

## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 1.1 Bulgaria

#### 1. Human Rights, Accountability and Watchdog Context

The human rights and government accountability situation in Bulgaria has not changed significantly over several years. The issues that need to be addressed include:

- the government corruption at all levels;
- mistreatment of ethnic and religious minorities including Roma;
- discrimination against persons with disabilities and minority groups such as people with different sexual orientation;
- rising voice and presence of neo-fascist groups and anti-immigrant, xenophobic agenda, intolerance and occasional violence against minorities.

There are reports of lack of confidence in democratic process and generally lack of citizen's engagement and participation<sup>1</sup>.

The European Commission's progress report in July 2008 urged Bulgaria to increase efforts to combat corruption and criminality, following the country's accession to the EU. In the previous report by the anti-fraud EU agency OLAF, the Commission condemned the misuse of EU funds and adopted sanctions against Bulgaria.<sup>2</sup> Different reports by the European Commission and the US State Department among others mention that the new government that came to power in July 2009 took steps towards addressing corruption.

Other human rights related problems include violence against women and children, substandard education for Roma children; harsh conditions in state-run institutions for children; illegal institutional placement of people with mental disabilities<sup>3</sup>; trafficking in persons.<sup>4</sup> Asylum-seekers continue to be detained for months and even years, and were denied protection.

The general political framework worsened in the recent years, with allegations of political corruption and strong business lobbies behind major policy decisions. The legal framework does not include the law on lobbying which reduces effectiveness of NGO campaigns confronting business interests.<sup>5</sup>

Bulgarian civil society's watchdog role towards the state is only moderately developed, mostly in capital and large cities<sup>6</sup>. HRAWs are active on variety of issues ranging from the litigation in human rights, minority rights, anti-corruption to advocacy on behalf of disadvantaged groups and access to information. The watchdog role towards the private sector is not developed so much as towards the public sector, but recently progress can be noted here as well: individuals take banks and mobile communication operators, as well as monopolistic providers of public services, e.g. heating, water supply and sewage, etc. to court for violations of rights and failure to fulfil their obligations.<sup>7</sup>

The activities of interest groups are largely unregulated. Bulgarian think tanks advocate for increased transparency and decreased clientelism and have repeatedly urged the Parliament to legalize and regulate lobbying. As a result, the Committee on the Problems of Civil Society launched a bill in 2002 calling for the registration of lobbyists, but there were still no developments on this legislation at the end of 2011.<sup>8</sup> Most advocacy work, however, happens through informal channels, and there are few official mechanisms through which NGOs can interact with institutions. One such mechanism is the Parliamentary Commission on Civil Society and Media, which had a limited effect on the civil society framework in the last years.<sup>9</sup> Numerous consultative bodies for policy design, implementation and monitoring purposes were set up by almost all ministries and higher authorities though their performance is either vague or entirely non-transparent.

## 2. Key Human Rights, Accountability and Watchdog NGOs

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<sup>1</sup> Nations in Transit 2010, Bulgaria, Freedom House

<sup>2</sup> Amnesty International Report 2009: State of the World's Human Rights

<sup>3</sup> Stanev vs. Bulgaria Ruling of the European Court of Human Rights in Strasbourg (2012)

<sup>4</sup> 2009 Human Rights Report: Bulgaria (US Dpt. of State, Bureau of Democracy, Human Rights and Labor)

<sup>5</sup> USAID 2008 NGO Sustainability Index

<sup>6</sup> Civicus, CSI Country Profile 2005: Bulgaria, Interview with HRAW respondent, March 12, 2010

<sup>7</sup> Civicus, CSI Country Profile 2005: Bulgaria

<sup>8</sup> Freedom House: „Nations in Transit, 2009“

<sup>9</sup> USAID 2008 NGO Sustainability Index

There is a number of human rights and watchdog NGOs and initiatives, including think-tanks and independent research centers that together make up a rich and colorful NGO environment, which is primarily concentrated in the capital and in some major cities. Those listed below do not make the full picture though are among the most active organizations:

- The Bulgarian Helsinki Committee is an independent non-governmental organization for the protection of human rights. The objectives of the Committee are to promote respect for the human rights of every individual, to stimulate legislative reform in order to bring Bulgarian legislation in line with international human rights standards, to trigger public debate on human rights issues, to carry out advocacy for the protection of human rights, and to promote and make widely available human rights instruments.<sup>10</sup>
- The Inter Ethnic Initiative for Human Rights Foundation is a non-profit, non-governmental organization registered in Bulgaria in June 1996 to promote the values of ethnocultural diversity, non-discrimination, protection of the rights of persons belonging to minorities and inter-community cooperation in practice in all areas of public life.<sup>11</sup>
- Bulgarian Lawyers for Human Rights Foundation is a non-profit organization aiming at establishment and effective implementation of international standards in the sphere of legal protection of human rights in Bulgaria. Founded in 1993 by five lawyers from different legal-practice backgrounds, the Bulgarian Lawyers for Human Rights Foundation is the first organization of its sort in Bulgaria and in Central and Eastern Europe. At present, the Foundation cooperates with more than 25 prominent lawyers. The Foundation addresses issues regarding the protection of human rights in all fundamental spheres of the Bulgarian legislation.<sup>12</sup>
- The Association for European Integration and Human Rights was founded in 1998 in Plovdiv. This is an association of practising lawyers united by the idea to exercise law in the public interest and to establish human rights as one of the fundamental values of civil society in Bulgaria. The experts of the Association for European Integration and Human Rights also conduct a large number of cases under the State Responsibility for Damages Inflicted on Citizens Act, which constitute precedents for the conditions and court practice in Bulgaria. They facilitate respect for fundamental human rights and freedoms as well as positive changes in professional stereotypes and attitudes of justice-administering bodies towards the rights and dignity of citizens.<sup>13</sup>
- Bulgarian Center for Non-Profit Law (BCNL) was founded in July 2001 with the mission to provide support for drafting and implementation of legislation and policies aiming to advance civil society, civil participation and good governance. BCNL's main activities include: legislative initiatives, advocacy campaigns and provision of technical assistance to NGOs and institutions for drafting and implementing legislation; enhancing the capacity of NGOs on issues related to the legislation regulating their activities, advocacy and good governance; provision of legal support to NGOs through consultations on the legal and tax framework of the activities of foundations and associations<sup>14</sup>;
- Bulgarian Foundation for Gender Research was founded in June 1998 in Sofia as an independent NGO of public utility. The organization works in the field of gender equality, prevention of domestic

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<sup>10</sup> <http://www.bghelsinki.org>

<sup>11</sup> <http://www.inter-ethnic.org>

<sup>12</sup> <http://www.blhr.org/aboutEN.html>

<sup>13</sup> <http://www.eurorights-bg.org/en>

<sup>14</sup> <http://www.bcni.org>

violence, assistance to victims of trafficking in women, reproductive rights and anti-discrimination by providing information, research, conducting campaigns and lobbying for legislative changes, drafting laws, providing training and consultations for professionals and working in wide networks in cooperation with other organizations, public institutions and experts. It has branches in Plovdiv, Haskovo, Gorna Oryahovitza.<sup>15</sup>

- Bulgarian Activist Alliance is an informal group of activists who work in the field of human rights protection. The work of the Alliance covers issues of LGBT rights, women's rights, rights of people with disabilities, media ethics, and freedom of expression. The main activity of the group is to monitor cases of discrimination, hate speech and other violations of the Bulgarian and EU legislation. The Alliance draws attention of respective institutions to the violations in order to provoke action and address the problem. The Alliance facilitates communication between people and organizations involved in advocacy activities to achieve more effective public dialogue over problematic issues. No members receive material reward for work done on the projects of the group, as the organization is entirely based on voluntary work.<sup>16</sup>
- Transparency International-Bulgaria is an independent non-political organization focused on research, analysis and suggestions for effective anti-corruption control. It was founded in June 1998 in Sofia as the first national TI chapter in South-East Europe. TI-Bulgaria actively participates in global anti-corruption movement and contributes to the process of establishment of the national anti-corruption integrity system.<sup>17</sup>
- ACCESS – Sofia Foundation. ACCESS Association is an independent, non-partisan, non-profit organization, established in May 1992. In 2002 it was registered under the Non-Government Organizations Law with the name ACCESS – Sofia Foundation. The Foundation's priority is to promote mutual tolerance and better understanding of the cultural diversity in Bulgaria and the Balkans. ACCESS consistently works for the development of a network facilitating free exchange of expertise and information, and establishment of contacts among Bulgarian and foreign NGOs, especially from the Balkan countries.<sup>18</sup>
- The International Center for Minority Studies and Intercultural Relations (IMIR) was founded in April 1992 in cooperation with the Center for the Study of Islam and Christian – Muslim Relations (CSIC), Birmingham, UK and the Center for Research in Ethnic Relations (CRER), Warwick, UK. IMIR is a non-political, non-profit and non-governmental organization. IMIR is dedicated to the values of peaceful coexistence and tolerant interaction between different cultures and religions in Southeastern Europe. It actively promotes preservation and integration of all minority communities in Bulgaria. IMIR works with some of the best Bulgarian experts on issues like minority rights, minority integration, migrations, human trafficking, Islam and inter-ethnic and inter-religious relations.<sup>19</sup>
- The Institute for Public Environment Development is a non-governmental organization founded in 2003 and registered as a not-for-profit legal entity. The main activities of the organization are development of civil society participation in governing; elaboration and application of controlling and accounting instruments designed for public institutions, and implementation of new practices

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<sup>15</sup> <http://www.bgrf.org>

<sup>16</sup> <http://bulgarianactivistalliance.wordpress.com>

<sup>17</sup> <http://www.transparency-bg.org>

<sup>18</sup> <http://www.access-sofia.org/en>

<sup>19</sup> <http://www.imir-bg.org>

and models in connection to public administration. The Institute pools together the efforts of experts with ample practical and theoretical experience in public administration, local self-government, regional development and civil-society participation. The organization has unique experience in the institutionalization of the so-called community ombudsman in Bulgaria.<sup>20</sup>

- RiskMonitor is a non-profit, non-governmental public policy institute. It works for the reduction, control and prevention of organised crime and high-level political and institutional corruption. RiskMonitor developed independent civic expertise in this sphere. RiskMonitor was founded at the end of 2006 by the Open Society Institute – New York and the Open Society Institute – Sofia, and is registered as a public benefit foundation.<sup>21</sup>
- Access to Information Program (AIP) is a nongovernmental organization found in 1996 in Sofia. The mission of AIP is to facilitate access to information. Since its establishment, AIP has been pursuing its mission in the following areas: monitoring and advocacy for better access to information legislation; monitoring access to information practices through a network of journalists in 27 regions in Bulgaria; preparation of annual reports on the state of access to information; provision of legal help, including representation in courts; raising public awareness on the right of access to information through media campaigns, publications, books, handbooks, monthly ATI newsletter; holding access to information trainings for civil servants, journalists, and nongovernmental organizations; active membership in international networks advocating for access to information.<sup>22</sup>
- Institute for Modern Politics (IMP) is an independent policy institute established as a non-governmental, non-political, public interest non-profit foundation. The mission of IMP is to be a leading source of independent research on legislative and government policies, promote informed debate and to provide innovative, practical recommendations that advance good governance and human rights. IMP pursues this mission by: a) monitoring legislation and producing independent and rigorous analysis of critical good governance and human rights issues; b) promoting debates about significant developments in legislative affairs and about the context and content of policy responses; c) shaping new ideas to decision-makers and -shapers on how to implement on full scale principles of good governance both on national and local level. IMP focuses its work in three programs: 1) Good Governance Program; 2) Legislative Monitoring Program; 3) Human Rights and Anti-Discrimination Program<sup>23</sup>.
- Centre for Independent Living (CIL) is a non-profit, non-governmental organization of disabled people, which promotes values of human rights and social inclusion. Since 2004 CIL acts as a policy institute and advocacy organization for disability rights through monitoring existing disability policies and promoting policy solutions that support community living of disabled people, their independence and free choices. Main areas of operation cover inclusive education, accessibility, personal assistance for people with extensive impairments and participation in the policy process as key factors for effective social inclusion of disabled people<sup>24</sup>.

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<sup>20</sup> <http://iped-bg.org/en>

<sup>21</sup> <http://riskmonitor.bg>

<sup>22</sup> [www.aip-bg.org](http://www.aip-bg.org)

<sup>23</sup> [www.modernpolitics.org](http://www.modernpolitics.org)

<sup>24</sup> [www.cil.bg](http://www.cil.bg)

- BlueLink is an organised group of environmental organizations, which perform comprehensive monitoring and get people organised for citizen action<sup>25</sup>.

### 3. Situation of the HRAW NGOs and their Sustainability

The donors' expectations that the funding of the civil sector including HRAWs will be financed domestically after the EU membership have not materialized and today Bulgarian NGOs have quite an unbalanced access to resources. This creates a stressful situation for all and including HRAW NGOs.

*„International donors think the support of organizations dealing with human rights is something temporary and when the countries reach democracy, there is no need for it anymore<sup>26</sup>.“*

One of the factors influencing the situation of HRAWs that is similar to other countries in the CEE is the consequence of the donor driven civil society development. It has been discussed in many studies and articles which argue that separation of NGOs from the disadvantaged groups and their constituencies led to a „project culture“ leaving informal civil society out of the resources flow<sup>27</sup>. This on one hand helped many NGOs including HRAWs to improve their management practices and organizational development through investments in their training and capacity building and networking. On the other hand it limited the ability of NGOs including the HRAWs to be more embedded in the communities they serve or claim serve. The domestic funding base has not developed as expected<sup>28</sup>.

Another factor is the lack of civic participation culture, i.e. participatory ethics, interest in public affairs in general, participation in elections, petitions, demonstrations, community work, volunteering, etc.

*“This mentality - that state should be responsible for everything, why should I give, the state should do it - is a typical socialist mentality<sup>29</sup>.“*

Additionally, an unevenly developed differentiation of roles and positions of public sector, private sector and civil sector actors, especially outside of large cities and capital contribute to the very heterogenous landscape of Bulgarian civil society which has many excellent examples but also many disappointing cases.

The resource crisis aggravated by the global financial crises resulted in the decrease or even disappearance of some HRAWs' activities.<sup>30</sup>

*“In the past, it was easy to get some money for litigation both from the EU and national government.. Now it's impossible... If you have limited resources, you have problems maintaining your staff and also keeping qualified staff, so that they don't go to the business sector for example.<sup>31</sup>“*

Many HRAWs face the dilemma what to do in this situation – pursue their mission with very limited resources or try to attract resources for something else and then support their mission. Civicus Civil Society Report in 2006 already reported that:

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<sup>25</sup> [www.bluelink.net](http://www.bluelink.net)

<sup>26</sup> Interview with HRAW respondent, March 15, 2010

<sup>27</sup> Civil Society in Romania and Bulgaria, European Council for Non-Profit Organizations, Bruxelles, 2007

<sup>28</sup> Nations in Transit. Bulgaria, 2009, Freedom House

<sup>29</sup> Interview with HRAW Respondent, March 15, 2010

<sup>30</sup> Interview with HRAW respondent, March 12, 2010

<sup>31</sup> Ibid.

*„The lack of sustainable financial resources is an obstacle to NGO autonomy, making organizations excessively dependent on the external donors. This brings in a sense of insecurity, and often acts as a de-motivator for staff, redirecting them to find work in other sectors and also leads to the adoption of market thinking in third sector management“.*<sup>32</sup>

The stress is reported also by the respondents of this survey:

*„The watchdogs aren't able to fulfill their function anymore. It is a serious problem....some legal aid organizations are finding part-time jobs, so that they can get some money from whatever they do other than the human rights work and they also work on human rights issues“*<sup>33</sup>.

There are also risks that the combination of attracting resources through other activities and pursuing the mission may not work and organizations divert from their missions.

However, there are also more constructive responses to the situation. Some HRAWs try to continue fundraising from traditional sources, primarily foreign sources, that are still available. Such strategy is in short-term useful, however, it does not address the problem of resources in the long run.

Others try to adapt to the new funding situation and develop activities in a non-traditional manner using new means of work, media communication, local fundraising and volunteer networking. Local fundraising is perceived as difficult and unrewarding.

*“It is difficult to change the mechanism of funding from international donors to fundraising from local people because on the one hand, traditional giving disappeared during the socialist era here and it was replaced by forced volunteering....Even if people give money to an NGO, they say “OK, we give you the money but we don't want you to spend it on salaries, we want the money to go for the kids or for the homeless people. We don't want any intermediary.”*<sup>34</sup>

HRAWs sustainability faces also contextual challenges and obstacles, e.g. not favorable tax legislation. Despite the tendency towards improvement of philanthropic giving in Bulgaria in the last years, the tax legislation is not perceived by private donors or NGOs as favorable. The Government pursued a policy of streamlining and unifying tax legislation in 2007 that resulted in gradual reduction of tax exemptions for NGOs. Specifically, the limit on the tax deduction for donations made by natural persons to NGOs was decreased from 10 percent to 5 percent of taxable income. However, at the same time, NGOs benefit from the overall reduction of corporate taxes, which resulted in more corporate donations. Income from economic activities is always taxed. According to the law, individuals may deduct up to 5% of their income for qualifying donations, i.e. those made to educational and health institutions, organizations with charitable, social, environmental, health, scientific, cultural and sports purposes, registered religious organizations, and the Bulgarian Red Cross.<sup>35</sup> There are also other administrative requirements towards NGO board members such as need to prove absence of convictions in order for the NGO to participate in public procurement tenders or competitions under EU operational programs.

NGOs also face reputation problems - there have been some scandals around foundations, so the general public doesn't trust NGOs very much<sup>36</sup>.

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<sup>32</sup> Civicus, CSI Country Profile 2006: Bulgaria

<sup>33</sup> Interview with HRAW Respondent, March 15, 2010

<sup>34</sup> Ibid.

<sup>35</sup> Country Report: Bulgaria. Intelligent Money: Private Resources for Development. Ilyana Nikolova and Stefan Stoyanov, Workshop for Civic Initiatives Foundation, 2008, [www.effective-resources.info](http://www.effective-resources.info)

<sup>36</sup> Interview with HRAW respondent, March 15, 2010

## 5. Sources of Funding for HRAWs

In the context of HRAWs, the following are main characteristics of the funding situation specifically for the HRAW NGOs<sup>37</sup>:

- Many traditional foreign donors that funded HRAWs have left, others are about to leave soon. The assumption that the EU funds will be used to replace them turned out to be wrong<sup>38</sup>. HRAWs do not find EU funds appropriate or useful for their activities as these funds support primarily services and not advocacy or watchdog activities. Some of the new funds, such as Norwegian Fund, are to some extent helpful and provide some resources to HRAWs. Traditional private foreign funding has decreased in size, but still exists.
- There is a trend in NGO funding that divides NGOs in two distinct types of organizations: NGOs using volunteers and receiving support through local philanthropy, and NGOs dependent on state funding. The HRAWs have difficulties finding support from the local philanthropy and lean more towards public funding, which on the other hand focuses mostly on services or education, but not on advocacy or watchdog issues.

The summary of available funding per source captures the 2010 situation of available funding for HRAW NGOs in Bulgaria:

Foreign private foundations that include the Open Society Institute (Budapest), Balkan Trust for Democracy (Belgrade)<sup>39</sup>, CEE Trust (Sofia, Warsaw)<sup>40</sup>, Oak Foundation (Geneva)<sup>41</sup>, Global Fund for Women<sup>42</sup>, Mama

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<sup>37</sup> Interviews with HRAW respondents, March 12, March 15, March 1, 2010

<sup>38</sup> USAID NGO Sustainability Index wrote that in 2008, „several changes affected the NGO sector. The withdrawal of donors such as USAID and the end of the PHARE Civil Society Development Programme (CSDP) was softened by the start of the operational programs of the EU. The EU program on administrative capacity had a special component for NGO capacity building. In late 2007, and during 2008, it provided roughly thirty-seven million BGN (about \$24 million) for NGO projects – a massive inflow of funding compared to the six million BGN (about \$4 million) provided under CSDP. These large amounts of EU funding were distributed by the state, which lead to questions about the political impartiality of the process and its effect on grant recipients' ability to criticize the government. Despite the new funding opportunities, independent funding sources were decreasing, which has led to worsening financial viability. The global economic crisis also began to take its toll on the NGO sector“.

<sup>39</sup> <http://www.gmfus.org/balkantrust> - The Balkan Trust for Democracy (BTD) is a 10-year, \$36-million grantmaking initiative that supports democracy, good governance, and Euroatlantic integration in Southeastern Europe. This public-private partnership was created in 2003 by the German Marshall Fund of the United States, the United States Agency for International Development (USAID), and the Charles Stewart Mott Foundation. Operating from the German Marshall Fund's Belgrade office, BTD awards grants in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Moldova, Montenegro, Romania, and Serbia. BTD also gives regional grants to organizations promoting the benefits of a pan-Balkan network.

<sup>40</sup> <http://www.ceetrust.org> - The CEE Trust for Civil Society is independent public charity incorporated under the laws of the United States of America. Its goal is to promote the development of civil societies in Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia and Slovenia by supporting civil society organizations to gain greater effectiveness and stability. It was established by a group of private American foundations, Atlantic Philanthropies, Charles Stewart Mott Foundation, Ford Foundation, German Marshall Fund of the United States, Open Society Institute, Rockefeller Brothers Fund and expected funding was up to \$75 million.

<sup>41</sup> <http://www.oakfnd.org> Oak Foundation commits its resources to address issues of global social and environmental concern, particularly those that have a major impact on the lives of the disadvantaged. The resources of the Oak Foundation originated from an interest in the Duty Free Shoppers business which Alan M. Parker helped to build up. Since 1998 when the Foundation was reorganized and began to hire new staff, it has made over 1500 grants to not-for-profit organizations throughout the world.

<sup>42</sup> <http://www.globalfundforwomen.org> - The Global Fund for Women is an international network of women and men committed to a world of equality and social justice. It advocates for and defends women's human rights by making grants to support women's groups around the world.



Cash (Amsterdam)<sup>43</sup> Filia-Frauenstiftung (Bochum)<sup>44</sup> or Oxfam – Novib (Hague)<sup>45</sup> represent still an extremely important source for HRAWs in Bulgaria and are at the backbone of the HRAW funding in Bulgaria. Some of them will cease to provide grants by 2012 (CEE Trust) or 2013 (BTD) when their activities will phase out.

Foreign public donors and programs in Bulgaria include primarily sources related to EU (Fundamental Rights Agency<sup>46</sup>, DG Justice, European Commission Framework Programmes, grant schemes within the Life Long Learning Program<sup>47</sup>, etc.), intergovernmental organizations such as UNESCO<sup>48</sup>, UNDP<sup>49</sup>, United Nations Development Fund for Women<sup>50</sup> or organizations funded from public sources from other EU members, e.g. Germany (German „political“ foundations such as Friedrich Ebert Stiftung<sup>51</sup>, Konrad Adenauer Stiftung<sup>52</sup>, Heinrich Boll Stiftung<sup>53</sup>), U.S. (National Democratic Institute for International Affairs<sup>54</sup>, International Republican Institute, National Endowment for Democracy<sup>55</sup>). Many of the traditional bilateral development agencies such as Swiss Agency for Development and Cooperation, the Netherlands' Matra Program, and USAID that supported HRAW NGOs phased out their programmes in 2008. The USAID established in 2008 the Bulgaria Fund, a three-year mechanism managed by the Balkan Trust for Democracy which, by 2010 disbursed all its funds.<sup>56</sup> A new grant-making foundation relevant for HRAWs established in 2008– the America for Bulgaria Foundation (ABF)<sup>57</sup> assists in development and growth of a vibrant private sector in Bulgaria, helping the country to realise its full potential as a successful,

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<sup>43</sup> <http://www.mamacash.org> - Mama Cash is the oldest international women's fund - established in the Netherlands in 1983. It supports pioneering and innovative women's initiatives around the world, because it believes that social change starts with women and girls. In the last ten years Mama Cash awarded nearly €19,000,000 to advance women and girls' human rights. It is active in Asia, Africa, the Middle East, Europe, Latin America and the Caribbean, and the Commonwealth of Independent States and funds women and girls' human rights groups that push beyond the status quo to transform unjust systems and relations and bring about fundamental change for themselves and their communities.

<sup>44</sup> <http://www.filia-frauenstiftung.de> - Filia – Frauenstiftung goal is to support and empower women and women movements around the world. Its assets reach €15 million and it provides grants to CEE women NGOs

<sup>45</sup> <http://www.oxfamnovib.nl> - Oxfam-Novib is a Dutch Foundation that fights global poverty.

<sup>46</sup> <http://www.fra.europa.eu>

<sup>47</sup> [http://ec.europa.eu/education/lifelong-learning-programme/doc78\\_en.htm](http://ec.europa.eu/education/lifelong-learning-programme/doc78_en.htm)

<sup>48</sup> <http://www.unesco.org>

<sup>49</sup> <http://www.undp.org>

<sup>50</sup> <http://www.unifem.org> - UNIFEM is the women's fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies to foster women's empowerment and gender equality

<sup>51</sup> <http://www.fes.de>

<sup>52</sup> <http://www.kas.de>

<sup>53</sup> <http://www.boell.de>

<sup>54</sup> <http://www.ndi.org>

<sup>55</sup> <http://www.ned.org>

<sup>56</sup> [http://www.gmfus.org/cs/grantmaking/the\\_bulgaria\\_fund](http://www.gmfus.org/cs/grantmaking/the_bulgaria_fund) - The Bulgaria Fund was a 3-year, \$3-million grantmaking initiative of the United States Agency for International Development (USAID) and German Marshall Fund-US. Created in 2007, the Fund continued the USAID reform agenda in Bulgaria and provided financial assistance to initiatives that aim to accomplish one of the following objectives:

- a. advance the rule of law and local/national judicial and government reform;
- b. ensure economic opportunities and social integration for vulnerable groups; and
- c. generate a more competitive labor force and labor market through practical, technical, and advanced training programs and career development services.

It was managed by GMF's Belgrade-based Balkan Trust for Democracy (BTD) and awarded small to medium sized grants to organizations implementing programs based in Bulgaria.

<sup>57</sup> <http://www.americaforbulgaria.org> - The ABF is an endowed foundation with \$400 million that were accumulated during the successful activities of the Bulgarian-American Enterprise Fund whose Board of Directors decided after ending of its activity to invest its assets into the foundation.

modern European nation. It focuses on four priority areas: a) strengthening the judiciary, b) promoting good governance, c) supporting independent journalism and d) encouraging civic participation.

Domestic public funds represent an important source of existing and potential income for HRAWs. The paradox is that most of the funding in this category originates abroad, but is managed by Bulgarian entities. Main sources in this category include: NGO Fund of the Norwegian Financial Mechanism, EU Structural Funds, subsidies by Bulgarian government. Among them most relevant for HRAWs seems to be the NGO Fund at the Financial Mechanism of the European Economic Area and Norway which is funded by Norway, Iceland and Liechtenstein<sup>58</sup>. It funds directly development of civil society and protection of human rights. In this area it supported 19 ongoing projects with € 317, 520 by April 2010. However, there are also limitations to its use by HRAWs as there are complaints about procedures that are similar to the administrative procedures of EU funds and limitations – for example the funds cannot be used for litigation. The advantage of the NGO Fund is that a Bulgarian NGOs manages it, not a government structure<sup>59</sup>.

EU structural funds also represent an important source of funding for NGOs through Operational Program Administrative Capacity (OPAC)<sup>60</sup> that provided 37million BGN (about \$24 million) for NGOs in its first two calls for proposals. Not a significant portion of these funds was provided for HRAWs. By mid 2010 most of the funds related to civil society have already been allocated. The Operational Program is focused on effective functioning of the administration and judiciary, improving human resources management and qualification of employees in state administration, judiciary and civil society structures (CSS) and modern service by the administration and judiciary. NGOs are one of the several beneficiaries. As already noted, a serious issue is that most NGO funding provided through EU mechanisms is distributed by the state, in this case by the Ministry of State Administration and Administrative Reform. It leads to political dependence of NGOs and seriously affects advocacy organizations that might be less eager to criticise their donor.

*“Now it goes through ministries which is a problem for NGOs and especially human rights NGOs, because there’s a traditional clash between the government and some human rights NGOs. Then, if the government or a specific ministry is an important funding source for you, you try not to be so critical when presenting information on them, because you might lose your funder in the long term.”<sup>61</sup>*

It also creates potential corruption opportunities, such as channeling funds to organizations in which state officials are involved.<sup>62</sup> Furthermore, the funding from EU structural funds is very bureaucratic and requires a lot of formal paperwork, as mentioned by the HRAWs.

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<sup>58</sup> <http://ngofund.flgr.bg/en> - Romania and Bulgaria became the tenth and eleventh country to launch funds for non-governmental organizations (NGOs) with support from their European Economic Area (EEA) partners Norway, Iceland and Liechtenstein. The NGO funds were eagerly anticipated by civil society organizations in these countries, arriving at a time when other donors were pulling out and shifting focus to non-EU members. The NGO funds under the EEA and Norway Grants make available funding to civil society organizations within areas such as the environment, human rights and democracy, social services and capacity building. The overarching aim of the EEA and Norway Grants is reduction of social and economic disparities in the enlarged EU and European Economic Area (EEA) after 2004, and the strengthening and development of the civil sector is seen as a pivotal part of this. The NGO Fund in Bulgaria coordinated by two local foundations - the Foundation for Local Government Reform and the Bulgarian Environmental Partnership Foundation. The total amount of funds reserved for NGO Fund is €2.06 million.

<sup>59</sup> Interviews with HRAW respondents.

<sup>60</sup> <http://www.opac.government.bg/>

<sup>61</sup> Interview with HRAW respondent, March 15, 2010

<sup>62</sup> USAID 2008 NGO Sustainability Index

*„The program went through the Ministry of Finance and it was administered by one not very clear organization which changed its offices all the time – it was an organization to help t NGOs, to organise their administration and reporting systems, but I would not say it was an organization for help because it was for not very big money, so much bureaucracy and so much paperwork.“*

Some of the respondents believe that an ideal option would be to establish a fund at the level of European Commission – managed in Brussels, but working differently than other funds. It should be supporting human rights activities rather than services.

Another important public source of funding for NGOs is government subsidies which are provided to large constituency organizations. While these are partly relevant for human rights NGOs they are provided without any transparent procedures, reporting, monitoring of the results, etc. So they are currently of limited use for HRAWs. There is no mechanism for distributing funds to NGOs at the local level. At most NGOs traditionally receive in-kind support such as office space from local authorities.<sup>63</sup>

*“In 2005 we applied to a program for support of NGOs, it was a small grant and a lot of paperwork and it was bad administration from this special unit for administration. They hired some company to administrate things and this company was not sufficient. We finished, we had very good results because this project was to support other NGOs when they are using access to information law. For 24,000 euro it was three audits, by KPMG, after that by the Ministry of Finance, a lot of controls not on the results of the projects, but on some very small financial things. All these external audit companies say everything is good, they check 97% of documents and after that the Ministry of Finance starts to check again.“<sup>64</sup>*

Private donors operate in an environment that is not stable. As the Bulgarian Center for Not-for-Profit Law explains, the Ministry of Finance tried in 2008 to eliminate the tax concessions for donations to nonprofit organizations. The proposal was to eliminate all existing concessions including exemption from local taxes on received donations. After a very active campaign of a group of organizations, the Ministry of Finance changed its proposals and re-established all existing exemptions for non-profit organizations. But the truth is that for a second year in a row instead of improving the environment in Bulgaria, the NGOs had to fight for its preservation.<sup>65</sup>

In the last few years Bulgaria has seen some increase in private and corporate philanthropy, as well as in volunteers. Open Society Institute – Sofia used many volunteers in recent projects, which reduced its budget substantially. Organizations that depend on project funding do not target corporate and private donations, and organizations that depend on donations do not target grants. The general picture is not very promising in general. Membership fees are not a major source of funding except for business associations.

There is a lack of domestic grant-making foundations which some believe is related to poor tax incentives for giving to NGOs.

*„In Bulgaria, there is a very little possibility to have some national private donations to NGOs. The donors do not get tax reduction. It's connected with tax legislation and NGO legislation.“<sup>66</sup>*

In terms of income generation through economic activities it plays a small role among HRAWs. Typically it is related to services which the non-profits sell.

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<sup>63</sup> USAID NGO Sustainability Index, 2008

<sup>64</sup> Interview with HRAW respondent, March 1, 2010

<sup>65</sup> Bulgarian Center for Not-for-Profit Law, Annual Report 2008

<sup>66</sup> Interview with HRAW respondent, March 1, 2010

*„It's only 2% of our budget. It's from legal help to some NGOs which have available funds for a kind of permanent legal help including representation in the court or from selling our books or providing paid training services on the access to information and several EU programs... Last year we started to prepare this program for providing paid services, but the market is not very clear.“*

*“This is one of the sources that is available for human rights NGOs, for example BCNL gets some of its income from paid services, it provides legal services to groups of people that want to register NGOs, NGOs that need advice on issues of funding and operation. But it is very limited.“*

## 7. Conclusions and Recommendations

The situation with the HRAW funding in Bulgaria is similar to Romania or Slovakia. There are no new major sources in sight, rather the existing sources gradually decrease. HRAWs try to adapt to the situation and those that communicate with media and public seem to be more successful also in receiving domestic funding. However, HRAWs are not able to secure domestic funding from philanthropy in a short term. The key resources in this situation are EU funding, Norwegian Funding and some others. These funding sources need improvement and restructuring, so they will be relevant not only to service providers but also to watchdogs.

One of the proposals that was discussed among the NGO community recently was to create an NGO fund with state money, but NGOs would take part in its management. This way it would be state funding but in a way detached from the government. Because of the financial crisis, the government does not consider such initiative as appropriate at this moment. For the future there are plans to pursue such option as promoted by the NGO community.

### 1.2 Bulgaria: Sources

#### A. List of HRAWs

- The Institute for Regional and International Studies (IRIS), <http://www.iris-bg.org>
- The Bulgarian Helsinki Committee, <http://www.bghelsinki.org>
- Bulgarian Association for the Promotion of Citizens Initiatives (BAPCI), <http://www.bapci.org>
- The Institute for Public Environment Development, <http://iped-bg.org/en>
- RiskMonitor, <http://riskmonitor.bg>
- Transparency International-Bulgaria, <http://www.transparency-bg.org>
- Institute for Market Economics (IME), <http://www.ime.bg/en>
- Bulgarian Lawyers for Human Rights Foundation, <http://www.blhr.org/aboutEN.html>
- The Center for Economic Development (CED), <http://www.ced.bg>
- The Inter Ethnic Initiative for Human Rights Foundation, <http://www.inter-ethnic.org>
- The International Center for Minority Studies and Intercultural Relations (IMIR), <http://www.imir-bg.org>
- ACCESS – Sofia Foundation, <http://www.access-sofia.org/en>
- The Association for European Integration and Human Rights, <http://www.eurorights-bg.org/en>

- The Information Portal of Nongovernmental Organizations (NGOs) in Bulgaria:  
<http://www.ngobg.info/en/index.html>

## B. List of Respondents

- Director of HRAW NGO, Sofia
- Director of HRAW NGO, Sofia
- Leader of Human Rights NGO, Sofia

## C. Literature and Resources

- 1) 2009 Human Rights Report: Bulgaria (US Dpt. of State, Bureau of Democracy, Human Rights and Labor)
- 2) Amnesty International Report 2009: State of the World's Human Rights
- 3) USAID 2008 NGO Sustainability Index
- 4) Freedom House: „Nations in Transit, 2009“
- 5) Civicus, CSI Country Profile 2006: Bulgaria
- 6) Bulgarian Center for Not-for-Profit Law, Annual Report 2008
- 7) Country Report: Bulgaria. Intelligent Money: Private Resources for Development. Ilyana Nikolova and Stefan Stoyanov, Workshop for Civic Initiatives Foundation, 2008, [www.effectiveresources.info](http://www.effectiveresources.info)
- 8) <http://www.opac.government.bg/>

## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 2.1 Czech Republic

#### 1. Human Rights, Accountability and Watchdog Context

The following key issues in the human rights and governance area are identified in the reports of different international organizations <sup>1</sup>:

- Various forms of corruption;
- Right wing extremism and anti-Roma and anti-minorities attitudes;
- Societal discrimination of Roma;
- Violence against women and children;
- Violations of rights of asylum seekers, patients, prisoners, and detained persons;

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<sup>1</sup> The list is based on reports such as the Nations in Transit 2010 by Freedom House, 2009 Human Rights Report:Czech Republic by US State Department, Amnesty International Worlds' Human Rights Report 2009.

- Environment.
- Corruption. Although few people encounter corruption directly, the perception of illegal activity, especially concerning the political elite, is widespread<sup>2</sup>. Many view existing anticorruption measures as insufficient to dismantle the intricate web of connections between political and business elites. The 2009 Transparency International (TI) Corruption Perceptions Index ranked the Czech Republic 52 out of 180 countries, with a rating of 4.9 (10 indicates a country without corruption). The figures had worsened from the previous year, when the country ranked 45 and had a rating of 5.2. The Czech chapter of TI pointed to the gradual “cartelization” of the political space, the politicization of the public administration and the increasingly close connection between politics and business as reasons for the decline<sup>3</sup>. TIC also noted the nontransparent financing of election campaigns, growing influence of financial groups, and instability in the judicial and prosecution sectors that lead to the long-time inability to adequately solve more serious cases of economic crime and corruption.
- Right-wing neo-nazi extremism and attacks targeting Roma and other minorities. In few last years there were several attacks by extremists groups on Roma families including children. One of the most known is the case of April 2009 in Vitkov near Prague where three extremists threw three bottles with flammable fluid into a window of a house of a Roma family. The attack caused three serious injuries including a two-year old girl that suffered burns on 80% of her body. The offenders have been put on trial. Similar attack repeated year ago in a settlement near Ostrava. Another well-known case took place in November 2008 when a running battle between far-right protesters and police broke out in the northern Bohemian town of Litvínov after marchers attempted to advance on a housing estate populated mainly by Roma. The government subsequently appealed to the Supreme Administrative Court to outlaw the Workers’ Party, which had helped to organize the march. But the court rejected the case in March 2009, arguing that the ministry had not presented convincing evidence that the party represented a threat to the democratic order. The Highest Administrative Court dissolved the Workers’ Party in February 2010. Its leaders in a response established the Workers Party of Social Justice in a few days and participated in national elections in May 2010, where they received 1,6% of votes.
- Societal discrimination of Roma in accessing education, health and housing services. Roma continued to experience discrimination, particularly in accessing education, housing and health, as well as threats of attacks by far-right groups. The 2006 government report estimated that 80,000 Roma—roughly a third of the country’s Roma population—live in ghettos, with between 95 and 100 percent unemployment. The Czech government’s own data reveal that in some parts of the country Roma children are still 26–27 times more likely than non-Roma to be enrolled in practical schools for children with mental disabilities<sup>4</sup>.
- The government fails to implement adequate anti-discrimination provisions. There were concerns over inhuman and degrading treatment of people with mental disabilities. Comprehensive anti-discrimination legislation providing legal aid for victims and effective monitoring mechanisms was not enacted. In May 2009 the President vetoed anti-discrimination legislation stating, according to news reports, that it was “unnecessary, counter-productive and of a poor quality, and its impact ... very questionable”. This was despite the government’s pledge to introduce a law safeguarding the

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<sup>2</sup> Nations in Transit 2010, Czech Republic

<sup>3</sup> [http://www.transparency.cz/index.php?lan=cz&id=16&pom\\_id=87](http://www.transparency.cz/index.php?lan=cz&id=16&pom_id=87)

<sup>4</sup> 2010 Nations in Transit, Czech Republic, Freedom House

right to equal treatment and protection against discrimination, in line with EU directives.<sup>5</sup>

- Other similar issues include trafficking in persons for the purpose of sexual services, domestic violence against women and children, rights of children whose parents are detained, children's rights, immigrants and asylum seekers' rights, prisoners and detained persons' rights, patients' rights<sup>6</sup>.
- Environment. The state system of environment protection is traditionally of high standards including a well governed system of protected territories. Watchdog protection of environment dates back to the communist period. There is a considerable number of environmental organizations with thousands of volunteers who help to govern these territories and present species. Several national NGOs emerged from these grassroots' initiatives. In last period there is evident pressure by the state administration to limit the state support of the environment protection. Even members of government acknowledged that ČEZ, national electricity giant (involved in a number of environmental scandals) finances major political parties<sup>7</sup>.

## 2. The Civil Society and HRAW NGO Context<sup>8</sup>

NGOs enter the public space and challenge the government in its anti-corruption efforts.

For example in October 2009, TI-Czech and Oživení (NGO dealing with corruption), released an open letter to the government outlining six anticorruption measures they claimed were not only important but possible to implement in the Czech Republic. These included: to implement "electronic auctions" for public tenders in order to increase transparency and competitiveness; to push for the passage of amendments to the laws on public supply contracts and concessions; to create a database of all funds granted by the state administration, including EU funds, to reduce clientelism; to depoliticize and professionalize the state administration; to amend laws concerned with local governments to improve their enforceability and increase the efficiency of the use of public funds on the local level; and to end the practice of anonymous shareholding, which has contributed to opaque ownership structures and the suspicion of corruption in awarding public tenders.<sup>9</sup>

The recent study on watchdog NGOs in the Czech Republic by Bouchal, which this chapter heavily builds upon, describes the complicated context of civil society in the Czech Republic as a result of peculiar development of the Czech society – and in some sense of the whole CEE. According to Bouchal, civil society is on one hand identified with the dissident movement that is typical of its anti-establishment attitude and not-involvement in the governance activities. On the other hand, there is also a strong tendency in the society to connect civil society with the social services delivery. Both are not fully correct and the space for active citizens who interact with the public and political institutions and cooperate with them for more effective governance is not conceptually and culturally understood.

*The specific "dissident" nature of civil society, rather abstract when seen from the everyday perspective (Václav Havel's life in truth), and its stress on individual integrity (the dissent-oriented*

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<sup>5</sup> Amnesty International Report 2009: State of the World's Human Rights

<sup>6</sup> Human Rights Report, 2009, Czech Helsinki Committee, <http://www.helcom.cz/search.php?rsvelikost=sab&rstext=all-phpRS-all&rstema=96>

<sup>7</sup> <http://www.economist.com/blogs/easternapproaches/2011/11/czech-politics>

<sup>8</sup> Section 2 is taken from the Bouchal P.: Happy Watchdog (without the Muzzle), The Work and Funding of Watchdog and Advocacy NGOs in the Czech Republic OSF Prague, 2009

<sup>9</sup> [http://www.transparency.cz/pdf/protikorupcni\\_vyzva\\_vlade07102009.pdf](http://www.transparency.cz/pdf/protikorupcni_vyzva_vlade07102009.pdf)



*civil society as a community of unique personalities) have led to civil society in the Czech Republic – and, to some extent, in the entire Central and Eastern Europe – being regarded as something special, too distant from ordinary people and their duties.<sup>10</sup> In addition, the initial “anti-establishment” nature of civil society as well as clichés such as “anti-politics” and “non-political politics” seem to signal to people that if they care about smooth governance – especially at a time of transformation with its immanent imperfections and mistakes – they had better not engage in these things: in other words, civil involvement would be seen as chronic grumbling. As a result of this past legacy, huge sections of society still refuse to support or even be interested in non-profit organizations..... And the analysis even falls into a vicious circle as it is revealed that non-profit organizations are unable to become stable partners for public institutions in protecting the public interest partly because public institutions lack responsibility in that they are not sufficiently monitored with respect to the public interest.<sup>11</sup>*

But the situation is not desperate. There are signs of change and improvement, which is gradual, but recognizable:

*The rising number of those who appreciate the role of non-profit organizations as a counterbalance to state institutions and bureaucracy may signal a changing public attitude towards advocacy and watchdog organizations.<sup>12 13</sup>*

### 3. Key Human Rights, Accountability and Watchdog NGOs

The HRAW NGOs position in the Czech non-profit sector is a complicated one as the public in general perceives their activities with less understanding than traditional charities and service providers.

*Organizations advocating the public interest occupy an ambiguous position in the Czech non-profit sector: in addition to monitoring governance bodies, watchdog and advocacy organizations play the role of public control bodies; they are, however, considered by the public sector as part of the non-profit sector, having to face all the potential disadvantages related to such characterization, no matter whether it is right or wrong. Their systemic work rarely matches with the way NPOs are generally perceived, their output not being measurable or presentable in numbers of persons supported or indicators fulfilled, which is the way social service providers work; therefore, the general public and the rest of the non-profit sector are unable to associate such organizations with a concrete role in society. The latter problem is further complicated by the fact that in order to increase the impact of their work inside public institutions, watchdog and advocacy organizations*

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<sup>10</sup> For more on the “share of fault” of nonpolitical politics for the problems of postcommunism in Central and Eastern Europe, see Renwick, Alan, “Anti-political or just Anti-communist? Varieties of Dissidence in East Central Europe and Their Implications for the Development of Political Society,” *East European Politics and Societies* vol. 20 (1996), pp. 286-318; Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore: Johns Hopkins University Press, 1996, p. 272.

<sup>11</sup> „Happy Watchdog (without the Muzzle): The Work and Funding of Watchdog and Advocacy NGOs in the Czech Republic by Petr Bouchal, Open Society Fund, Prague, 2009

<sup>12</sup> Ibid.

<sup>13</sup> For more data on the state of Czech civil society when the country was joining the European Union (2004), see websites of STEM, a private Czech polling agency, at <http://www.stem.cz/tisk.php?id=731>.

*have become more professional – in the practical way and in the media, too – than, for instance, NGOs providing social services<sup>14</sup>.*

Below is a list of selected HRAW NGOs active in the Czech Republic that illustrates the typical organizations and types of activities. This is not an exhaustive list of all HRAWs, as there is more of them:

- The Environmental Law Service (ELS) is a non-governmental, non-profit organization of lawyers to further the public interest. It is based in Brno. Its aim is to eliminate cases of unlawful and improper decision-making by state offices in matters of environment and human rights, to help people gain access to courts, to build knowledge and skills of non-profits staff, to expand the ranks of public-interest lawyers, and to help bring about a high-quality legal code. ELS is a public interest law organization.<sup>15</sup>
- Iuridicum Remedium is a Prague based organization promoting human rights. It addresses issues of blanket infringements on individual rights as a result of legislative actions, and also deals with specific cases of human rights violations. IuRe's focus includes current threats to human rights in the fields of social exclusion; human rights and technologies; and human rights and public administration. IuRe is active in the areas of legislation and legal assistance, and disseminates information to the professional community and the general public.<sup>16</sup>
- Liga lidských práv (League of human rights) is a non-governmental organization based in Brno (second largest city of the Czech Republic), which promotes protection of human rights by working within the scope of the Charter of Fundamental Rights and Freedoms, and other legally binding international conventions. Liga promotes human rights with the aid of research and education in order to improve the quality of life for all, and by undertaking strategic litigation in courts, producing innovative arguments and landmark solutions. It also focuses on improvements of human rights situation within the health service.<sup>17</sup>
- The Czech Helsinki Committee is a non-governmental non-profit organization for human rights established in November 1988 in Prague. It is a part of the International Helsinki Federation. It monitors the state of human rights in the Czech Republic with a special emphasis on selected areas and prepares regular reports on the situation with human rights. It provides free legal counseling for citizens, whose human rights were violated and offers litigation. It also provides education on human rights, organizes discussions and human rights seminars. Its areas of focus are children rights, fight against racism and intolerance, penitential system, rights of prisoners and detained persons, social counseling, human rights education and developing a human rights library.<sup>18</sup>
- Oživení is a non-governmental organization founded in 1997 in Prague. Since the beginning, it has been dealing with the propagation and development of bicycle routes and general support of a sustainable transport system. Since 1999, Oživení has been aiming its efforts on a systematic uncovering of the conflict of interests and corruption in the public administration and increasing transparency of the public sector. The NGO monitors the cases of conflict of interests and

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<sup>14</sup> Bouchal P.: Happy Watchdog (without the Muzzle), The Work and Funding of Watchdog and Advocacy NGOs in the Czech Republic OSF Prague, 2009

<sup>15</sup> <http://www.eps.cz>

<sup>16</sup> <http://www.iure.org/en>

<sup>17</sup> <http://www.llp.cz/en>

<sup>18</sup> <http://www.helcom.cz/en>

consequently informs the public, prepares systemic measures including influencing the legislation and last but not least spreads its know-how.<sup>19</sup>

- Counseling Centre for Citizenship, Civil and Human Rights is a non-governmental and non-profit organization, registered as a citizens' assembly. It is monitoring compliance of Czech domestic laws with ratified international treaties on human rights and freedoms; facilitates conditions for co-operation between the non-governmental sector and state institutions, with a special regard to human rights in the Czech Republic; monitors legislative activities of governmental institutions with regard to the obligations arising from international conventions on human rights.<sup>20</sup>
- Transparency International - Czech Republic (TIC) is a non-governmental organization, which objective is to monitor the state of corruption in the Czech Republic and contribute to its systemic reduction. TI's mission is to create change towards the world free of corruption. TI and its chapters fight corruption in a number of ways. They bring together relevant players from government, civil society, business and media to promote transparency in elections, in public administration, in procurement and business. TI's global network of chapters and contacts also use advocacy campaigns to lobby governments to implement anti-corruption reforms.<sup>21</sup>
- The Open Society is a non-profit organization based in Prague supporting the consolidation of civil society in the Czech Republic by pursuing principles and promoting policies based on the culture of law and legal state, on a democratic form of administration as well as on human rights principles. Programs and projects implemented by the Open Society are related to the following fields: people's public participation; police service reform; equal opportunities for women and men; culture policy; social inclusion; social economy.<sup>22</sup> The organization is running a project called „Right of Information Project – Otevrete.cz“. It supports the accessibility of public administration.
- The Multicultural Center Prague is a non-profit organization interested in issues related to the coexistence of different cultures in the Czech Republic and abroad. Since its founding in 1999, they have been working on new educational, cultural and information initiatives. They organize workshops, courses, international seminars, debates, film screenings and book readings. They also run websites devoted to issues such as migration or multicultural librarianship. They have a well-stocked public library designed for those with an interest on multicultural issues.<sup>23</sup>
- Agora Central Europe (Agora CE) civic association was founded in 1998 in Prague with the aim of helping to enhance communication between local governments, central government bodies and citizens. The Association pursues consulting, advisory, educational, moderating and other activities. It publishes materials about its work, produces and spreads documentary films, etc. It organises public meetings, workshops, social and cultural events, and pursues various other activities including work with youth.<sup>24</sup>
- Zvůle práva is a non-governmental organization based in Prague focusing on legal protection of Roma citizens against discrimination, unlawful intrusion and harassment. Its objective is accessibility of law and standard liberties for the Roma minority who is discriminated, suffers from a lack of opportunities and often also from hidden or open persecution. The organization's vision is

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19 <http://www.oziveni.cz>

20 <http://www.poradna-prava.cz/en>

21 <http://www.transparency.cz>

22 <http://www.osops.cz/en>

23 <http://www.mkc.cz/en>

24 <http://www.agora-ce.cz>

to create a society where law is not a mechanism of power, where the principle of equal opportunities is applied and where human rights are a living horizon of legal and social reality.<sup>25</sup>

- Pro bono aliance is a nonprofit organization of lawyers based in Tabor who believe that in the Czech Republic, many individuals, groups and interests continue to be neglected by the legal profession and the country's legal system. PBA's foremost goal is to achieve systematic changes which would help to make the Czech Republic's legal instruments more effective in protecting human rights, public interest and important common values.<sup>26</sup>
- La Strada Czech Republic is a non profit organization. It aims to prevent and minimalise the results of trafficking in human beings and commercial exploitation while respecting individual rights of all involved. The La Strada's mission is threefold: to make the issue of THB visible, to influence authorities, media and public opinion to address this violation of human rights; to inform about possible dangers of trafficking and commercial exploitation and to provide support and direct assistance to trafficked persons.<sup>27</sup>
- Hnutí Duha (Movement Rainbow) is a branch of Friends of the Earth in Czech Republic. Based in Brno with some some 15 local groups, it runs campaigns on issues such as renewable and nuclear energy, climate change, nature conservation, national parks, forestry, waste recycling, ecological agriculture, environmental impact of mining and public participation in environmental decision making. It also deals with general environmental policy issues such as public participation and civil society development, green taxes, environmental debates in political parties' discourse, environmental modernization of the economy and others.<sup>28</sup>
- Green Circle is one of the oldest Czech associations of non-governmental organizations – it was established in 1989 and currently has 28 members. This association was formed by NGOs working in the area of environmental protection. It delegates representatives to various interdisciplinary working groups, advisory government bodies and committees. It mediates to its member organizations shares important information related to legal issues and other social topics and participates in the preparatory processes and implementation of environmental policy and mutually agreed positions towards policymaking.<sup>29</sup>
- NeSeHnutí (Independent Socially-Ecological Movement) based in Brno is engaged in regional ecological issues as well as nationwide ones (eg. hypermarket development, sexism) or even Czech contribution to international issues (e.g. weapon business or participation in Social watch network). It bases its activities on belief, that ecological and social have the same causes and consequences. It is probably the only professional NGO, that adhered to this belief that used to be more widespread in early 90's. Most of the other organizations have narrowed their focus to one main theme.<sup>30</sup>

#### 4. Situation of the HRAW NGOs and their Sustainability

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25 <http://www.zvuleprava.cz>

26 <http://www.probonoaliance.cz/en/>

27 <http://www.strada.cz/en>

28 <http://hnutiduha.cz/english/>

29 <http://www.zelenykruh.cz/en/>

30 <http://nesehnuti.cz/>

The situation of HRAW NGOs in the Czech Republic is similar as in other countries of the region – their activities address important issues which are not always in the spotlight of the general public. They operate as professional and effective organizations with a high degree of influence in public affairs. At the same time most of them do not engage citizens in their activities.

The community of HRAW NGOs in the Czech Republic had a connection to and support from various independent and private US foundations which allowed them to address issues not favored by the mainstream public. After the US funding became scarce, the EU funding came in and influenced their agenda as well, however, allowed for their autonomous development with partial separation from the society. Buchal describes the situation in a very precise way:

*In all the organizations [included in the present report], funding has always been dependent, to a great degree, on several American foundations that came to Central and Eastern Europe after 1989. The funding methods and know-how that these foundations brought to the Czech watchdog sector has had a major influence on the way local watchdog organizations work. In his recent publication, *Political Activism in the Czech Republic*<sup>31</sup>, Ondřej Císař defines the work of Czech watchdog organizations in environmental and human-rights related areas as “transactional activism”, a combination of high transactional capacity (i.e. a capacity to exert influence on public issues) and low mobilization capacity (i.e. a capacity to mobilize huge masses of people in favor of such activities).<sup>32</sup> Organizations that work in this way are small-sized and professional, and have a privileged access to decision-making bodies. This, Císař suggests, is due to the influence of foreign foundations that (a) promoted in Central and Eastern Europe the type of advocacy activism that had its roots in the USA, (b) being independent, made it possible for the organizations supported to tackle controversial issues that did not resonate with the general public and often went against the grain of official institutions. Following up on the above theoretical background, the funding that first came from predominantly American foundations and later from the EU allowed Czech watchdog organizations to completely avoid what was the “Czech controversy around civil society” since they became professional and actively involved in decision-making processes. This meant, however, that they also avoided their own reflection on their position within civil society since – to put it crudely – they worked in society without having to engage citizens in the process<sup>33</sup>.*

After the Czech Republic joined the EU, the HRAW NGOs' agenda and the European agenda overlap which influenced their watchdog function.

*Then, before the country joined the European Union in 2004, EU funds were brought into the whole process, causing a slight shift in the issues addressed to satisfy priorities promoted by the EU and enhancing co-operation between watchdog organizations and public authorities, although this made their watchdog function slightly weaker.<sup>34</sup> On closer inspection, different organizations used*

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<sup>31</sup> Brno: Democracy and Culture Studies Centre (2008).

<sup>32</sup> See Císař (2008), p. 25-34; the classification comes from Petrova, Tsveta and Sidney Tarrow, “Transactional and Participatory Activism in the Emerging European Polity: The Puzzle of East-Central Europe,” in *Comparative Political Studies* vol. 40 no. 1 (2007).

<sup>33</sup> Bouchal P.: *Happy Watchdog (without the Muzzle), The Work and Funding of Watchdog and Advocacy NGOs in the Czech Republic* OSF Prague, 2009

<sup>34</sup> Stulík, David. “Vliv členství České republiky v Evropské unii na postavení českých nevládních neziskových organizací a jejich zapojení do společnosti,” [The influence of the Czech Republic's EU membership on the position and social involvement of Czech non-governmental non-profit organizations] in *Dopady členství České republiky v Evropské unii na nestátní neziskové*

*these opportunities in different ways, depending on their own priorities.<sup>35</sup> .....human rights are increasingly on the agenda of national and international institutions (European Court of Justice, European Court of Human Rights, newly established Ombudsman office). For another, recent changes – some due to the country's EU membership – have made organizations involved in civil society identify their own position in the changing environment, such as with the recently adopted Antidiscrimination Act or legislation on free legal aid which is yet to be adopted.<sup>36</sup>*

The need for HRAWs to be more active towards their constituencies is echoed also in another qualitative research, which was recently completed in the Czech Republic. There, the authors say, “ *watchdogs and advocacy organizations have to develop their constituencies. They argue that they can't do this without funding, and that they can't raise funds without constituencies. The truth is, constituencies include donors, so in a way there is no reason to separate these two tasks – it means more private funding and everything that comes with it.*<sup>37</sup>

## 5. Overall Funding Situation of HRAW NGOs

Since early 1990s, watchdog activities of CSOs were mainly supported by foreign donors. With the Czech Republic's entry into the EU and foreign donors' shift of priorities to supporting civil society in the former Soviet Union ('moving East'), some would argue that existence of these advocacy and watchdog organizations has reached a critical point. While the EU membership is expected to make the resources of the EU Structural Funds accessible to Czech CSOs, monitoring activities do not fall within the realm of these funds. Organizations that are critical of the state or the private sector can also not expect to receive much support from these sources. These organizations have up till now relied on foreign support and have yet to learn to work with a circle of supporters and sympathisers who could provide financial support to such organizations.<sup>38</sup>

The study of Peter Bouchal looked at 6 watchdog NGOs (Oživení, Environmental Law Service, Human Rights League, Transparency International, Counselling Center, Iuridicum Remedium) and their financing during 2005-2008.

*Funding watchdog organizations in 2007: breakdown of individual sources.<sup>39</sup>*

Source	EU	Foundations	Local public budget	Foreign public budget	Own revenues	Private Donations	Others
Average	35.7%	25.9%	25.3%	2.71%	4.4%	3.0%	0.4%

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*organizace v programovacím období 2004-2006* [The impact of the Czech Republic's EU membership on non-governmental non-profit organizations in the 2004-2006 programming period]. The Government Council for NGOs, 2006.

<sup>35</sup> This point is further developed in Ondřej Cisař's *Transnacionální politické sítě* [Transnational Policy Networks]. Brno, International Institute of Political Science of Masaryk University, 2004, esp. Chapter 5.

<sup>36</sup> For more about the draft legislation on free legal aid, see [www.bezplatnapravnipomoc.cz/novy-zakon/](http://www.bezplatnapravnipomoc.cz/novy-zakon/)

<sup>37</sup> Jan Kroupa, Josef Štogr: Us and Them, in: We and They“ – NGOs influence on decision-making processes in the Visegrad group countries, ed. Tom Nicholson, Sasakawa Peace Foundation, 2008

<sup>38</sup> 2008 NGO Sustainability Index, USAID

<sup>39</sup> „Happy Watchdog (without the Muzzle): The Work and Funding of Watchdog and Advocacy NGOs in the Czech Republic by Petr Bouchal, Open Society Fund, Prague, 2009

Another important finding was that the organizations “*differ considerably in whether they depend on a single or more sources*”, assuming that those depending on a single source are at a higher risk than those with a more diversified portfolio of funding.

## 6. Funding Sources for HRAW NGOs<sup>40</sup>

Foundations and foundation funds - foundations handling foreign funds – play a crucial supporting role for watchdog and advocacy organizations although the amount they now contribute is considerably smaller than a few years ago. After Mott foundation and recently also CEE Trust left the country, the OSF Prague is the biggest donor according to the volume of funds. The important thing, however, is that they understand the specific characteristics of work in the public interest, and this helps the organizations to (1) cover those costs that do not fall into usual projects presented to other donors, (2) fund projects where other funding is not available or need long-term support, (3) receive funds to co-fund some of their projects (especially European projects). Another advantage of such funding is that in case of funding from the public sector there may be political pressure and potential conflicts of interests.<sup>41</sup> Moreover, funds coming from foundations allow the organizations to tackle the most burning issues, which would be impossible with funding from public or corporate sources.<sup>42</sup>

As has been noted above, the European Union funds had played a major role in funding local organizations even before the country joined the EU. The share of EU funding in an organizations’ budget primarily depends on EU priorities.

EU funds are crucial in the following areas:

- environmental issues (DG Environment);
- activities related to labor markets (labor law, discrimination in the labor market, i.e. funds from the DG Employment);
- equal opportunities (EQUAL, ESF – the European Social Fund)
- legislative lobbying (DG Justice);
- corruption, to a smaller extent (OLAF – the European Anti-Fraud Office, Transition Facility)
- geographically specific projects can also draw funds from the Common Regional Operational Program.

In some of the organizations, EU funds only have a minor share in the funding, in others more than 50%. The positive thing about EU funding is that it is politically independent although this is only true with money that does not go through the Czech structural funds. Programs where implementation is dependent on ministries may face political pressure or conflicts of interests with the administrative bodies – in fact, the organizations say, it is impossible to draw funds for projects with some specific missions or those involving certain persons non grata; also, in some cases, funds are allocated based not on quality of the projects, but on personal contacts.

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<sup>40</sup> The whole section is taken from „Happy Watchdog (without the Muzzle): The Work and Funding of Watchdog and Advocacy NGOs in the Czech Republic by Petr Bouchal, Open Society Fund, Prague, 2009

<sup>41</sup> For more about how foreign funding affects the organizations' selection of issues, see Císař (2008).

<sup>42</sup> For example, the Garde program run by the Environmental Law Service and a related project called “Foreign investment and CzechInvest as factors destabilizing the democratic rule of law”, or a joint research by the ELS and Oživení called “The Price of Motorways”, or most activities of Transparency International.

As far as disadvantages of EU funds are concerned, (a) the application process is rather complicated, (b) it imposes huge administrative burdens, (c) co-funding is necessary. And the key fact is that there are this type of funding is limited in timing. For instance, the Transition Facility programs for the Czech Republic have been finished; the 2007-2013 program period of the European Social Fund provided less funding in some areas; even less money is expected to flow from the structural funds after 2013 as new countries will join the EU. Similar changes are under way for funds from Iceland, Norway, and Lichtenstein (European Economic Area Grants, Norway Grants) administered by the Foundation for the Civil Society Development (NROS). On the whole, EU and North-European funds are a huge support for local watchdog activities, and will remain so in the following three to four years; from the long-term perspective, however, activities covered from these sources are at threat.

Apart from EU funds, Czech watchdog activities are supported by national states from their public budgets, mostly through their embassies in the Czech Republic. Examples include the MATRA program administered by the Dutch embassy (environmental issues), and programs run by embassies of the United Kingdom, United States, Canada, and Switzerland (support of anti-corruption activities).

Whereas in the early 1990s these countries considered their support to civil society to be without any controversy or conflict, later, as the Czech Republic transformed to a democratic country and became an integral part of the international communities, watchdog activities became much more professional and their support became something of a political matter where interference into the national interests may be alleged. As a result, the support is weakening. Support channeled through embassies mostly concerns international development cooperation, and most of these funds are directed at less developed regions of the world. Like in case of the European Union funds, these sources are expected to diminish in future, although this is a less serious issue since this type of support has only had a minor share in the overall funding of the organizations.

In the past years the share of domestic public funding in the total financial sources of the organizations rose considerably, most noticeably in organizations providing legal aid to people who normally cannot afford standard legal services. The sources primarily come from ministries (the Ministry of the Interior, the Ministry of the Environment, the Ministry of Labour and Social Affairs), and – to a lesser extent – from regional and community budgets. In addition to programs dealing with discrimination and promoting access to law funded by the Ministry of the Interior, and the Ministry of Labour and Social Affairs, public-budget sources are used to fund anti-corruption campaigns or an anti-corruption telephone lines, e.g. Transparency International, Oživení with subsidies from the Ministry of the Interior.

There are two basic problems with public-budget funding: state subsidies depend on political pressures and there is a risk of conflicts of interests.

Although it may seem that organizations' own activities and earned income can help them become more independent, numerous risks are involved. For one thing, where organizations can provide services to the commercial or state sector, there is usually a risk of conflict of interests. In conducting anti-corruption audits or training workshops, watchdog organizations might have to face a dilemma, for instance, when they identify a company or institution involved in corruption which they previously audited or trained against corruption.

Apart from conflict of interests situations, organizations suffer from their potential clients' financial limits. In general law services, commercial counseling is normally out of question simply because potential clients cannot afford to pay. Environmental law allows more opportunities although the institutions that use the service in the public interest and on a commercial basis, e.g. local governments in administrative proceedings, are not ready and nor willing to pay fees to make the service profitable.



Financial reports presented by organizations often fail to distinguish between independent commercial activities and private - individual or corporate donors; in general, the share of donations in the total income is normally a few percent. Exceptions are the Environmental Law Service with up to 10 percent and Hnutí Duha with up to 30 per cent. In effect, organizations that by definition deal with systemic issues or issues of neglected people find it very difficult to build a group of regular supporters (those who were lucky in the past include Greenpeace or the Hnutí Duha). Most organizations would agree that environmental issues have the highest potential appeal to private donors. The reasons are obvious: these issues are more “visible”, and the affairs might affect anyone in any situation. Unlike the “neverending” work in legal aid to people suffering from poverty or discrimination, environmental affairs are easily identifiable, and have clear impacts and conclusions (for example, a case of the car manufacturer Hyundai addressed by the Environmental Law Service).

Nevertheless, further development of this type of funding may well be an opportunity to expand watchdog organizations' revenues without conflicts of interests or other obstacles typical of other sources of funding.

There are three clear issues involved in the funding of watchdog and advocacy organizations:

- potential trouble and uncertainty related to the conflict of interests;
- some sources of funding are at risk;
- there is a weak link to the society at large which could support these organizations through private giving.

These two major threats – and one opportunity – refer to the possibilities and limits that have to be born in mind in any future initiatives towards developed funding that would allow watchdog organizations to carry on. The overlapping of the first two issues – the need to seek new financial sources at a time of potential clashes of interests from several sides – suggests that there is a link between the funding and the mission of watchdog organizations. In other words, not all activities can be funded from any type of source, and organizations are limited by their missions in where they look for potential funds.

There are several reasons why Czech watchdog organizations like to pursue international cooperation and to join international networks. For one thing, some issues are international: for instance, anti-discrimination legislation relates to entire Europe, and global warming or corporate social responsibility are worldwide topics. Another reason is membership in international organizations such as the Federation Internationale des droits de l'Homme (FIDH), the Transparency International Headquarters, the Justice and Environment and the European Coalition for Corporate Justice. Thirdly, the Czech Republic is a country that can pass its transition experience to countries where the transition to democracy is still under way. Fourthly, the funding conditions encourage cooperation, e.g. grants from the European Commission Directorates-General are designed to support organizations with Europe-wide missions. Such trends expand the scope and impact of activities, although at the same time they divert organizations from specific cases and domestic issues: international projects tend to be focused on publishing and expertise-sharing rather than on long-term involvement and solutions of specific cases.

## 5. Conclusions and Recommendations<sup>43</sup>

There are three main alternative funding sources for HRAW NGOs plus the „zero“ alternative which is the current situation and funding:

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<sup>43</sup> Happy Watchdog (without the Muzzle): The Work and Funding of Watchdog and Advocacy NGOs in the Czech Republic by Petr Bouchal, Open Society Fund, Prague, 2009

- Development of corporate giving – i.e. formation of „watchdog fund“ which would be funded primarily from the corporate sources
- Lobbying for establishment of public fund that would allow stable support of watchdog NGOs
- Activities oriented towards the general public aimed for strengthening of individual contributions and through developing a broad base of supporters to strengthen the role and position of watchdogs within the civic sector.

None of them is the only „right“ solution. The idea is to draw attention to strengths and weaknesses of each of these three alternatives and to the risks that accompany them. These alternatives are not excluding each other, but are complementary. Implementation of any of them, however, would require significantly different strategies.

The basic criteria have to meet conditions of advocacy and watchdog activities – i.e. their relative independence and disconnection between the funding source and the activity which is supported by this source.

- Non-corrupt nature of the funding source (the funding has to be „clean“).
- Transparency: it must be clear where the funding comes from.
- CSR – there shall be no „greenwashing“ or „human-rights washing“. The CSR definition and the boundaries of acceptable use of donor publicity by corporations is unclear. The uncertainty opens a possibility of tensions and disagreement between donors and recipients and among recipients themselves.

The specific criteria include:

- HRAWs need to agree on rules on receiving and distributing funding from these sources, in case they will be a result of a joint initiative.
- HRAWs shall be in agreement about the general concept of such initiative (what, how, why).
- HRAWs shall be in agreement with principles and standards (definition of CSR, etc.).
- Inclusiveness: In case of joint activity it has to be ensured that disagreements will not lead towards exclusion from cooperation to from the access to funding.

#### *Zero Alternative: Development of Current Funding Sources*

The current funding – zero alternative – is based on the idea that the current sources of funding can help the situation. In comparison to other alternatives, the zero alternative is the least complicated and with most chances for success.

The problem of this alternative is that it will not address the most pressing issues such as monitoring of public policies or lobbying activities will not secure long-term funding which is critical to them. The main argument why the zero alternative is not a viable one is that the problems will not be solved by themselves. Another important factor is that most of the other alternatives have not been experimented with.

#### *Alternative 1: Corporate Watchdog Fund*

The basic concept of the „corporate watchdog fund“ has been recently developed by Pavel Franc from EPS<sup>44</sup>. The concept is based on an initiative towards selected corporations to join a „club of enlightened

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<sup>44</sup> GARDE Background material for Open Society Fund Prague

philanthropists“ that would operate with high reputation and would also provide a forum for evaluating the level of social responsibility of corporate members.” One of the challenges of this approach is that the requirements to be used for funding of HRAWs are too strict which may limit the donors’ to participation in such funding scheme. The scheme would exclude several industries, and application of human rights, environmental and fair-job conditions criteria narrow possible options to minimum.

### *Alternative 2: Public Support of HRAW NGOs*

There are two levels: European and domestic. On the domestic level, there are two options: a) existing sources of funding and b) establishing a new source of funding. Another option is the establishing tax assignation. The main public funding for watchdog activities currently comes from the Ministry’s of Interior program „Corruption Prevention“ and „Fight Against Corruption – Operation of Anti-Corruption Hot-Line 199“. Funds from these programs are used by Oziveni NGO and Transparency International – Czech Republic, Ecological Law Service, Open Society, Respekt Institut and Čmelák. Is possible to assume that these programs will continue in future. However, it would be desirable if the government would commit to continue fund these programs in future budgetary cycles as well. In this respect it is important that the issue of anti-corruption becomes a public theme, a matter of public and core part of last government's discourse – but this fact brings also lot of problems connected to populist rhetoric of “anti-corruption washing”.

Another option is to use the typical „ritual“ in the parliament when it decides on the public budget proposal, when various lobby groups push deputies to propose new initiatives and item-lines. Similarly an idea of the „watchdog fund“ could be promoted and possibly pushed through the budgetary cycle in the parliament. However, the lobby pressures on deputies could be in contradiction to the overall idea of the watchdog activities. Also, by strengthening the role of the government in funding of the watchdog NGOs will increase chances of conflict of interests between NGOs and the government (in case when the watchdog fund would be funded by the Ministry of Interior). NGOs may then self-censor their work in order not to loose the funding support. Similarly to anti-corruption programs, other programs can be designed, e.g. for protection of privacy, for protection of rights violated by state organs, etc. Similar system operates on the level of European Commission that provides thematic and institutional grants earmarked for organizations operating on the EU level . But that is also one of the main arguments – it should be the interest of the Czech government to support NGOs in improving the functioning of the public administration and not the interest of the EU.

Another option in the public funding is advocating with the European institutions to create a fund for support of watchdog activities in order to improve the quality of performance of public administration. Such initiative would be real in areas in which the Commission has strong competencies that also match the preferences of individual states or in which the Commission or the Parliament have an interest and motivation to act and increase their influence. More successful might be initiatives targeted towards particular sectors that influencing concrete institutions and operating as coalitions towards for example protection of human rights, environment, etc.

Final option for the public funding is tax assignation. The mechanism brings new funds and strengthens the contact between the citizens and NGOs. On the other hand, the mechanism does not change the distributive logic of giving which means that NGOs that deal with more attractive themes also attract more donors. These inequalities are strengthened by this mechanism.

### *Alternative 3: Cooperation with the Public.*

This alternative is based in the development of relationship with the public. The success of such approach requires the use of several strategies – including cooperation with media and fundraising of small contributions from individuals – all in a longer-term horizon.

Practically, this would mean expanding the circle of supporters that would help a particular NGO to cover some of its costs for activities, which cannot be funded from elsewhere. The inspiration comes from NGOs that in recent years were active in different areas, e.g. development aid, environment, and became quite effective, e.g. Greenpeace, Hnutí Duha, People in Need. Similarly new issues could be coined into public campaigns – corruption, public administration, discrimination, lack of access to legal aid, etc. The secondary goal would be to persuade the public that a) NGOs that defend public interest are not annoying elements that hinder the public interest and b) activities in these areas can bring results and have a broader meaning, i.e. fight against passive attitude, non-participation and apatia.

## 2.2 Czech Republic: Sources

### A. List of HRAWs

- The Environmental Law Service (ELS), <http://www.eps.cz>
- Iuridicum Remedium, <http://www.iure.org>
- Liga lidských práv, <http://www.llp.cz/en>
- Oživení, <http://www.oziveni.cz>
- Counselling Centre for Citizenship, Civil and Human Rights, <http://www.poradna-prava.cz/en>
- Transparency International - Czech Republic (TIC), <http://www.transparency.cz>
- The Open Society, <http://www.osops.cz/en>
- The Multicultural Center Prague, <http://www.mkc.cz/en>
- Agora Central Europe (Agora CE), <http://www.agora-ce.cz>
- Zvůle práva, <http://www.zvuleprava.cz>
- Public Interest Lawyers Association (PILA), <http://www.pilaw.cz>
- La Strada Czech Republic, <http://www.strada.cz/en>

### B. Literature and Resources

- 1) „For a Happy Watchdog (Free of a Muzzle)“, Petr Bouchal, Open Society Fund Prague, 2009
- 2) Nations in Transit 2009, Freedom House
- 3) 2009 Human Rights Report: Czech Republic; US Department of State
- 4) Amnesty International Report 2009: State of the World's Human Rights
- 5) 2008 NGO Sustainability Index, USAID
- 6) 2009 NGO Sustainability Index, USAID
- 7) Jan Kroupa, Josef Štogr: Us and Them, in: We and They“ – NGOs influence on decision-making processes in the Visegrad group countries, ed. Tom Nicholson, Sasakawa Peace Foundation, 2008

## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 3.1 Estonia

#### 1. Human Rights, Accountability and Watchdog Context

According to various reports, such as Amnesty International, U.S.State Department, Human Rights Watch, European Agency for Fundamental Rights, and some others, there is no significant or systematic abuse of human rights in Estonia. However, there are some problems in certain areas.

One issue on which there are conflicting views of the international community is the issue of ethnic Russians, their linguistic discrimination on labor market and in education. Other issues include:

*"...allegations that police used excessive force during the arrest of suspects; authorities investigated and brought charges against alleged offenders. Some reports state that conditions in detention centers generally remained poor. Lengthy pretrial detention continued to be a problem. Domestic violence, inequality of women's salaries, child abuse, and trafficking of women were also reported... The government continued to support an NGO-operated hotline that provided*

*information on trafficking risks to persons interested in working abroad. The hotline received more than 600 calls during the year”<sup>1</sup>.*

The corruption remains an important issue. The Eurobarometre survey published in November 2009 said that 82% of respondents in Estonia considered corruption a major problem in Estonia<sup>2</sup>.

A number of domestic and international human rights groups generally operate without government restriction, investigating and publishing their findings on human rights cases. Government officials were usually cooperative and responsive to their views.

## **2. Key Human Rights, Accountability and Watchdog NGOs**

There are several NGOs in Estonia whose mission is protection of human rights or promotion of government accountability that address issues stated above:

- Estonian Human Rights Center (EHRC) is an independent public interest foundation dedicated to advancement of protection of human rights in Estonia and abroad. During 2007-2009 the centre operated within the structure of International University Audentes (after merger Tallinn University of Technology). It raises awareness about human rights, advocates for and monitors and researches the situation in this field. It also provides scholarships and stipends for human rights activities. EHRC is a member of the EU Fundamental Rights Platform, which is a network of NGO cooperation under the auspices of the EU Fundamental Rights Agency. EHRC is supported by the Estonian Ministry of Culture, the Open Estonia Foundation and Tallinn Law School at Tallinn University of Technology<sup>3</sup>.
- Estonian Institute for Human Rights (EIHR) initiated by Estonian President Lennart Meri – was founded on the 10th of December, Human Rights Day, in 1992. The main functions of EIHR are monitoring the situation in the field of individual and collective human rights, collecting and disseminating domestic and international information on human rights, providing information and expertise on human rights protection and implementation and providing legal aid in the field of human rights. The EIHR addresses these issues through publishing reports, teaching materials, compilations of lectures, translations and publications of human rights documents and international instruments. The EIHR also promotes educational programmes for young lawyers and law students through grants received from the Ministry of Foreign Affairs of Denmark, the Ministry of Foreign Affairs of Netherlands, and Swedish International Development Agency<sup>4</sup>.
- The Legal Information Center for Human Rights (LICHR) was established in 1994 with the support of three Danish non-governmental organizations within the Democratisation programme of the Ministry of Foreign Affairs of Denmark (DANIDA) and with the assistance of the Presidential Round Table on National Minorities, the Representative Assembly of Non-Citizens of Estonia and Tallinn City Chancellery. The Center provides access to justice and protection of human rights through legal aid, it analyses human rights and national minorities' rights situation, monitors Estonian legislation and makes efforts to contribute to the integration process and inter-ethnic dialogue in society. It also provides legal training in the sphere of human rights<sup>5</sup>.

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<sup>1</sup> Estonia 2009 Human Rights Report, US Department of State <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136029.htm>

<sup>2</sup> <http://www.transparency.ee/cm/en/node/140>

<sup>3</sup> [www.humanrights.ee](http://www.humanrights.ee)

<sup>4</sup> [www.eihr.ee](http://www.eihr.ee)

<sup>5</sup> <http://www.lichr.ee/main/discrimination>

- Jaan Tonnison Institute. The mission on the Jaan Tõnisson Institute is to promote forming and strengthening civil society in Estonia. Its core activities are in civic, multicultural and global education. It organises trainings and workshops for Estonian and Russian students, and many other activities. The Institute cooperates with a number of domestic and international partners from NGO, academia and government<sup>6</sup>.
- Transparency International-Estonia is a non-profit association registered as a separate organization at the beginning of 2007. TI-E was set up to highlight appearance of corruption in the public and private sector. The organization aims at building a coalition of anti-corruption forces in Estonia. From 2000 to 2007, TI-Estonia functioned as a unit of the Jaan Tõnisson Institute. At the beginning of 2007, it was registered as an independent NGO. TI Estonia's main fields of activity are analysing the risks of corruption, pointing out and bringing attention of authorities to the problematic fields, developing proposals of legislative amendments and strengthening cooperation between the institutions and private persons concerned with the fight against corruption. Its key donor is the Open Estonia Foundation<sup>7</sup>.
- The Estonian Patient Advocacy Association (EPAA) is a non-profit NGO established in 1994, that's primary aim is to advocate for the human and civil rights of health and social care service users. Between 1994 – 2008 EPAA advocated for the rights of 19,550 clients, carried out education work about patients' rights for 20,500 different stakeholders, litigating test-cases about human rights, raising a number of systemic issues on different levels and influencing decision making in Estonian health and social care system to respect service users' choices.<sup>8</sup>

In the view of local observers, many advocacy and watchdog activities are also performed by other NGOs along with their other core activities.

### 3. Situation of the HRAW NGOs and their Sustainability

In general, the situation with NGO sustainability in Estonia shows signs of improvement.<sup>9</sup> However, the situation of HRAW NGOs given their profile and focus is more difficult.

There are donor support activities that focus on organizational development for NGOs, which HRAWs also benefit from. For example, funding and development programs mentioned below that were organised by local foundations or national NGO development programs target not just project work, but internal development of NGOs.

While this practice of focusing on internal development and capacity building can be commended, the list of funding sources mentioning HRAW NGOs on their websites suggests that much of their work is project work and the composition of their funds is primarily international (public and to some extent private) and secondly, domestic funding from public sources. There is very little or almost no domestic private funding, with few exceptions – where the funding comes from the corporate sources, typically internationally owned.

There are also examples of organizations that draw their activity and energy from membership constituency, such as the Patients Advocacy NGO that follow specific interest. In other cases, more traditional human rights NGOs ally with the academic sector and international and European human rights

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<sup>6</sup> [www.jti.ee](http://www.jti.ee)

<sup>7</sup> [www.transparency.ee](http://www.transparency.ee)

<sup>8</sup> [www.epey.ee](http://www.epey.ee)

<sup>9</sup> USAID NGO Sustainability Index, 2008, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/estonia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/estonia.pdf)

networks that allows them to pursue their mission<sup>10</sup>. This seems to be a practical and realistic strategy (in fact similar to HRAWs in other countries from the CEE) for the future as far their sustainability is concerned. It also preserves their mission. However, it is relatively ad hoc and does not allow for a more focused and longer-term development.

The Estonian Civil Society Development Concept (EKAK) that was adopted by the Estonian Parliament in 2002 is a helpful measure for HRAW NGOs. It established specific means of support such as the National Foundation for Civil Society and Development Plans for the Civil Society which support NGOs. As some observers noted, unlike other compacts in other countries, the civil society is not involved in the review of implementation<sup>11</sup>. Overall, the NGO-government relationship seems to be well structured and supportive, thanks to the progressive attitude of the Estonian government.

#### 4. Overall funding situation and specifically for HRAW NGOs.

The funding situation of NGOs in Estonia is considered by the 2009 USAID NGO Sustainability Index as consolidated. The Sustainability Index reports that:

*"The NGOs hit hardest by the economic crisis were those who received funding primarily from the public sector or from the businesses. The distribution from the gambling tax, one of the major sources of funding for Estonian NGOs decreased more than 30 percent. NGOs that received their income from sources like EU funds, membership fees and individual donations did not feel the decline as strongly.... Estonians's willingness to volunteer, engage in charitable activities and participate in public life has been growing during the economic crisis.*

In 2008 Sustainability Index, the report mentioned that:

*The amount of private donations went up in the last few years. In 2007, around 280 million EEK (\$22.5 million) in donations was reported to the Tax and Customs Board. A growing number of NGOs, mostly in the fields of health and child welfare, run regular campaigns for donations by encouraging people to call or text to charitable phone numbers. Swedbank opened its donation portal where people can easily make online donations to NGOs who have been previously approved by a selection committee of bank and NGO representatives...*

*The worsening economic situation has already hit organizations that depend on donations from businesses. Some NGOs who earn income from selling goods or services have indicated a decline in demand. On the other hand, the demand for some social services such as unemployment assistance has increased, although people's ability to pay for services, and outside funding, have decreased. Cuts have already been made in public budgets, both on national and local levels"*

The HRAW NGOs face difficulties in raising domestic private funding. They rely on funding from traditional sources such as Open Estonia Foundation or from international organizations, most notably of European origin, such as European Agency for Fundamental Rights, DG Justice and also from a variety of international partners (both public and private) in Europe and USA. There are some accounts of local

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<sup>10</sup> Networks of the Fundamental Rights Agency - ENAR, RAXEN, Fundamental Rights Platform, CIVITAS International, CCN (Consumer Citizenship Network), DARE (Democracy and Human Rights in Europe), European Civic Forum, NECE (Networking European Citizenship Education), Politeia (European Network for Citizenship and Democracy), Transparency International, etc.

<sup>11</sup> A European Framework Agreement with Civil Society for a Less Distant European Union?: A comparison of national compacts. European Citizen Action Service and Open Estonia Foundation, January 2009



corporate funding. However, the information gained through direct interviews has not provided much insight into this aspect.

## 5. International Sources of Funding for HRAWs

Below are stated major existing international sources of funding for Estonian HRAWs. It should be noted, however, that most of these funding sources are not operated as open grant calls or competitions, but are specific, targeted programs that cooperate with national NGOs and provide financial support for specific projects aligned with the donors' strategies or represent elements of larger programs or initiatives. The list is not exhaustive, but only indicative.

- European Network Against Racism (ENAR), an EU-wide network of more than 600 organizations working to combat racism in all the EU member states. ENAR lists all relevant calls for proposals issued by the European Commission relevant to anti-racism and anti-discrimination work which allow civil society to apply for EU funding for specific projects<sup>12</sup>.
- The Fundamental Rights Agency (FRA) – see Chapter V. The Agency focuses on the situation of fundamental rights in the EU and its 27 Member States. Candidate Countries and countries which have concluded a stabilisation and association agreement with the EU can be invited to participate in Agency's work following a special procedure<sup>13</sup>.
- Directorate General for Justice<sup>14</sup> of the European Commission provides funding to support its key objectives by a Framework programme. There are several framework programmes that address the issue of human rights, primarily Fundamental Rights and Citizenship Funding Programme, DAPHNE III Funding Programme and others. In each of these programmes calls for proposals are announced.
- European Program for Integration and Migration<sup>15</sup> (EPIM) was initiated in 2005 by NEF, the Network of European Foundations, a collaborative effort between 12 European foundations<sup>16</sup>. It aims to strengthen the role played by NGOs active on migration and integration issues in advocating for a European agenda that benefits migrants and host communities. Its second phase ran from 2008 until 2011. Grants were made available for short and longer projects (up to 3 years). In 2012 EPIM launched yet another call for proposals.

Other sources of funding that Estonian HRAWs have used include:

- King Baudouin Foundation (Belgium)
- The Hansard Society for Parliamentary Democracy (Great Britain)
- Netherlands Helsinki Committee (Netherlands)
- Dutch Foreign Ministry
- Foundation on Inter-Ethnic Relations (Netherlands)

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<sup>12</sup> <http://www.enar-eu.org/>

<sup>13</sup> [www.fra.europa.eu](http://www.fra.europa.eu)

<sup>14</sup> [http://ec.europa.eu/justice\\_home/funding/intro/funding\\_intro\\_en.htm](http://ec.europa.eu/justice_home/funding/intro/funding_intro_en.htm)

<sup>15</sup> <http://www.epim.info/>

<sup>16</sup> Atlantic Philanthropies (Ireland), Barrow-Cadbury Trust (UK), Compagnia di San Paolo (Italy), European Cultural Foundation (Netherlands), Freudenberg Stiftung (Germany), Fondation Bernheim (Belgium), Fundação Calouste Gulbenkian (Portugal), Joseph Rowntree Charitable Trust (UK), King Baudouin Foundation (Charing foundation - Belgium), Oak Foundation (UK), Robert Bosch Stiftung (Germany), Diana Princess of Wales Memorial Fund (UK).

- Constitutional and Legal Policy Institute (Hungary)
- Center for Civic Education (USA)
- International Foundation for Election Systems
- National Endowment for Democracy
- Constitutional Rights Foundation

## 6. Domestic funding sources for NGOs

NGOs are eligible applicants for various funding resources domestically. In the elaboration process of the Estonian Civil Society Concept the following funding instruments of Estonian NGOs were included:

The National Foundation for Civil Society (NFCS). It was established according to the decision of Estonian government in 2007 as an independent legal entity governed by a private law. The foundation's goal is to help building the capacity of Estonian non-profit organizations, to develop civil society and shape the environment that fosters civic action. NFCS was registered in 2008<sup>17</sup>. Its strategy<sup>18</sup> is based on three lines: 1) to strengthen NGOs to be able to cooperate and execute social change, 2) to support innovative ideas and knowledge of civil society and 3) to develop and advocate for the civil society through research, analysis and campaigns and support national advocacy and umbrella NGOs. To meet these strategies it organises grant-making programs around the first two areas and the third area is an operational activity of the foundation. Grants range between \$10,000 – \$20,000 and may last up to 2 years. The awarded grants so far address issues of NGO cooperation, volunteerism, community activism and many other issues. The human rights and accountability of government issues are supported as well, but only in a very small numbers, which may reflect a low number of applications in these areas as well. In addition to these three areas the Foundation initiated in 2009 the Endowment-Support Fund – NGOs Against Corruption. Through this Fund the Foundation wants to create an opportunity for other donors (various legal and physical entities) to support anti-corruption activities of NGOs facilitated by grants from the Foundation. The government oversight over the Foundation is conducted by the Ministry of Interior. The Foundation is governed by a Supervisory Board which has a 50/50 parity between state and NGO representatives that are recommended by NGOs and the Joint Committee for Civil Society Development Concept. It is financed by the state budget. For 2008 – 2011 the state allocated 20 million EEK annually (\$1.6 million). While the Foundation is certainly a progressive public funding instrument, it is a result of political consensus and there are risks related to its future as well.

Another source of NGO funding that is concerned with the organizational sustainability and capacity development of NGOs and the environment for civil society is the Norway/EEA Financial Mechanism's NGO Fund with its budget of 36.5 million EEK (\$2.9 million) for three years. Similarly, the NGO Fund of the Swiss Cooperation Programme at the moment in the formation process with plans to support the activities of NGOs located in less favorable regions with the financial capacity of 23,7 million Estonian kroons (\$1,6 million).

Regional development programmes include<sup>19</sup>:

- Programme for Local Initiative, 24 million Estonian kroons in 2007;

<sup>17</sup> <http://kysk.ee/?s=21>

<sup>18</sup> <http://kysk.ee/?s=23>

<sup>19</sup> Regional Development Programmes, <http://www.siseministerium.ee/9670>

- Programme for Small Projects for Developing Regional Competitiveness;
- Programme for Planning Regional Development;
- Development Programme of Setomaa;
- Cultural Space Programme of Kihnu;
- Water Programme of Võrumaa for Scattered Infrastructure.
- Gambling Tax Board<sup>20</sup>.

Three Ministries allocate grants to support small projects. Programme for Local Investments is also financed by gambling tax.

An excellent example is Youth Work Act<sup>21</sup>, according to which the Ministry of Education and Research supports the activities of youth associations and allocates annual grants. The Act defines a youth association, sets the framework of general rules for allocating grants, e.g. the entry of a youth association in the Register of Youth Associations of the Ministry of Education and Research is the basis for awarding an annual grant, and authorises the Ministry of Education and Research to elaborate specific regulations for funding.<sup>22</sup>

Other sources of support are:

- Cultural Endowment of Estonia and its structures in different counties.<sup>23</sup>
- Environmental Investment Centre<sup>24</sup>
- Integration Foundation<sup>25</sup>
- Rural Development Foundation<sup>26</sup>
- Estonian National Culture Foundation<sup>27</sup>

In order to consult the NGOs active in rural areas, organise trainings and distribute information, NGO consultants are employed by County Development Centres<sup>28</sup>. NGOs also have some possibilities to use the county development funds.<sup>29</sup>

The projects of developing and strengthening NGOs are also supported by foundations established by individuals and private legal entities, including the Foundation Dharma<sup>30</sup> "Stars to Shine" programme of Hansapank etc.

Funding possibilities of local governments are gradually increasing. Many local governments have included in their budget funds to support NGOs and elaborated respective procedures.

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<sup>20</sup> Gambling Tax Board, <http://hmn.riik.ee/?id=1086>

<sup>21</sup> Youth Work Act, <https://www.riigiteataja.ee/ert/act.jsp?id=12851236>

<sup>22</sup> Conditions and Procedure for Applying and Allocating Annual Grant to Youth Associations. Regulation No. 14 of the Minister of Education and Research of 1 March 2004, <https://www.riigiteataja.ee/ert/act.jsp?id=714478>

<sup>23</sup> Cultural Endowment of Estonia, <http://veeb.kulka.ee>

<sup>24</sup> Environmental Investment Centre, <http://www.kik.ee/?op=body&id=3>

<sup>25</sup> Integration Foundation, <http://www.meis.ee/est/konkursid/index.php?show=konkursid>

<sup>26</sup> Rural Development Foundation, <http://www.mes.ee>

<sup>27</sup> Estonian National Culture Foundation, <http://www.erkf.ee/index.php?nid=8>

<sup>28</sup> County Development Centres, <http://www.eas.ee/?id=306>

<sup>29</sup> County Development Funds, <http://www.eas.ee/?id=710>

<sup>30</sup> Foundation Dharma, <http://www.dharma.ee/index.php?m1=81&lang=2>

Estonian NGOs have also access to the European Union Structural Funds. During the elaboration of the Civil Society Concept, the planning of grants for the period 2007-2013 took place. NGO representatives participated in the respective committees. A large part of the EU financial aid is allocated through various measures to foster regional and local development. The measure for renewing villages is envisioned within the framework of Rural Life Development Programme and the LEADER Programme and covers most of the Estonian rural local governments.

In Estonia various HRAW NGOs use also funding from the following public institutions:

- Ministry of Education and Research;
- Tallin City Government;
- University of Tallinn;
- Eurocollege, University of Tartu;
- Citizenship and Migration Board;
- Ministry of Economic Affairs and Communications;
- Consumer Protection Board;
- Non-estonians Integration Foundation;
- BDA Estonia;
- Tallinn Education Department;
- DELFI.

## 3.2 Estonia: Sources

### A. List of HRAWs (web contacts)

- Estonian Human Rights Center (<http://www.humanrights.ee/eng/>)
- Estonian Institute for Human Rights (<http://www.eihr.ee/Eng/IndexEng.html>)
- Legal Information Center for Human Rights (<http://www.lichr.ee/main/>)
- Transparency Estonia ([www.transparency.ee](http://www.transparency.ee))
- The Jaan Tonnison Institute <http://www.jti.ee/index.php>
- The Estonian Patient Advocacy Association

### B. List of Respondents

- Infrastructure NGO Director, Tallin
- Foundation Director, Tallin

### C. Resources

- 1) DG Justice, European Commission, [http://ec.europa.eu/justice\\_home/funding/intro/funding\\_intro\\_en.htm](http://ec.europa.eu/justice_home/funding/intro/funding_intro_en.htm)
- 2) Estonian Patients Advocacy Association, [www.epey.ee](http://www.epey.ee)
- 3) European Network Against Racism, <http://www.enar-eu.org/>
- 4) European Program for Integration and Migration, <http://www.epim.info/>
- 5) Fundamental Rights Agency, [www.fra.europa.eu](http://www.fra.europa.eu)
- 6) Transparency International – Estonia, [www.transparency.ee](http://www.transparency.ee)
- 7) The Estonian Human Rights Center, [www.humanrights.ee](http://www.humanrights.ee)
- 8) The Estonian Institute for Human Rights, [www.eihr.ee](http://www.eihr.ee)
- 9) The Legal and Information Center for Human Rights, <http://www.lichr.ee>
- 10) The Jaan Tonnison Institute, [www.jti.ee](http://www.jti.ee)
- 11) USAID NGO Sustainability Index, 2008, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/estonia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/estonia.pdf)

## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 4.1 Hungary

#### 1. Human Rights, Accountability and Watchdog Context

Concerning HRAW NGOs, besides several changes in funding and legislation, the most crucial change is related to the political context in Hungary. The essentially critical nature of these organizations lead to Fidesz declaring them their allies during the term of the previous government. TASZ and the Helsinki Committee were critical e.g. because of the use of force by the police during the demonstrations back in 2006, and in turn Fidesz referred to the warnings about the alarming level of corruption and publicity of public information watched by NGOs. However, as Fidesz won and formed the new government in 2010, those alliances were broken and ignored and the Hungarian right has redefined its relation to the civic organizations and HRAW NGOs in particular. From the point of view of Fidesz there are two groups of NGOs. The first bracket contains all those which are constantly allied with the party, that is, they are bandwagon organizations which represent the interest of the party and basically are governed by the party. These may be labelled “tainted NGOs”, as they are not committed to issues which are represented against any political course but very well the other way around: they are committed to political organizations and

represent issues only when they help that particular party. E.g. a few months after Fidesz took power a president of the National Civil Fund (NCA), the money distributing governmental funds to civic organizations was appointed. Laszlo Csizmadia, the appointed president was the leader of the Forum of Civic Alliance, an umbrella organization of civic organizations committed to Fidesz that gained publicity courtesy of demonstrations against the socialist government and especially against Ferenc Gyurcsány, the former Prime Minister. (Note that a few weeks ago, the Forum of Civic Alliance was the organizer of the pro-government demonstration “Peace March”, a demonstration aimed at the European publicity and the Hungarian opposition, with an intention to express that there are masses behind Fidesz in spite of fierce attacks on its policies. The demonstration had strong anti-EU tones, the slogan was “we won’t be a colony”).

The other bracket contains real NGOs for which issues come first; therefore, their conflicts with governments are independent of the current political course. The latter group is the one which served as a temporary ally for Fidesz before 2010 when it was about criticizing the socialist government, and which has become an enemy for the new government formed by Fidesz itself in 2010. Any criticism coming from this group and these NGOs is rebutted as representing left-wing and/or liberal interest, these notions are even backed by theories of international conspiracy against Hungary. The government led by Viktor Orbán does not understand, and does not approve of the viewpoints of HRAW NGOs. The criticism on the new constitution (its way of approval and its partisan content), the “reformed” judiciary (its diminishing independence), the new media law (the newly established authority over media contents, the restriction on freedom of the press) and especially the mutilation of the constitutional court, are issues about which HRAW NGOs are deeply concerned. However, their criticism was defined as being politically biased and motivated, in the interest of the left-wing opposition in the parliament along with the liberal (media)elite of Europe and the international banker elite that was angered because of the extra burdens put on foreign banks.

Besides the fundamental breaches in the rule of law and constitutional checks and balances under the Fidesz government, the human rights situation in Hungary has been worsening in the last several years, especially in the area of anti-Roma extremist violence and harsh rhetoric against ethnic and religious minority groups. Extremists increasingly targeted Roma, resulting in the deaths of nine Roma and multiple injuries to others a few years ago<sup>1</sup>. Discrimination against Roma in education, housing, employment, and access to social services continued. After 2010 the Roma became the scapegoat for abusing state-run subsidies, and they are targeted by the communal work program launched by the new government after 2010.

The election in 2010 had yet another important outcome: Jobbik was elected into the parliament, and explicit anti-Roma rhetorics employed by the party moved into upper-level politics as a consequence. Through the lack of a significant level of immigrants, Roma became the main target group of racial/ethnic hatred and welfare chauvinism, of which Jobbik is the main beneficiary.

Other human rights problems reported included:

- Police use of excessive force against suspects, particularly Roma;
- Government corruption, non-transparent decision making;

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<sup>1</sup> For example, on February 23, 2009 extremists shot dead a 27-year-old Roma and his 5 year old son as they ran from their burning home in Eastern Hungary. The family tried to escape from their house which was set on fire. Csorba's wife and two children suffered from severe burns. In August of the same year a Romani women was shot dead in the village Kisléta in Eastern Hungary.

- Societal violence against women and children;
- Sexual harassment of women and trafficking in persons<sup>2</sup>.

Lesbian, gay, bisexual and transgender people continued to experience intolerance from violent groups. There was a rise in support for the Magyar Gárda (Hungarian Guard), a radical right-wing organization, which is primarily anti-Roma and has demonstrated against what they describe as “Roma criminality”. The Municipal Court of Budapest ruled that this group should be disbanded as it “means to create a climate of fear, while its activities – the marching of its members in Roma-populated settlements and the speeches of its leaders – constitute a breach of the rights of other citizens”.<sup>3</sup> However, the ban on the Guard did not abolish the actual phenomenon: similar uniforms along with similar groups without any claim of official status whatsoever continued to threaten Roma communities in villages far away from the capital. Moreover, local governments run by Jobbik hired former members of the Guard to launch security services in order to protect local population from – as they call it – “Gypsy crime”.

There were some attempts by civil society to counter the worrying rise in right-wing radicalism and the Guard’s popularity. Some of these efforts were genuine grassroots initiatives, while others, like the Demokratikus Charta (Democratic Charter), were projects closely associated with the previous government and viewed by many as inauthentic and politically partisan.<sup>4</sup> It is true that the Guard-phenomenon was a politically useful issue for left-wing parties (or, at least, they deemed it useful), and after the fall of the socialist government, regular news about atrocities disappeared from the media, but the remnants of the Guard are still present and are intimidating the Roma.

One of the key problems in Hungary, similarly as in other countries of the region is corruption. While the phenomenon of corruption in Hungary is frequently discussed in media and political debates, it is not as pervasive as in Romania or Bulgaria, that are the regional „leaders“ spread of corruption. This is indicated also by the ranking of Hungary in the TI CPI index in which Hungary is in the middle of list regarding the Visegrad countries lagging behind Poland, Estonia and Slovenia)<sup>5</sup>. Nevertheless, corruption remains an important media topic, political issue and everyday experience. Besides small-scale corruption, there are cases of large-scale white-collar corruption that are known, but have not been prosecuted. The courts have already taken some smaller cases before the election,<sup>6</sup> while others are still being investigated

The global financial crisis has severely affected Hungary, which, in combination with its fiscal policies of last decade, ended at the risk of collapse of public finance and assistance from the IMF was needed in 2009. The new government of Viktor Orbán that have taken office in June 2010 faced a major challenge of stabilizing the public funding and taking down the public debt that is at 80% of the country’s GDP. As a result, despite its rethoric, the government implemented major social welfare restrictions and poverty has been increasing. The government attempts to benefit from the corruption cases related to the socialists and to counterweight the negative effects of governmental mismanagement and austerity measures. However, there is a more and more public discussion about the financial background of this government as well,

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<sup>2</sup> 2009 Human Rights Report: Hungary (US Dpt. of State, Bureau of Democracy, Human Rights and Labor)

<sup>3</sup> Amnesty International Report 2009: State of the World’s Human Rights

<sup>4</sup> Nations in Transit 2009 (Freedom House)

<sup>5</sup> <http://cpi.transparency.org/cpi2011/results/#CountryResults>

<sup>6</sup> Mr. Zuschlag, a former parliamentarian of socialist party MSZP, and more than a dozen associates were accused of creating fictitious non-governmental organizations in the mid-90s to embezzle subsidies totaling 75 million forints (\$356,800). The amount was used to finance political campaigns and party events, and part of it was spent privately. He was sentenced for 8,5 years by a court, in a quite harsh ruling in March 2010. Source: The Wall Street Journal, April 6, 2010.



which poses new risks, such as disillusionment and the growing support of the presumed clean-handed radicals.

## 2. Key Human Rights, Accountability and Watchdog NGOs

Hungary, especially Budapest has been a seat of several international human rights organizations related to Soros Network or some other foreign networks or actors that were active in the CEE region, not only in Hungary (USAID, Freedom House). Some of them are listed also here among other NGOs that focus specifically on Hungary. There are several HRAW NGOs that are institutionally developed and structured, but their number has been decreasing in last ten years, as the foreign funding, which they used, has decreased as well. Some of the most active today are listed below.

- The Hungarian Civil Liberties Union (HCLU / TASZ) is a non-profit human rights watchdog NGO established in Budapest, Hungary in 1994. HCLU is a law reform and legal defence public interest NGO in Hungary, working independently of political parties, the state or any of its institutions. HCLU's aim is to promote the case of fundamental rights and principles laid down by the Constitution of the Republic of Hungary and by international conventions. Generally it has the goal of building and strengthening the civil society and rule of law in Hungary and the CEE region. HCLU gets financial resources mostly from foundations, but the share of its income that is generated from members and sympathizers as well as individual donors increases.<sup>7</sup>
- Transparency International (TI), Hungary. In order to remedy the situation regarding the corruption in Hungary a volunteer work group was set up, becoming Transparency International's official contact partner in Hungary in August 2006. Their goal is to contribute to mitigating corruption, promoting transparency and accountability in the public sphere of decision-making processes as well as allocation of public funds, moreover to improving accessibility of public interest information.<sup>8</sup>
- Hungarian Helsinki Committee (HHC) is an association founded in 1989. The Hungarian Helsinki Committee monitors the enforcement in Hungary of human rights enshrined in international human rights instruments, provides legal defence to victims of human rights abuses by state authorities and informs the public about rights violations. The HHC strives to ensure that domestic legislation guarantee the consistent implementation of human rights norms. The HHC promotes legal education and training in fields relevant to its activities, both in Hungary and abroad. The HHC's main areas of activities are centred on protecting the rights of asylum seekers and foreigners in need of international protection, as well as monitoring the human rights performance of law enforcement agencies and the judicial system. It particularly focuses on the conditions of detention and the effective enforcement of the right to defence and equality before the law.<sup>9</sup>
- NANE is a women's rights organization established in 1994. It advocates legal and public administration reforms for victims of domestic violence. It carried out a number of successful public campaigns including petition of the Constitutional Court to admit marital rape as a crime. NANE is the only NGO in Hungary running a hotline for battered women and children in Hungary. It is successful in its public campaigning through various media sources, printed and electronic. NANE carries out research and training activities<sup>10</sup>.

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<sup>7</sup> <http://tasz.hu/en>

<sup>8</sup> <http://www.transparency.hu/en>

<sup>9</sup> <http://helsinki.hu>

<sup>10</sup> <http://www.nane.hu/>

- Legal Defense Bureau for National and Ethnic Minorities (NEKI). The Másság (Otherness) Foundation was established in 1993 with the purpose to operate the Legal Defense Bureau for National and Ethnic Minorities (NEKI). NEKI's legal activities include strategic litigation and free of charge legal aid service. A case is considered a strategic one if it could be capable of developing anti-discrimination law or legal practice. Besides legal representation in concrete cases, NEKI deems it extremely important to contribute to the social dialogue on discrimination issues. It is in day-to-day correspondence with representatives of the press thus promoting such dialogue, informing the public and forming the attitude of the society towards a more positive direction.<sup>11</sup>
- The Hungarian Center for Human Rights Defenders. (Magyar Emberi Jogvédő Központ Alapítvány)<sup>12</sup> is a legal defense organization that provides legal help and social work, harm reduction and other kinds of assistance for people who need representation or assistance such as asylum seekers, migrants or otherwise disadvantaged groups.
- There is also a number of civic initiatives and NGOs that organize public protests to oppose the far right extremism and neo-nazi movements, such as Magyar Antirasszista Alapítvány<sup>13</sup>, Hungarians Against the Nazis, Solidarity Against Violence, Democratic Network, Green Left, the Civilians Against the Extreme Right, and others.

In addition, a number of regional human rights organizations are based in Budapest, the most important ones being:

- The European Roma Rights Centre (ERRC) is an international public interest law organization engaging in a range of activities aimed at combating anti-Romani racism and human rights abuse of Roma. The approach of the ERRC involves, in particular, strategic litigation, international advocacy, research and policy development, and human rights training of Romani activists. Since its establishment in 1996, the ERRC has endeavoured to give Roma the tools necessary to combat discrimination and win equal access to government, education, employment, health care, housing and public services. The ERRC works to combat prejudice and discrimination against Roma, and to promote genuine equality of treatment and equality of respect.<sup>14</sup>
- The Mental Disability Advocacy Center (MDAC) is an international human rights organization which advances the rights of children and adults with intellectual disabilities and psycho-social disabilities. MDAC promotes equality and social inclusion through strategic litigation, advocacy, research and monitoring and capacity-building. MDAC operates at the global level as well as regional and domestic levels in Europe and Africa. MDAC is headquartered in Budapest, Hungary and was registered as a foundation in 2002. The Open Society Foundations (OSF) founded MDAC and continues to be one of its donors. MDAC has participatory status with the Council of Europe. In 2011 MDAC was granted a special consultative status with the United Nations Economic and Social Council.<sup>15</sup>
- The Public Interest Law Institute (PILI) is an international NGO that advances human rights around the world by stimulating public interest advocacy and developing the institutions necessary to sustain it. Public interest law encompasses activities such as campaigning, strategic litigation, legal aid, clinical legal education, legal literacy and other public education programs. PILI's approach is

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<sup>11</sup> <http://www.neki.hu>

<sup>12</sup> <http://www.mejok.hu>

<sup>13</sup> <http://www.maraalapitvany.hu/>

<sup>14</sup> <http://www.errc.org>

<sup>15</sup> <http://mdac.info/en>

to develop and support the diverse array of organizations, programs and individuals involved in these activities and united by a common sense of mission: strengthening the use of law as an instrument for achieving social justice. In doing so, public interest law activities apply principles of human rights, democracy, open society and the rule of law.<sup>16</sup>

### 3. Situation of the HRAW NGOs and their Sustainability

According to the latest available USAID NGO Sustainability Index (2010),<sup>17</sup> the situation has only slightly changed compared to 2009. However, since then, NGOs are facing a completely new legal, political and financial context. Regarding 2008 already, the USAID report described the Hungarian NGOs as facing the crisis in a weakened condition, after several years of financial difficulties. Income from all sources is decreasing and many key NGOs are near bankruptcy (this is specifically related to their EU funding which is complicated by demanding financial management rules).

*„Accountability and transparency are decreasing, and innovation is stifled. Due to the financial crisis, the government has been increasing bureaucratic requirements in order to create ways to reject funding for NGO projects and reduce the budget. While this is not a new issue, the financial crisis has worsened the situation. Government requirements placed on NGOs are sometimes harsher than the average EU requirements.”<sup>18</sup>*

A specific feature of Hungarian NGO sector is its relatively large dependency on public funding, which originated since late nineties, when the Hungarian government had taken an active role and strategy towards the support of NGO sector. (Some observers consider it as being too supportive). This was also reflected in the rise of public funding allocated for NGOs since 2000 that includes support for service provision and funds provided through various calls for proposals<sup>19</sup>. The human rights, accountability and watchdog NGOs were also eligible to access public funding. Research conducted in 2005 in Hungary by Scsaurszki – Sebestyén brought evidence that watchdog, advocacy and policy NGOs received significant amount of public funds in 2003, similarly as was the average for the whole NGO sector<sup>20</sup>. This situation might have changed since then, however, there is still significant public funding in Hungary for NGOs and the perceptions from the field are that most of the existing HRAW NGOs are still primarily funded by public funding besides international funding.<sup>21</sup>

The dependency of NGOs on public funding, according to one interpretation, meant also that there was a stagnation among NGOs who were interested in securing their limited but available resources and were not motivated in raising funding from the private sector or through other means. So NGOs maintained their status quo, for which the public funding was sufficient, however did not move any further in their resource generation and sustainability. This trend, together with the decrease of foreign funding, meant especially for watchdog, human rights or accountability NGOs a gradual decline of their profile and their shrinking as a specific sub-group of NGOs. On the organizational level, the HRAWs only slowly develop their relations with traditional media and rarely use new social media (facebook, internet fundraising, telemarketing, etc.)

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<sup>16</sup> <http://www.pili.org>

<sup>17</sup> [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2010/complete\\_document.pdf#page=100](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2010/complete_document.pdf#page=100)

<sup>18</sup> USAID 2008 NGO Sustainability Index

<sup>19</sup> This also includes the National Civic Fund as well as mechanism of 1% tax. NCF has been replaced by a new mechanism since then. (see below)

<sup>20</sup> Sebestény I. – Scsaurszki T., Public Funding and Watchdog, Advocacy and Public Policy Think Tank Activities in Hungary, November 2005, [http://www.cpf.sk/files/File/full%20text%20ub%20en-partnerstva%20\(3\).pdf](http://www.cpf.sk/files/File/full%20text%20ub%20en-partnerstva%20(3).pdf)

<sup>21</sup> Interview with respondent from the HRAW NGO, March 17, 2010

to strengthen their communication with public and save costs at the same time (in traditional advertising and marketing)<sup>22</sup>.

There is a visible growth of grass-root groups and initiatives that can raise an issue and stay visible for a while, but cannot sustain their presence over a certain period and develop stronger structures. For example the recent elections (and the relative success of the new party<sup>23</sup> that drew its support also from the civic sector) as well as the anti-racist gatherings in 2009 and 2010 showed the ability of Hungarian NGOs and civic initiatives to organize themselves for a joint action.

Another specific feature of the Hungarian HRAW NGOs segment is that the political divide in the country between the nationalists-populists-conservatives and pro-western liberals and social democrats also influences the NGOs. The conflicts between these two groupings in last few years have emphasized the issue of rights defense in Hungary.

*„Most often one hears of NGOs not as shaping public policy but as representing victims of rights violations before courts or taking the government to court.“<sup>24</sup>*

The strategic litigation and rights advocacy needs follow-up which needs capacities and resources and that are often missing. This is a common problem of many HRAWs in the CEE, not just in Hungary.

Many HRAW NGOs were actively advocating for the defense of political and to some extent human rights – such as freedom of speech, freedom of assembly, access to justice and others. There were active NGOs on both sides of the political divide that advocated for their freedoms and rights, but from very different perspectives – one from a democratic one and the other from anti-democratic one. As one respondent characterized the situation:

*„Some newly formed HR organizations related to the right-wing party often use the original legal defense, HR and watchdog toolkits for anti-democratic purposes<sup>25</sup>“*

Because of that and of the rise of radical and conservative right in Hungary, the role of liberally oriented human rights NGOs will be rising in future, respondents said, and may even bring more support to them.

*„The challenges will be how such support will be converted to resources“<sup>26</sup>.*

Concerning the new political context created by the change in power in 2010, and the related two-third majority in parliament, it is important to note that for NGOs the legal situation has significantly worsened. Financial possibilities have narrowed by the closure of bilateral funds such as the Norwegian Financing Mechanism, and the restructuring of the NCF (National Civil Fund) where payments were suspended immediately after the new government took power.

The parliament passed a new bill<sup>27</sup> on civic organizations in 2011, surrounded by the objections of several NGOs. According to the legislation, it is an explicit goal to reduce subsidies for NGOs which applied only for the money but did not serve public or common interest. With that a narrowly redefined public benefit status

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<sup>22</sup> On the other hand there are just a few HRAW NGOs that are doing exceptionally well in this regard, e.g. TASZ, which embraced social media and uses it to generate a lot of support.

<sup>23</sup> The 2010 USAID report even describes both new parties in parliament - Jobbik and LMP - as originating from grass-roots organizations and thus representing a slight change in civic participation. Based on a more in-depth examination of the Hungarian context, however, they rather represent the politicization of the civic society.

<sup>24</sup> Populist Politics and Liberal Democracy in Central and Eastern Europe (Grigorij Mesežnikov, IVO, Slovakia, 2008)

<sup>25</sup> Interview with observer of HRAW situation on March 17, 2010

<sup>26</sup> Interview with HRAW NGO Director on February 22, 2010

<sup>27</sup> No. of bill: 2011/CLXXV

has become a decisive criterion. The control of NGOs over funding, aims, criteria and legislative context is declining, while control by the government has intensified. Besides, administrative aggravations were introduced, such as reporting for all NGOs (not only public benefit ones) and a renewed registration of all public benefit foundations and NGOs at the courts.

According to recent criticism, the aim and the intention behind these acts of legislation is to narrow the scope of the services and support of NGOs which do not comply with the political line of the government. The government-rhetoric supporting the reform is based on the supposed idleness of NGOs and any criticism is framed as coming from and supporting the opposition.

#### 4. The Funding Situation for HRAW NGOs

Respondents we talked to during the project, believe that for HRAW NGOs in Hungary the majority of funding still consists of sources that are of foreign origin – be it international foundations such as OSI or CEE Trust or European sources.

Domestic sources represent only a small part of their income, and even that is raised with a great effort and energy. Some HRAW NGOs have already started to develop their constituencies through on-line fundraising using their social networks and Internet based communication and developing relationships with individuals that possess larger assets. But many more still remain in their traditional fundraising from institutions or foundations.

Domestic funding for HRAW NGOs is limited, similarly as in other countries of the region. The situation has not improved over the past several years, it rather deteriorated. The situation has become even worse with the new government on the one hand due to the enduring financial crisis and on the other hand due to the changed legal and political context. New local sources for HRAWs were not mobilized, unlike it was hoped for. Therefore many HRAW NGOs cannot imagine their future without government funding. This may even get worse in a few years given the grim outlook of public finances in Hungary after the fiscal crisis in 2010-2011 which may result in decreased domestic public funding for NGOs as such (as a part of public budget cuts).

The private giving culture develops very slowly. Most private corporate or individual giving is oriented towards social and health causes or for causes that are popular in media. Human rights or watchdog activities - being politically sensitive - are not among them. This applies also to the mechanism of 1% of income tax, which is allocated to recipients by individual taxpayers. The share of the human rights NGOs on the total funding available from the mechanism is perceived to be very small.

*„ These issues (HRAW) unfortunately seem more sophisticated for ordinary Hungarian citizens, probably this is the reason why we are not on the top of the list. There are certain topics which are much more attractive for people. It is very hard to collect money from 1% for NGOs working with Roma or homeless people“<sup>28</sup>.*

The potential for individual giving exists, but for HRAW NGOs it is developing slowly. An HRAW NGO that has experience with it reports:

*„Increasingly we have Hungarian individuals who are donating to us: a few hundred people are donating something between 25 and 50 dollars a year and then we have a few people who are donating much more and then we have no more than five people who are donating between 20,000*

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<sup>28</sup> Interview with observer of HRAW situation on March 17, 2010

*and 30,000 USD a year. At the end of 2010 we would be happy if around 25% of our full budget would come from Hungarian individuals. But it is increasing.*<sup>29</sup> ”

Membership development is also one of the strategies that is efficiently used by some NGOs:

*„We have a system which is called supporting members system and we do get some funding from them. You can become a supporting member even without paying but we encourage people to become paying supporting members. We don't have a specific amount so a supporting member can pay 5,000 as well as 50,000 forints but what we encourage most are monthly donations so that every single month we would get some money from them.”*<sup>30</sup>

Corporate giving exists and grows. It is the view of NGOs we talked to, that it follows corporate purposes mostly (e.g., marketing, PR). Restrictions on incentives for private giving have been introduced since 2009 - the tax benefits were cut for donors and for the organizations, which received the donations. The donor also had to pay VAT after the donations but this has been abolished in 2011.

The National Civic Fund was considered as an ineffective mechanism for support of HRAW NGOs even when it was functioning, due to its internal design problems that are criticized from within the NGO sector (lack of strategic directions, conflicts of interests as NGOs sit on its boards and at the same time act as recipients, lack of vision and leadership and egalitarian mentality – small amounts are divided to almost everybody)<sup>31</sup>. As mentioned above, the current government has remodeled the Fund and cut back its budget significantly (it will distribute around 1 billion HUF each year instead of 7 billion); in addition, it is expected to fund the “loyal” organizations. Therefore this source is seen as not relevant for HRAW NGOs.

On the level of domestic funding, a major source is EU Structural Funds. These funds have been primarily oriented to support NGOs in their service provision function and as such these funds were not directly relevant for HRAW NGOs, although NGOs could take advantage of them (for example the Societal Renewal Operational Program which is especially oriented for developing human resources, local communities). Within its framework there were several sub-programs and calls for proposals that were available for NGOs. The major disadvantage of EU SF for NGOs is their administrative complexity that makes a great burden on NGO recipients. Many NGOs have taken loans to advance funding for Structural Funds contracts and later on got into payback problems due to delays in payments. Often they took second mortgages on their property, and sometimes board and staff members even took out personal loans<sup>32</sup>. Moreover, according to the USAID 2010 report, EU agencies run by the government often withdraw funds, or demand total repay of them even in cases of minor failures, mostly due to the overbureaucratic administration.

Another important domestic source of funding, although originating outside of Hungary, was the Norwegian/EEA Financing Mechanism that ended in 2010. However,, the Financial Mechanism of Swiss Confederation, intended to replace it did not start as the new government suspended the decision.

*“The Norwegian fund was a success story in Hungary in the meaning that the topics were relevant, the implementing organization received many proposals. The advocacy, legal defense and human rights issues were among the priorities and these kinds of organizations could apply for certain projects. The only problem is that it was only temporary support and only for projects so it obviously would not solve the long-term sustainability problems. The fund was a model type of*

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<sup>29</sup> Interview with HRAW NGO Director, February 22, 2010

<sup>30</sup> Ibid.

<sup>31</sup> Interview with HRAW NGO Director, February 22, 2010

<sup>32</sup> USAID NGO Sustainability Report, Hungary, 2008

*program in the meaning that the whole implementation was on-line and it was very quick compared with EU structural funds distribution.<sup>33</sup>*

*"The Swiss fund is in Hungary in the stage that they selected an implementing organization but everything has come to a standstill with the new government. Based on the priorities of the selected organization if and when it is launched it will also be relevant for the human rights NGOs."<sup>34</sup>*

A structural factor related to the funding situation of HRAWs in Hungary is the lack of domestic independent grantmaking foundations, which could provide seed money for new NGOs, bridge funding for NGOs grappling with cash-flow problems due to late payment by the state, and institutional support to advocacy and watchdog organizations.

From among the international sources of funding relevant for HRAWs the most used are the International grantmaking foundations (OSI, CEE Trust) that still fund important share of HRAWs activities in Hungary today. For example the Emergency fund from OSI provided support to key NGOs that were affected by the financial crisis. The funds from the European Commission are also available and are used by HRAWs to some extent. The administrative requirements and co-funding requirement (sometimes up to 40%) still do mean that these funds remain inaccessible for many HRAW NGOs.

## 4.2 Hungary: Sources

### A. List of HRAWs (web contacts)

- The Hungarian Civil Liberties Union (HCLU / TASZ), <http://tasz.hu/en>
- The European Roma Rights Centre (ERRC), <http://www.errc.org>
- Transparency International (TI), Hungary, <http://www.transparency.hu/en>
- Demos Hungary Foundation, <http://www.demos.hu>
- The Századvég Foundation, <http://www.szazadveg.hu/en>
- Freedom House Europe, <http://www.freedomhouse.hu>
- The Public Interest Law Institute (PILI), <http://www.pili.org>
- Legal Defense Bureau for National and Ethnic Minorities (NEKI), <http://www.neki.hu>
- NANE Women's Rights Association, <http://www.nane.hu/english>
- Nonprofit Information and Training Centre, <http://www.niok.hu>
- Political Capital, <http://www.politicalcapital.hu>
- Perspective Institute (Nézőpont Intézet), <http://www.nezopontintezet.hu/en/aboutus.php>
- Hungarian Helsinki Committee, <http://helsinki.hu/Rolunk/htmls/>
- The Energia Klub, <http://www.energiaklub.hu/en>

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<sup>33</sup> Interview with observer of HRAW situation on March 17, 2010

<sup>34</sup> Ibid.

- K-Monitor Public Association, [www.k-monitor.hu](http://www.k-monitor.hu)
- Hungarian Environmental Partnership Foundation, <http://www.okotars.hu/en>
- The Center for Independent Journalism (CIJ), <http://www.cij.hu/en>
- Environmental Management and Law Association (EMLA), <http://emla.hu>
- National Society of Conservationists (NSC), [http://www.mtvsh.hu/index\\_en.php](http://www.mtvsh.hu/index_en.php)

## B. List of Respondents

- HRAW NGO, Director
- HRAW NGO Observer

## C. Literature and Resources

- 1) 2009 Human Rights Report: Hungary (US Dpt. of State, Bureau of Democracy, Human Rights and Labor)
- 2) Amnesty International Report 2009: State of the World's Human Rights
- 3) Nations in Transit 2009 (Freedom House)
- 4) 2008 NGO Sustainability Index (USAID)
- 5) Populist Politics and Liberal Democracy in Central and Eastern Europe (Grigorij Mesežnikov, IVO, Slovakia, 2008)
- 6) Sebestény I. – Scsaurszki T., Public Funding and Watchdog, Advocacy and Public Policy Think Tank Activities in Hungary, November 2005, [http://www.cpf.sk/files/File/full%20text%20ub%20en-partnerstva%20\(3\).pdf](http://www.cpf.sk/files/File/full%20text%20ub%20en-partnerstva%20(3).pdf)



## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 5.1 Latvia

#### 1. Human Rights, Accountability and Watchdog Issues

According to the US State Department 2009 report the human rights issues in Latvia included:

- serious police abuse of detainees and arrestees;
- poor conditions at police detention facilities, and overcrowding in prisons;
- judicial corruption;
- violence against women and child abuse;
- trafficking in persons;
- abusive behavior targeting ethnic and racial minorities that involves hate speech on the Internet<sup>1</sup>.

Additional Latvia-specific issues of a concern relate to the status of non-citizens including stateless persons, majority of whom were born in Latvia or lived there for most of their lives. According to the

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<sup>1</sup> <http://www.state.gov/g/drl/rls/hrrpti/2009/eur/136040.htm>

Amnesty International report in 2009 about 400,000 people remained stateless, leaving them exposed to various forms of discrimination, e.g. participation in political processes, rights to employment in civil service and private sector, or restricted abilities on property ownership. Apart from this, migrants and Roma were victims of discrimination and racially motivated attacks. Lesbian, gay, bisexual and transgender (LGBT) people also faced discrimination<sup>2</sup>.

Despite recent improvements in corruption perception according to Transparency International Corruption Perception Index 2009, Latvia still ranks low among other new EU member countries, equal to Slovakia and followed by Romania and Bulgaria<sup>3</sup>.

## 2. Key Human Rights, Accountability and Watchdog NGOs

Some of the HRAW NGOs include:

- Latvian Center for Human Rights<sup>4</sup> (LCHR) was established in 1993 to promote human rights and tolerance in Latvia through monitoring, research, advocacy, legal assistance and training activities. LCHR main focus is human rights in closed institutions, and social integration, including all minority-related and tolerance issues. LCHR staff lawyer provides free-of-charge legal assistance to individuals with human rights cases. LCHR publishes a Human Rights Report about the main developments and problems of the previous year in Latvia, which attracts significant media and public attention. The LCHR is actively involved in advocacy for change, ranging from raising public awareness to specific policy and legislative change. The NGO funds its activities mostly from foreign sources, the EU, the OSI network and foreign government sources, e.g. embassies, bilateral programs.
- Latvian Human Rights Committee<sup>5</sup> was founded in 1990. LHRC deals with social, economical and minority rights. It provides assistance to people that faced or face problems such as social security, dwelling issues, residence permits, receiving personal identification documents, acknowledging citizenship of Latvia. LHCR publishes reports on human rights in Latvia and its members have led legal cases before international human rights institutions. LHRC is a member of international human rights organizations FIDH<sup>6</sup>, UNITED<sup>7</sup>, ENAR<sup>8</sup> and AEDH<sup>9</sup>.
- Transparency International – Latvia (DELNA)<sup>10</sup> was established in 1998 as a Latvian chapter of the global anti-corruption movement. Its mission is to promote formation of a democratic society that is free of corruption in politics, business and mutual relations. TI Latvia maintains leading positions in the publicity index and is considered a trustworthy source of information TI Latvia demands accountability from public institutions and officials. It started a public debate about regulating political party financing, was involved in preventing illegal construction in the dunes area of the Baltic Sea. TI Latvia covers issues of freedom of information, political party financing, business ethics, misuse of state administrative resources, prevention of illegal construction, territorial

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<sup>2</sup> <http://thereport.amnesty.org/en/regions/europe-central-asia/latvia>

<sup>3</sup> [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)

<sup>4</sup> <http://www.humanrights.org.lv>

<sup>5</sup> <http://www.rakurs.lv/fidh1/?lang=en>

<sup>6</sup> International Federation of Human Rights, <http://www.fidh.org/-english->

<sup>7</sup> United for Intercultural Action, <http://www.unitedagainstracism.org/>

<sup>8</sup> European Network Against Racism, <http://www.enar-eu.org/>

<sup>9</sup> European Association for the Defense of Human Rights, <http://www.aedh.eu/?lang=en>

<sup>10</sup> <http://www.delna.lv>

planning, conflicts of interest of public officials, state and municipal procurement and other public watchdog functions.

- Center for Public Policy – Providus<sup>11</sup> was established at the end of 2002 by the Soros Foundation-Latvia and several individuals and has since developed as the leading think-tank in Latvia. PROVIDUS mission is to facilitate comprehensive policy change in areas important for Latvia's development. It also provides expertise to other countries undergoing democratic transformation. PROVIDUS is both a source of expertise and an "agent of change" in good governance, including anti-corruption, criminal justice policy, tolerance and inclusive public policy, European policy. It also provides institutional home for the largest on-line policy resource in Latvia – politika.lv. PROVIDUS has 18 full and part-time employees. Its main sources of funding come mostly from foreign resources (OSI network, foundations and EU and foreign public sources).
- There are also other NGOs that deal with specific issues. For example, Apeirons<sup>12</sup> is concerned with persons with physical disabilities; Marta<sup>13</sup> focuses on protecting women's rights, Zelda<sup>14</sup> focuses on persons with mental disability.

### 3. Situation of the HRAW NGOs and their Sustainability

In 2008 USAID rated Latvia as a country where NGOs' sustainability is consolidated and the country gets similar ranking in a number of indicators as Lithuania and follows Estonia which, based on these index rankings, is the Baltic leader.<sup>15</sup>

Freedom House in its 2009 report mentions that the NGO activity is *"in a state of flux because of the loss of financing by foreign donors and reorientation to self-sustainability. Government funding and especially seed money to access European Union (EU) funds have provided some relief .... Latvian NGOs face many problems besides financing. Organizational capacity is low. Most NGOs are small groups composed of about two dozen individuals who often lack basic training in financial, legal, administrative, and public relations skills. They greatly depend on part-time volunteers who do not have the time or energy to plan and focus on long-term strategies. Even those organizations with paid staff often find themselves tied to specific projects rather than having a continuous source of personnel financing. As one activist claimed, this "Russian roulette" financing militated against long-term planning."*<sup>16</sup>

The two key factors that seem to shape the sustainability situation of Latvian HRAW NGOs are the financial resources and human resources.

In terms of the public interest NGOs, in which HRAW NGOs shall be included, their financial situation has been worsening since accession to the EU. The initial impetus and excitement after the entry was followed by the challenges in securing funding from the EU sources and in competing with more developed NGOs from abroad. The capacity of the HRAW NGOs has not been sustained over time, i.e. retaining and developing permanent staff became very difficult.

*"...the human resources, the ability to retain staff is very tied to the finance, it's something that cripples many NGOs" (a Latvian NGO representative).*

Similarly as in other countries, this has been partly solved by orientation towards project funding, which

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<sup>11</sup> <http://www.providus.lv>

<sup>12</sup> <http://www.apeirons.lv>

<sup>13</sup> <http://www.marta.lv>

<sup>14</sup> <http://www.zelda.org.lv>

<sup>15</sup> USAID NGO Sustainability Index, 2008, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/latvia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/latvia.pdf)

<sup>16</sup> The rating for civil society remains at 1.75 according to the Freedom House, Nations in Transit, Country Report, 2008, Latvia.

allowed these organizations to maintain some capacity, although, not allowing them for increasing their specialisation, quality and expertise.<sup>17</sup> . The funding problems were aggravated by the fiscal crisis in Latvia in 2008/2009.

Many of these NGOs are personality driven, which weakens their sustainability. The committed individuals among staff, volunteers, experts are an important asset of HRAW NGOs in Latvia and keeps these organizations alive. At the same time they contribute to risk that organizations will decline once these staff discontinue their affiliation with the organization. This example is symptomatic to a situation in the broader region of CEE, where HRAW NGOs are able to shape and step into policy discourses with significant impact, but that happens often with very inadequate organizational setting and support.

#### **4. Overall funding situation in particular for HRAW NGOs<sup>18</sup>.**

The funding situation of NGOs in Lithuania is considered by the 2008 USAID NGO Sustainability Index as still in transition and slightly deteriorating due to the impacts of the financial crisis on the Latvian economy. The crisis affected government funding for NGOs, which seems to hit the sector harder, than in neighboring Lithuania or Estonia. This was confirmed through interviews with Latvian HRAW NGOs.

For the HRAW NGOs the funding situation has been deteriorating and different sources report almost full reliance on international funding.<sup>19</sup> The fact, that majority of funding of HRAW NGOs is of foreign origin has some advantages – one of them is that it allows the HRAW NGOs to maintain their independent stance vis-à-vis governmental institutions in Latvia.

HRAW NGOs in Latvia draw their resources primarily from traditional donors, such as Open Society Institute and its network members or from the EU originated funding – mostly from Brussels based (DGs) or with co-funding from national sources.

The EU funding from the Commission includes different calls for proposals from various DGs and their agencies. They represent an important source of income of the HRAW NGOs in Latvia. This type of funding seems to have two secondary effects.

- 1) Oftentimes these funds stimulate their recipients to intensify their involvement with cooperating partners from other European countries, which is considered as a good practice in general and it opens the perspective to a broader European level dialogue. The negative aspect of this is that the HRAW NGOs have less capacity to address domestic issues in such scope and quality as it would be needed.
- 2) Second, these partnerships are often only project based and do not develop into longer-term or sustainable relationships.

Nevertheless, this funding is considered as useful as it allows to human rights NGOs to fully exert their independence in their judgements towards domestic issues. Similar to the EU funding, there are also some smaller funding opportunities within other intergovernmental cooperation entities such as the Nordic Council or the Council of the Baltic Sea States<sup>20</sup> .

The decreased national funding for national issues (i.e. in-country activities) is also reflected by the

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<sup>17</sup> Interview with HRAW NGO.

<sup>18</sup> Information in the section is based on interviews with Latvian HRAW NGO representatives and reports of HRAW NGOs.

<sup>19</sup> Interviews with Latvian HRAW NGO representatives , February, March 2010

<sup>20</sup> <http://www.cbss.org>

decreased ability of NGOs to address national issues more intensively, which are – as it is shown in the beginning of this chapter – still very relevant and important for the Latvian society.

The role of private donations (individuals and corporate) in HRAW NGOs funding portfolio is insignificant. The NGOs are eligible for acquiring a public benefit status allowing tax deductions on donations from taxpayers. The orientation of corporate contributions is primarily on such issues such as children, health, handicapped, etc.

Some NGOs are able to generate a more than just insignificant share of income from their service provision, but that relates more to education, training and consulting work in the policy area, rather than in the area of watchdog, human rights and accountability.

There is public funding available from government sources, however, HRAW NGOs feel that this funding limits them in their independent stance on various domestic issues. In this category one may include also the Social Integration Fund, Norwegian Financial Mechanism and Swiss Financial Mechanism, that are operated by national agencies. There are reports that these funding schemes are quite bureaucratic and demanding in terms of reporting.

Funding from the EU structural funds, for example from the European Social Fund, has not been relevant for human right or watchdog activities.<sup>21</sup> There are no signs of using revenues from privatisation or from lottery funds.

## **5. Potential funding for HRAW NGOs**

The potential of private sector for supporting NGOs is not disputed, however, it is not perceived as realistic in any near future. It is unlikely that it may replace public funding for HRAW NGOs, mainly due to the fact that the issues that HRAW NGOs deal with are controversial and uneasy for local philanthropic culture.

There is a shared view that the long term answer to the financial problems of public interest NGOs is perceived to be the domestic funding. Unfortunately, there are no specific potential sources that would be opening up in Latvia beyond the existing ones, based on the reports from the HRAW NGOs and from the research from other sources. One of the key strategies in this regards is to influence general public opinion, so that it will create a greater support and backing up for these NGOs. One of the respondents estimated that these efforts, if taken in effective manner, may bring fruit after 10 years or more.

Due to the recent fiscal crisis in Latvia, fiscal regulations have been changing in a fast pace, which theoretically may represent an opportunity to work towards a more stimulating tax environment for private giving, as one respondent noted. This remains a speculative option, as there are no signs of such initiative reported.

## **6. Conclusions and Recommendations**

The situation of HRAW NGOs in Latvia is similar to other countries in the nearer region of Baltic countries – Lithuania and Estonia. HRAW activities are important, however, without backing from the broader population. There is a limited understanding of the role of such organizations in the government as well. The funding base of HRAW NGOs is almost fully foreign based, which allows for reasonable independence

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<sup>21</sup> Interview with latvian NGO representative, March 2010

regarding domestic issues, but at the same time makes these organizations' vulnerable to changing donors' priorities.

Good practice is seen in active involvement in international human rights and good governance networks that increase options as well as in use of domestic networks of experts and volunteers. Sometimes this also dilutes the capacity of these organizations to issues that are not in their primary focus.

It is very likely, that HRAW NGOs in Latvia, similarly as in other countries of the region will continue to use variety of opportunities to use funding for their purposes, however, their internal challenges such as the dependancy on several personalities will change very slowly. It is important for the sector to ensure the long-term quality of HRAW staff and their development.

Given this situation, it is not surprising that there is a general view that foreign funding will be for the time being the only realistic funding available for the human rights and watchdog activities in Latvia. In line with this thought, one of the respondents suggested that for HRAW NGOs in the region it would be useful to establish some sort of regional grant competition from EU resources for particularly human rights organizations and watchdog NGOs on the regional Baltic level. This proposal has been mentioned only as an idea without any further assessment of its feasibility.

## 5.2 Latvia: Sources

### A. List of Selected HRAW NGOs

- Latvian Center for Human Rights, <http://www.humanrights.org.lv/html/>
- Center for Public Policy – Providus, [www.providus.lv](http://www.providus.lv),
- Latvian Human Rights Committee, <http://www.rakurs.lv/fidh1/index.php?lang=en>
- Transparency International – Latvia (DELNA), [www.delna.lv](http://www.delna.lv)
- Apeirons – Organization of People with Disabilities and their Friends, [www.apeirons.lv](http://www.apeirons.lv)
- Marta – The Resource Center for Women, [www.marta.lv](http://www.marta.lv)
- Zelta – The Resource Center for People with Mental Disability, [www.zelda.org.lv](http://www.zelda.org.lv)
- Civic Alliance – Latvia (CAL), [www.nvo.lv](http://www.nvo.lv)

### B. Literature and Resources

- 1) Interview with human rights NGO director, February 2010
- 2) Interview with observer of the NGO scene, March 2010
- 3) *Latvia 2009 Human Rights Report*, 2009 Country Reports on Human Rights Practices, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, US Department of State March 11, 2010, <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136042.htm>
- 4) *Corruption Perception Index 2009*, Transparency International, [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)
- 5) *USAID NGO Sustainability Index 2008*, Latvia, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/latvia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/latvia.pdf)

- 6) <http://www.cbss.org> (Council of Baltic Sea States)
- 7) <http://www.zelda.org.lv>
- 8) <http://www.apeirons.lv>
- 9) <http://www.marta.lv>
- 10) <http://www.freedomhouse.org>, Nations in Transit, Latvia, Freedom House, 2009
- 11) <http://thereport.amnesty.org>, Amnesty International Report 2009, State of the World's Human Rights, Latvia

## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 6.1 Lithuania

#### 1. Human Rights, Accountability and Watchdog Issues

Several independent reports made recently by domestic and international organizations, such as Human Rights Monitoring Institute, US State Department, Amnesty International, mention a number of issues that are of concern in Lithuania from the human rights and governance perspective.

The issues are related to inadequate police behavior, prison conditions, freedom of speech and others. There is observable spread of discrimination, racism, anti-Semitism and other forms of intolerance.

*"On March 4, the Human Rights Monitoring Institute and the Center for Equality Advancement asked the Vilnius Municipality for a permit to hold a rally and march supporting democracy, human rights, and tolerance, on the country's Independence Day, March 11. However, city officials refused to issue the permit. At the same time, municipal officials issued a certificate for a march, scheduled the same day, organized by the Lithuanian National Center, a group that espoused and demonstrated intolerance toward other racial, ethnic, and religious groups, claimed that human*



*rights and antifascism were examples of extremism, and openly sympathized with neo-Nazi groups. Local human rights organizations appealed to the Vilnius First District Court, claiming that the denial was discriminatory. On September 21, the court dismissed the complaint on the grounds that the police would not have been able to preserve public order if the two events had taken place on the same day.<sup>1</sup>*

Reports of continued corruption in the police and government are frequent. Domestic violence and child abuse, trafficking in women and children and intolerance of sexual and ethnic minorities were problems<sup>2</sup>. Rights of different social groups including patients, people with disabilities, women, children, prisoners are not properly protected. The judiciary system shows cases of corruption and ineffectiveness, thus limiting the right to fair trial.

*"A 2007 study by the EU Agency for Fundamental Rights concluded that governmental responses to cases of ethnic discrimination were ineffective and that insufficient attention was given to the problem. According to the agency's research, the law provides possibilities to complain about ethnic discrimination, but the penalties usually applied in such cases were insufficient, and victims received insufficient or no compensation. On April 15, 2009 the government approved a new National Antidiscrimination Program for 2009-11. The government allocated no funds for the program during the year, but allocated 30,000 litas (\$12,510) for 2010. The EU allocated 500,000 litas (\$208,500) for the year, 1.9 million litas (\$ 792,300) for 2010, and 2.1 million litas (\$875,700) for 2011<sup>3</sup>."*

Corruption is an important issue of public concern. Lithuania ranks 52th in the corruption perception index (CPI) out of 180 countries surveyed.

The above examples show the need to address these issues by various societal actors including the human rights and watchdog NGOs. At the same time some of these issues – for example the gay rights or migrant rights – are quite unpopular among the public which then perceives all efforts towards human rights protection as controversial and does not support the work and efforts of HRAW NGOs.

The recognition of NGOs by general public remains limited. As the 2009 USAID NGO Sustainability Index mentions, the survey commissioned by the Lithuanian Lawyers Association found in August 2009 showed that 53% of population does not know what an NGO is and 43 % can not name a single NGO.

## 2. Key Human Rights, Accountability and Watchdog NGOs

The role of HRAW NGOs in protection of human rights is considered second after the role of mass media by half of the population<sup>4</sup>.

NGOs are active in the areas of monitoring human rights, litigation, drawing attention to public corruption, trafficking of women, advocating on behalf of victims of domestic violence, raising these issues to a policy levels, provision of support and assistance services to victims. However, interviews with several HRAW NGOs also suggest that the public, despite its understanding of the HRAW role, in real life decides to support less controversial issues than human rights and watchdog activities.

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<sup>1</sup> Human Rights in Lithuania 2007-2008 - Overview. Human Rights Monitoring Institute, Vilnius, 2009

<sup>2</sup> Lithuania 2009 Human Rights Report, US Department of State <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136042.htm>

<sup>3</sup> Lithuania 2009 Human Rights Report, US Department of State <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136042.htm>

<sup>4</sup> Human Rights in Lithuania, Seimas of the Republic of Lithuania, UNDP and the Law Institute, 2005

Some of the HRAW NGOs include:

- Human Rights Monitoring Institute<sup>5</sup> (HRMI) was founded in 2003 with the mission to promote an open democratic society through the consolidation of human rights and freedoms. The strategic goals of the Institute are: developing capacity of the civil society to follow and influence the governmental human rights policy and practice; encouraging Lithuanians to exercise their rights and assist in defending those rights; developing a culture respectful of human rights in Lithuania by raising awareness of human rights violations, their causes and consequences, and stimulating public discussions and dialogue between civil society and state institutions. With a staff of four people, HRMI conducts daily monitoring of public institutions' activities, publicly reacts to human rights abuses or potential violations, carries out research, prepares conclusions and recommendations, and initiates strategic litigation<sup>6</sup>.
- Transparency International – Lithuania Chapter is a non-profit organization, established in 2000 by the Open Society Fund Lithuania. Its purpose is to analyse the phenomenon of corruption, to promote civic anticorruption initiatives and to inform the public of the anticorruption activities in Lithuania. It organizes trainings, publishes anticorruption publications, communicates and cooperates with media and public organizations in the implementation of various anticorruption programs. It influences public opinion and by means of various joint actions with informal groups, individuals, non-governmental organizations, state institutions, media and religious organizations to form open intolerance for corruption.<sup>7</sup>
- Center for Equality Advancement<sup>8</sup> - one of the most active NGOs that focuses on issues of women rights. It carries out educational and watchdog activities.
- The Civil Society Institute was founded by the Open Society Fund-Lithuania and Valdas Adamkus Foundation in July 2004. It promotes civic initiatives and reinforces civic attitudes in society, influences legislative issues and political decision-making, formulating policy proposals based on the monitoring of legislation as well as on the analysis of public policy; analyses public policy and political culture in Lithuania and publicly expresses opinion concerning pressing issues in the development of civil society in Lithuania; assists various interest-groups in their defence of the idea of civil society and initiates public discussions and debates.<sup>9</sup>
- Lithuanian Centre for Human Rights (LCHR) focuses on the education and dissemination of knowledge about international and European Union human rights standards, promotion of tolerance and respect to diversity; capacity building and awareness raising on issues of vulnerable groups and minorities; observance of human rights standards at national level, providing suggestions and consultations to the government and the legislator<sup>10</sup>.
- Lithuanian Human Rights Association – one of the oldest human rights NGOs with links to former dissidents, somewhat traditional in their approach to human rights, with freelance lawyers working on a voluntary basis on issues such as protecting women's and children's rights, monitoring police

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<sup>5</sup> <http://www.hrmi.lt>

<sup>6</sup> HRMI Activity Report 2008, Vilnius 2009,

[http://www.hrmi.lt/uploaded/ZTSI%20Veiklos%20atask/HRMI\\_Annual\\_Activity\\_Report\\_2008\\_web.pdf](http://www.hrmi.lt/uploaded/ZTSI%20Veiklos%20atask/HRMI_Annual_Activity_Report_2008_web.pdf)

<sup>7</sup> <http://www.transparency.lt>

<sup>8</sup> <http://www.gap.lt>

<sup>9</sup> <http://www.civitas.lt>

<sup>10</sup> <http://www.lchr.lt>

and security services, and watching over human rights developments in Lithuania. <sup>11</sup>

- There are also other NGOs active in the field of human rights and civic advocacy - Lithuanian Citizens Advice Union, Lithuanian Human Rights League<sup>12</sup>, Center for Civic Initiatives<sup>13</sup>, Women's Issues Information Center<sup>14</sup>

### 3. Situation of the HRAW NGOs and their Sustainability

In 2008 USAID rates Lithuania as a country where NGOs' sustainability is somewhat consolidated, but where „NGOs have not been able to maintain steady and purposeful presence in public life and their ability to come to terms with the situation without external donors is limited“. <sup>15</sup> It is a country that lags behind Estonia in a number of indicators and its situation over last years has been stable.

The reports from the HRAW NGOs directly suggest that position of HRAW NGOs in Lithuania is difficult and in comparison to the rest of the NGO sector the HRAW NGOs are less sustainable. This finding is not surprising and is similar as to other new EU member states. As such, HRAW NGOs get less support – moral and material from the public and business sector than other charitable and service oriented NGOs.

This is attributable to the very nature of their work that has less resonance in a general public compared to charities and limits HRAW ability to secure funding from the private sector. Also, as one respondent mentions „...businesses tend to avoid supporting HRAW NGOs because they are afraid of suffering damage from the state institutions (tax inspection, etc.)“. <sup>16</sup> The consequences of this are that many HRAW NGOs live day by day and do not see future in the long term. Often these NGOs are project based. The lack of resources is not related only to domestic funding, but to funding from both, domestic and international sources, although the latter dominate in the structure of income of HRAW NGOs.

In terms of social and political context there is also a tendency in Lithuania to put economic development as the top priority, particularly emphasised after the financial crisis. Public opinion considers human rights and governance issues not important or thinks they will settle by themselves. This mixture of Marxism and free market fundamentalism emerges in many countries of the region and represents an important socio-cultural and political attitude that is a factor in the policy-setting towards the HRAW NGOs and allocation of private and public support to civil society.

There are some tax incentives for corporations to stimulate giving, however, these are considered as insignificant by the HRAW NGOs.

On the level of organizational effectiveness, leadership and management, there are also signs of deficiencies. There is a generational issue – the older human rights defenders' generation is strong in leadership qualities, but lacks the capacity of modern and effective management. There are also conceptual differences regarding the human rights protection.

The newer human rights organizations struggle with the departure of the traditional foreign donors and with adjusting to the new reality. However, there are signs that younger people show interest in participating in the activities of HRAW NGOs.

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<sup>11</sup> <http://www.lzta.lt/>

<sup>12</sup> <http://www.lhrl.lt>

<sup>13</sup> <http://www.pic.lt>

<sup>14</sup> <http://www.lygus.lt>

<sup>15</sup> USAID NGO Sustainability Index, 2008, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/lithuania.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/lithuania.pdf)

<sup>16</sup> Interviews with HRAW NGO representatives from Lithuania, February/March 2010

#### 4. Overall funding situation in particular for HRAW NGOs.

The funding situation for NGOs in general in Lithuania is considered by the 2009 USAID NGO Sustainability Index as consolidated and remains over several last years on the same level with a slight decrease in 2009. For HRAW NGOs the situation has been quite stressful.

There is public funding available from government sources, however, with bureaucratic impediments and obstacles. There is a tension between the government and watchdogs as they criticise the government. This has also a financial backlash. Small grants from Ministries are available for education, but not for watchdog activities in human rights.

The EU structural funds are also available, however, they are very difficult to access due to 20% co-funding requirement for NGOs, that is a great obstacle. The Lithuanian government has not been able to reduce this requirement, unlike some other countries were able to negotiate for NGOs' benefit to decrease the level of co-funding.

The percentage mechanism is in place and used. It is technically available also for HRAW NGOs and it is tapped by traditional fundraising techniques. However, these do not work as the taxpayers provide their percentage to schools and hospitals mostly and avoid less attractive topics that human rights groups raise. Furthermore, the mechanism in Lithuania is available both for public institutions and NGOs that compete with each other. Investment into attracting contributions through the percentage mechanism were reported by HRAW NGOs as not economic, as the gains are too small for the costs occurred.

After the phase-out of Baltic American Partnership Fund, the foreign donors left are the Open Society Foundation and the Norwegian and Swiss Financial Mechanism. These mechanisms are reported to be highly administratively demanding and delayed with no specific funding priority for watchdog activities.

As already mentioned, in terms of income structure of typical HRAW NGO, there is a dominance of foreign funding with little domestic funding available. The existing domestic funding sources ( services, products, percentage philanthropy) comply up to 1% -5% of total income in HRAW NGOs.

Funding of the European Commission is hardly accessible for Lithuanian NGOs due to administrative difficulties.

There is also the Civic Responsibility Foundation<sup>17</sup> – that grew out of the Baltic American Partnership Program co-funded by the OSI and USAID. It is focused on developing the culture of philanthropy in Lithuania. Its ambition is to grow into a stable grant-making foundation and promote indigenous philanthropy in Lithuania. The foundation started its activities in 2009 and is still in a start-up phase. Funding it facilitates is not particularly relevant to HRAW NGOs.

The financial crisis curbed the corporate funding to NGOs. However, the experience of the HRAW NGOs is that it is mostly used for projects that benefit the corporate sector – if not, then the interest is not present.

#### 5. Potential funding for HRAW NGOs

There is a discussion among NGOs and some government officials about possibilities of establishing an endowment as an instrument in the body of law – but according to the respondents, it may take two-three years to adopt the new legislation and create necessary infrastructure for it. Ministry of Justice' working group was recently established and suggested a package of amendments which shall go to the government

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<sup>17</sup> <http://www.paf.lt>

and parliament. Giving endowment, receiving endowment and return on investment on endowment shall be made tax free or tax deductible. However, the impact of such legislation on the HRAW NGOs is very difficult to predict, especially in a highly uncertain financial environment of global markets.

In Lithuania, there are almost no domestic grant-making foundations although some believe that their existence could be very useful for the HRAW community – as these foundations could serve as an intermediary between domestic (corporate and individuals) donors and recipients. The efforts towards their establishment are under way, e.g. Foundation for Civic Responsibility, however, potential for their growth and ability to generate new resources is relatively low.

There are also new ways of generating support – through on-line giving platforms. Aukok.lt is a donations portal that is the first online donations website in Lithuania, enabling individuals and legal entities to contribute to various activities. It was launched in September 2009 by the Civic Responsibility Foundation and the Goodwill Projects NGO. By October 2010 it raised 400 thousand Lt (\$160 thousand) for variety of issues ranging from building an oncology center to abandoned animals shelter or center for abused children. The HRAW NGOs are included among the calls, but their contribution rate is quite limited<sup>18</sup>.

## 6. Conclusions and Recommendations

There are couple of recommendations towards the HRAW NGOs to try to deal with their difficult situation. These recommendations are based on their own assessment, rather than an outside experts' views.

- It seems a fair assessment that the main barrier for intensified fundraising for HRAW NGOs in Lithuania is their limited capacity. Public funding (EU, Norwegian, government) that is available focuses more on education activities, rather than on institutional development and its tapping is hard to access by these NGOs due to administrative difficulties. The funding shall also allow for longer term institutional support, not just a project support.
- Response of the public to the calls for funds by HRAW NGOs is low and due to the low attractiveness of messages by HRAW NGOs and low interest of the public in the issues.
- HRAW NGOs shall make constant efforts to bring closer their “products” to the the general public, however difficult this task might seem, given the majority popular opinions and attitudes that do not favor the human rights or watchdog issues. Similarly, HRAW NGOs shall, if they can, try to be more visible in the public through media events, story writing/telling, etc.
- Some HRAW NGOs that provide services – especially research and analysis and consulting – may take the advantage of broad networks of their collaborators, who have an expertise and experience. It is a way for HRAW NGO to save some costs and become more competitive in various tenders and calls. This particular case is relevant to the research in human rights.

The EU in this situation tends to be perceived as an actor that shall understand these difficulties as unfinished and to be addressed with external assistance. Along this expectation there is a belief, that the situation in Lithuania is significantly different than in any of the “old” EU members and therefore the EC shall take a different approach in deciding to support or not support civic involvement, human rights and watchdog type of activities. At the same time, EC should ease the requirement and increase possibilities

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<sup>18</sup> <http://www.aukok.lt/Projects>

for applying for human rights protection and watchdog projects, not just educational activities and provide for longer term projects, not just short term ones.

On a general level of the funding, it is not clear what shall be the strategic direction for addressing it in Lithuania – private, public or earned income options. There are also different views regarding the priority given to domestic funding and foreign funding. A realistic scenario for the future seems to be a combination of all different sources, where the major share will be played by the public sources, mostly foreign ones, complemented by some domestic, mostly public/government funding. Private domestic funding, however desired will not play a major role in funding of HRAW NGOs activities in Lithuania in nearest future. There is a consensual view, that domestic support for HRAW activities is ideal and optimal, but to achieve this in a middle-short term does not seem realistic.

A specific initiative in Lithuania currently taking place worth mentioning is the endowment initiative that is promoted by some NGOs – with expectation that a national endowment may bring resources for supporting institutional stability of NGOs. The role of government in this initiative is in creating incentives for private sector to contribute for building endowments. These views, that emphasise the role of private sector, also emphasise the fact that HRAW NGOs shall improve communication to individuals to generate more support in long term.

There are views that advocate for a stronger and direct government involvement in funding NGOs in general by creating or pooling funds, while recognising the problems of independence. In this sense there are views among the HRAW NGOs that the Lithuanian government and EC should step up to create a pool of government funds where NGOs could apply and compete for funding (in other countries similar funds exist in relation to the Norwegian or Swiss mechanisms but not with the EC).

The earned income option emerges as well – however, it is recognised that it depends on the projects of an NGO. If possibility exists, it shall be used. But if these are unrelated activities, then it is a questionable solution.

## 6.2 Lithuania: Sources

### A. List of Selected HRAW NGOs

- Human Rights Monitoring Institute, Vilnius, [www.hrmi.lt](http://www.hrmi.lt), Henrikas Mickevičius, Director, email: [h.mickevicius@hrmi.lt](mailto:h.mickevicius@hrmi.lt);
- Transparency International Lithuanian Chapter, Vilnius. [www.transparency.lt](http://www.transparency.lt) Sergej Muravjov, Director [sergejus@transparency.lt](mailto:sergejus@transparency.lt)
- NGO Information and Support Centre, Martinas Žaltauskas, Director, <http://www.nisc.lt>, [martinas@nisc.lt](mailto:martinas@nisc.lt) – it does ad hoc monitoring of NGO legislation
- NGO Law Centre, Director Vaida Pilibavičiute ([vaida@nvoteise.lt](mailto:vaida@nvoteise.lt), [www.nvoteise.lt](http://www.nvoteise.lt))
- Civil Society Institute, [www.civitas.lt](http://www.civitas.lt), Darius Kuolys, Director, Project Coordinator Ruta Ziliukaite ([r.ziliukaite@takas.lt](mailto:r.ziliukaite@takas.lt)).
- Lithuanian Human Rights Association
- Lithuanian Human Rights League, Nijole Staciokiene, Director ([info@lhrl.lt](mailto:info@lhrl.lt); [www.lhrl.lt](http://www.lhrl.lt))
- Human Rights Centre, Edita Ziobiene, Director ([info@lchr.lt](mailto:info@lchr.lt); <http://www.lchr.lt>)
- Lithuanian Citizens' Advice Union

- Centre for Civic Initiatives, Girvydas Duoblys, Director; www.pic.lt, girvydas@pic.lt;
- Women's Issues Information Centre, Jurate Seduikiene, Director (www.lygus.lt; jurate@lygus.lt) –
- Center for Equality Advancement, Virginija Aleksejune, Director virginija@gap.lt; www.gap.lt

## B. Literature and Resources

*Human Rights in Lithuania*, Seimas of the Republic of Lithuania, UNDP and the Law Institute, 2005  
*HRMI Activity Report 2008*, Vilnius 2009,

*Human Rights in Lithuania 2007-2008 - Overview*. Human Rights Monitoring Institute, Vilnius, 2009

- 1) Interview with director of human rights NGO director, February 2010
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- 3) Interview with observer of the NGO scene, March 2010
- 4) *Lithuania 2009 Human Rights Report*, 2009 Country Reports on Human Rights Practices, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, US Department of State March 11, 2010, <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136042.htm>
- 5) USAID NGO Sustainability Index 2008,
- 6) <http://www.civitas.lt>
- 7) <http://www.gap.lt>
- 8) <http://www.lchr.lt>
- 9) <http://www.lhrl.lt>
- 10) <http://www.lygus.lt>
- 11) <http://www.lzta.lt>
- 12) <http://www.pic.lt>
- 13) <http://www.transparency.lt>

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### 7.2 Poland

#### 1. Human Rights, Accountability and Watchdog Issues

According to the reports of foreign or international organizations that observe the situation in the human rights and governmental accountability major issues in Poland recently include:

- Corruption
- Police misconduct
- Discrimination against women
- Inefficient and extremely slow judicial system.

Among other issues that are also worth noticing belong also incidents of anti-Semitism, trafficking persons and societal discrimination and violence against ethnic minorities, gays and lesbians.<sup>1 2</sup>

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<sup>1</sup> <http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154444.htm>



In terms of the corruption and judicial system inefficiencies, there are efforts of the government to improve the situation. The US State Department Human Rights Report mentions:

*“The law provides criminal penalties for official corruption; however, the government did not always implement these laws effectively, and officials sometimes engaged in corrupt practices”.*

The Report also states that according to World Bank governance indicators for 2008, corruption was a problem in the country. There was a widespread public perception of corruption throughout the government. Citizens continued to believe that political parties and members of the legislative branch, the health care system, and the judiciary were the most corrupt.<sup>3</sup>

Similarly, the Nations in Transit Report for 2010 states that the 2009 scandals that revealed links of the top politicians with corruption (gambling industry, phone taps scandal – against investigative journalists) have shaken the confidence Polish population to their political class<sup>4</sup>.

In a more regional comparative perspective, the situation in Poland is not exceptional. For example the Transparency International Corruption Perception Index for 2010 ranks Poland as the third of the 10 New EU member countries, following Estonia and Slovenia, however, still being 21<sup>st</sup> out of 30 countries in the regional grouping.<sup>5</sup>

Another important human rights area is the discrimination against ethnic minorities and xenophobia. These issues have been analyzed in 2008 report on Xenophobia and Ethnic Discrimination in Poland of 2008 by the Helsinki Foundation for Human Rights<sup>6</sup>. The reports writes that despite Poland is an ethnically homogenous country, this issue becomes manifested especially against people who are distinctively different from the majority population or do not conform to the traditional societal expectations<sup>7</sup>. Following the Poland's accession to the EU the number of foreigners and migrants settling down in Poland has been on the rise. The most severely are affected Roma, but also foreigners coming from the Africa, Caucasus or Turkey.

Gender discrimination is also a subject of attention. The Amnesty International reports that in May 2010 Poland was referred to the European Court of Justice by the European Commission for failing to incorporate into national law EU legislation prohibiting gender discrimination in access to, and supply of, goods and services. The anti-discrimination legislation had not been adopted by the end of December of that year.<sup>8</sup>

The UN Committee on Economic, Social and Cultural Rights criticized Poland for not guaranteeing basic sexual and reproductive health services such as contraception and family planning services.

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<sup>2</sup> <http://www.freedomhouse.eu/images/Reports/NIT-2010-Poland-final.pdf>

<sup>3</sup> <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136051.htm>

<sup>4</sup> <http://www.freedomhouse.eu/images/Reports/NIT-2010-Poland-final.pdf>

<sup>5</sup> [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2010/results](http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results)

<sup>6</sup> <http://humanrightshouse.org/Articles/5479.html> - Xenophobia and Ethnic Discrimination in Poland – Outline of the Situation. Agnieszka Mikulska, February 2008, Helsinska Fundacja Praw Czlowieka

<sup>7</sup> According to the census results, in 2002 the population of Poland was 38,230,000 people, out of which 96.74% declared Polish nationality. The remaining 3.26% are the people belonging to ethnic and national minorities, foreigners or migrants

<sup>8</sup> <http://www.amnesty.org/en/region/poland/report-2010>

## 2. Key Human Rights, Accountability and Watchdog NGOs

Poland NGO sector is one of the most developed in the former post-communist countries with strong human rights protection traditions. Similarly, as in other countries of the region, the human rights and governance issues have been significantly supported financially from the donor community during the nineties and early 2000 which contributed also to the growth of number initiatives in the area of traditional human rights protection or “newer” issues such as LGBT or women rights protection. Also, there is a group of organizations that has been focusing on corruption and governance issues (access to justice, access to information, privacy issues, etc).

It should be noted that specific watchdog NGOs are not very common as many NGOs are involved watchdog or advocacy work only as one line of their activity and not their mission. Also for the public the “watchdog” function is not particularly clear.

Among the key human rights accountability and watchdog NGOs can be included following:

**Helsinki Foundation for Human Rights** based in Warsaw, was established in 1989. Its creation was preceded by the seven year of activity of the Helsinki Committee in Poland, which existed in the underground since 1982. The Foundation focuses on public education, human rights training and monitoring. Among other activities it conducts strategic litigation, public interest law activities, defense of rights of minorities, children rights. Currently, the Helsinki Foundation for Human Rights is one of the most experienced and professional non-government organisations active in the field of human rights in Europe.<sup>9</sup>

**Stephan Batory Foundation Anti-corruption Program.** Stefan Batory Foundation is an independent private Polish foundation established in 1988 by philanthropist George Soros and a group of Polish democratic leaders of 80's. It's mission is to support the development of an open, democratic society in Poland and other Central and East European countries. The Anti-Corruption Program ambition is to reduce the scale of the corruption problem in Poland by fostering attitude shifts amongst citizens with respect to everyday corruption, advocating new legislation to ensure transparency of decision-making and organizing permanent community pressure on the government to enforce anti-corruption laws and regulations.<sup>10</sup>

**Anti-Corruption NGO Coalition<sup>11</sup>** was established in 2001 before the parliamentary elections by a group of four NGOs (Transparency International – Poland, Stefan Batory Foundation, Helsinki Foundation for Human Rights and the Foundation for Social Communication that decided to invite citizens to sign an appeal towards political parties to explain what they plan to do to combat corruption. These answers were then monitored and followed by the members of the Coalition, which turned into a semi-permanent structure that monitors the government performance in the anti-corruption efforts. Since the beginning it included also the Center for Citizens Education, Association School of Leaders and Association of Leaders

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<sup>9</sup> <http://www.hfhrpol.waw.pl/index.php?lang=en>

<sup>10</sup> The main components of the Program, which is in place since 2000, are the combination of policy research and surveys (Corruption Barometer), watchdog activities aimed at political parties and performance of government institutions in their anti-corruption practices and legislative monitoring aimed at new legal initiatives curbing corruption. The Program's activities concentrate on monitoring the authorities at national and local level, diagnosing the mechanism of corruption in concrete areas and professions and building social movement for transparency in public life

<sup>11</sup> <http://www.akop.pl/>

of Local Civic Groups and Normal State Foundation since 2011.

**Campaign Against Homophobia**<sup>12</sup> is a nationwide LGBT organization with regional branches that focuses on social awareness raising campaigns and educational activities aimed at integration of LGBT people in the society. It also provides psychosocial and legal assistance to people that face discrimination, attacks or other intimidation. It monitors media and legal development in the area of LGBT discrimination.

**Institute for Public Affairs**<sup>13</sup> is a leading public policy think tank established in 1995 to support modernization reforms and to provide a forum for informed debate on social and political issues. It conducts research and develops policy recommendations. Its programs cover social policy issues, civil society development, democratic institutions, migration policies and European issues.

**Foundation for Childbirth with Dignity**<sup>14</sup> is a non-profit organization that advocates for a health care system that respects the needs of women and their families, that treats them in the obstetric and gynaecological care as partners with voice and provides a friendly environment for newborns. It monitors the performance of hospitals as well as their observation of patients' rights.

**Association for Legal Interventions**<sup>15</sup> is an NGO that provides legal help to people who are subjected to discrimination or otherwise marginalized, such as asylum seekers, migrants, prisoners and detainees, abandoned or otherwise disadvantaged children and the like. Besides assistance services to clients and their representation in legal cases, the Association works towards improvement of legal system and social policies. The Association is actively involved in strategic litigation and precedence cases setting.

**The Association of Leaders of Local Civic Groups**<sup>16</sup> is one of the most active national watchdog organizations in Poland with local membership. It aims at dissemination and implementation of a concept of good governance through involvement and activation of citizens into watchdog activities on local and regional level. It promotes and expands the freedom for information for citizens, propagates the concept of public budgets monitoring by citizens and organizes a network of civic watchdog initiatives. It also operates a web-portal that serves these initiatives (<http://www.watchdog.org.pl/>).

**Association Center for Social Activity PRISMA (regional)**<sup>17</sup>, based in Suwalki is a regional NGO with a mission is to support citizens' initiatives that fulfill ideas of a civil society. Main activities include citizens advisory service in wide range of issues in which citizens need support, voluntary service center, free legal and psychological aid for victims of violence, multicultural education and mediation services.

**Association Bona Fides (regional)**<sup>18</sup>, based in Katowice is a regional NGO that is focused on access to information and accountability of local governance. It is one of the important local actors in Katowice, as well as an expert organization on the national scene as regards Public Information Bulletins (compulsory internet website for each public institution) that suits for releasing information on-line.

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<sup>12</sup> <http://www.world.kph.org.pl/>

<sup>13</sup> <http://www.isp.org.pl/>

<sup>14</sup> <http://www.rodzicpoludzku.pl/>

<sup>15</sup> <http://www.interwencjaprawna.pl/>

<sup>16</sup> <http://www.lgo.pl/english/>

<sup>17</sup> <http://pryzmat.org.pl/>

<sup>18</sup> <http://www.bonafides.pl/>

Polish Federation for Women and Family Planning<sup>19</sup> is the leading organization that monitors women procreative rights i.e. the anti-abortion law, and its consequences for individual cases, reports on the women's health, advocates for access to appropriate medical services and sexual education.

Panoptykon Foundation<sup>20</sup>. It protects human rights, in particular the right to privacy, in the clash with modern technology used for surveillance purposes. Panoptykon analyses the risks associated with the operation of modern surveillance systems, monitor the actions of both public and private entities in this and intervene when human rights or democratic values are threatened.

Polish Society of Anti-Discrimination Law<sup>21</sup>. It leads academic research in the field of equality law; drafts comparative legal analysis; provides legal assistance and advice for those who face discrimination on the ground of gender, sexual orientation, age, disability, religion/belief, race and ethnic origin; runs strategic litigation to ensure and achieve equality on the highest possible level; promotes national, international and EU equality legislation.

Court Watch Foundation<sup>22</sup>. It provides courts and judiciary system's civic oversight and builds social movement in this area. Its goal is to enhance the quality of public services by the courts in the democratic system.

Association 61<sup>23</sup> – it runs a portal that gathers information on all Members of Parliaments as regards their political and vocational career, civic activity, political views, state of property and contacts. It also shows their voting record. The service is extended to the candidates' biographies and political views at the election time. The portal uses infographics to show interesting phenomena based on data that may provide more information for a voter.

eState<sup>24</sup> – it re-uses public data and provides information for citizens through new technologies that allow to have better access to information on the stands of different MPs, political parties, on legislative procedures connected with different law – on the state level; and also re-uses data on different administrative units of the self-government and releases them in a way that allows citizens to have different data connected with their local community gathered in one place.

In the Human Rights House are gathered also organizations affiliated to Helsinki Foundation for Human Rights: The Association Initiative 33, Helsinki Committee in Poland, and Viridarum – Polish Student Group against anti-semitism and xenophobia<sup>25</sup>

Nevertheless, there is also other human rights and watchdog NGOs in Poland Center for Legal Assistance named after Halina Nież, Homo Faber Association, Fund to Support Students, The Association Impolite Children with the Asperger's Syndrome, The Nobody's Children Foundation and others.

### 3. Situation of the HRAW NGOs and their Sustainability

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<sup>19</sup> [www.federa.org.pl](http://www.federa.org.pl)

<sup>20</sup> [www.panoptykon.org](http://www.panoptykon.org)

<sup>21</sup> <http://www.ptpa.org.pl/>

<sup>22</sup> <http://courtwatch.pl/>

<sup>23</sup> <http://art61.pl/>, <http://www.mamprawowiedziec.pl/>

<sup>24</sup> <http://epanstwo.org.pl/>

<sup>25</sup> <http://humanrightshouse.org/Articles/5431.html>

USAID rates Poland in 2009 as a country where general NGOs' sustainability is consolidated. According to this index, the country gets similar ranking to Estonia and little bit better than other Visegrad countries.<sup>26</sup>.

The situation in the HRAW NGO subsector is also similar as in other countries of the region – despite a relatively better situation in last five years, there are concerns about the future of the existing funding from traditional sources (Soros), growing funding relationship with public funding and its consequences in their organizational development (building administration capacity rather than marketing and fundraising capacity) and stagnation or decrease of constituency building. The major concern is that the development as it continues decreases the „independent“ funding, which is for HRAW NGOs considered as most important.

It should be noted, however, that comparatively, Poland shows signs of most developed domestic public funding environment that responds to the needs in the HRAW NGOs area much more sensitively and sensibly, than in other countries in the region. For example, there were special programs managed since mid 2000 that have been funded by the Polish government public funding, Norwegian and EEA Funds or by the Structural Funds (European Social Fund) and target particularly support of watchdog, good governance and human rights activities (see more below). This is not so common in other countries of the region.

The sustainability of HRAW NGOs looks therefore relatively better at the first glance when compared with similar organizations in the region, but within the Polish context, their situation is not so stable. Partly because other segments of the Polish NGO sector are much more involved in development local funding from local and regional governments or through provision of services and is therefore more stable. And partly because given the size of the country and its needs that capacity of the NGOs to make a stronger footprint in this area is very needed and desired (especially in the regions). Observers of the situation express concerns about the future when the existing mosaic of funding will be fading away.

#### 4. Overall funding situation in particular for HRAW NGOs

For HRAW NGOs in Poland the international funding (Open Society Institute, CEE Trust, international thematic and professional networks in areas such as minority rights, women rights, etc.) is still most significant. This is a conclusion made by the survey respondents and by the observers of the situation in Poland. This statement reflects both, the fact that the international funding provides certain level of independence and, secondly, its share on the funding of these type of organizations. Some estimate that international funding still makes around 70% of all income of Polish HRAW NGOs. This is especially true for those focused on human rights and anticorruption. Think Tanks and regional watchdogs have more public financing as their activities are broader than only civic oversight and strategy connected with that. Regional organizations deal with other topics that are important for the region, while think tanks are more keen to take public financing than classical watchdogs that are very concerned about their credibility.

So what makes up the remaining supposed 30%?

The most important, probably, of the domestic foundations funding for HRAW NGOs, can be considered the Stefan Batory Foundation, which is a traditional supporter of human rights and watchdog NGOs in Poland. It also designs specific programs such as the above- mentioned Anti-Corruption Program.

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<sup>26</sup> USAID NGO Sustainability Index, 2009 [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2009/poland.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2009/poland.pdf)

The Polish government funding represents also an important part of the domestic income of HRAW NGOs. There are several governmental instruments through which the HRAW NGOs draw support:

Fund for Civic Initiatives is a funding program established by the Polish government in 2005 and administered by the Ministry of Social Policy. The Fund is aimed at support of civic activism and provides financial support to activities initiated by NGOs in the area of public tasks defined in the public benefit and volunteer work Act, following the open competition procedure. It is an important source of financing for new initiatives ..<sup>27</sup>

The most important and unique in the regional context is the existence of several funding measures and programs using the funds of the European Social Fund in the Operational Program Human Capital 2007-2013 within the priority 5.4.2 Development of Civic Dialogue<sup>28</sup> aimed at:

- a) Support of watchdog activities over the public administration (Development and Support of Programs in the Area of Public Supervision over the Functioning of the Public Administration)<sup>29</sup>
- b) Legal aid and citizens advisory services support and
- c) Strengthening of the branch and regional NGO networks
- d) Support of local and regional NGO information centers

These measures are unique in the regional context both, in their focus as well as in size. There are reports from within the HRAW NGOs scene, however, that question the focus of these programs and their relatively loose boundaries that allowed to use these funds for organizations that were purposefully designing activities to meet the funding requirements and not being fully committed to the watchdog activities. Also, many of the supported projects were not directly relevant to implementation of watchdog activity as the whole field has quite new to the implementing management teams to fully exploit the potential of the program. On the other hand, the fact that this funding was available shall not be overestimated – it concerned just two calls for proposals within the said priority. The criticism regarding the EU funds is present, especially due to their high administrative demand placed on recipients and a relationship that is based on a lack of trust between the donor and recipients. But even so, it is a significant precedence in the regional structural funds context from the perspective of NGO support.

Additional domestic funding can be also considered the EEA and Norwegian Funding Mechanism as it is managed by a domestic agency that has been separated from the Polish government. This practice – similarly as in Czech Republic, Slovakia or Romania has been also proving very successful and useful. Especially many start-up and new initiatives were supported due to these funds, which places their special importance in the recent years in this regard. In other words, the funding was used and usable not just by old and experienced organizations but also by younger and start-up initiatives. Also, the overall impression is that the Norwegian and EEA funds were less burdensome administration-wise than the ESF. The Swiss Government Financial Mechanism that was launch in 2011 may also represent some opportunity for

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<sup>27</sup> <http://www.civilin.org/welfareeng/practices.php>

<sup>28</sup> <http://www.kapitalludzki.gov.pl/podpisane-umowy/priorytet-v/dzialanie-54/poddzialanie-542/>

<sup>29</sup> „Tworzenie i wdrażanie programów z zakresu społecznego nadzoru nad funkcjonowaniem administracji publicznej”, Działania 5.4 Rozwój potencjału trzeciego sektora, Poddziałania 5.4.2 Rozwój dialogu obywatelskiego V Priorytetu Programu Operacyjnego Kapitał Ludzki 2007 – 2013.”

HRAW NGOs. So far however there was one call, around 20 grants, and 1 project that is implemented by watchdog organization was awarded. There is also another one for the new initiative. However the watchdog activities are among the priorities so it is still a promising source of financing. Also the EEA and Norwegian Funding Mechanism is planned to be continued. At the beginning of 2012 the consultation process on its priorities was started.

Growing importance gets the tax assignment mechanism – so called 1%. There is a growing trend in several last years in the overall NGO sector. In relationship to HRAW NGOs is this mechanism less used as it requires some initial investments into advertisement that is problematic for HRAW NGOs. Nevertheless and despite its limits - for example it requires that recipients have to follow more strict regulations regarding their own expenditures as well as puts more requirements regarding the reporting – some HRAW NGOs use it and it represents a potential that has not been fully exploited.

In terms of services provision as a way of generation of resources for NGOs – some HRAWs do provide sometimes services, but it is sometimes a complication due to increased administration (due to generation of own income). There are also some implementation issues such as the tendency of “buying” services or loyalty of a particular NGO by making a gift to it by which the NGO becomes less ready to offer critical view. It is not an important source of funding for HRAWs compared to grants.

Individual contributions and philanthropy also do not represent an important source of funding HRAW NGOs in Poland today. As survey respondents mention, there are some examples such as Amnesty International that are able to generate a higher attention for their cause. However, smaller HRAW NGOs are very cautious to solicit gift support from individuals as they have also encountered a situation where the “would-be” donors were just buying legal advice or loyalty in complicated cases by providing a gift to the organization.

In terms of optimal structure of funding for HRAW NGOs in Poland one could propose that what is most perceived as important by different actors is – independent funding. There is a consensus that for the moment the best independent funding can be provided from abroad and not locally. Some watchdog NGOs are afraid of losing independence if they will get funding from the Polish government. It does not mean that local fundraising – especially from individuals - should be neglected. It needs more exploration and preparations for communicating the HRAW mission and importance. Domestic public financing is also important. Experience show that for HRAW it is important what kind of institution is responsible for this financing. For HRAW it is more acceptable when it is not public administration – being the object of civic oversight – who manages the funds. Therefore it is worth to lobby for global grant that is managed by the institution selected in open tender.

Also, NGO leaders reflect that the EU did not create sufficient tools for NGO financing – it is expected from the EU and within the scope of EU priorities it should continue to support NGOs that cope with democratic governance in the post-communist region.

## 5. Conclusions and Recommendations

NGO sector in Poland is cooperative and its ability to organize itself and be engaged in dialogue with the government is exceptionally developed. A Federation of NGOs has been created to take care about the situation of legal regulation concerning NGOs.

Within this, the HRAW NGOs represent a strong group of NGOs, that, thanks to recent positive development and domestic conditions has been able to develop, sometimes for extensively, than intensively, but nevertheless develop and continue the provision of their activities and services to citizens and broad public.

The legal and fiscal framework in Poland for NGOs is quite stable and predictable which is a plus. HRAW NGOs and NGOs in general shall be aware of their growing dependency on public funding and develop and continue to diversify their funding, both internationally (networks, grants) and domestically (through local business and individual contributors).

## 7.2 Poland: Sources

### A. List of HRAWs (web contacts)

- 1) Fundacja Rodzić po Ludzku: <http://www.rodzicpoludzku.pl/>
- 2) Stowarzyszenie Interwencji Prawnej (SIP): <http://www.interwencjaprawna.pl/>
- 3) Pozarządowe Centrum Dostępu do Informacji Publicznej: <http://www.informacjapubliczna.org.pl/>
- 4) Antykorupcyjna Koalicja Organizacji Pozarządowych: <http://www.akop.pl/o-akopie.html>
- 5) Helsińska Fundacja Praw Człowieka: <http://www.hfhr.pl/fundacja/>
- 6) Kampania Przeciw Homofobii: <http://www.kph.org.pl/en/kim-jestemy>
- 7) Fundacja Instytut Spraw Publicznych (ISP): <http://www.isp.org.pl>
- 8) Stowarzyszenie Liderów Lokalnych Grup Obywatelskich: <http://www.lgo.pl>

### B. Literature and Resources

- 1) Amnesty International Report 2009, State of the World's Human Rights, Poland, <http://www.thereport.amnesty.org/en/regions/europe-central-asia/poland>
- 2) Corruption Perception Index 2009, Transparency International, [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)
- 3) Interview with human rights NGO director, November 2010
- 4) Interview with government and political system watchdog NGO director, March 2011
- 5) Nations in Transit, Poland, Freedom House, 2009,
- 6) Poland 2009 Human Rights Report, 2009 Country Reports on Human Rights Practices, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, US Department of State, March 11, 2010, <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136051.htm>
- 7) USAID NGO Sustainability Index 2009, Poland, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2009/poland.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2009/poland.pdf)
- 8) <http://www.civilin.org>
- 9) <http://www.kapitalludzki.gov.pl>



## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 8.1 Romania

#### 1. Human Rights, Accountability and Watchdog Context

There were reports that police and gendarmes mistreated and harassed detainees and Roma in Romania. Prison conditions remained poor. The judiciary lacked impartiality and was sometimes subject to political influence. A restrictive religion law continued to limit freedom of religion. Property restitution remained extremely slow, and the government failed to take effective action to return Greek Catholic churches confiscated by the former communist government in 1948. Government corruption remained a widespread problem. There were continued reports of violence and discrimination against women as well as child abuse. Persons were trafficked for labor, sexual exploitation, and forced begging. Neglect of and inadequate assistance for persons with disabilities was also reported. Extensive discrimination and occasional violence against Roma continued to be a problem. Gay, lesbian, bisexual and transgender

persons continued to suffer societal discrimination. Discrimination against persons with HIV/AIDS, particularly children, remained a problem.<sup>1</sup>

There were further allegations that Romania was involved in the US-led secret detention and renditions programme, despite continued denials of any involvement by the government and the findings of a Senate commission of inquiry. There were reports of ill-treatment, excessive use of force and the unlawful use of firearms by law enforcement officials. Discrimination against Roma and lesbian, gay, bisexual and transgender (LGBT) people persisted. A progress report on Romania was published by the European Commission (EC) in July 2009. This urged the Romanian authorities to start reforms of the judicial system and to strengthen measures to tackle corruption, particularly at local government level.<sup>2</sup>

There were several examples of CSOs that attempted to monitor state performance and to hold the state accountable and some of them had a positive impact. More than two thirds of the persons interviewed during the stakeholder consultations, considered that civil society had a limited role in holding state accountable. Romanian civil society activities in holding private corporations accountable are very limited. There are a few examples of CSOs which monitored and opposed the activities and irresponsible behaviour of private corporations. However, even though successful, their impact remains isolated.<sup>3</sup>

## 2. Key Human Rights, Accountability and Watchdog NGOs

- Resource Center for Public Participation (CERE). CeRe's mission is to support NGOs and public institutions in acquiring the principles and applying methods of public participation. In CeRe's vision, NGOs, citizens and public institutions assume responsibility for public participation and use their rights associated to this participation.<sup>4</sup>
- The Euroregional Center for Democracy (CED) is a non-governmental and non-profit organization, that promotes democracy and stability in Central and South - Eastern Europe. CED is located in Timisoara, a city in the Western part of Romania. Timisoara represents an ideal learning location for a laboratory seeking to devise programs of great importance for the future of democracy and regional stability. This multi-ethnic and multi-cultural space encourages dialogue between individuals and institutions that promote democratic values.<sup>5</sup>
- Romanian Academic Society (SAR). Established as a think tank in 1996, SAR aims to further the ideas of freedom, democracy and good governance in Eastern Europe. It seeks to raise public awareness level of policy issues, contribute through research and advocacy to informed policy formulation and assist administrative reform through performance assessment. They believe that countries can do more or less out of their European accession process and their goal is to help improve their performance in this process so that integration brings a maximum of benefits.<sup>6</sup>
- Accept Romania. A non-formal group named - Bucharest Acceptance Group was founded in 1994, with the aim to promote an open and reasonable dialogue on the complex topic of same-sex relationships. ACCEPT (Bucharest Acceptance Group) was officially registered as a human rights

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<sup>1</sup> Human Rights Report 2009: Romania (US Dpt. of State, Bureau of Democracy, Human Rights and Labor), <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136053.htm>

<sup>2</sup> Amnesty International Report 2009: State of the World's Human Rights

<sup>3</sup> CSI Country Report: Romania, 2006

<sup>4</sup> <http://www.CeRe.ro/eng>

<sup>5</sup> <http://www.regionalnet.org/en/>

<sup>6</sup> <http://www.sar.org.ro>

non-governmental organization in 1996 and, in 1997, ACCEPT launched a national and international campaign to repeal Article 200 from the Romanian Penal Code, which was incriminating same-sex relationships. Their activities include: lobby, advocacy, activism; collecting and disseminating information on homosexuality, the gay community in Romania, health and AIDS/HIV prevention; media monitoring; strengthening the gay movement and the gay community; direct action and grass-root activism; social and cultural activities.<sup>7</sup>

- Institute for Public Policy (IPP) is a Romanian non governmental organization whose aim is to support an increased quality of the processes related to the development of public policies in Romania. It is committed to advancing high quality policies in the following main areas: transparency of the legislative process, reform of the local government system, fight against corruption and promotion of integrity at all local government levels, organization and operation of election systems and processes, funding of political parties, promoting the rights of the disabled, which made of IPP one of the most respected and experienced think-tank in Romania. Together with its departments which coordinate programs and activities of the Institute, specialised divisions were created in the last years to offer professional services to partners and clients, such as public authorities or private entities, that are interested in the Institute' fields of excellence.<sup>8</sup>
- Romani CRISS (Romani Center for Social Intervention and Studies) is a Romanian non-government organization which seeks to protect the rights of the country's Romani minority and to prevent discrimination against the Roma. It also conducts a series of projects in order to improve the situation of the Roma in education and health care. Romani CRISS was founded in 1993.<sup>9</sup>
- Alternative Sociale Association (ASA) is a non-governmental, apolitical, and non-profit organization initiated in 1997 by a group of students at the Social Work Faculty of "Alexandru Ioan Cuza" University in Iasi. Alternative Sociale Association works to protect and promote human rights through prevention activities, assistance, training, research and advocacy.<sup>10</sup>
- The Association for the Defense of Human Rights in Romania – the Helsinki Committee (APADOR-CH) is a non-governmental not-for-profit organization, established in 1990. APADOR-CH wants to be an influential and principled factor of reference, in dialogue with the state authorities and in cooperation with the civil society, an active participant in changing the society and its institutions towards a democratic culture, based on the respect of human rights. The mission of APADOR-CH is to raise the level of awareness on and respect of human rights and rule of law.<sup>11</sup>
- Transparency International Romania (TI-Ro) is a non-governmental organization whose primary objective is to prevent and fight corruption on a national and international level, mainly through researching, documenting, informing, educating and raising the awareness level of the public. TI Romania was founded in 1999 through the remarkable endeavours of a group of citizens with a high degree of civic responsibility, and a number of organizations concerned with reducing corruption in Romania. They laid the foundation to the structure and objectives of this organization. That same year, Transparency International Romania was accredited as a national branch of the Transparency International network - a global coalition dedicated to fighting corruption.<sup>12</sup>

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<sup>7</sup> <http://accept-romania.ro/en/>

<sup>8</sup> <http://www.ipp.ro/eng/>

<sup>9</sup> <http://www.romanicriss.org>

<sup>10</sup> <http://www.alternativesociale.ro>

<sup>11</sup> <http://www.apador.org/en>

<sup>12</sup> <http://www.transparency.org.ro/>

- Asociația Pro Democratia (APD) is a non-governmental, non profit and non-party affiliated organization established in 1990. APD currently has 31 clubs with more than 1,000 members and volunteers who participate in implementing the projects. The mission of Asociația Pro Democratia is to strengthen democracy at national and international level by encouraging civic participation. The main fields of interest of APD are: strengthening the relation between the electorate and its elected representatives, observing the correctness of the electoral process, civic education; citizens' participation in the process of public policies drafting, the transparency of public institutions and their control by the civil society; protecting human rights.<sup>13</sup>
- Center for Legal Resources is a non-governmental, non-profit organization, established in 1998 by the Open Society Foundation (nowadays Soros Foundation), which actively advocates for the establishment and operation of a legal and institutional framework that safeguards the observance of human rights and equal opportunities, free access to fair justice, and which contributes to the capitalisation of its legal expertise for the general public interest. Their programmes are focused on two strategic areas: promotion of rule of law and respect of human rights.<sup>14</sup>
- Save the Children Romania is a national democratic movement, unaffiliated politically or religiously, based on the voluntary involvement of its members. It was established in 1990 and currently has branches in 14 countries, over 6,000 members and benefits from the voluntary activity of over 800 people, mostly youngsters. Save the Children Romania is an active member of the International Save the Children Alliance – an international movement, which supports child rights, as well as of important national and international bodies and networks. Save the Children Romania fights for children's rights. They influence public opinion and support children at risk. They influence legislation and policies in the benefit of children. They are working together with children and young people to achieve change and lasting improvements for children.<sup>15</sup>

### 3. Situation of the HRAW NGOs and their Sustainability

Similarly as in other countries studied, it is the view of the respondents as well as available reports, that the situation of HRAW NGOs in Romania in 2010 is difficult, especially as far their sustainability is concerned. The biggest challenge is access to a funding which is often EU funding:

*“Our life (HRAW) compared to those NGOs operating in social, environmental field, education to some extent, differs because they are in the position of having an easier access to the European structural funds, since they are very easily in the position of establishing partnerships with public authorities”<sup>16</sup>.*

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<sup>13</sup> <http://www.apd.ro/cinesuntem.php>

<sup>14</sup> <http://crj.liveasp.ro/english/Home.aspx>

<sup>15</sup> [http://www.savethechildren.net/romania\\_en](http://www.savethechildren.net/romania_en)

<sup>16</sup> Interview with HRAW NGO director, March 16, 2010

A significant factor in the HRAW development was the accession to EU in 2007, which has marked a significant change in position of these organizations as far their importance, voice and resources is but also as far their adaptation is concerned.

*“After the EU enlargement the most suffering NGOs in Romania are the human rights NGOs – from two points of view, one is financial viability because they were funded mainly by American donors and they left once we became an EU member. So more or less the NGOs were attached to one type of funding or one funder, they didn’t have a vision and didn’t diversify the funding. They almost collapsed. And the second thing was the issue of legitimacy, because once we got in the EU, the foreign donors supposed we are a democratic country but it was not like that”<sup>17</sup>*

After the EU accession the problems in the human rights or accountability areas remained, but the interest in the work of HRAWs declined – media were not anymore interested in these issues and for HRAW NGOs it was more difficult to stay important and visible actors, which they enjoyed before the EU accession when their voice was heard by the EU.

As in many other CEE countries one can hear criticism on the way how the EU structural funds are administered, especially towards NGOs, which seems to be along the conflict of interest the main hurdle for accessing them:

*„We are not eligible for almost any administrative costs in order to make our organization survive. With those limited options there are almost no costs for administrative tasks related to the organization. It becomes clear to me that we cannot actually survive if we rely only on structural funds, it is impossible, not to mention that also the transfer of installments is extremely slow, you sign a contract and then the installment comes in more than one year. You have to survive between signing the contract and actually delivering the activity, therefore you need to have diverse sources of funding”<sup>18</sup>*

The channelling of EU funds through national governments to NGOs meant also a big challenge of HRAW NGOs as it conflicted with their mission. Those who were able to go through the administrative hurdles see also a more fundamental issue in using them:

*„We find it difficult in many occasions to criticise the government one day and on the next to enter a partnership for the sake of receiving European structural funds. For us it is a matter of incompatibility with regard to the way we operate”<sup>19</sup>.*

There are views that HRAWs who use the EU funds experienced a shift in their activities towards training or awareness raising instead of the watchdog or advocacy.

*„...many NGOs that used to act in the watchdog or human rights field, are now operating as training providers in these areas because here are the funds. I mean, you can use structural funds to offer trainings to provide different kinds of services to vulnerable groups in the area of human rights but you cannot fund watchdog or advocacy activities per se....so I can see a shifting in their strategie, many of the used to be very good wathcdogs, now they are very good training providers.”<sup>20</sup>*

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<sup>17</sup> Interview with respondent – NGO funding organization representative, February 24, 2010

<sup>18</sup> Interview with HRAW NGO director, March 16, 2010

<sup>19</sup> Interview with HRAW NGO director, March 16, 2010

<sup>20</sup> Interview with HRAW NGO respondent – March 2, 2010

The relative decline of the role of HRAWs in the society is reflected also by the USAID NGO Sustainability Report in 2008 which states that:

*„There is a widespread perception that advocacy campaigns are less effective than they used to be prior to Romania's EU accession. In the absence of EU pre-accession leverage, public authorities are less open to dialogue with NGOs. There are also fewer supporters at the political level for NGO advocacy initiatives. At the regional and local levels, advocacy initiatives have been less visible and successful“.*<sup>21</sup>

So the sustainability of HRAWs in Romania is not related only to the changing conditions regarding their funding, but also to their legitimacy and perceived importance in the country's socio-political context. There were examples of strengthened pressure of government towards its most vocal critics. In 2008, Parliament adopted legislation with the potential to repress critical NGOs. The law forbids NGOs from using names that might be confused with official institutions (even if legally registered under this name), and a court complaint is enough to initiate a procedure to close them down. Two active watchdogs, Institute for Public Policy (IPP) and Romanian Academic Society (SAR), are potential targets.<sup>22</sup>

One of the strategies that is mentioned and sometimes used in the region as a good practice in adaptation of the HRAW NGOs to new situation is building of constituency – supporters, sympathisers, etc – which is in Romania perceived as challenging:

*„...we have always dealt with politicians, public administration in general, and now when comes to the situation of planning our sustainability, we are wondering who can pay for our services. ...we are quite uncertain who can pay in terms of fees on which we could base our sustainability plan“.*<sup>23</sup>

The idea that the government may purchase the activities of the HRAWs and fund them through public funds does have some attractiveness and merit, especially when comparing the situation with umbrella NGO associations based in Brussels where the European Commission funds their presence to be able to engage with them in policy dialogue. In Romania there is even an example of National Parliament which has established a funding mechanism for NGOs to support their participation in the parliamentary process, which operates on yearly calls for proposals and is of „couple of hundred thousand euros“. Allegedly similar mechanism is contemplated by the government as well.

It seems, based on this survey, that for some HRAW NGOs in the region receiving of public funding is not a plausible strategy, for others, it seems, some government funding would be acceptable.

The service perspective means also a re-conceptualisation of the social role of HRAWs. In the nineties the HRAWs were perceived as actors that not only responded to actions of governments, but which identified new issues or abandoned issues by public sector proactively and were taking unilateral action through posing questions in the media, organised protests, petitions, marches, or drafted policies to which the government typically had to respond. In the nineties, NGOs were not looking at their mission through transactional lenses – today it becomes more natural. Looking back to nineties, one could easily identify the clients (the EU or American donor agencies or private foundations interested in promoting democratic changes in the CEE) as well as service providers (NGOs which were their grantees). However, it would be difficult to present those relationships as transactional relationships as the NGOs that received foreign funding were not in a service relationship, but in a donor-grantee relationship with a different dynamics as well as limitations. Nevertheless, there is also criticism towards the donors that provided funding to HRAWs

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<sup>21</sup> USAID: NGO Sustainability Index 2008

<sup>22</sup> Nations in Transit 2009 (Freedom House)

<sup>23</sup> Interview with HRAW NGO director, March 16, 2010

to implement various activities in the watchdog or human rights area but did not help them to think further in terms of developing services to become self-sustainable.

Respondents mentioned the lack of capacity for strategic planning as an internal obstacle for HRAWs. There is a concern, that the organizations do not sufficiently work with their boards and are too much staff driven which keeps them report-bound and project-bound without a more spacious and strategic perspective. So the lack of strategic deliberation shall not be only attributed to their funding stress, but partly caused also by their closedness and inward orientation and tendency to maintain the current practice.

In terms of opportunities that HRAWs may explore, respondents suggest the following:

- Active cooperation with watchdog and human rights NGOs from other countries: that could make their watchdog work more powerful and help them to see the future and make better plans.
- Preparation for the next programming period (EU Structural Funds). During the first programming period NGOs were not active and also not powerful enough to influence the shape of the operational programs, so that also HRAWs could find their place there. For example work towards a domestic intermediary organization that could re-grant the EU Structural funds for HRAWs. In these terms the government would have to be convinced that watchdog and advocacy is important for Romania.
- Organising a joint action to improve the situation in the financial management and administrative requirements of EU funds. HRAWs complain a lot, however, no joint action towards changing this situation has been initiated so far.
- Start to experiment with membership and constituency-based fundraising even though most of it cannot provide important funding resources. It brings NGOs closer to their constituency, it makes people more accountable and it raises their involvement in watchdog and advocacy.
- Maintain relationships with existing international donors to continue the advocacy and watchdog work.

#### 4. Funding Sources for HRAW NGOs

At the moment the majority of the funds that HRAW NGOs use come from foreign sources such as the CEE Trust for Civil Society, Open Society Institute, Balkan Trust For Democracy or Black Sea Trust who still fund human rights, advocacy and watchdog activities and partnerships between Romanian NGOs and other NGOs from neighboring countries.

HRAW NGOs report also foreign, mostly public funding, coming from various agencies that focus on particular issues, e.g. racism, public health, transparency, anti-discrimination, etc. and offer NGOs from various countries including Romania opportunities to apply for funding through various thematic programs or calls for proposals. For example European Commission programs such as Youth in Action or Europe for Citizens, or the Fundamental Rights Agency, European Roma Rights Center, European Network Against Racism (ENAR), Stability Pact – Anticorruption Initiative<sup>24</sup>, OSCE, etc.

There is also some funding provided from bilateral assistance (MATRA KAP), or directly from Embassies such as of Switzerland, Netherlands, U.K. Canada.

There are also several domestic sources relevant for HRAWs:

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<sup>24</sup> <http://www.stabilitypact.org>

- In the area of *domestic public funding* for HRAWs an important source (not by size, but by the fact of existence) seems to be the Agency for Government Strategies<sup>25</sup> which besides other activities (studies and analysis of social issues and government policies, public information campaigns, etc.) issues calls for projects where also NGOs may apply and compete for grants to implement projects addressing public policies that the government finds important such as transparency or civic engagement.
- Another source also relevant for HRAWs is the Romanian Chamber of Deputies (Lower Chamber of the Romanian Parliament) that launched a “Partnership with Civil Society” program in 2006, which issues a yearly call for participation of the civil society in the legislation process. However, due to the reduction in public spending the funding of the program has been recently (March 2010) suspended<sup>26</sup>. The budget of the program for 2009 was 115,000 EUR (500,000 RON) and provided grants to NGOs to initiate consultations with citizens, communities and other groupings on issues relevant to parliamentary debate, parliamentary practice and mechanisms.
- Similar instruments in other countries of the region are rarely seen. Specific impact of these two instruments on the funding of HRAWs would require further research.
- The NGO Fund of the Norwegian Financial Mechanism and EEA Financial Mechanism provides funding through various calls for proposals to support democracy promotion, anti-corruption or support to vulnerable groups. The NGO Fund is administered by *the Civil Society Development Foundation* – an intermediary foundation. This source is considered by HRAWs as useful and prepares further calls for proposals.

EU Structural funds are perceived as an obvious and important source for HRAWs, however, their use is restricted due to their orientation (training, education, administrative capacity development, human resource management and no watchdog or advocacy work) and administrative hurdles (necessity to be in partnership with public institutions, very long – up to a year - delays in reimbursement of expenditures, etc.)<sup>27</sup>. As the USAID reports, in April 2008, the first call for proposals for EU Structural Funds was launched, but for most NGOs it was still very difficult to access these funds because of technical and financial requirements. For most of the programs funded under Structural Funds, NGOs have to cover the project expenses out of their own budgets and then obtain reimbursement from the public authorities. The lack of advance payments is one of the main obstacles for NGOs in accessing these funds. NGOs’ lack of financial resources discourages them from submitting project proposals.<sup>28</sup> Some HRAWs have been able to tap funding from the Operational Program for Administrative Capacity Development or Sectoral Operational Program for Human Resources Development.

In terms of domestic private funding the situation has been developing until 2008 quite promising due to economic growth, but the financial crisis has curbed the overall optimistic expectations. Nevertheless, both individual support and corporate support are in Romania available and HRAWs may need to concentrate more on tapping of resources that are here available, however, without overestimating their potential.

Based on our interviews, but also based on previous research reports from period before the financial crisis, individuals’ support to HRAWs has been very limited. One obvious challenge is that the causes presented by HRAWs are not perceived as urgent or needed compared to some other charitable causes. Another challenge is the tendency of individual donors to provide one-time support. As Roxana Sofica and Alina Porumb mention in their report from 2008 that studied the private giving in Romania, obtaining one

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<sup>25</sup> Agenția pentru Strategii Guvernamentale) [www.publicinfo.ro](http://www.publicinfo.ro)

<sup>26</sup> [http://www.cdep.ro/relatii\\_publice/site2.pagina?den=presa-psc](http://www.cdep.ro/relatii_publice/site2.pagina?den=presa-psc)

<sup>27</sup> Interviews with HRAW respondents (February, March, 2010)

<sup>28</sup> USAID 2008 NGO Sustainability Index



time support for causes with visible and non-controversial social benefits – e.g. Supporting children, health – has been proved possible and successful, the challenge still remains to ensure repeated donations and long-term continuity of this support. Top supported fields in Romania (2007) include: religion (46%), social services (34%), humanitarian (12%), health (10%). Education, arts and culture, environmental protection and human rights protection receive support from a minority of donors – somewhere between 1-3% of donors each.<sup>29</sup>

The individual giving culture in terms of payment form is still in the basic stages, when most of operations are performed in cash. The more advanced fundraising methods are less frequently used. Most of donations are still reported in the 2007 opinion poll to be made in cash (by 91% of donors), followed by bank orders (made by 15% of donors), buying charitable products (10%), SMS donation (8%), phone donation (7%), paying event admission fees (5%), on-line payment (3%), payroll donation (3%), post order (2%).<sup>30</sup>

The study, based on qualitative research methods, informs, that the behavior of individual donors might be closely linked with what the fundraising organizations do to attract and maintain relationship with them.

*“While several international CSOs come with their experience abroad, for others reaching out to private donors and especially individuals is a steep learning curve. Working effectively with large number of donors requires effective donor recruitment and management systems, many times built and maintained with professional support. It also requires visionary CSO governance and management, which identifies this niche of raising resources and decides to invest its resources in this direction. Currently, only few Romanian CSOs have took what it may appear as yet as a ‘leap of faith’. When they do raise money from individuals, the fundraising methods used are rather basic (e.g. donation boxes) that don’t give space for the CSO to know who made a donation and further develop a long term relationship”<sup>31</sup>.*

The 2% tax assignment is another relevant source for HRAWs, which lies between individual public and private funding. It seems that given a relatively low profile and practice among the HRAWs to address individual donors, also their 2% fundraising profile is rather low. The fact that it generates for recipients relatively low amounts makes this source to be considered as relatively slow and ineffective given the amount of resources and efforts that needs to invested in developing fundraising communication and relationships. Respondents suggest that even if this source may not provide significant income for HRAWs, HRAWs shall be more active in using it as it may help them to communicated more intensively with individuals and the public as such. The data on 2% tax mentioned in the report (Porumb-Sofica, 2008) on for 2005-2007 show an increase in the use of this mechanism and the amounts generated<sup>32</sup>:

	2005	2006	2007
Number of contributors	145,084	568,735	1,030,968

<sup>29</sup> Porumb A. – Sofica R.: Intelligent Money – Private Resources for Development, Country Report Romania, 2008, [http://www.effectiveveresources.info/cms3/e107\\_files/downloads/country\\_report\\_romania.pdf](http://www.effectiveveresources.info/cms3/e107_files/downloads/country_report_romania.pdf)

<sup>30</sup> ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid. page 2. (Data from the Romanian Ministry of Finance published by ARC on the site [www.doilasuta.ro](http://www.doilasuta.ro); the campaign years 2005-2007 relate to fiscal years 2004-2006).

Percentage of tax payers	2.15%	8.50%	15%
Amount designated (EUR)	1,215,612	5,017,442	7,650,861
Average amount per designation (EUR)	8.38	8.82	7.42

The corporate giving in Romania has also decreased as a result of the financial crisis. The HRAWs are not the typical recipients of corporate giving, which focuses mostly on issues of health, environment or children or post-disaster giving which perhaps also suggests stronger integration of the corporate giving programs and corporate social responsibility objectives.

There are two basic mechanisms that corporate donors may use – sponsorship and donations. As the Porumb-Sofica report informs, sponsorship mechanism is easier when compared to donation mechanism and is also preferable from the fiscal perspective, so most of the corporate giving practice is focused on sponsorship.

The fiscal incentives for sponsorship were introduced by the Fiscal Code that introduced 1% (and then 2%) from individual taxes. The incentives are favorable to profitable, large turnover companies. Thus, a company may deduct from owed profit taxes an amount up to 20% of the owed profit tax and 0.3% of the annual turnover for its sponsorships. There are no tax benefits for corporate donations however. NGOs may also sell advertising services to companies with the differentiation between advertising and sponsorship contracts laying in the fact that for sponsorship the supported organization may only make public the logo and name of the company, but cannot promote a specific company product (possible to do under advertising contracts through which advertising space is sold)<sup>33</sup>.

There is a variety of perceived motivation of corporate giving in Romania by our respondents view and by other research. The perspective of HRAWs towards corporate giving is that their motivation is rather dominated by political interests and indirectly by business interests, than by the charitable interests. While this may be also complemented by other motivation as Porumb –Sofica present - ranging from strengthening positioning with employees and clients in a context of increased competition for both and expected failure of traditional advertising towards more human (particularly emotional) motivations of owners and employees. Visibility of the cause, project or partner CSO are noted as important motivation for corporate involvement.

*“We have a real problem with the business community in Romania because those who are visible and who would like to get close to the area of politics and public administration have a very strong political interest. If they support an organization such as IPP, which is very critical of the government, to them it’s like they are somehow lobbying, playing cards with those in power in politics. They don’t donate because their own conscience makes them donate and I am trying to avoid this situation. I am sure that in other countries the economic community got mature which is not the case in Romania.”<sup>34</sup>*

Own income as an option has not been mentioned as significant source, however, HRAWs also use such income to complement their budget. The income is derived mostly from training or technical assistance. As it is mentioned above, services to political parties or public authorities represent a one possible strategy for

<sup>33</sup> Ibid.

<sup>34</sup> Interview with HRAW NGO Representative, February 16, 2010

HRAWs. Sometimes it is a forced adaptation by the nature of the available funding; sometimes it might be also a conscious strategic decision, especially by think-tanks and organizations involved in awareness raising or research. However, for the direct watchdog and advocacy work, the own income does not seem to be an option.

## 8.2 Romania: Sources

### A. List of HRAWs (web contacts)

- The Romanian Environmental Partnership Foundation (Fundatia pentru Parteneriat), <http://www.repf.ro/indexen.htm>
- CeRe (Resource Center for Public Participation), <http://www.CeRe.ro/ENG/aboutcere>
- The Euroregional Center for Democracy (CED), <http://www.regionalnet.org/en/>
- Romanian Academic Society (SAR), [http://www.sar.org.ro/st/about\\_sar-2-en.html](http://www.sar.org.ro/st/about_sar-2-en.html)
- ACCEPT (Bucharest Acceptance Group), <http://accept-romania.ro/en/>
- Institute for Public Policy (IPP), <http://www.ipp.ro/eng/pagini/about-ipp.php>
- Romani CRISS, <http://www.romanicriss.org>
- The Advocacy Academy Association (AAA), [www.advocacy.ro](http://www.advocacy.ro)
- Alternative Sociale Association, [http://www.alternativesociale.ro/servicii\\_sociale/despre\\_aas/prezentare\\_generala/?lang=en](http://www.alternativesociale.ro/servicii_sociale/despre_aas/prezentare_generala/?lang=en)
- Public Policy Centre, <http://www.cenpo.ro> (web only in RO)
- Association for the Defense of Human Rights in Romania-the Helsinki Committee (APADOR-CH), <http://www.apador.org/en/index.htm>
- Transparency International Romania (TI-Ro), [http://www.transparency.org.ro/despre\\_ART/index\\_en.html](http://www.transparency.org.ro/despre_ART/index_en.html)
- Asociatia Pro Democratia (APD), <http://www.apd.ro/cinesuntem.php>
- Center for Legal Resources, <http://crj.liveasp.ro/english/Home.aspx>
- Save the Children Romania, [www.savethechildren.net/romania\\_en/index.html](http://www.savethechildren.net/romania_en/index.html)

### B. Respondents

- Interview with respondent from the NGO donor organization, February 24, 2010
- Interview with respondent from the HRAW NGO, March 2, 2010
- Interview with respondent from the HRAW NGO, March 16, 2010

### C. Literature and Resources

- 1) Human Rights Report 2009: Romania (US Dpt. of State, Bureau of Democracy, Human Rights and Labor), <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136053.htm>

- 2) Amnesty International Report 2009: State of the World's Human Rights
- 3) USAID: NGO Sustainability Index 2008  
[http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/)
- 4) Nations in Transit, Romania, 2009, Freedom House, [www.freedomhouse.hu](http://www.freedomhouse.hu)
- 5) CIVICUS Civil Society Index, Country Report: Romania, 2006,  
[http://www.civicus.org/media/CSI\\_Romania\\_Country\\_Report.pdf](http://www.civicus.org/media/CSI_Romania_Country_Report.pdf)
- 6) Civil Society in Romania and Bulgaria, 2007, (European Council for non-profit organizations),  
[www.cedag-eu.org](http://www.cedag-eu.org)
- 7) Porumb A. – Sofica R.: Intelligent Money – Private Resources for Development, Country Report  
Romania, 2008,  
[http://www.effective-resources.info/cms3/e107\\_files/downloads/country\\_report\\_romania.pdf](http://www.effective-resources.info/cms3/e107_files/downloads/country_report_romania.pdf)

## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 9.1 Slovakia

#### 1. Human Rights, Accountability and Watchdog Issues

According to the reports of foreign or international organizations watching over the human rights and governmental accountability Slovakia major issues include:<sup>1</sup>

- Discrimination of Roma in access to housing, health and education including police mistreatment
- Corruption on various levels of government and political parties
- Concerns about the integrity of the judiciary
- Violence against women and children, discrimination against women and elderly

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<sup>1</sup> US State Department Human Rights Report Slovakia 2009, Amnesty International 2009 report, Council of Europe, Group of States Against Corruption, Compliance Report on Slovak Republic 2010, Nations in Transit Report on Slovakia, 2009 of Freedom House,

- Skinhead and neo-nazi attacks (mostly racially motivated) on Roma and others, especially foreigners:
- Restrictive measures against minorities (hate provoking statements by politicians against ethnic-Hungarian minority, adoption of the restrictive state language law).

Slovakia is a multi-ethnic country in the Central Europe – 14% of population claimed other than Slovak nationality. The country is a member of the UN Human Rights Council. In May 2009 the UNHRC conducted the first Universal Periodic Review (UPR) for Slovakia<sup>2</sup>. Several nations expressed concern about the status of the Roma minority, and an NGO shadow report detailed concerns about school segregation. On the discrimination of Roma the US State Department Human Rights Report for 2009 states that:

*“Government and societal discrimination against Roma and individuals of non-European ethnicity was a common problem. Roma are the second largest ethnic minority with a population of 90,000 according to the 2001 census. Experts estimated that the Romani population is actually between 350,000 and 500,000. The discrepancy was attributed to Roma identifying themselves as Hungarians or Slovaks. Racially motivated attacks on minorities (Roma and others) were widely reported throughout the year, but investigation of attacks and law enforcement varied by jurisdiction. Roma were particularly singled out for violence, and police detained numerous individuals for attacks against Roma motivated by racial hatred. There were also reports that police mistreated Roma....Skinhead and neo-Nazi violence against Roma and other minorities continued to be a serious problem. The People Against Racism activists (LPR) reported that, although police were increasingly responsive in their efforts to monitor and control the skinhead movement, the problem persisted. Several non-Romani minorities as well as foreigners were also victims of racially motivated attacks.”*

Also, new rules for using minority languages in Slovakia are very strict. Ethnic-Hungarian minority as discriminatory heavily criticized the 2009 amendment of the State Language Act. The law makes possible to fine up to 5,000 EUR those who use languages other than Slovak in public announcements and in the media. The controversy was mediated by the OSCE High Commissioner on National Minorities, which resulted in recommendation to develop a set of implementation guidelines to clarify some of law's provisions, particularly in the sanctions area. The government passed the guidelines in December, and they were set to enter into effect on January 1, 2010.

Corruption continues to be one the most pressing social problems and a burden in the public governance. In various rankings (CPI, Nations in Transit score) of corruption it holds lowest ranks from among the new EU member states. According to Transparency International Corruption Perception Index 2009, Slovakia ranks 56, together with Latvia, leaving Bulgaria and Romania behind from the new EU member states<sup>3</sup>. The Nations in Transit report for 2009 explains:

*“While anticorruption measures adopted by the previous administration created generally favorable institutional conditions to combat corruption, the intensity of the government’s anticorruption behavior declined perceptibly since 2008. Several corruption and clientelism scandals broke out, and the cabinet was selective in calling involved officials to account. NGOs monitoring corruption*

<sup>2</sup> [http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/SK/A\\_HRC\\_12\\_17\\_SVK\\_E.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/SK/A_HRC_12_17_SVK_E.pdf)

<sup>3</sup> [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)

*and transparency of public life reproached the incumbent administration for its nonsystemic approach and increasingly prevalent clientelism. The prime minister repeatedly attacked such groups, questioning the moral integrity of their representatives and accusing them of furthering the political interests of the opposition.....some government officials engaged in corrupt practices with impunity. Among many widely reported cases of large-scale corruption and lack of transparency in public procurements, three resulted in the replacement of high-level government officials” .<sup>4</sup>*

Recently issued report of Council of Europe on Slovakia’s performance in combating corruption, criticised Slovakia that it implemented only one of the sixteen recommendations made two years ago. The recommendations related to increasing the transparency of political party financing and to more complex measures in the Penal Code for prosecuting corruption.<sup>5</sup>

In terms of the judiciary, the situation has been slowly worsening over several years. There were concerns, particularly in the business sector, about the privatisation of justice. Some reported that court proceedings became a contest of vested interests and connections to the judicial powers.

*“The law provides for an independent judiciary; however, in practice problems with corruption, official intimidation of judges, inefficiency, and a lack of accountability continued to undermine judicial independence. In some cases the judiciary was subject to high-level influence and pressure by the government. In some cases judges felt they faced attempts to influence decision making as well as intimidation via disciplinary actions from the minister of justice or the Judicial Council. In June former minister of justice Stefan Harabin was elected chairman of the Supreme Court. Several NGOs mounted a campaign against his election, citing his personal contacts with a person suspected of organized drug-related criminal activity. They also criticized his misuse of disciplinary actions as tools to intimidate and persecute judges. Over 12,000 persons signed the petition. Several judges also filed a Constitutional Court claim against his election, which remained pending at year’s end.”<sup>6</sup>*

There was a number of restrictive changes in the laws related to the rights of citizens to participate in decision-making procedures that concerned the nature protection, environmental impact assessment and others. Also, the government in February 2008 withdrew a draft NGO law that sparked much public debate and generated significant press attention for its provisions that would effectively eliminate the legal basis for some watchdog organizations and curb activities of international NGOs in the country<sup>7</sup>.

## 2. Key Human Rights, Accountability and Watchdog NGOs

Slovakia’s HRAW NGOs played a significant role during the nineties in helping the country in its struggle with neo-authoritarianism. External foreign (public and private) funding helped them significantly. Relationship of the civil society with the state was quite sporadic and with many tensions and less cooperative than in neighboring countries, which also contributed to relative presence of HRAW NGOs in the Slovak civil society. Therefore, Slovakia is rich in variety of initiatives and NGOs that either continue from these times or connect to this experience.

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<sup>4</sup> <http://www.freedomhouse.org/uploads/nit/2009/Slovakia-final.pdf>

<sup>5</sup> Compliance Report on the Slovak Republic Directorate General of Human Rights and Legal Affairs, Directorate of Monitoring, Strasbourg, 26 March 2010

[http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3%282010%293\\_Slovakia\\_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3%282010%293_Slovakia_EN.pdf)

<sup>6</sup> US State Department, 2009 Human Rights Report, Slovakia

<sup>7</sup> *ibid.* See also Strečanský et al.: *Mimovládne neziskové organizácie a dobrovoľníctvo*, In: Slovensko 2008. Súhrnná správa o stave spoločnosti. Bútora M. – Kollár M. – Mesežnikov G. eds. Institute of Public Affaires, 2009

Below are listed some of the key HRAW NGOs that focus on the above mentioned issues through human rights advocacy, government accountability, public-interest lobbying and watchdog activities:

- Citizen, Democracy and Accountability<sup>8</sup>, established in 1991, organises activities for the protection of human dignity and human and civil rights. It calls the government for accountability and promotes anti-discrimination and women's rights. It is involved in public campaigns, education activities, litigation and advocacy.
- Alliance Fair-Play<sup>9</sup> is the most visible watchdog NGO in Slovakia whose goal is to push for ethical, transparent, professional and effective public administration and political representation. It has developed a unique freely accessible database of flows of public money to private hands (state subsidies, privatisation, tax and custom remissions, grants, European funds, debtors to the public sector and other) and lists of public representatives (managements of state institutions, governments, elected positions, judiciary, self-governments, parliament, advisors to political leaders).
- Via Iuris Association<sup>10</sup> tries to promote systemic changes in the following areas: public control of power and elimination of corruption including protecting those who reveal corruption behavior, pursuing consistency of ruling of the courts and elimination of arbitrariness in their ruling, especially when related to public participation in decision-making; supporting broad access to information and its preservation and protection from introduction of restrictive changes in the legislation and practice and other human and civil rights issues;
- Transparency International – Slovakia<sup>11</sup> was founded in 1998 and combats corruption by increasing transparency and reducing bureaucracy. It works with many different, but relevant partners and uses variety of approaches with a goal to adopt and implement anti-corruption programs and increased transparency of the public sector.
- Advisory Center for Civil and Human Rights<sup>12</sup> monitors harmonisation of domestic legislation with ratified conventions on human rights and fundamental freedoms, watches state institutions' activities regarding legislation with respect to fulfillment of obligations resulting from ratified conventions; creates conditions for a dialogue and co-operation of the non-governmental sector with the state bodies with special respect to enforcement of human rights and fundamental freedoms of the Slovak Republic. It monitors and analyses respecting of civil and human rights and the impact of the valid legislation on rights of people in all institutions limiting freedom to move (in particular institutions for children and youth, institutions assigned for imprisonment and detention, medical institutions for long-term patients, senior homes, closed psychiatric departments).
- Forum Institute – Minority Research Institute<sup>13</sup>, founded in 1996, with a primary objective to carry out complex studies on the situation and culture of the national minorities in Slovakia, as well as document their written and other heritage. As a non-profit organization, the Institute operates as public and service institute. In 2009 it has initiated a roundtable of Hungarians in Slovakia as a representative coordinating forum for most important issues of life and position of Hungarian

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<sup>8</sup> <http://www.oad.sk>

<sup>9</sup> <http://www.fair-play.sk>

<sup>10</sup> <http://www.viaiuris.sk>

<sup>11</sup> <http://www.tis.sk>

<sup>12</sup> <http://www.poradna-prava.sk>

<sup>13</sup> <http://www.foruminst.sk>



community in Slovakia, which was particularly relevant in connection to the new State Language Law issue.

- Slovak Governance Institute (SGI)<sup>14</sup> is a non-profit, non-partisan civic association. Its mission is to propose and promote solutions for good, accessible, transparent and effective public services for the citizens of Slovakia and other countries. As a part of its activities performs also watchdog role regarding the EU funding, employment policies and education reform.
- Milan Šimečka Foundation<sup>15</sup> is one of the oldest human rights NGOs in Slovakia, established in 1990, works in the fields of human rights education at various levels, holocaust documentation, and defends rights of Roma in education, housing and other areas.
- Friends of the Earth<sup>16</sup> is a civic association that continues to follow the objectives of the Center for Environmental Public Advocacy (CEPA). Its objectives include protecting the environment, promoting environmental, social and economic justice, pursuing the development of democracy and open civic society; supporting sustainable development of the regions and strengthening effective participation of citizens in decision-making processes linked with public interest issues.
- Institute of Public Affairs<sup>17</sup> (Slovak acronym IVO) is an independent non-governmental, nonprofit organization bringing together experts from many different areas of study. It was founded with the aim of promoting the values of an open society and a democratic political culture in public policy and decision-making. It analyses societal, political, economic, foreign-political, legal, cultural and other issues of public interest and to make the findings available to the public and contributes to expert dialogue, initiate discussion on important issues, and to actively participate in shaping public discourse
- People Against Racism<sup>18</sup> fights racism since 2003 by monitoring and campaigning for tolerant, open and multi-cultural society. It established a documentation-communication center for the fight against racism. It provides free legal advice and hotline for victims of racially motivated attacks.
- Charter 77 Foundation<sup>19</sup> provides free-free legal advisory services and advocacy to citizens and NGO's. It is oldest human rights advocacy NGO in Slovakia. It reviews, comments and analyses the law-making process. It provides oversight of judiciary – „judiciary watchdog“, monitors and analyzes international treaties and agreements into legislative framework of the Slovak Law system.
- People in Peril<sup>20</sup>, established in 1999, has a mission to provide effective support to those who suffer the consequences of natural catastrophes, conflicts and authoritarian regimes. It develops activities that support human rights and democracy in countries with authoritarian regimes. . It also works as advocacy and assistance center for asylum seekers in Slovakia. It also tries to engage the Slovak public, media, and politicians on human rights issues, through education activities covering Cuba, Burma, North Korea, Iran, the Middle East and other regions

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<sup>14</sup> <http://www.governance.sk>

<sup>15</sup> <http://www.nadaciamilanasecku.sk>

<sup>16</sup> <http://www.priateliazeme.sk/cepa/>

<sup>17</sup> <http://www.ivo.sk>

<sup>18</sup> <http://www.rasizmus.sk>

<sup>19</sup> <http://www.charta77.sk>

<sup>20</sup> <http://www.clovekvohrozeni.sk>

- Fenestra<sup>21</sup> works in the area of prevention and elimination of domestic violence and provides practical assistance of the victims of domestic violence, while works as advocacy and watchdog NGO in this area (towards the Slovak government at various levels).
- Womens Lobby Slovakia<sup>22</sup> coordinates Slovak women NGOs for the European Women Lobby. It tries to break the gender stereotypes in all areas of public and private life with the emphasis on education and work-life balance. It promotes equal opportunities principles and fights for the human rights of women in the area of reproduction rights.
- Aspekt<sup>23</sup> is a feminist educational and publishing organization. It was founded in 1993 as an interest association of women to develop the discourse on equality and democracy and apply it to the lived realities of the people of feminine gender in Slovakia.

### 3. Situation of the HRAW NGOs and their Sustainability

USAID rates the Slovakia in 2008 as a country where NGOs' sustainability is consolidated. According to this index, the country gets similar ranking as Estonia and with other Visegrad countries.<sup>24</sup>

*“NGOs continue in their efforts to defend their interests through campaigns, comments and petitions. The same groups of activists continue to lead the efforts, however, and the campaigns fail to generate new supporters.... Some types of NGOs, particularly watchdog and advocacy organizations, began to feel endangered in 2008. Only funds from domestic sources are available and these are insufficient to cover human resources needs in the sector.”*

It is the opinion of the authors of this report that the sustainability situation of HRAW NGOs in particular is getting worse and more difficult. The scope of the current HRAW NGOs in Slovakia is uncertain for the future, while the issues that they address have no tendency to disappear anytime soon.

There is still some foreign funding reported, however, as the HRAW NGOs community states, these are mostly EU funds in different forms and they are less and less relevant for their watchdog or human rights work.

The issue of sustainability of HRAW NGOs is reflected in a variety of research done in recent years in Slovakia<sup>25</sup>. Despite these concerns, The Nations in Transit Report for 2009 says that the Slovakia's civil society remains vibrant.

*“The non-governmental organization (NGO) sector has a well-developed infrastructure, training, and research base. The legal and regulatory environment is free of excessive state pressures, and taxation is favorable. Yet the Fico administration is less open toward NGOs than its predecessor, and the government is not receptive to policy advocacy groups and civic initiatives. The processes of re-etatization of various activities in the public sphere continued, while civic initiatives mobilized against certain governmental institutions and powerful financial groups. Owing to the Fico*

<sup>21</sup> <http://www.fenestra.sk>

<sup>22</sup> <http://zenskaloby.wordpress.com/>

<sup>23</sup> <http://www.aspekt.sk>

<sup>24</sup> USAID NGO Sustainability Index, 2008, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/slovakia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/slovakia.pdf)

<sup>25</sup> Marošiová L. – Gyárfášová O.: Hlas vybraných advokačných/watchdog/think tank organizácií. (Kvalitatívna sonda do problémov špecifického typu MNO), October 2006, In: Kvadratura kruhu alebo otázka spôsobu? K niektorým otázkam roly verejných zdrojov v podpore občianskeho hlasu vo verejnej politike na Slovensku 1995-2007), Nadácia Ekopolis, 2008, Strečanský B.: Slovakia. In: We and They. NGOs Influence on Decision-Making Processes in the Visegrad Group Countries, ed. Nicholson T., Sasakawa Peace Foundation, 2008

*administration's evident distrust of civil society, frequent verbal attacks by ruling politicians, and the absence of legislation improving the long-term sustainability of civil society structures, Slovakia's rating for civil society worsens from 1.50 to 1.75.*"<sup>26</sup>

The worsening of the conditions has a paradoxical effect of strengthening these organizations and identifying new opportunities, however, at the costs of organizational and personal exhaustion.

The major challenge for HRAW NGOs is the tendency to professionalisation of their work. The volunteering in HRAW NGOs is considered as normal and good practice, but it is not enough after some time. These organizations believe that remaining in the volunteering model would prevent them from further improvement of their work<sup>27</sup>.

Interviews with HRAW NGO representatives from Slovakia earlier in 2010 confirm the continuing challenge of working in a society that is barely sensitive to issues of human rights or good governance.

*"...people have a lack of knowledge and longer term memory that would equip them against political manipulation and demagogery".*

Important external factor for HRAW NGO sustainability is the state of the political culture:

*"...the government took a path of aggressive rhetorics against watchdog NGOs and questions their legitimacy, both constitutional and financial. These dangerous messages penetrated into the broad public and are used as arguments against us".*

The most challenging internal factors for HRAW NGOs sustainability are the capacity for organizational development including fundraising and development of professional skills and competencies. Those NGOs who have a good communications experience in-house and willingness to communicate more proactively about its work, for example its key staff has a previous journalist experience, are able to get a strong media presence, which seems to be an important prerequisite for approaching new, mostly private domestic donors. However, most of the HRAW NGOs compete for a limited space in the media and struggle with relative unattractiveness of issues they address. Therefore media attractive issues get more public attention, than those that are less attractive.

Nevertheless, the communication of HRAW NGOs can be considered as one of the possibilities for strengthening the domestic public buy-in in these issues and organizations, however, having in mind that it is a long-term process and will not bring resources to these NGOs immediately.

Much of this owes also to the self-perception of these NGOs as an *"elite club that can not communicate more effectively due to the nature of their work"*. Much of these communication outputs are outdated in their form, e.g. various monitoring reports that no-one reads. There are natural allies such as media but they seem to be over-flooded with initiatives, campaigns and petitions and get tired from them.

#### 4. Overall funding situation in particular for HRAW NGOs

HRAW NGOs use different and individual strategies for securing resources for their work, especially after the departure of major foreign funding that was present in Slovakia for these activities during nineties.

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<sup>26</sup> Freedom House, Nations in Transit, Country Report, 2009, Slovakia

<sup>27</sup> Marošiová L. – Gyárfášová O.

Funding of HRAW NGOs is project based, i.e. leaving very little capacity for internal development and strengthening of organizational capacity. This is not the choice of the HRAW NGOs, but a rational response to the funding market - there is no general support funding available for these organizations in recent years, which most consider as a barrier and obstacle.

Most of the funding of these organizations comes from foreign sources, either remainders of private foundations (CEE Trust, OSI) or from EU related sources (EC funded programs from Brussels, international networks). Also, some funding comes from the Norwegian funds and EU structural funds. Sometimes watchdog and advocacy NGOs end up in conflict of interests as they get funds from sources they advocate against. Very small funding comes from private donations from individuals and corporations.

There are also some specific limitations of HRAW NGOs in securing resources that are self-imposed in order to avoid a conflict of interest, when the watchdog or advocacy role is concerned. For example corporate funding is hard to accept in cases when public interest is defended against private corporations that find holes in the regulatory framework to achieve their commercial goals.

Another factor in ability of securing funding for HRAW NGOs relates to their specific focus on watchdog or human rights activities. NGOs, which have a broader portfolio of activities including education, research or analysis, have more and better opportunities for securing resources for their work – including possibilities of their self-financing. However, NGOs that want to focus only on watchdog activities, have their funding resources more limited and depend only on their donors – while the private sector is not at the moment the key donor for them – it is the public sector. With such strategy, it is possible that they will shrink their activities.

Some believe that this may lead to a situation when *“HRAW NGOs will modify their activities and some of the watchdog activities will be done by the social networks and people will get organised through these new media. However, it will not replace the traditional NGOs”*.

In this sense the 2% tax works as a mechanism that is technically anonymous provides a resource that also HRAW NGOs may use very well.

EU structural funds are not very relevant for HRAW NGOs. However, those that use these funds report many similar problems that are reported in other countries – delays in payments, excessive bureaucracy and irrational and erratic administrative and reporting requirements, formalism and cronyism (when administered in-country). The perception of the EU funding within the HRAW NGOs community is that these funds are inappropriate for NGO funding as such, not just for the HRAW NGOs.

*“The main deficit of EU funds is as if the EU would think that NGOs are large organizations that work with large operating budgets and as such are able to wait for the delays in payments, without any pain. But that is something we cannot accept. Due to that many NGOs get to the very edge of bankruptcy”*.

Paradoxically, the publicity related to these funds makes an impression as if there would be many different opportunities for various actors, including NGOs to use these funds. However, NGOs report that the details of their use, conditions attached to the contracts are designed asymmetrically and discriminatory against NGOs. Furthermore, these contracts are changed during the life of project implementation retroactively.

*“...then you find a sentence in the contract that you make yourself obliged to implement the project activities on time regardless whether the EU funds will be paid to you or not. So in fact, you should have other the funds ready at your account before you implement the project and you should be prepared that you will not see these money for five years, because you do not know whether they will send you the money or not”*

The regulations and conditions attached to these funds are extremely complicated already at the EU level and they get more complicated once they reach the national level.

The matching requirements for the EU structural funds are also hard to meet by HRAW NGOs. Their reserves were spent to cover the delays in payments of previous EU funded projects, private funds share in funding of HRAW NGOs is limited and public funds are not accepted as eligible matching. Thus, they end up in a limbo.

The poor practice of handling the EU structural funds is reported also by the NGO Sustainability Index 2008 report of USAID:

*“The combination of delayed reimbursement of funds and co-financing requirements restrains NGOs’ ability to receive EU funding. The requirements associated with EU funds are so inflexible that NGOs have difficulty managing them and find themselves being forced to increase their capacity. Additionally, EU funds have created a power imbalance in that the government can hold NGOs accountable, but NGOs are not able to hold the government accountable. For example, NGOs must satisfy a long list of requirements. The reporting processes for NGOs are very bureaucratic, and it is difficult to make changes to the budget or project activities. The approval procedure is long, and many activities and prices are out of date by the time of project approval. Some NGOs are actually suing the government because of these issues<sup>28</sup>.”*

The EU funding is considered as partly useful, however, only indirectly relevant (with the exception of the “Watchdog Fund” of the DG Justice, Freedom and Security established in 2005 as a temporary instrument to support the accountability and watchdog activities in the new EU members, which however ceased to exist by now). There are also other programs that some of the HRAW NGOs in Slovakia use – for example the Life Long Learning Program, or Calls for proposals for combating discrimination and promoting equality of the DG Employment, Social Affairs and Equal Opportunities, etc. In these schemes HRAW NGOs are expected to partner with other organizations from Europe. This international dimension, theoretically right, gets malformed in practice as many of these partnerships are primarily grant-driven and not program-driven.

Domestic public funding for the human rights and watchdog activities of Slovak NGOs takes place mostly as the co-funding to the European structural funds and other funds such as NGO Funds of the Norwegian Financial Mechanism and the EEA grants which were administered by three domestic grant-making foundations (Socia Foundation, Open Society Fund and Ekopolis Foundation). Part of these grants was focused also for supporting disadvantage groups and human rights. Some of the HRAW NGOs have taken the opportunity and used these funds. The funding suffered also with very demanding administrative and reporting requirements that also the intermediaries translated to their recipients. Furthermore, as co-funding were not accepted public funds, which complicated the situation for recipients.

The percentage philanthropy is something that is reported for HRAW NGOs as useful, however not sufficient to cover their needs. The government has recently decreased the possibilities of corporations to provide their percentage tax, which is an additional challenge for HRAW NGO<sup>29</sup>.

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<sup>28</sup> 2008 NGO Sustainability Index, Slovakia, USAID

<sup>29</sup> Strečanský et al.: Mimovládne neziskové organizácie a dobrovoľníctvo. In: Bútora M. – Kollár M. – Mesežnikov G.: Slovensko 2009 – Súhrnná správa o stave spoločnosti, IVO, 2010

Corporate sources are perceived as not considering the human rights or watchdog activities as attractive enough for their needs that are often combining the public relations and marketing interests with public benefit support. There are cases from time to time of corporate support, however, these are exceptional cases.

Individual support for HRAW NGOs exists, but is limited and relatively insignificant compared to the other sources. However, those HRAW NGOs that have a stronger public communication do enjoy also more support from individuals than those that communicate less. There are no tax incentives for giving in the current tax system neither for individuals nor for corporations, which makes the fundraising more difficult. However individual giving remains as a strategic area for the HRAW NGOs. To tap this effectively may require more time and investments into the fundraising capacities of HRAW NGOs. Very effective in tapping of this potential are organizations working in the environmental protection such as Greenpeace or Forest protection Association Wolf that were able to build network of individual supporters that are regularly kept involved and informed.

Self-financing becomes one of the strategies of those HRAW NGOs that have products or services (research, analysis) that can be offered to various clients and to generate some income by which they can cover holes in their budgets. The negative aspect of self-financing in Slovakia is that it exploits the capacity of HRAW NGOs on activities that are not advancing their mission. The self-financing on the other hand, enhances the professionalism and effectiveness in organizations. Overall, it does not seem that the self-financing is not perceived as the optimal strategy for HRAW NGOs.

There are also independent grantmaking foundations in Slovakia that operate in areas such as environment, child development, social affairs or even human rights (OSF). Such foundations are in Slovakia (together with Czech republic and Poland) relatively developed and widespread compared to some other countries of the new EU member states). Some or all of them have in past supported also human rights and watchdog activities – when they were able to use the funding of foreign donors. After their departure, most of the domestic grant-making foundations generate their resources from the domestic donors (public and private) that are not interested in funding HRAW NGOs. Several years ago Pontis Foundation established a “Watchdog Fund” within its structure with the ambition to pool funds from different corporations in support of the watchdog activities. This effort ended with only one significant contributor and lack of interest from the corporate community.

As reported from other countries of the region, the HRAW NGOs do consider domestic grant-making foundations as a good source and institutional framework for their funding. They believe that domestic foundations can serve as effective intermediaries between donors (public or private) and recipients, by filtering unnecessary administrative burden as well as donor pressures on recipients by providing sufficient freedom and flexibility for the recipients and stay focused on the main goal of their activity. Such strategy has been used with the EEA and Norwegian funds, however, the experience shows that even in such arrangements the administrative burdens remain very high.

The government has recently approved changes in the Law on Hazardous Gaming and created a legal space for the concept of “charitable lottery” and explicitly defined conditions for setting up such initiative. The conditions are quite strict and demanding.

## 5. Conclusions and Recommendations

The funding situation for Slovak HRAW NGOs is not particularly critical, due to the various adaptations of still relatively heterogeneous community of HRAW NGOs. However, the discourse about their future is

rather pessimistic and sustainability of HRAW NGOs is contemplated with questionmarks.

There is not a unifying idea or vision regarding the funding of the non-profits in Slovakia. The role of public funds is implicitly considered as very relevant, at the same time the experience with public funds as reflected also in this report, does not show much optimism.

The future of the HRAW NGOs in Slovakia is open. As most-likely scenario, they will be slowly changing and accepting also other functions, while replacing part of their missing financial resources for watchdog and accountability work through social networks and volunteering. The state does not see at this point the need to be more engaged in supporting of the HRAW activities in Slovakia, nor is this perceived by the corporate sector. HRAW NGOs will continue their work for several years, partly due to gravity of their existing foreign funding, partly due to their adaptability and flexibility that will allow them to find opportunities in self-financing, international networks, EU programs.

## 9.2 Slovakia: Sources

### A. List of HRAW NGOs

- Citizen, Democracy and Accountability
- Alliance Fair-Play
- Via Iuris Association
- Transparency International – Slovakia
- Advisory Center for Civil and Human Rights
- Forum Institute – Minority Research Institute
- Slovak Governance Institute (SGI)
- Milan Šimečka Foundation
- Friends of the Earth – CEPA
- Greenpeace Slovakia
- Institute of Public Affairs
- Pontis Foundation
- Center for Community Organizing
- Citizens in Action
- People Against Racism
- Charter 77 Foundation
- People in Peril
- Fenestra
- Womens Lobby Slovakia
- Možnosť voľby
- Aspekt

- Inakosť

## B. Literature, Resources, Links

- 1) *Amnesty International Report 2009*, State of the World's Human Rights, Slovakia, <http://www.thereport.amnesty.org/en/regions/europe-central-asia/slovakia>
- 2) *Corruption Perception Index 2009*, Transparency International, [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)
- 3) Interview with human rights NGO director, March 2010
- 4) Interview with government and political system watchdog NGO director, March 2010
- 5) Marošiová L. – Gyárfášová O.: *Hlas vybraných advokačných/watchdog/think tank organizácií. (Kvalitatívna sonda do problémov špecifického typu MNO)*, October 2006, In: *Kvadratura kruhu alebo otázka spôsobu? K niektorým otázkam roly verejných zdrojov v podpore občianskeho hlasu vo verejnej politike na Slovensku 1995-2007*), Nadácia Ekopolis, 2008,
- 6) *Nations in Transit, Slovakia*, Freedom House, 2009, <http://www.freedomhouse.org/uploads/nit/2009/Slovakia-final.pdf>
- 7) *Slovakia 2009 Human Rights Report*, 2009 Country Reports on Human Rights Practices, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, US Department of State, March 11, 2010,
  - a. <http://www.state.gov/drl/rls/hrrpt/2009/eur/136057.htm>
- 8) Strečanský B.: Slovakia. In: "We and They – NGOs' influence on decision-making processes in the Visegrad group countries, ed. Nicholson T., Sasakawa Peace Foundation, 2008
- 9) Strečanský B. et al.: *Mimovládne neziskové organizácie a dobrovoľníctvo*, In: *Slovensko 2008. Súhrnná správa o stave spoločnosti*. Bútorá M. – Kollár M. – Mesežnikov G. eds. Institute of Public Affairs, 2009
- 10) Strečanský B. et al.: *Mimovládne neziskové organizácie a dobrovoľníctvo*. In: *Bútorá M. – Kollár M. – Mesežnikov G. eds: Slovensko 2009 – Súhrnná správa o stave spoločnosti*, Institute of Public Affairs, 2010
- 11) *Kvadratura kruhu alebo otázka spôsobu. K niektorým otázkam roly verejných zdrojov v podpore občianskeho hlasu vo verejnej politike na Slovensku 1995-2007*. Strečanský B. Ed. Nadácia Ekopolis, 2008
- 12) *USAID NGO Sustainability Index 2008*, Slovakia, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/slovakia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/slovakia.pdf)
- 13) <http://www.rasizmus.sk>
- 14) <http://www.charta77.sk>
- 15) <http://www.clovekvohrozeni.sk>
- 16) <http://www.fenestra.sk>
- 17) <http://zenskaloby.wordpress.com/>
- 18) <http://www.aspekt.sk>



- 19) <http://www.oad.sk>
- 20) <http://www.fair-play.sk>
- 21) <http://www.viaiuris.sk>
- 22) <http://www.tis.sk>
- 23) <http://www.greenpeace.sk>
- 24) <http://www.moznostvolby.sk>
- 25) <http://www.poradna-prava.sk>
- 26) <http://www.foruminst.sk>
- 27) <http://www.governance.sk>
- 28) <http://www.nadaciamilanasimecku.sk>
- 29) <http://www.priateliazeme.sk/cepa/>
- 30) <http://www.ivo.sk>

## Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

### 10.1 Slovenia

#### 1. Human Rights, Accountability and Watchdog Issues

Slovenia is one of the most developed countries of the 10 new EU member states from the CEE. This applies also to human rights situation, accountability of government, good governance and corruption. In February 2010 Slovenia went through the Universal Periodic Review process of the UN Human Rights Commission<sup>1</sup> which brought number of recommendations and conclusions by different countries on variety of issues ranging from “erased” citizens issues to issues of same sex partnerships or hate speech.

Many of the issues are also raised in other human rights reports and require attention. In a combined view, according to the reports of foreign or international organizations watching over the human rights Slovenia in recent years faces following issues<sup>2</sup>:

- Discrimination against Roma, especially as far their access to education is concerned

<sup>1</sup> [http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/SI/A\\_HRC\\_14\\_15\\_Slovenia.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/SI/A_HRC_14_15_Slovenia.pdf)

<sup>2</sup> US State Department Human Rights Report 2009, Amnesty International 2009 report

- Discrimination against former Yugoslav residents without legal status that were categorized as “erased” citizens, that amounts over 25,000.
- Societal violence against women, trafficking in women and girls,
- Trial delays and cursory procedures for review of asylum applications
- Violence against gays and lesbians,

The US State Department Human Rights Report states that:

*“the law provides special rights and protections to indigenous Italian and Hungarian minorities, including the right to use their own national symbols and access to bilingual education. Each minority has the right for each to be represented as a community in parliament. Other minorities do not have comparable special rights and protections. The government considered ethnic Serbs, Croats, Bosnians, Kosovo Albanians, and Roma from Kosovo and Albania to be “new” minorities, and the special constitutional provisions for autochthonous<sup>3</sup> minorities did not apply to them. The new minorities faced varying degrees of governmental and societal discrimination with respect to employment, housing, and education.*

According to Transparency International Corruption Perception Index 2009, Slovenia ranks 27<sup>th</sup>, together with Estonia being the leader of the group of new EU member states in this ranking <sup>4</sup>. However, the public perceives corruption to be a widespread problem<sup>5</sup>. The Freedom House in its report mentions that in 2008,

*“unproven claims surfaced that Slovenian officials had been bribed by the Finnish company Patria to help finalize the purchase of armored personnel carriers for the Slovenian army. In 2008, the Commission for the Prevention of Corruption fought serious financial problems, which resulted in the National Assembly approving the lowest budget in the Commission’s history”.<sup>6</sup>*

## 2. Key Human Rights, Accountability and Watchdog NGOs

The NGOs in Slovenia are mostly service oriented and mutual-interest based. The human rights advocacy or watchdog activities are often performed as a secondary or parallel activity of these NGOs. Many NGOs run projects or programs that have components of watchdog or advocacy activities, but there are very few NGOs that would specialize only in watchdog or advocacy actions.

Below are listed several NGOs that perform multiple activities including human rights advocacy, government accountability, public-interest lobbying and watchdog activities:

- Peace Institute<sup>7</sup> - Institute for Contemporary Social and Political Studies – is a non-profit research institution developing interdisciplinary research activities in various fields of the social and human sciences. Its aim is to actively intervene in public policy and to link academic research and reflection with practical educational and strategic advisory activities. The institute monitors

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<sup>3</sup> Indigenous minorities

<sup>4</sup> [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)

<sup>5</sup> <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136058.htm>

<sup>6</sup> <http://www.freedomhouse.hu/images/nit2009/slovenia.pdf>

<sup>7</sup> <http://www.mirovni-institut.si/Main/Index/en/>

intolerance, migration and asylum policies, gay and lesbian studies, racism and xenophobia. The institute is funded 35% from a private international sources (mainly OSI grant), 40% from different international and bilateral sources (mainly from different EU funding), and 25% from domestic governmental or local authorities.

- Umanoterra – Slovenian Foundation for Sustainable Development<sup>8</sup> promotes sustainable development in Slovenia, particularly preservation of natural resources, balancing the human dimension with environmental one and promoting environmental ethics. It conducts also policy advocacy and watchdog of the government in the environmental and socially equitable development. Its main sources of funding are foreign (structural funds, embassies, bilateral donors) and domestic (Ministry of environment, Office for information, etc.) and some private foundations (CEE Trust).
- Legal Information Center for NGOs<sup>9</sup> was initiated by the Open Society Institute and established by seven NGOs in 1997. It offers support to NGOs, marginalised and deprived groups (e.g. refugees, children, youth, elderly, the homeless and the handicapped) and other civil movements and groups, as well as other interested individuals and organisations. LIC projects include analyses of local legislation and comparative analyses with a view to initiating changes in legislation, thus offering socially-deprived individuals or groups direct legal assistance in the fields of company law, human rights, environmental law, social law, consumer protection law, and other legal fields where protection is called for.
- Integriteta – Association for Ethical Public Action<sup>10</sup> - has been established in March 2009 as a local chapter of the Transparency International in Slovenia. It is a civic association and its purpose is to develop and implement prevention programmes in the area of raising awareness of general and professional public on the conditions, needs and implications of establishing the necessary degree of integrity (recently it conducted a research on corruption in the NGOs). Integriteta Association provides advice to individuals and legal persons, particularly victims of corruption, the promotion and organization of their cooperation with law enforcement agencies and assist in the protection of witnesses in this field.
- CNVOS Centre for Information service, co-operation and development of NGOs<sup>11</sup> is a national NGO network. The aim of CNVOS is to empower NGOs in Slovenia, promote their role as an important part of civil society and ensure the realisation of their objectives through: information services, partnership-building and networking on national and international levels; awareness-raising; lobbying; knowledge exchange and non-formal education for NGOs. CNVOS has extensive experience with promotion of civil dialogue on local, national and EU level as well as capacity building of CSOs. CNVOS is the main advocate for enabling environment for NGOs in Slovenia. Amnesty International Slovenia is a Slovene branch of Amnesty International, which does advocacy work on the global level as well as on national level in Slovenia. In Slovenia AIS work mostly on the issues of Roma people, LGBT, anti-discrimination.
- Focus Association for Sustainable Development is environmental NGO, which does its advocacy work on the areas of climate change, energy, mobility, environmental fiscal reform and consumption. Activities encompass: organising round tables and workshops, projects, awareness

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<sup>8</sup> <http://www.umanotera.org>

<sup>9</sup> <http://www.pic.si/>

<sup>10</sup> <http://www.integriteta.si/>

<sup>11</sup> <http://www.cnvos.si/>

raising, co-operation and networking, following the work of the government, its institutions and local communities, analysing the developments in the fields of our activity, media work, participation in the decision-making processes on the national and international level, street actions and any other activity that contributes to the aim of Focus.

- Association for the Theory and Culture of Handicap (YHD), Ljubljana, Slovenia<sup>12</sup> associates handicapped people who believe in and act by the principles of the independent living, free from patronizing practices of charity. It voices out views and opinions of its members, who understand handicap as their deprived social status, that needs to be surpassed. The Association is involved in national and international campaigns focused on human rights, fight the inequalities, and call for personal assistance for all.
- Environment Center<sup>13</sup> provides better work conditions for environmental NGOs. The Environment Centre also providing basic infrastructure and help to not yet established NGOs and civil initiatives. Consequently it is trying to achieve bigger influence of environmental NGOs in decision making processes.

Specific goals of the Environment centre are to improve public awareness about nature protection and sustainable development, to strengthen environment consciousness of individuals and community/ collectivity, to strengthen cooperation of environmental NGOs and public in decision making processes, to strengthen access public for environmental information and publications,

to offer to visitors basic advises and accesses to independent opinion from different fields of environment protection and sustainable development.

- The Women's Lobby of Slovenia<sup>14</sup> is a Coordination mechanism of 11 NGOs covering different fields of work on issues that are related to women's life. The Women Lobby of Slovenia was established in December 2006. Its mission is to ensure equality of women and men in Slovenia and in Europe and assist in EU policies exercising women human rights and equality of women and men. It tries to be the link for everyone who is interested in gender issues in Slovenia, specially for lobbying activities when changing legislation. The work of the association is deals with three areas: violence against women, women and health issues and women in politics.
- Association SOS Help Line for Women and Children - Victims of Violence.<sup>15</sup> It provides to victims of domestic violence variety of support services including a free SOS phone hotline, safeguarded shelter in secret location for women with or without children as well as self-help group facilitation and assistance.

### 3. Situation of the HRAW NGOs and their Sustainability

USAID rates the Slovenia in 2010 as a country where NGOs' sustainability is in the mid-transition. The country gets lower ranking in this index than any of the Baltic and Visegrad countries.<sup>16</sup>

Freedom House in its 2009 Nations in Transit report mentions that the with almost 21,000 non-governmental organizations, civil society in Slovenia is vibrant, but most NGOs are not involved in public

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<sup>12</sup> <http://www.yhd-drustvo.si/>

<sup>13</sup> <http://www.okoljski-center.si/>

<sup>14</sup> <http://www.zls.si>

<sup>15</sup> <http://www.drustvo-sos.si>

<sup>16</sup> USAID NGO Sustainability Index, 2008, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/slovenia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/slovenia.pdf)

affairs. ....majority of civil society remains outside the realm of public affairs.<sup>17</sup> This trend has been also confirmed by our respondents.

The relatively narrower profile of human rights and watchdog NGO scene in Slovenia has also historical reasons. Slovenia was bypassed by many of the foreign funders (both private and public) that were active in civil society support in the Visegrad or Baltic countries in the nineties.

#### 4. Overall funding situation in particular for HRAW NGOs<sup>18</sup>.

The financial viability of NGOs in Slovenia is considered by the 2010 USAID NGO Sustainability Index in transition and compared to other countries of the region as one with lower ranking. Much of the NGOs is funded from public sources or EU sources which means also delays in funding and instability and unpredictability of cash flows. It should be noted, however, that this funding does not fund watchdog or human rights activities. These are funded mostly from membership fees or self-financing., which seems to be one of the working strategies, which works, only if it generates surplus. If not, as one of the respondents puts it, that you can be either lucky and be a part of a wider international network. Therefore, it is hard to find in Slovenia an NGO that would be permanently conducting human rights watchdog activities.

From 2008 NGO resources and networks working on horizontal or thematic level (culture, human rights, health, etc.) can apply for the funding from European Social Fund. Support activities focus on capacity building of NGOs for advocacy and advocacy work of the networks. There is 12,4 mio EUR available for a period from 2007 till 2013 resulting in improved dialogue between the NGOs and the ministries on these areas. Domestic public funding for the human rights and watchdog activities of Slovenian NGOs has been limited. One of the most relevant funding in this area recently was the NGO Fund<sup>19</sup> of the Norwegian Financial Mechanism. Its purpose was to provide institutional capacity building support to NGOs working in the priority sectors of the Financial Mechanisms, with the overall objective to increase solidarity, create opportunities and support cooperation at international level between the NGOs in Slovenia and the donor countries. The eligible topics were also non-discrimination, anti-racism, advocacy, awareness raising, human rights, gender equality, rights-based approaches, empowerment, monitoring, reporting, etc. The Fund supported "people-to-people" and "soft" project activities, such as education and training, organization of conferences, seminars and other practical activities; public participation and the promotion of good governance, exchange of good practices and bilateral cooperation. However, direct watchdog activities were not a priority. Also, the national government agencies and ministries provided funds in activities of human rights or watchdog, but it was associated with many problems, some of technical nature and some of more conceptual nature. Also, many national agencies do not have a relevant budget line items to support such activities<sup>20</sup>.

Similarly as in other countries, NGOs report that governmental funding is often full of red-tape:

*"if you have independent funding coming for example from UNHCR, then it works – otherwise you would have hard time to get funds from the Ministry of Interior of Justice, it would be extremely hard to get those finances. Even if you get them for example through the European Refugee Fund*

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<sup>17</sup> The rating for civil society remains at 1.75. (Freedom House, Nations in Transit, Country Report, 2009, Slovenia)

<sup>18</sup> Information in the section is based on interviews with Slovenian HRAW NGO representatives, and reports of HRAW NGOs.

<sup>19</sup> [http://www.rec-lj.si/projekti/eea/eng/eea\\_eng.htm](http://www.rec-lj.si/projekti/eea/eng/eea_eng.htm)

<sup>20</sup> One of the respondents suggested that most effective way of redistributing public funds for NGO activities in Slovenia would be through an independent public agency which would do the work for different ministries in different areas, as it would save on the staff and simplify the bureaucracy and variety of administrative procedures that each ministry has a bit different. Similar model exists in Croatia.

*managed here by the Ministry of Interior, it causes headaches to those NGOs who implement watchdog activities, because there is a huge amount of administrative work and it shrinks time to actually implement watchdog activities<sup>21</sup>"*

But there are also deeper problems with the government funding of watchdog and human rights activities of NGOs that relate directly to the chronic problem of independence and conflict of interests: the same NGO acts as a partner to the ministry in policy making/commenting/drafting and at the same time as a grantee which critically reviews the actions of the government. For this reasons some HRAW NGOs find easier to interact with Brussels institutions than with national ones as they are in a way burdened with their opinions. For some of them, they report, it is easier to implement human rights and watchdog projects with funding from Brussels than with funding from Slovenian ministry.

*"...So Brussels funds don't necessarily mean Brussels office, they mean independent money (for human rights NGOs)"<sup>22</sup>*

The weak side of the EU funding from Brussels for human rights NGOs is that many of them are administratively weak to be able to tap this funding.

*"...they (human rights NGOs) do not have the capacity and the knowledge."<sup>23</sup>*

So ideally, for the human rights NGOs, the funding should be coming from Brussels and administration could be in-country i.e. in Slovenia, but not by the government agency, but by some other private-public entity.

*"when it is managed here in Slovenia possibly without national government administration, that would probably be one of the mechanisms that could foster the development of this field"<sup>24</sup>*

The existing funders have not focused on support of advocacy or watchdog activities in such scope and breadth as in other countries of the CEE. Therefore the overall profile of the human rights, watchdog, and accountability NGO community does not compare to those in the other new EU member states. Still, the impact of for example Soros Foundation remains noticeable - its support enabled the establishment of national NGOs in the fields of human rights, protection of minorities, women, ecology etc.<sup>25</sup>

*"The problem in Slovenia is that it always seems to be a relatively nice country with a high GDP with everything well-organized without huge violations, so therefore a lot of funders were not really interested to finance such activities because they did not see them as a priority."*

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<sup>21</sup> Interview with Slovenian NGO

<sup>22</sup> Interview with NGO respondent, March 2010

<sup>23</sup> Interview with NGO respondent, March 2010

<sup>24</sup> *ibid.*

<sup>25</sup> Divjak, T.: Civil society and good governance in societies in transition: Slovenia. In: Civil society and good governance in societies in transition (Benedek, W., ed.), Belgrade: Belgrade Centre for Human Rights – Vienna: Neuer Wissenschaftlicher Verlag: 2006. [http://www.rec-lj.si/projekti/eea/eng/documents/D2\\_Civil\\_Soc.\\_and\\_Good\\_Governance.pdf](http://www.rec-lj.si/projekti/eea/eng/documents/D2_Civil_Soc._and_Good_Governance.pdf)

The role of private donations (individuals) in HRAW NGOs funding portfolio is limited to issues that can appeal to public – such as human rights protection of kids or for the victims of violence. However, for asylum seekers, the appeal diminishes and funding is not available.

Corporate funding for human rights and watchdog activities is almost non-existent.

There are no signs of using revenues from privatization or from lottery funds.

## 10.2 Slovenia: Sources

### A. List of Selected HRAW NGOs

- Peace Institute<sup>26</sup>
- Umanoterra – Slovenian Foundation for Sustainable Development<sup>27</sup>
- Legal Information Center for NGOs<sup>28</sup>
- Integriteta Društvo<sup>29</sup>
- Association for the Theory and Culture of Handicap (YHD), Ljubljana, Slovenia<sup>30</sup>
- Environment Center<sup>31</sup>
- The Women's Lobby of Slovenia<sup>32</sup>
- Association SOS Help Line for Women and Children - Victims of Violence<sup>33</sup>

### B. Literature and Resources

- 1) *About NGO sector in Slovenia* (Summarised from Operational programme for development of human resources for the period 2007- 2013; Chapter 3.3.5.3. Promotion of the development of NGOs, social and civil dialogue) [http://www.rec-lj.si/projekti/eea/eng/documents/D1\\_About\\_NGO\\_sector\\_in\\_Slovenia.pdf](http://www.rec-lj.si/projekti/eea/eng/documents/D1_About_NGO_sector_in_Slovenia.pdf)
- 2) *Amnesty International Report 2009*, State of the World's Human Rights, Slovenia, <http://thereport.amnesty.org>
- 3) *Corruption Perception Index 2009*, Transparency International, [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table)
- 4) Divjak, T.: *Civil society and good governance in societies in transition: Slovenia*. In: Civil society and good governance in societies in transition (Benedek, W., ed.), Belgrade: Belgrade Centre for Human Rights – Vienna: Neuer Wissenschaftlicher Verlag; 2006. [http://www.reclj.si/projekti/eea/eng/documents/D2\\_Civil\\_Soc\\_and\\_Good\\_Governance.pdf](http://www.reclj.si/projekti/eea/eng/documents/D2_Civil_Soc_and_Good_Governance.pdf)

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<sup>26</sup> <http://www.mirovni-institut.si/Main/Index/en/>

<sup>27</sup> <http://www.umanotera.org>

<sup>28</sup> <http://www.pic.si/>

<sup>29</sup> <http://www.integriteta.si/>

<sup>30</sup> <http://www.yhd-drustvo.si/>

<sup>31</sup> <http://www.okoljski-center.si/>

<sup>32</sup> <http://www.zls.si>

<sup>33</sup> <http://www.drustvo-sos.si>



- 5) Interview with infrastructure NGO, March 2010
- 6) Interview with human rights watchdog NGO, March 2010
- 7) *Nations in Transit, Slovenia*, Freedom House, 2009, <http://www.freedomhouse.org>,
- 8) *Report of the Working Group on the Universal Periodic Review\**, Slovenia, Human Rights Council, 14<sup>th</sup> Session, General Assembly, United Nations March 15, 2010
- 9) *Slovenia 2009 Human Rights Report*, [2009 Country Reports on Human Rights Practices](http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136058.htm), BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, US Department of State, March 11, 2010, <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136058.htm>
- 10) *USAID NGO Sustainability Index 2008*, Slovenia, [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2008/slovenia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2008/slovenia.pdf)
- 11) <http://www.mirovni-institut.si/Main/Index/en/>
- 12) <http://www.umanotera.org>
- 13) <http://www.pic.si/>
- 14) <http://www.integriteta.si/>
- 15) <http://www.yhd-drustvo.si/>
- 16) <http://www.okoljski-center.si/>
- 17) <http://www.zls.si>
- 18) <http://www.drustvo-sos.si>