelve (12) months. The evaluation of achieved results shall contain recommendations on whether conditions have been fulfilled for the continuation of the program.¹⁴

¹³ Regulation Minister of Economy, Labor and Social Policy on the Public Benefit Works Council, of 4 August 2003, <http://www.pozytek.gov.pl/Orzecznictwo,dotyczace,III,sektora,831.html>, last accessed on September 15, 2011

¹⁴ This section has been developed based on information from the following web site: <http://www.prsp.gov>.

Criteria and Procedure

Eligible candidates can be all interested individuals with experience in the field of monitoring and evaluation and in the implementation of poverty reduction programmes aiming at vulnerable groups, as well as the knowledge of civil society in Serbia. The criteria are evaluated as follows.

Criteria		Max. points
1.	Previous experience of the candidate in the field of monitoring and evaluation	30
2.	Previous experience in the realization of poverty reduction programmes	20
3.	Research experience	30
4.	Experience in work with vulnerable groups	20
5.	Experience of working in the NGO sector	20
6.	Recommendations of previous employers and/or partners	20
Overall		140

Applicants shall submit their CV, cover letter and two recommendations of previous employers. Best ranked candidates are invited for an interview as a basis for the final decision.

SLOVENIA: Rules of Procedure for Selection of CSO representatives developed by CNVOS

The Centre for Information Service, Co-operation and Development of NGOs (CNVOS) runs a procedure for selection of civil society representatives in different government bodies, which was first developed in 2002 and further enhanced in 2004. The aim of the Rules of the Procedure for Selection of CSO Representatives is “to offer an unified procedure with clear rules, binding for all involved and according to principles of openness, equal opportunities and transparency.”¹⁵

CNVOS acts as the leader of the process that facilitates the selection of the representatives and provides technical assistance. CNVOS acts upon request of a specific government body which needs to select representatives of the sector to take part in different cross sector bodies (e.g., commission, working body etc).

rs/engleski/aktuelno/kocd.jsp, last accessed on September 15, 2011

¹⁵ http://www.cnvos.si/article?path=/zagovornistvo/nvo_predstavniki, last accessed on September 15, 2011. The description of the Slovenian case is based on submission by Tinja Divljak, from CNVOS for purposes of the Global Forum on Civil Society Law, 2011, organized by the International Center for Not-for-Profit Law (ICNL)

1) Procedure for selection

The process is led by a CNVOS employee authorized by the director, who together with two other members forms a selection commission for the specific process. The CSOs can also name a member of the commission, who can take part in examination of received application and later in counting of votes.

Nominations

As a first step of the process, CNVOS issues a call for (1) nomination of the candidates and (2) registration of CSOs who will vote in that procedure. The collection of application must not be shorter than 15 days. After the deadline passes, the commission develops a list of candidates and registered organizations who will vote. In case of incomplete applications, candidates are given 3 days to complete the submission; in case they fail to do so their application is not considered.

Presentation meeting

While this step of the process was not practiced frequently at the early days of the procedure it showed to be efficient and therefore it became a regular part of it. Namely, after the candidates are nominated the organizers calls a presentation meeting where the candidates and the organizations that nominated them meet, and try to reach an agreement as to who from them should be selected on the body. Only in case they cannot make an agreement, the procedure of voting commences.

Voting

The commission adopts the decree about the list of candidates and voters and posts it on the web site for 8 days, after which elections are called. Each recorded voter receives one vote which can be submitted in person, by post, fax or e-mail. The opening of the ballot box is conducted in public and all actors are invited. The selected representative is selected within 3 days from the end of the elections. If the first two candidates receive the same number of votes and there is just one place in a certain body, a second round of voting follows.

Rights and Obligations

The regulation prescribes certain rights and obligations for the selected representatives. Those include the right to coverage of per diem and travel costs. CSO representatives should be transparent in their work; they have to reporting to the CSOs (CNVOS receives report and send it to all interested organizations which participate in the procedure, put the information in weekly information package and on the website); the selected representatives have to take into account the CSOs proposals and suggestions in the course of the activities in the bodies.

2) Criteria for selection of members

The government body that makes the request determines the criteria and further details of the procedure for the specific selection process. They submit them on prescribed form which should include the following information: expected knowledge of the representative and other criteria that the person should satisfy, description of the activity in which the person will be involved, conditions for the procedure to be successful, type of voting etc.

IV. CURRENT PRACTICE OF SELECTION OF MACEDONIAN CSOs

Due to the fact that there is not a standardized mechanism for selection of representatives from civil society organizations in the state administration working bodies, as well as in other institutions in the system, the models which are applied are different. Two dominant models, with specific traits, can be identified (presented below):

- Direct selection made by the state administration bodies;
- Selection made by the organizations themselves.

Selection by the state administration bodies

(1) Commission for Organizations of Public Interest

The new Law on Associations and Foundations (“Official Gazette of Republic of Macedonia” no. 52/10) introduces for the first time the status of organizations with public interest in Republic of Macedonia. The introduction of this status foresees establishment of a structure for its consistent implementation. Namely, in accordance with Art. 79, the status of public interest is determined by the Government of the Republic of Macedonia, upon proposal from the Commission for Organizations of Public Interest. The composition of the Commission is determined with paragraph 3 from the same article.

The Commission is consisted of 11 members of whom 9 are representatives of the state administration bodies and two are representatives from the civil society sector. The mandate of the members is 4 years. In the same article, in paragraph 4, it is defined that the manner and criteria for selection as well as the manners for cessation of the activities are defined with a bylaw adopted by the Minister of Justice.

The rulebook¹⁶ was adopted in October 2010. During the preparation of this overview, the selection of the representatives from the civil society sector was ongoing.

The procedure is composed of the following steps:

1. The Secretariat General of the Government of the Republic of Macedonia, through the Unit for Cooperation with the Non-Governmental Organizations issues a public call in the newspapers for selection of members of organizations.

¹⁶ Official Gazette of Republic of Macedonia no. 141/2010, Rulebook on the manner and criteria for selection, as well as reasons for cease of performing work of the President and members of the Commission of Organizations of Public Interest Status.

2. The organizations can propose their own candidates within eight days from the issuance of the call.
3. The proposals are submitted in written form, alongside the following documents:
 - CV of the candidate;
 - motivational letter from the candidate;
 - copy from the last certificate of registration of the organization (last changes from the registration), or confirmation from the Register less than 30 days old; and
 - list of activities in the field of development of the civil society sector.
4. Within eight days, the Secretariat General of the Government of the Republic of Macedonia prepares a report on the number of registered organizations with proposed candidates that fulfill the conditions stipulated in the public call. This report is published on the web site of the Unit for Cooperation with the Non-Governmental Organizations.
5. The Unit submits a report on the number of registered organizations with candidates who fulfill the conditions stipulated in the public call for competition to the Government of the Republic of Macedonia, for the purpose of forming of the Commission.
6. The decision on the selected candidates is brought by the Government on the basis of the information submitted in the Report.

Two **criteria** are foreseen with the Rulebook which are to be fulfilled by the candidates:

1. expertise in the field of civil society sector, particularly in the field of legal and fiscal regulations for citizens' associations and foundations (number of implemented projects as experts, publications, participation in working groups); and
2. knowledge of national legislation related to some of the areas determined as activities of public interest in Art. 74 in the Law on Associations and Foundations.

The positive trait of this model is allowing all interested organizations and candidates to apply as potential members of the Commission as the call itself is available in the written media. However, certain improvements are required of the procedure and criteria.

Namely, although the call refers to the organizations which are to propose their own candidates, and at the same time accompanying documentation for confirmation of the candidates' experience is sought, the criteria lack clarity regarding the basic requests for organizations such as field of work, location, target groups, etc. The link between the organizations and their proposed candidates is not sufficiently evident, i.e. whether the proposed candidates from organizations should be their employees, members or can these represent external associates.

During the election of the first composition of the Commission, the deadlines listed in the Rulebook and referring to the procedure were not observed. The obligation of the Unit for Cooperation with the Non-Governmental Organizations to issue the list of applied candidates who fulfill the criteria no later than eight days was not fulfilled. Namely, this obligation was not fulfilled 30 days after the end of the deadline for application.

(2) National Council for Development of Volunteering

In September 2010 the Government of the Republic of Macedonia adopted the Strategy for Promotion and Development of Volunteering with Action Plan for the period of 2010-2015¹⁷. The Strategy foresees establishment of the National Council for Development of Volunteering (NCDV) which should enable more efficient planning and implementation of objectives and measures. NCDV is formed with decision from the Government of Republic of Macedonia and should represent a multi-sector body which is consisted of nine members, five of whom are members of the state administration bodies whereas four representatives are from the civil society sector. The mandate of the members is two years with possibility for re-election. The procedure and criteria for selection are determined by the Secretariat General of the Government and the Ministry of Labor and Social Policy. Members of the Council cannot receive remuneration for their work.

Procedure:

1. The Secretariat General of the Government of the Republic of Macedonia issues the public call in daily newspapers through the Unit for Cooperation with the Non-Governmental Organizations.
2. The organizations can propose their own candidates within 8 days from the issuance of the call.
3. The candidates applying to the call should submit:
 - CV;
 - Copy from the registration certificate of the organization in which the candidate works/volunteers;
 - Brief overview of the organization (mission, history, structure, implemented activities for development and promotion of volunteering);
 - Motivational letter of the candidate and brief description of the qualifications and experience of the candidate and description of the way he/she will contribute to the work of the Council.
4. The selection of the members is performed by the Ministry of Labour and Social Policy.

¹⁷ Government of Republic of Macedonia, Strategy for Promotion and Development of Volunteering, 2010

5. The decision on the selected candidates is brought by the Government on the basis of the information submitted in the Report.

Criteria:

1. To be engaged in the organization either as an employee or volunteer;
2. To be acquainted with the relevant issues and needs of the civil society sector in the Republic of Macedonia, particularly the needs for development of the volunteering;
3. At least two years of proven experience in project implementation and activities related to volunteering on national, local and/or international level;
4. Cooperation with the state institutions or units of local self-government or participation in working groups in the process of preparation of laws, strategies on national and local level which refer to the development of civil society and volunteering;
5. Communicative and team-oriented,
6. With high integrity, responsibility and accountability.

Again in this case, the positive trait is the opportunities for all active entities in the civil society sector as potential members to the NCDV. However, as in the previous case, the final decision is still brought by a government body/Ministry on the basis of predefined criteria and according to a procedure led by the state administration bodies.

As opposed to the selection of members in the Commission for Organizations with Status of Public Interest, in the process of selection of candidates for the NCDV, the criteria are more transparent and therefore the opportunity for a more realistic and legitimate selection is higher. Namely, in this case, there is clear relation between the organization and the person who is proposed as member to the NCDV. Also, the duration of experience is defined, as well as the specific fields of work and clearer reference to the geographic region. The similarity with the first case is the fact that only criteria for the candidate are determined and not for the organization which is proposing him/her.

Selection by the civil society organizations

(1) Selection of a candidate through a CSO network/platform

One of the most applied models is the one in which the state administration bodies, in need of representation and individuals from the civil society sector in permanent or temporary working and advisory bodies, authorize the organized civil society to conduct the selection. In this case, the state administration bodies identify one network/platform to which they extend invitation

to nominate their own representatives, in line with its internal procedures. Most commonly recognized organized form of civil society organizations is the Civic Platform of Macedonia (CPM)¹⁸. International organizations, such as UNDP, for the needs of the governing boards in their projects, were the first institutions in which the representatives from the civil society sector were selected through the CPM. CPM delegated its own representatives for the state institutions, for the working group for preparation of the Strategy for Cooperation of the Government with the Civil Society Sector in 2006.

Working group for the Law on Associations and Foundations

In May 2007, the Ministry of Justice organized a working group for preparation of the new Law on Associations and Foundations. The working group consisted of representatives from the state administration bodies, two domestic experts, one international expert and two representatives from the civil society organizations. It is interesting to note that during the formation of this working group the Ministry of Justice extended one direct invitation to one civil society organization for nomination of a representative whereas the invitation for nomination of a candidate for the second representative from the civil society sector was extended to the CPM. The Ministry of Justice did not set its own criteria nor did it design a procedure for how the selection process would be implemented. It was largely left to be decided by the CPM.

CPM rules for selection of representatives

1. Proposals for candidates

Notification for need of selection. According to the rules, the procedure commences with a call for selection of participants, prepared by the Secretariat of the CPM after a previously received request from a certain institution for nomination of CPM representative. The call contains the following information: title of the working position, host institution and number of positions for which selection is being made, description of the profile of the position, manner of work, deadlines among which are deadlines and manner for submission of proposals, etc.

Right for proposal. The candidate for a representative may be self-nominated or nominated from another organization. When the candidate is nominated from another organization, he/she should previously be notified and have accepted the candidacy.

Form of proposal. The proposal for the candidacy contains name of the organization, name of candidate and his/her replacement and short explanation of the motivation of the candidate for his/her selection.

¹⁸ CPM was formed on March 16th 2004 from thirty leading civil society organizations from different sectors with dominant representation on national level. The Platform has clear organizational structure composed of Council in which all member organizations are found and which is the highest body of CPM and Committee as main governing body composed of 11 organizations. CPM has a Secretariat as administrative body.

2. Method of selection

List of candidates. The proposals are received by the Secretariat of the CPM which performs check on the submitted proposals and determines the list of candidates (name of organization, representative and his/her substitute).

Selection body. The selection of the representative is performed by the Committee of the CPM.

Voting. The voting is performed on the session held by the Committee, or in written form (e-mail, fax and mail). Provided due to technical reasons the voting cannot be performed by e-mail, brief telephone communication may be realized however the organization does have to vote in written/by fax. The voting is public.

Voting results. The candidate who receives the most votes from the members of the Committee is nominated. If two or more candidates have the same number of votes, the voting is repeated only for these candidates.

Publishing. The Secretariat of CPM publishes the results from the voting with information on the selected candidate, number of votes per candidate and the manner of implementation of the voting.

National Strategy for equality and non-discrimination

For the purposes of drafting the Strategy a Working Group was established representing different line ministries, independent institutions and civil society. Three members of the civil society participated, two from the Alliance “Macedonia without discrimination” and one from the Helsinki Committee. The organizations were selected by the MLSP and the responsible persons were nominated by the organizations itself.

Working group for Law on Prevention and Protection Against Discrimination

The Ministry of Labor and Social Affairs in the process of preparation of the Law on Prevention and Protection Against Discrimination also included in the working group two representatives from the civil society sector. In this instance the invitation was extended to another (at that moment) non-formal network of civil society organizations, i.e. the Alliance Macedonia without Discrimination (MWD). The Ministry did not provide any particular criteria. This enabled the members of the Coalition to set their own rules. The members of the MWD decided with consensus to select two representatives who represented a combination of an expert with large theoretical knowledge and a practitioner with extended experience in the field of human rights and protection against discrimination.

National Council for European Integration (NCEI)

On November 19th 2007 the Parliament of the Republic of Macedonia adopted a Decision for foundation of the National Council for European Integration. The Council consists of 17¹⁹ members with right to vote. However, an opportunity to participate in the work of the NCEI also had: the following: representatives of the chambers of commerce, trade unions, religious organizations, Civic Platform of Macedonia and scientific and professional workers in certain areas important for the process of the negotiations²⁰.

Interesting for the National Council for European Integration is the fact that the Civic Platform of Macedonia is specifically referred to in Art.5 from the Decision for formation of the NCEI. Thus, in accordance with this provision, NCEI has extended direct invitation to CPM without proposal for specific procedure or criteria for selection of the candidate.

CPM in the process of selection used the abovementioned **rules** but also extended them with the following **criteria**:

1. experience and knowledge of the civil society in Macedonia;
2. knowledge of the work and operations of the European Union and its institutions;
3. knowledge of the process of integration of Macedonia in the European Union.

Civil Society Joint Consultative Committee (JCC) between Republic of Macedonia and European Economic and Social Committee

The Civil Society Joint Consultative Committee (JCC) is a joint working body of Republic of Macedonia (as a country with candidate status) and the European Economic and Social Committee (EESC). The JCC was established with a political decision brought on the 4th Council for Stabilization and Association in July 2007.

JCC is consisted of two representatives, each from the associations of employers, trade unions and civil society organizations (associations and foundations).

¹⁹ The members with right to vote are the following: 4 members from the position and opposition members of Parliament. 3 representatives are nominated according to their office (members of Parliamentary commissions). From other state institutions, members are the Deputy Prime Minister of the Government responsible for European integration and one representative from the offices of the President of the country and President of the Government. Also, representatives are from Macedonian Academy for Science and Art, Association of Unit of Local Self-Government and from Association of Journalists of Macedonia.

²⁰ Parliament of Republic of Macedonia, Decision for foundation of the National Council for European Integration, November, 2007

The procedure for selection of the two representatives is the following:

1. The Unit for Cooperation with the Non-Governmental Organizations submits a direct invitation to the CPM with request for selection of two representatives;
2. CPM sends the call to its members but also to other relevant civil society organizations;
3. The organizations nominate their own candidate with sending an application to the Secretariat of the CPM which contains:
 - Letter from the civil society organization in which it nominates a candidate to be a representative;
 - Statement that the civil society organization will cover the costs for participation of the nominated representative in the work of the JCC;
 - Statement for acceptance of the candidacy from the nominated representative;
 - CV of the candidate;
 - Copy from the current status of the civil society organization which nominates the candidate, issued by the Central Register of Republic of Macedonia;
 - Profile of the civil society organization, which contains information on: vision, mission and goals; main activities; short description of completed projects and issued publications in the field related to the call (social and civic dialogue); participation in working groups; membership and participation in domestic and/or international networks; organization structure; levels of governance; number of fully engaged persons; and, budget of the organization for 2007, 2008 and 2000;
 - Proof for economic and financial working.
4. The selection is made by the verification commission composed of CPM members;
5. The applications which have passed the administrative check are evaluated by the verification commission in accordance with the criteria for technical evaluation. The two candidates with most votes are selected.

Civil society organizations which apply to the call should fulfil the following **criteria**:

1. Registered in accordance with the Law on Citizens' Associations and Foundations. Organizations of employers, trade unions and chambers of commerce are not eligible;
2. Active on national level;
3. Active in the field of social and civic dialogue;
4. Members or participants in domestic and international networks;
5. Human and financial capacity (costs for the participation in the work of JCC are covered by the nominating organization).

The nominated candidates have to possess general expertise and expertise in social and civic dialogue.

In the period of 2007 – 2011 two selections of JCC members were realized. In the first selection from November 2007, the rules of CPM were applied fully, but invitation for nomination of own representatives was also extended to other representatives and organizations which are not members to CPM.

In the second selection from November 2010 a change was made in formulation of the criteria for organizations and candidates. At the same time, the matrix for administrative check and evaluation of applications was prepared. The criteria and procedure stated above are from the selection in 2010. The matrix contains criteria for the organization related to: activities/work of the organization, membership in working groups, membership in alliances, human and financial capacities. Also, criteria have been set for the candidates on the level of education, for working experience, specific working experience in the field of civic and social dialogue, published works in specific fields. The total number of points is 100 of which 80 are maximum points for the organizations and 20 points for the candidate²¹.

It is worth mentioning the openness of CPM towards other organizations in the selection for JCC. Namely, after the call was submitted by the Government (through the Ministry of Foreign Affairs and Secretariat General) CPM shared this information to large number of relevant civil society organizations. In both selections one of the representatives originated from organization outside CPM.

One of the most common problems identified with all of the models above is the lack of interest on the side of the CSOs to apply. For example, for selection of one representative for NCEI only two candidates applied. The same situation was with the selection of representatives for JCC where only two candidates applied for two positions. Even that in this analysis does not consider other examples; the situation is widespread (the problem is identified also in the selection for monitoring committees for IPA 4 component and IPA 1 component). Also it should be noted that representatives in these bodies do not receive any financial support for their involvement as well as their travel and accommodation costs are not covered. This may be considered as one of the factors that discourages active involvement in all cases.

(2) Direct invitation to the organization/candidate for membership in the working group/body

As the practice is found in other countries as well, the state administration bodies often preserve the right to invite directly representatives of civil society organizations in the working groups (mostly in the process of preparation

²¹ Detailed matrix for administrative check and evaluation of applications is in *Annex 1: Matrix for administrative review and assessment of the applications*

of laws). This manner of inclusion most often is based on previous experience in cooperation of the specific state administration bodies with organizations and their representatives, as well as on the basis of the expertise and recognition of the organizations in a certain sector. For example, for the purposes of drafting the *Law on changes and amendments to the law for equal opportunities of women and man* six members expert-level working group was established that involved representatives of relevant institutions (Ombudsman), line ministries (from Ministry of Labour and Social Policy, Ministry of education and sciences, Ministry of justice) and civil society (representative from Akcija združenska and one national expert). The institutions/organisations were selected by the Ministry of Labor and Social Policy and the responsible persons were nominated by the institutions/organizations itself. Also, during this period the amendments and changes to the *Law on Donations and Sponsorships in Public Activities* were undertaken. Two representatives from the civil society sector are part of the working group in the Ministry of Justice with direct invitation. Both are representatives from organizations which have been involved in the topics of charity and philanthropy for years.

Besides the above mentioned case of the Ministry of Justice, wherein one of the two representatives in the working group for preparation of the *Law on Associations and Foundations* was directly invited by Ministry, a similar example can be found in the Ministry of Labour and Social Policy in the process of preparation of the *Law on Volunteering*.

V. CONCLUSIONS

The overview of mechanisms for selection of CSO representatives in the countries in Europe and the analysis of the Macedonian practices show that there is no one standardized mechanism for inclusion of the CSOs in the working groups and other consultative bodies.

CSOs take part in cross-sector government councils and advisory bodies, working groups, monitoring bodies. Macedonian CSOs are included in cross-sector bodies established by the state administration (NCEI, JCC, Commission for Organizations of Public Interest, etc.) or in working groups for preparation of laws (Laws on Associations and Foundations, Law on Donations and Sponsorships in Public Activities, Law on Volunteering, Law on Prevention and Protection Against Discrimination, Amendments of the Law on Equal opportunities between woman and man etc.).

The following models have been identified on European level:

1. CSOs select their representatives based on procedure prescribed in a law or regulation, or criteria determined by the state body;
2. CSOs select their representatives based on own procedure;
3. The government body organizes the process and selects the CSOs (with or without clear rules);
4. The state body cooperates with the CSOs in the procedure and selection process.

In Macedonia, there are two most common selection procedures: (1) when the institutions select and (2) the selection is left to be made by the organizations themselves.

When the selection is made by the state bodies there are also two different approaches: (1) selection through a public call for competition with clear design of the process determined by the body (e.g., Croatia, Serbia) or (2) by direct nomination of representatives from the CSOs either based on process and criteria developed by CSOs in response to government (Slovenia) or based on own procedures (Bulgaria). In the country, the first approach is most commonly applied for bodies with defined longer term mandate, such as the Commission for Status of Organizations of Public Interest or the National Council for Development of Volunteering. Cases of direct invitation to certain person or organization are found when working groups for preparation of laws are formed (Law on Associations and Foundations, Law on Donations and Sponsorships in Public Activities, Law on Volunteering, Law on Prevention and Protection Against Discrimination, etc.)

The opportunity for the CSOs to determine their own representatives is a frequently identified approach. In these cases the state bodies rely on the organized civil society, i.e. to a certain coalition/network/platform. In the country the most common partner

is the Macedonian Civic Platform. With support from this platform the selection of members to the NCEI, JCC, working group for Law on Associations and Foundations, etc. was made. In these cases the procedure is implemented in accordance with the rules determined by the network itself.

While in the examples in Europe there is tendency to make a distinction between criteria for organizations and for candidates, in the country it is not always clear whether these refer to the organization or the candidate from the specific CSO. When references for the organizations are required, the criteria mostly refer to the candidate. Exception was made in the selection of the JCC members led by CPM where there is a specific matrix for administrative review and evaluation of the applications. In this matrix most points bring organizational qualities which are followed by candidates' qualifications.

Also, relevant for the country is the small response from the CSOs to participate in consultative bodies or working groups. The reasons could be different: lack of knowledge, lack of capacities (human and financial), etc. Consequently, participation in cross-sector bodies is dominant by bigger organisations and networks (which most often have the resources needed to support such participation).

VI. RECOMMENDATIONS

In countries where there is no established practice as to selection of CSOs in cross sector bodies, it could be useful to prescribe one or two models which can serve as guidance to the state and CSOs when determining how to best select and include CSOs and the public in such bodies.

The requirement for transparency of the selection procedures, requires that all the processes must be based on clearly prescribed criteria, the specifics should be determined before the process commences and be made available and accessible to all potentially interested groups.

In the process of determining the criteria and procedure, the goal of the working group/body should be paramount as well as the clarity of the need i.e. the clarity of the mandate of the representatives from the CSOs, specifically, the purpose of the CSO involvement, type of input and role of the participating individual or organization.

This will determine the design of the criteria and the process. For example, if the body has an advisory function, the criteria for *representation* of organizations should dominate and organizations could make the selection themselves. In cases where an *expertise* is sought, more clear criteria for candidates are needed. At the same time, the right of a state institution to address a certain organization or person identified in a specific sector should be accepted as possibility. However, in these cases as well, it is recommended that the state institutions define their own rules and matrixes for the purpose of evaluation of the decision they make and ensuring that the process is transparent and inclusive.

Further, the process should allow for candidacies from wider group of organizations and treat them equally based on clearly defined criteria to ensure credibility of the process.

Relying on organized civil society in coalitions and networks (in sectoral or cross-sectoral national alliances) is recommended especially in cases of selecting members with representative functions. In these cases, the network selects candidates based on own procedures. However, the process should not preclude other organizations or networks to nominate candidates.

The ministries could also develop lists of CSOs interested to be informed and take part in selection processes. CSOs can be asked to pre-register by submitting minimum information relevant to the work of the ministry and operations of the CSO.

Where possible, to facilitate the selection process and also information sharing, government bodies and CSOs could work together to establish online databases on the existing calls for nominations, rules and procedures, list of active working bodies and representatives of the CSOs selected to take part in it, etc.

Regardless of the chosen model, it is recommended to select deputies of the candidates in the same time when the member of the group is selected. In addition, where representatives is needed, the emphasis should be given on the organization that nominates, rather than the personal preferences.

As noted above, a guiding principle of all selection mechanisms is that the procedure should be public, open and transparent in order to ensure there is trust among the state bodies and the CSOs. Therefore the organizers of the selection process should prescribe the process in advance and promote it via all forms of media, social networks and various channels together with the reports on the undertaken steps and results.

Finally, specific consideration should be given to issues such as: who appoints the members, who selects the members, what are the timelines and deadlines, is the process organized in one or two steps, should organizations be required to register and what documents should they submit for this purpose, what is the procedure for appeal, and other issues.

VII. PROPOSED MODELS

The following models have been developed based on the information obtained from the comparative overview and domestic analysis. They aim to facilitate and guide Macedonian state institutions and CSOs in the processes of selection of members of CSOs in different bodies. The proposed models do not exclude each other and aim to serve as illustrative examples only of how the selection processes may be conducted.

Possible Selection Procedures

The following models provide guidance as to the possible procedure that could be undertaken when selecting members in either cross-sector bodies which require representation, or specific expertise. In cases where selection is conducted through public announcements, differences could exist in relation to who decides on the nominations. The model provides two options for that. In addition, the model also addresses issues that should be considered when selection of members is done through networks.

A. Selection through public announcement

1. **Public announcement** (for the general issues it is announced by the by the ministries, but it may also be announced by the Government Unit for Collaboration with NGOs). It should be announced on the web-site of the Government Unit and the responsible ministry or state administration body. In addition, it could be published in the daily newspapers, CSO newsletters and distributed through other possible channels. CSOs should spread the information via their networks.
2. **Nomination:** Each organization can nominate one candidate and a deputy. The nomination could be submitted either by the organization which nominates the candidate and its deputy, and/or by the candidates directly and should be delivered to the institution issuing the call in written form (via email or post) with all documents. The period for nomination should be clearly stated in the public call and should last at least 15 working days.
3. **Administrative review:** The received applications should be administratively and technically checked by the state institution that leads the process. This should be done in the period of 8 working days. The state institution prepares a report for the: number of organizations and candidates that applied; for the valid and non-valid applications. The report is published on the web-site.

4. **Decision-making:**

Option 1 through public voting

This option is more applicable in case of selection of representatives in consultative bodies such as councils, committees.

*Step 1: Pre-registration.*²² Organizations need to register in order to vote, with the responsible institution. There should be adequate timing given for such registration (at least 15 working days). Depending on the type of body for which selection is being made, the registration of CSOs may be tailored based on their field of activity and they could only be able to submit nominations in that field (e.g., if voting is done for a body which should have designated representatives from a selected fields such as environment, democracy etc., as in the Croatian Council for Civil Society Development). If there is no distinction as to the fields of activities that CSOs should represent then there is no need for such activity based voting (e.g., the Public Benefit Commission in Macedonia).

Step 2: voting. All valid applications are published on the web site of the state institution that leads the process, with a call for (preregistered) organizations to give their vote for one proposed candidate and its deputy in a designated period (e.g., 15 working days).

They can give their votes on a written form (via post or email) given by the state institution that leads the process or via the internet if online voting system is established.

Step 3: decision. There are two approaches how to decide on the winning representatives. (1) The candidate/s and deputy with higher number of votes is selected in the body. (2) The state institution can decide from the list of candidates that have received the highest votes (e.g., from the 5 candidates with most votes).

Option 2 decision by the state institution

The state institution can decide based on the applications submitted by the candidates. The institution should prepare a justification explaining the decision which is published on its web site. In order to ensure representation, if needed, the state institution may require that the candidates show support from a certain number of organizations for their nomination (e.g., they could prescribe a minimum number of organizations that may support the nomination).

5. **Appeal:** In a designated period (e.g., 8 working days), days, candidates have right for complain to the organizer of the process.

²² Supporting documents for organizational pre-registration could include: information on registration (copy of decision on registration or re-registration according to the applicable CSO law); types of activities the organization is involved in relevant to the field of work of the ministry (e.g., extract from the statute); a letter expressing the desire of the organization to participate in the selection process signed by the official representative of an authorized person or organization.

B. Selection through networks

In cases of long term cooperation between the ministry or state agency with certain networks, alliances or other umbrella organizations, selection may be done through invitation of the network of organizations and other relevant organization in the field to nominate candidates. In this case, it may be left to the organizations to select the representative themselves. They can do that based on personal discussions or through own developed procedures. However, even in such cases it is recommended that there is publicly available information about the process so that other interested organizations may join and apply. Specific guarantees that will ensure transparency may include:

- The invitation to the network must be published on the web site of the state institution in the same time when it is sent to the network.
- The network should to spread the information to other organizations active in the field informing them about the possibilities to take part in the process.
- The information about the selected candidates must be available on the web site of the state institution, and their contact information should be provided.
- A designated time should be given in case of appeal (e.g., 8 working days).

Possible Criteria

Deciding how to develop the criteria is the most important part of the process, because it will determine the pool of parties that can actually join the cross-sector body and take part in this work. The process of developing criteria should consider the competences of the body, the role the candidates will have and the input that they will be required to provide.

A. Proposed criteria for selection of CSO candidates for consultative bodies

The following model presupposes that the CSO representatives are selected for participation in bodies which serve (1) in advisory function, with competences to develop policies for the whole sector (e.g., funding for civil society) or (2) for one sub-sector (e.g., women rights) or (3) for a particular issue (e.g., volunteering). In such cases, the representativeness of the sector could be considered as more important than the expertise on a particular issue. If the cross-sector body specializes in a particular area in may give emphasis to the issues relevant for its work when seeking organizational representativeness (e.g., the body responsible for development for volunteering may favour CSOs which manage volunteers or whose missions are to develop volunteer-

ing). In any case, all CSOs should have opportunity to nominate candidates and apply in accordance with the criteria. The procedure can be facilitated by the state institution, but it is recommended that the CSOs representatives selected own representatives (e.g., as in Croatia). Another possibility is for the procedure to be led by CSOs (e.g. as in Slovenia or Bulgaria).

1) Organizational criteria

- *Type of organization:* It is registered in accordance with the provisions of the Law on Associations and Foundations;
- *Activities/work:* Minimum (2-3) years of work (*if relevant to the work of the body*);
- *Level of operation:* To operate on national or regional or local level. Its activities and actions are directed at the general public and the interests of the community;
- *Participation in similar bodies or working groups led by governments and CSOs:* to have history of active participation in working groups or events (ex. working groups for preparation of national strategies/laws particular to the issue, international conferences and events, to have conducted coordinative activities among CSOs, etc);
- *Membership in networks:* To be a member of platforms, networks, coalitions on national and international level or to have strong relationship with other organizations (*if relevant to the work of the body*);
- *Financial and human resources:* To have sufficient number of members or to have strong financial and management capacities (*if relevant to the work of the body*).

Supporting documents for organizational criteria:

- Standard application provided (available on web site) by the state institution that leads the process;
- Copy of the registration or re-registration in the Central Registry of Macedonia;
- Recommendations from (*number of*) organizations; or candidacy supported by (*number of*) organizations;
- Organizational profile that will contain: vision, mission and goals; main activities; brief description of completed projects (related to the area of interest of the announcement); list of publications related to the area; list of participation in working groups; list of membership and participations in domestic and international networks/coalitions; information for organizational structure and other information that may be relevant to the work of the body.

2) Criteria for the candidates

- *Experience*: minimum of (*number*) years of work experience or volunteering in civil society;
- *Education*: to have minimum high school education (*if relevant to the work of the body this or other related requirements may be prescribed*);
- *Expertise*: to have prior expertise in civil society issues and understanding of the civil society issues or issues in the particular area of work of the body;
- *Social capital*: existing or prior experience as a member of relevant networks, platforms;
- Communication skills, proven networking skills;
- Not an active member (to hold an office or high level position) of political party (*if relevant to the work of the body*).

Supporting documents for the candidates:

- CV of the candidate;
- Motivation letter;
- Plan how the person will solicit input from the interested parties and report about the developments in the body and outcomes from the work;
- Written confirmation for active work (professional and volunteering) of the candidate in the civil society for the last (*number of*) years, signed by the organization(s) which nominate the candidate or other organization/s (for the past experience);
- Recommendations/references.

B. **Proposed criteria for selection of CSO candidates in working groups**

The following model presupposes that the CSO representatives are selected for participation in bodies which role is to draft policies and laws which may affect the whole sector or particular area of work. In this model the expertise of the candidate is emphasized because the selected person will be required to provide exerts opinion and contribution in the process. As in the previous model, each CSO should have opportunity for to nominate candidates and apply. Most often, the procedure is lead by government bodies. CSO may selected the representatives themselves based on clearly predetermined criteria of the state body or selected by the relevant state body.

1) Organizational criteria

Organizational criteria are relevant only if the state body requires pre-registration. Those can include:

- *Type of organization:* It is registered in accordance with the provisions of the Law on Associations and Foundations;
- *Level of operation:* To operate on national or regional or local level. Its activities and actions are directed at the general public and the interests of the community;
- *Membership in networks:* To be a member of platforms, networks, coalitions on national and international level or to have strong relationship with other organizations (*if relevant to the work of the body*).

2) Criteria for the candidates

- *Experience:* minimum of (*number of*) years of working experience or volunteering in civil society;
- *Education:* to have minimum high school education. University and post-graduate diploma is advantage (*if relevant to the work of the body*);
- *Expertise:* to have expertise in civil society or some other specific area, supported by minimum number of conducted projects as expert, number of publications, previous participation in working groups, expertise in drafting national legislation, comparative expertise, etc.
- Not an active member of political party (*if relevant to the work of the body*).

Supporting documents for the candidates:

- CV of the candidate;
- Motivation letter;
- Plan how the person will solicit input from the interested parties and report about the developments in the body and outcomes from the work;
- Written confirmation for active work (professional and volunteering) of the candidate in the civil society for the last (*number of*) years, signed by the of the organization(s) which nominate the candidate or other organization/s (for the past experience);
- Recommendations/references.

Annex 1: Matrix for administrative review and assessment of the applications

Criteria	Max. points
CIVIL SOCIETY ORGANIZATION	
Type of organization	
Association/foundation	5
Alliance (network)	10
Activities/operation	
Up to 3 years and up to 3 activities	5
From over 3 to 10 years and from 4 to 6 activities	10
From over 10 years and over 7 activities/projects	15
Membership in working groups and etc.	
Membership in the Economic and social council of the Republic of Macedonia or working groups of ESC	5
Membership in ECOSOC of UN	5
Membership in other working groups in relevant institutions	5
Membership in alliances (networks)	
In 1 to 2 international networks	5
In over 3 international networks	10
Not a member of any international network	0
In 1 to 2 domestic networks	5
In over 3 domestic networks	10
Not a member of any domestic network	0
Human resources	
From 1 to 2 permanently engaged staff	3
From 3 to 5 permanently engaged staff	7
Over 5 permanently engaged staff	10
Financial resources (average budget for 2007-2009)	
Under 5 million MKD	3
Over 5 and under 10 million MKD	7
Over 10 million MKD	10
Total points - organization	80

CANDIDATE	
Education	
Secondary or higher education degree	1
University degree	2
Master`s or doctorate degree	3
Working experience - general	
To 3 years	2
From over 3 to 7 years	3
Over 7 years	5
Working experience – social and civic dialogue	
To 3 years and to 3 activities	2
From over 3 to 10 years and from 4 to 6 activities	5
Over 10 years and over 7 activities/projects	7
Announced publications for social and civil dialogue	2
Level of English language knowledge	3
Understanding (A-1 point; B-2 points; C-3 points)	3
Speaking (A-1 point; B-2 points; C-3 points)	3
Writing (A-1 point; B-2 points; C-3 points)	3
Total points - candidate	20
TOTAL POINTS	100

BIBLIOGRAPHY

Comparative overview

Communication: Simplifying and improving the regulatory environment, COM(2002) 278, European Commission, 2002

Resolution on The Perspectives for Developing Civil Dialogue under the Treaty of Lisbon, P6_TA(2009)0007, European Parliament, 2009

The Treaty of Lisbon, signed 2007, European Union, in force as of 2009

Treaty on the Functioning of the European Union, European Union, 2008

Act no. XI of 1987 on Legislation, Hungary

Law on Public Benefit Activity and Volunteering in 2003, Poland

Regulation on the Public Benefit Works Council, Minister of Economy, Labor and Social Policy, August 2003

“Narodne novine”, br. 140/2009, Odluka Vlade Republike Hrvatske o osnivanju Savjeta za razvoj civilnog društva

The Centre for Information Service, Co-operation and Development of NGOs (CNVOS) Rules of the Procedure for Selection of CSO Representatives

Savjet za razvoj civilnog društva, Poslovnik savjeta za razvoj civilnog društva, 2010

<http://vote.bluelink.net/index.php>

http://www.cnvos.si/article?path=/zagovornistvo/nvo_predstavniki

<http://www.pozytek.gov.pl/Orzecznictwo,dotyczace,III,sektora,831.html>

<http://www.prsp.gov.rs/engleski/aktuelno/kocd.jsp>

www.uzuvrh.hr

National overview

Влада на Република Македонија, Стратегија за промовирање и развој на волонтерство, 2010 година.

Влада на Република Македонија, Барање за номинирање на двајца претставници од граѓанскиот сектор во Заеднички консултативен комитет (ЗКК) на европскиот социјален комитет (ЕЕСК), октомври 2010

Граѓанска платформа на Македонија, Правила за избор на претставници од членките на ГПМ во меѓусекторски и меѓуинституционални тела, 2007

Службен весник на Република Македонија бр. 141/2010, Правилник за начинот и критериумите за избор, како и причините за прекин на работењето на Претседателот и членовите на Комисијата на организации од јавен интерес

Собрание на Република Македонија, Одлука за основање на Национален совет за евроинтеграции, 2007

www.nvosorabotka.gs.gov.mk, Оглас за избор на 2 члена во Комисијата за организации со статус од јавен интерес од организации регистрирани согласно Законот за здруженија и фондации, август, 2011

<http://www.mtsp.gov.mk>, Оглас за избор на четворица претставници од здруженија и фондации за учество во работата на Националниот совет за развој на волонтерството, февруари, 2011

www.nvosorabotka.gs.gov.mk, Повик за избор на претставници на здруженијата на граѓани активни на полето на европските интеграции на Република Македонија во ТАИБ комитетот на ИПА компонентата за помош при транзиција и институционално зајакнување (ИПА компонента 1)