Ireland

Greece

Czech Republic

Romania

Russia

2018
Report
on the
State of
Civil
Society
in the
EU and
Russia

EU-RUSSIA CIVIL SOCIETY FORUM
ГРАЖДАНСКИЙ ФОРУМ ЕС-РОССИЯ

EU-Russia Civil Society Forum e.V. (CSF) is an independent network of thematically diverse NGOs, established as a bottom-up civic initiative. Its goal is to strengthen cooperation between civil society organisations and contribute to the integration of Russia and the EU, based on common values of pluralistic democracy, rule of law, human rights, and social justice. Launched in 2011, CSF now has 156 members and supporters: 68 from the EU, 81 from Russia and seven international organisations.

The Forum serves as a platform for members in articulating common positions, providing support and solidarity and exerting civic influence on governmental and inter-governmental relations. These goals are pursued by bringing together CSF members for joint projects, research and advocacy; by conducting public discussions and dialogues with decision-makers; and by facilitating people-to-people exchanges.

2018 Report on the State of Civil Society in the EU and Russia

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PREFACE

By Kristina Smolijaninovaitė and Elena Belokurova

Since 2016, the EU-Russia Civil Society Forum (CSF) has been researching and publishing on the main trends and challenges for civil society organisations (CSOs) in the region. We are glad to offer our third Annual Report of the State of Civil Society in the EU and Russia. This time it features four new country cases – Czech Republic, Greece, Ireland, Romania and Russia. We hope that the Report brings together not just data and observations, but an engaged and growing community of researchers.

The previous Annual Reports 2016 and 2017 had covered the developments in four EU countries each (Germany, Spain, Poland and Hungary, followed by The Netherlands, Italy, Lithuania and Bulgaria), and Russia has been included every year[1]. Extending this principle, in 2018 we have chosen Greece and Ireland, for the "old" member states of very different geographical locations, and Czech Republic and Romania, two "new" members with very distinct historical experience in democratisation.

In the Russian case study of 2018, a special focus on sustainability and effectiveness of CSOs activities is offered. Research provided insight on challenges and best practices in enhancing sustainability and effectiveness.

Before the empirical research, we have organised a research workshop among experts in Saint Petersburg in February 2018 in cooperation with the Centre for German and European Studies (Saint Petersburg State University – Bielefeld University). Then, all case studies were conducted by researchers in their home countries, placing them in the broader political, social and economic context of the respective country. In-depth interviews were conducted with the CSO leaders and experts in each case. The quantitative survey method applied in previous studies of 2016 and 2017 was skipped in 2018 and replaced by the focus groups at the end of the research in each country. As a result, policy recommendations were formulated and included into this new edition, to address EU policy-makers, national governments and CSOs themselves.

During the research, we tried to apply the participatory approach, in order to collect and represent different perspectives and views of civil societies. Therefore, the Report summarises the results of five case studies conducted by five researchers, 70 interviews, five focus groups with altogether 24 participants, 10 anonymous reviewers from five countries. We are very grateful to all of them, who invested their time and efforts to make this Report.

In 2018, new features were not confined merely to methodological novelties. The authors of the current and previous Report studies also established the Expert Group "Civil Society Research" within the CSF, which included 13 first members from eight countries. The new Expert Group will actively work for the promotion of the Report, organise public discussions and presentations of the Report as well as facilitation of research within the Forum, and other forms of cooperation.

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1   The first and second issues of the annual Report on the State of Civil Society in the EU and Russia in English and Russian as well as other related materials of the project from different years are at: http://eu-russia-csf. org/home/projects/state-of-civil-society/

The fourth issue of the Annual Report will be published at the beginning of 2020 and will feature UK, Sweden, Estonia, Slovakia and Russia. We look forward to more fruitful efforts in the years ahead, even in these turbulent times, when migration trends and xenophobia along with concerns of national security are leading to populist right-wing policies among governments. It is all the more imperative to promote civil society in Russia and the EU in the face of such challenges.

An appeal for support: Civil society organisations in the EU and Russia, 2018

Comparative overview

By Brian Harvey

Introduction

Civil society in Europe and Russia continues to experience considerable difficulty in a changing, troubling, political environment. This is the principal finding to emerge from a study of Civil Society Organisations (CSOs) in Romania, the Czech Republic, Ireland, Greece and Russia, the countries surveyed in the 2018 report on civil society in the EU and Russia conducted by the EU-Russia Civil Society Forum. The Romanian researcher describes the CSO situation as 'fragile' and 'more at risk' than ever, the relationship between CSOs and government as deadlocked, characterised by 'low trust, difficult development conditions, corruption and weak state capacity' and government 'reducing the space for civil society organisations'. In the Czech Republic, a strong commitment to civil society in the 1990s had withered: the researcher regards it as an open question as to whether CSOs there are headed toward the model of 'Hungary or the Netherlands?', fearing the former. Civil society development in Russia is held back by restrictive, repressive laws. In Ireland, civil society organisations are only just emerging from the period of austerity imposed by the government in 2008, but face fresh challenges in new regulations on lobbying. In Greece, enduring a later but comparable period of austerity, CSOs struggle to survive; some had not; but new social movements had emerged quite different from their traditional predecessors.

Method

The five reports presented in the volume follow a common methodology of a study of documentation; interviews with a cross-section of between 12 and 16 CSO representatives according to a common format (> annex 1 for interview questions); focus groups to test conclusions and recommendations (> annex 2 for focus group questions); and peer review by an academic or senior researcher. The interviews encompass a variety of fields (e.g. social services, ecology, human rights, animal welfare, migration, youth, natural heritage), competences (research, capacity-building, volunteering, management), regions (national to local); size; and experience of selected CSOs. Researchers filed their reports according to a common format: data; legal framework and political conditions; challenges; solutions, with examples; recommendations; and conclusions (there was also the option of an additional section on international cooperation). These are the broad headings followed in this comparative overview, with examples and quotations from each. It is the practice of the Forum to select a different group of four countries each year, but with one constant, which is that Russia is always included as one of the five.

Before that, a terminological note, which is that the term Civil Society Organisations (CSOs) is used throughout and for purposes of this text approximates to other terms commonly in use such as Non-Governmental Organisations (NGOs), third sector and non-profit organisations. CSOs range from large national organisations providing a broad range of social services to quite small, localised actions and initiatives, sometimes informal. To take one country example, Greek CSOs range from Children's Smile, with a budget of up to €10 million a year to a small group where citizens came together, as they did recently, to organise to clean up rubbish near to their village.

The five countries break down into two broad groups: a western European pair, Ireland and Greece, where CSOs share a common history of austerity governments and policies; and the eastern three (Romania, Czech Republic, Russia) which share a common history of transition from the Communist period (1989-91), with the rider that the situation in Russia may have exceptional features not found in the other two. Accordingly, these groups may be taken together, with the intention of providing an overall balance between the five different countries.

Size and funding

The 2018 reports give us a picture of the size and funding of the CSO sector in each country (table 1).

Table 1   Size and funding of CSO sector in each country (see country chapters)

	Romania	Czech Republic	Russia	Ireland	Greece
Number CSOs	42,707	132,953	220,000	29,000	7,190
Employees	99,774	104,277		158,000	4,000
Funding	€2.537m	€4bn	€11.8bn	€10.8bn	
Main sectors (in descending order)	Social services Sports Education Culture	Social services Sport	Social services	Development Housing Social services	Neighbourhood associations, arts and culture

These are the most accurate and complete figures that can be compiled from national statistical sources, but it is important to bear in mind that there may be definitional differences between them. There is no European standard to assess or measure the size of the CSO sector in operation, so that forensic comparability is not possible. It is said that what is measured is a statement of what is important and it is interesting that in the EU member states (i.e. all the above countries except Russia), the primary statistical organisation serving the European Union, namely Eurostat, otherwise known for the comprehensiveness of its systems for measurement, has not defined a common tool for the comparable measurement of the CSO sector or its contribution to the economy. The American Johns Hopkins system referenced in the country reports is known across Europe and is used in the cases of Romania and Ireland, but it is problematical insofar as it includes a substantial body of CSO types which, although not-for-profit and legally private, carry out tasks which in other countries would be carried out by public bodies (e.g. education, schools, hospitals). Moreover, it uses a system for the classification of sectors which may suit the United States (for example, categorising 'housing' with 'development'), but which to European eyes is at best idiosyncratic. Country-by-country, there are other definitional issues: for example, the Russian figure includes many sports clubs that are state-sponsored to the point that they are only nominally CSOs. The problem of non-comparability is most evident in the case of Greece, which, were it using classifications more alike the others would surely give a higher figure in table 1. There are still gaps to be filled and it would be desirable to have comparative tables of the relative contribution of CSOs to the economy, employees and volunteers in each country.

Despite this, there is sufficient information to give us an overview. Information is available, for example, on CSO concentration, stability, funding sources and volunteering, giving us a picture of some features held in common and where they are different. Despite the patchiness of the data, trends and characteristics are evident.

It is evident that the concentration of CSOs is uneven, both by location and field of work. In Romania, for example, CSOs are most present in the economically developed and urban areas, while conversely they are weak in rural and poor areas. They are principally local, less than a fifth functioning at national level. In Russia, likewise, CSO are concentrated on the cities, with over a quarter in St Petersburg and in and around Moscow. Although social services are their principal focus (disabled people, poor families, orphans, elderly people), quite a number are actively involved in campaigning across a number of fields. In Greece, CSOs are concentrated in urban areas and Attica which according to the research available is due to its base in the affluent, educated, middle classes. Irish CSOs are concentrated on development and housing, followed by social services. The Czech Republic may be unusual in having influential CSOs in both the capital, Prague and the regions.

Some are very much involved in advocacy. For example, several CSOs in the Czech Republic have led successful campaigns in recent years, such as Rekonstrukce Statu ('Reconstruction of the state') which brought several new measures for transparency and against corruption, with other campaigns in the areas for LGBT rights, the minimum wage, food and waste management and a ban on fox and mink farms. Romanian CSOs are involved in campaigns and protests against corruption. By contrast, Irish statistics indicate a small advocacy sector, although the researcher points out that others may engage in advocacy but be covered by a different classification.

The overall number of the Russian CSO sector is very stable, changing by only 1% to 2% a year, but with a high turnover of new ones starting up and old ones closing, up to 50% being short-lived. In Romania, the size of the CSO sector grew fourfold between the 1990s and the present. In recent years, there were some distinct CSO growth areas, such as those concerned with corruption and transparency. The number of CSOs rose slightly in the Czech Republic, by 3.02% from 2014 to 2015. Such longitudinal data, though, are rare and not available in all countries.

Areas of new CSO formation are always of interest, for they show how society and its citizens make an organised response to its problems. Greece is perhaps the most interesting example. There, the growth areas are citizen initiatives that emerged since 2010 as a result of the economic crisis (economic contraction of 30%, 35% of people below the poverty line, unemployment 27.5%, youth unemployment 61%) and refugee inflow (856,723 refugees arrived in 2015 alone). These new organisations take the form of collective kitchens, solidarity pharmacies, schools, medical centres, social grocery shops, social economy initiatives, collectives, cooperatives, initiatives to support refugees and political activism against austerity measures. Contrary to external impressions that Greek CSOs are atrophic, they responded quickly to the economic and refugee crises, providing services for the destitute, questioning the policies that made the situation worse and challenged the views of ultra-nationalist political parties (e.g. Golden Dawn). Some of these CSOs do not look like traditional CSOs, for they comprise informal neighbourhood groups, citizen's solidarity initiatives and political activists, what might be called the new social movements.

Obtaining funding is a struggle in all five countries. Ireland and then Greece both experienced severe and comparable periods of austerity that greatly impacted on civil society, especially evident in reduced government funding. In Ireland, CSOs were badly affected by the country's financial crash in 2008, following which the government made severe cuts to CSO funding, moreover at a time when demands on them – especially social services – greatly increased. They had to scale back and some disappeared. CSOs still live in this shadow and the social consequences of this period still endure, especially in the area of homelessness. In Greece, state and private funding for CSO declined sharply during the financial crisis and several did not survive.

What is perhaps more surprising is the simultaneous decline in foreign, foundation and philanthropic giving. Different factors appear to be at work in different countries. In all countries, philanthropic foundations now appear to be a relatively small source of income. In Ireland, the two main such funders recently closed. In Romania, Russia and the Czech Republic, foreign donors present during the transition years of the 1990s largely disappeared. Compared to now, the funding provided up to accession (the Czech Republic in 2004, Romania in 2007) is now considered as having been 'easy money'. In Romania, the CSO sector contracted when foreign donors disappeared. Although it was partly replaced by European Union money, this was handled by government agencies, which were slow and bureaucratic, compounded by frequent rule changes, creating insecurity and making it difficult to plan. As a result, CSOs became dependent on their own governments and domestic funding sources for their survival and development.

Who funds CSOs now? In Greece, the most important sources of CSO funding are private donations, foundations, state funding, co-funded programmes (e.g. EU) and members' contributions. In the case of citizens' solidarity initiatives, the principal sources of funding are donations, local authorities and fund-raising ranging from concerts to bazaars and crowd funding. Government is the principal funder of CSOs in Ireland and also provides substantial support in the Czech Republic (in the latter case directed mainly toward social services and sport), supplemented by private donations. Ireland has high rates of personal giving, in the world's top ten. The Czech Republic now reports the highest levels of private donations ever.

In Russia, the state is the principal source of income, followed by private and corporate donations. In 2016, funding for CSOs by the Ministry for Economic Development and other governmental sources was consolidated under what are called Presidential grants, which provided 3,213 grants worth €92.8 million in 2017 and 3,573 grants for €111.4 million in 2018. Although the scheme was welcomed by many CSOs, it has several drawbacks. It centralises public resources for CSOs in one major foundation. Although this scheme is open to all, human rights and environmental groups obtain only a small amount of funding. It replaced welcome foreign funding of CSOs. Finally, although the volume of funding may at first sight appear substantial, it is in fact relatively low given the size of Russia, the needs of CSOs and comparable level of support in other states. On a positive note, the level of private donations in Russia has risen, with 17% of people now making such a contribution.

Romania is an outlier here, for since 2003 a system of 2% income tax deduction has operated, which is the now largest single source of income, followed by the European Union and then central and local government.

Volunteers are important human resources for CSOs. Ireland has high rates and volunteering, along with personal giving the two bright spots for its future development. Volunteering is performing well in the Czech Republic. In Russia, the level of volunteering has grown, helped by more sympathetic media coverage and public opinion. By contrast, in Romania, the level of volunteering is low and limited to young, urban professionals.

A final point to make on data is that governments have shown little interest in measuring the CSO sector in such a way that might lead to comparability. In Greece, some government departments set up databases of CSOs. For example, the Ministry of Foreign Affairs maintains a register, as does the Ministry of the Interior for civil protection organisations etc. However, these databases are not updated regularly – which is essential for a constantly changing CSO landscape – and are considered unreliable. In the Czech Republic, the registration of CSOs is compulsory, but the state does not update its records, which partly defeats the purpose of doing so.

Political and legislative environment

All countries do now have some form of legislative and policy environment, most of it quite recent, but it presents a complex picture. For Russia, Romania and the Czech Republic, optimism during the transition period – a time of the freeing of the legislative environment for CSOs and significant foreign funding – has given way to an uncertain, less permissive and in places a hostile political environment.

Table 2 gives a non-exhaustive picture of the legislative environment, identifying some key points of legislation and policy documents. 'Legislation' and 'policy' are taken together and are often inseparable in the political process.

Table 2 Examples of recent features of the legislative and policy environment

Country	Legislation
Romania	GO 26/2000 regulating associative sector activity Fiscal codes: law 22/215; OG 37/2003 Law 34/1998 subsidising organisations providing social assistance Law 571/2003 to permit taxpayers to give 2% to non-profits Law 219/2015 on social enterprise Laws 98/2016 and 99/2016 on public procurement reform Laws 544/2001 on consultation and 52/2003 on transparency Prime ministerial decision 142/1997 on relations with CSOs
Czech Republic	2014 New civic code 2015 *State policy with respect to NGOs for 2015-2020*
Russia	Law on socially orientated non-profit organisations, 2010 Law amended to designate some CSOs as foreign agents, undesirable organisations, 2012 Law on 'socially-orientated' CSOs, 2017 Law amended on registration of foreign CSOs; financial reporting; restriction on foreign CSOs in anti-corruption field, 2018
Ireland	White paper *Supporting voluntary activity*, 2000 Charities Act, 2009 Regulation of Lobbying Act, 2015
Greece	Law on the National System of Social Care (2646/1998) Law for Development Aid (2731/1999)

Russia, Romania and the Czech Republic developed their legislative environment during their transition periods in the 1990s, but the current environment is worsening. Russia has no less than 15 forms of CSO, the legislative rules being constantly modified, 81 times between 1997 and mid-2018 (53 changes after 2010 alone), legislation described as 'tough, complex, contradictory, ambivalent and imbalanced'. The Czech Republic is another example of a country where the legislative and political environment is unpredictable. On the one hand, a positive government plan is formally in place (2015-2020) and there is even a formal structure for dialogue with the CSO sector, the Government Council for Non-Governmental, Non-Profit Organisations (RVNNO in Czech) with 34 members of whom 18 come from CSOs. On the other hand, recent political events destabilised the situation, the key moment being the general election 2017 which brought a fragmentation of political parties, their polarisation to left and right and the election of an unstable minority government under prime minister Andrej Babis in 2017, opening the way to verbal attacks on CSOs. Discussion on the 2018 budget was marked by questioning of funding going to CSOs, especially those concerned with women, development and humanitarian aid. From 2014, Czech CSOs were obliged to register on line, publish a wider range of documents and some must submit to VAT control. At the same time, laws that had been awaited on social enterprise and volunteering that might have made their situation easier were not passed.

This experience is paralleled in Romania. In 1997, a department was set up for relations between the prime minister's office and the CSO sector, with another in the Parliament and a counsellor in the President's office. In 2017, the first CSOs were appointed to the Economic and Social Council. Yet, a supportive legislative environment is still absent and the 2018 Fiscal Code set down new requirements for publishing and identifying private funders. In 2015, a Ministry of Public Consultation and Civic Dialogue was created but then closed. The government does not appear to have a vision as to how CSOs should operate and despite their becoming ever more important social service providers, 'they remain on the outskirts of the welfare system without consistent support'. In Romania, CSOs campaigned successfully for a law on social enterprises, ones which took ten years to achieve (2015), only to see it dismantled in 2017.

In the two western European countries, the legislative environment is also quite recent. Although rights to freedom of expression are included in the Greek constitution, the term CSO did not appear until 1998 when the term NGO was used in the law for the National System of Social Care (Law 2646/1998) and then development aid (law 2731/1999). The Civil Code provides for several types of CSOs: *Enosi prosopon*, the simplest form of citizen initiative; *Somatio*, or association of 20 people or more; *Astiki Mi Kerdoskopiki Eteria* (AMKE), a non-profit company; *Idrima*, or foundation; *Eranos*, five people or more collecting funds for private benefit. Although the government supported causes close to the heart of the CSO community such as human rights (e.g. anti-racist legislation, LGBT community), the Greek government did not develop 'an operational institutional framework for licensing, supervision, accountability and funding of civil society organisations which would optimise their operation and regulate and systematise their cooperation', nor clarity in their tax situation, nor an institutional framework for volunteering.

Likewise, legislation in Ireland is recent, taking the country 78 years to formally define the relationship between CSOs and government from independence (1922), to publication of the white paper *Supporting voluntary activity* (2000). Even then, it is poorly implemented. From 1993, there was a formal, structured engagement of CSOs with government through what was called social partnership, but this ended in the watershed year of 2008. A legislative framework took even longer than the white paper, not until the Charities Act, 2009 which provided a comprehensive basis for their operation. More lately, the Regulation of

lobbying Act, 2015, which requires registration of organisations receiving donations over €100, sets limits to their 'political' use and restricts such donations to domestic sources. In recent years the Standards in Public Office Commission began to enforce this and has required CSOs to return donations. As a result, it is possible that CSOs will be ever more restricted in actions considered 'political'.

The picture painted here is one of unevenness and contradiction. In several countries, governments deliver positive policy documents (e.g. the Irish white paper) and even structures that bring CSOs close to government (e.g Czech Republic, Romania), but then restrictive laws appear and what could have been a positive relationship goes into reverse. Logic suggests that if supportive laws and structures are put in place, they should create a virtuous circle in the relationship between civil society and the state, but this is not the case. In Romania, despite these structures, relationships are poor and a confrontational relationship with government developed. Following a fire with many casualties in 2015, there were mass movements against corruption, when part of civil society took to the streets. Now 70% of CSO leaders are reported to believe that criticism will lead to a loss of funding. Draft legislation will make it more difficult for people to give to CSOs, while laws on consultation and transparency – vital for the engagement of civil society with the state – are poorly applied. A striking feature of the Romanian report is the attention given by CSOs to freedom of information. Law 544/2001 set down the systems for access to public interest information and mandatory public consultation and although poorly operated, CSOs see such legislation as essential to the canon of law necessary for them to work effectively. Governments across Europe are notoriously sensitive to criticism in the areas of corruption and access to information, which may explain the strength of their counter-reaction to campaigning CSOs. This may tell us that concepts of accountability and ethics in government are not as well embedded in democratic government as they are often assumed.

In some countries, CSOs face political opposition from different parties or distinct sectors of the political spectrum. In Greece, CSOs are distrusted by all political parties, but especially by the left which does not want them to replace the proper role of the state in social services. In the Czech Republic, the threat comes not only from the nationalist extremes of the right, but also the extreme left and some media.

At the same time, the picture in each country is not always consistent. In some, individual politicians are supportive while others are hostile. Much is dependent on individuals who in position of influence can affect events for good or bad. In Greece, individuals in the same governing Syriza party that enforced European austerity did not conceal their sympathy for new activists. Its minsters had backgrounds in CSOs such as Médécins du Monde and all its parliamentarians committed themselves to giving a proportion of their salaries to *Solidarity for All*.

Does the political and legislative environment matter? In Greece, the lack of an appropriate institutional framework regulating the operation of CSOs, coupled with limited state funding, definitely has a negative impact. Generally, CSOs have an important role to play in national and European development and they have the knowledge and experience to contribute to policy, but are not given the opportunity to do so. It is hard to avoid the conclusion that policies toward CSO are inconsistent over time, government and even within government.

We have only patchy information on the connections between CSOs and international organisations. Some CSOs were well connected abroad, for example Romanian CSOs to the European Community Organising Network (ECON), TB Coalition, Autism Europe, the European Civic Forum, the Community of Democracies. It does not appear to be a prominent part of their work though and we lack information about the others. In the Czech Republic, some CSOs are considered to be more and more 'inward-looking' and that may be true elsewhere.

Challenges: Enemies of the people?

The main challenges identified by CSOs are the interconnected ones of their role, funding and financing. Elements of this problematic have already been outlined and are further developed here.

First, their role is under threat. A particular recurrent theme is the challenge of governments closing off funding from abroad, a feature of Ireland (already mentioned), Russia and Romania, coupled with the portrayal of CSO advocacy as unpatriotic. In Romania, CSOs receiving foreign funding – especially those concerned with anti-corruption initiatives – are accused by politicians and the press of being 'enemies of the nation', 'representing foreign interests', while some protest events by activists were banned. Not only are CSOs targeted but individuals within them. In Romania, the government is seen less as an enabler, but more as more interested to extend power and control, with some governmental leaders looking to dismantle the CSO sector outright. There was never a genuine commitment from government. One political leader even described George Soros, long a friend of CSOs in eastern and central Europe, as 'evil'. Several CSOs in Prague were recently accused of being 'disloyal' for criticising the urban development plan and not given funds by the city administration.

In Russia, CSOs concerned with human rights, fair elections, ecological issues and even social services are demonised as 'foreign agents'. Following protests against electoral fraud in 2011-12, the state brought in measures to weaken and delegitimise civil society activity, especially in the areas of human rights, the environment and think–tanks. CSOs were formally divided into groups, some favoured, but with two categories called 'foreign agents', defined as receiving foreign funding and engaging in political activity (76 currently so identified) and other international CSOs considered a threat to constitutional order, prohibited and to be shunned (12). 'Political activity', broadly and vaguely defined, could encompass opinion polling and taking a view about society and policy. In the event, some of these organisations closed down and re-registered in another form so as not to attract the attention of the authorities. These developments also had the effect of scaring away international and foreign donors. There were also examples of 'pocket', pseudo CSOs created by the state. The legislative environment is considered 'far from friendly' and a barrier to civil society development. There should be an even playing field for all types of CSO, regardless of the field in which they work. The overall environment is repressive, with excessive regulation and decreasing levels of political freedom.

Second, in the area of funding and financing, CSOs are challenged by a combination of inhibiting legislation, bureaucratic reporting requirements and sustainability, with a limited range of funding opportunities domestic and foreign. CSOs become in some countries – whatever their other rewards – an unattractive place to work, on account of intimidating governments, low funding levels and bureaucratic demands. Low funding levels translate into poor salaries, while the pressures of working there lead to burnout, premature ageing and the difficulty of attracting young CSO leaders to build a career there. Running CSOs is a skilled task, requiring fund-raisers, public relations staff. At the same time, CSOs cannot pay salaries that match their skills, so they must hire less-qualified young people, or persuade better qualified older people to work below the market wage. There are cases where organisations are fully audited every three years, which can be so intense as to cause work to stop for months, which is demoralising. In others, CSOs have no tax privileges and must pay taxes on the same basis as for-profit, commercial organisations. In the Czech Republic, high employment levels mean that prospective workers for civil society can get better paid work elsewhere. Overall, this is not an environment that encourages civil society to grow.

The connected issues of role and funding are more than technical ones of relationships with government, but fundamental, political and philosophical questions. In the Czech Republic, the current situation is a fundamental one concerning 'the very existence of civil society, why it exists, what it does, how it works, how it is funded or why people should support it'. Although there is a presumption that the situation of Czech CSOs – which had led the changes during the transition – had now stabilised, in fact their position is now vulnerable. Do they themselves do enough to stand up for themselves and defend and promote the civil society idea?

Although Ireland is historically, geographically and politically somewhat distant from the eastward trio of the Czech Republic, Romania and Russia, the challenges to Irish CSOs are not that different. Irish CSOs are only now recovering from the financial crash of 2008, but funding remains the most significant problem area, with a lack of philanthropic funding and the state prioritising services over advocacy, with the latter restricted. Their next most significant problems are, in descending order, inadequate professional capacity due to difficulties in recruiting and retaining staff; an ever more complex regulatory environment with an excessive burden of compliance; connected to this, greater difficulty recruiting board members; a falling back in campaigning capacity, especially in utilising the new social media; and a dramatically reduced public perception of charities due to a number of high-profile financial scandals. The accumulated effect is that CSOs are becoming ever more cautious in what they do or say. In its companion in the western group, Greece, there are three dominant absences: funding; cooperation and networking; and a legal framework.

Solutions: Diversify, cooperate, educate, advocate

CSOs in the five countries are pressed, more than ever, to devise fresh funding strategies and to diversify. Those methods which they use the most are fund-raising; entrepreneurialism (e.g. social enterprise, providing consultancy); and the prompting of philanthropy while at the same time working with government to try to reduce the negative impact of its policies (advocacy). Some invest in training, both for the sake of professionalisation and to mitigate threats. Others invest in educating the media about civil society (e.g. Romania). There is nothing radically new about these strategies, for they have been going on for 15 years when foreign donors first began to depart, but they had intensified under recent pressures.

Specific solutions are illustrated here, looking at the eastern group of three first. Faced with the end of pre-accession funding and the uncertain nature of government support, Czech CSOs diversified. They developed fund-raising strategies and looked for private sector support. Some attracted support from the EEA and Norway grants or state support, while others developed their own fundraising schemes or partnerships with private investors. Nevertheless, the majority of Czech CSOs still remain dependant on one major source of funding. In Russia, CSOs focussed on raising more money from donations, even in small amounts, through educational work and there was scope for increasing the level of volunteering. Some of this has already begun to pay off, for the work and activities of CSOs were now more favourably reported by the media, building a positive public image and trust. Romania is typical of countries that developed a broad range of solutions in the form of improving the capacity of the CSO sector through such diversifying funding, getting better legislation from government, professionalisation and up-skilling (training, fundraising, strategic planning) and working with the mass media.

In the western group of Ireland and Greece, the Irish situation is different, for the situation for the CSO community has finally begun to improve after the disaster of austerity from

2008. In Ireland, some CSOs learned how to use the new media, publish more transparent information and annual reports, merge with other organisations and diversify income, for example through crowd funding and international donations. They improved their practice in advocacy, alliances and networks, engaged in government structures, worked with members of parliament by supporting private members legislation, brought cases to court and supported social media initiatives. The solutions for Irish CSOs were to manage the regulatory burden, improve public confidence, support new social movements, learn to use the new technologies, reaffirm the role of advocacy and work collaboratively, while arguing that government should make the regulatory burden manageable – all themes that echoed the situation of the eastern trio.

In Greece, CSOs adopted new strategies to survive, such as finding alternate sources of funding and developing volunteerism. The number of regular volunteers rose from 5,557 in 2010 to 7,100 in 2013 and occasional volunteers from 9,020 to 12,769 in the same period. At one level, this is a positive development illustrating values of solidarity, compassion and civic responsibility, but on the other it may be seen as part of the process of restructuring the labour market where full-time jobs are replaced by ever more precarious or even unpaid work. The Greek language makes a telling distinction between *kinimatikos*, an individual actively involved in social movements, translated as 'activist' and 'volunteer'. Greek CSOs addressed the lack of funding by reducing their operating costs and restructuring their operations, diversifying funding, but avoiding, in the light of rising social need, reducing staff. The reduction of operating costs is considered important in convincing private funding that organisations are efficient. Greenpeace is an example of an organisation that reformed, rather than cut back on its operations at a time when environmental issues became more important than ever. To promote public trust, CSOs became more transparent, a quarter hiring accountants to audit their finances and over a half now publishing annual reports. CSOs outside Athens became more successful in accessing EU funds. The role of foundations became ever more important, both older foundations such as the Stavros Niarchos Foundation, John S. Latsis Foundation and Bodossaki Foundation, but also new ones, such as TIMA (2011); the Hellenic Initiative and Hellenic Hope (2012), both founded by the diaspora; and Solidarity Now (2013). Such foundation funding rose 70% in the health sector, 215% in human rights and 772% in the area of migration.

Greek CSOs developed their work with the media; learned how to cooperate move effectively together; promoted government policies and frameworks for the CSO sector; and tried to provide a response to the social crisis in the country, the example being that of refugees. Taking each in turn, the CSO Chamogelo tou Paidiou (The Smile of the Child) was promoted by Radio Arvila, including through its satirical show, while Action Aid Hellas released a video which brought in 3,500 new sponsors in three weeks. Previously competitive and territorial CSOs learned how to work together more effectively. An example is Higher Incubator Giving Growth & Sustainability (HIGGS), a collaborative, cooperative space in a three-floor building with shared space and facilities. To address the lack of policy, structure and regulation in the CSO sector concerned with palliative care, the Stavros Niarhos Foundation began a campaign for a national strategy for palliative care, leading to the setting up of a national committee of CSOs, providers, academics and the Ministry of Health. In the case of refugees, 57,000 were trapped in the country as a result of the EU-Turkey deal of March 2016, with 15,000 living in dire conditions on the outskirts of Athens. Here, migrant solidarity organisations and volunteers took over the unoccupied eight-floor City Plaza hotel to provide them with accommodation and related facilities (kindergarten, school, medical centre, medicine and clothes store) in a humane, supportive environment and attracted the support of local residents. Several examples of 'solutions' or good practice were cited and are summarised here (table 3)

Table 3   Examples of good practice

Country	Example
Russia	Todogood: Promote *pro bono* culture Russia Behind Bars: Support for prisoners, convicts and their families White Nights of Fundraising: Annual conference for CSOs, professionals, fundraisers Open Space: communal space for CSO events Capital of the Local Community: endowment fund for long-term funding of CSOs
The Czech Republic	Mej se k svetu: Platform for cooperation between networks of CSOs Lepsi misto: Online platform for sharing information between citizens and local authorities aimed at urbal development and community building Gulag.cz: Use of crowd-funding and other innovative methods of fundraising
Ireland	Trocaire: Information on how it makes itself transparent and accountable Irish Environmental Network: Well being toolkit for local members Social Change Initiative: Fellowship programme for activists Migrant Education Access: Campaign group
Greece	Chamogelo tou Paidiou and Action Aid Hellas: Media work Higher Incubator Giving Growth & Sustainability (HIGGS), common space National strategy for Palliative Care City Plaza hotel for refugees
Romania	Concordia Academy: Development of leadership skills Transparency and media work: Independent Journalism Centre, factual.ro

Conclusions

An overview of the situation of civil society in Europe and Russia, based on these reports, presents a difficult and challenging picture. The optimism apparent in the 1990s and into the new century has given way to - in Russia and Romania for example - a darker political clash in which CSOs find themselves involved in bigger and broader political issues in which their values and *raison d'être* are central. In Romania, there has been a 'step backwards' after three decades of improvement. In the Czech Republic, the situation is 'slowly but surely deteriorating'. Although the location and history of Ireland is quite different, such issues have been far from absent there either.

The dividing line of this battle is described evocatively in Russia as 'almost two different realities' where one set of CSOs is welcomed, but those working in contested fields (human rights, environment, international think–tanks) are discouraged and even repressed; and in the Czech Republic as 'the shrinking space for civil society', with a discouraging picture of political attacks, financial challenges and an uncertain legal environment. At the same time, there is a good there too, a sector full of 'good practices, innovative ideas and positive energy' on the other. Even in Greece, enduring the dark hours of European austerity, the past number of years saw the emergence of new social movements – informal local initiatives of neighbourhoods and activists – that provide both practical help to its victims and mobilisation for more enlightened social policies in the future.

Governments across Europe and Russia do not appear to have a consistent, positive view as to the desirability of helping civil society to fulfil its vocation, which means a political environment in which CSOs can make their views known without fear; a balanced regulatory régime; systems of structured dialogue; resourcing; and supportive funding relationships.

CSOs show resilience and imagination in this difficult situation, but as the weaker party in this relationship, there is only such much that they can do.

Several country reports sound like an appeal for help. The EU was founded on democratic principles and its institutions made many noble statements on the value of civil society. With the exception of the Fundamental Rights Agency, it has had little to say about the urgency of protecting the CSO sector in those European countries where it is under threat, be that from governments through their acts of commission or omission – or from ultranationalist politicians.[2] The EU has spoken out about the repression of CSOs in Hungary, but it is time that it did so in the other countries. It could deploy its statistical instruments to attempt to measure the contribution of CSOs to society, their size, funding, employment, fields of work and so on. It could more actively and strategically use the financial instruments at its disposal, such as global grants, and endorse the European Values Instrument and its principles.[3] Almost 20 years ago, the European Commission took the lead, in its white paper on governance, in charting a positive pathway for civil society: it is time for it to do so again.[4]

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2   European Union Agency for Fundamental Rights (2018). 'Civil society space: views of organisations'. Available online: https://fra.europa.eu/en/publication/2018/colloq-civil-society.

3   Global grants are defined in the general regulation of the structural funds as:

§§42-3 The member state or the managing authority may entrust the management and operation of a part of an operational programme to one or more intermediate bodies, designated by the member states or the managing authority, including local authorities, regional development bodies or non-governmental organisations.

When introduced with the reformed structural funds (1989-94), global grants were of considerable value in funding CSOs to support European objectives for social inclusion. Global grants are managed by independent Intermediary Funding Bodies (IFBs) which typically include stakeholders, those knowledgeable about or with an interest in the outcomes of the proposed actions and are administered with minimal paperwork.

The Committee on Civil Liberties of the European Parliament proposed a European Values Instrument in a resolution in April 2018. It was envisaged that funding would provide long-term institutional support for pan-European CSOs and smaller scale, local actions in the member states. In May 2018, the European Commission proposed the creation of a €642m Values Fund - a slightly different title - within the financial framework of 2021-2027, with the objective of supporting civil society organisations encouraging and facilitating active participation in the construction of a more democratic Union as well as awareness of rights and values.

4   European Commission (2001): *European governance - a white paper*. Luxembourg, Office of Official Publications.

Summary of recommendations[5]

For CSOs

- Cooperate to face their common challenges, build networks of cooperation – for example in groups of neighbouring countries – and develop a spirit of solidarity. They should exchange information and best practice, coordinate their efforts and take common positions.

- Invest in educating people on the value, work and benefits of civil society, making a compelling case to government and media. Advocate, engage and communicate with society as a whole and mobilise its support.

- Build an enlightened, strategic relationship with government. Defend themselves from political pressures, build support from policy-makers, public and civil servants, business, public figures, intellectuals.

- Professionalise: Diversify funding and use new funding techniques (e.g. crowd-sourcing, online); raise skill levels; learn to manage the burden of regulation; use new technologies; document and make their work transparent.

- Address low wages, skills shortages, retain staff, make civil society a valued place to work.

For governments

- Rethink, respect, recognise the legitimacy of civil society and its organisations.

- Work with civil society to agree the principles of their relationship (e.g. independence, structured dialogue, transparency, accountability, partnership), setting down a constructive, supportive framework for the medium to long term.

- Communicate to the people the value of supporting civil society.

- Provide an improved, stable, sustainable, transparent and predictable funding environment with multiple funding streams. Put specific support mechanisms in place: incentives for business support, corporate social responsibility, tax incentives, improve delivery of European funding.

- Repeal repressive and restrictive legislation.

- A balanced regulatory régime: reduce the increasing, disproportionate burden of compliance.

For the European Union

- Express support for civil society at the highest level (Council, Commission, Parliament), condemn anti-democratic threats to civil society.

- Fund education programmes about the benefits of civil society and knowledge of its role and organisations.

- Use global grant systems to fund CSOs.

- Introduce an adequately-funded Rights and Values programme, based on the European Values Instrument and its principles, to support civil society organisations which promote the Union's fundamental values and rights.

- Include civil society within the remit of Eurostat so as to set down and publish a Europe-specific comparable framework and system of measurement.

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5   A more detailed version of these recommendations is carried at the end of the Report.

Ireland

Ireland: Emerging from crisis

By Anna Visser

Civil society overview

CSOs in Ireland are emerging from a decade of social and economic crisis. They are dealing with the legacy of the crisis, as well as the challenge of operating in a new world of social activism with advocacy and campaigning no longer contained within the boundaries of traditional CSOs.

It is not possible to conduct a study of Irish civil society without acknowledging the social and financial crisis that Ireland experienced after 2008 (Ross, 2009; O'Toole, 2010). During the crisis unemployment rose from 6.4% in 2008 to 14.6% in July 2011 (Central Statistics Office). Austerity resulted in significant cuts to state funding of CSOs, while also increasing demands for the social services they provide.

In Ireland, as globally, the evolving role of CSOs has been increasingly identified as an important social and political phenomenon. The history of civil society since the foundation of the Irish state is well documented (Donoghue, Anheier and Salamon, 1999; Acheson *et al.*, 2004; Kirby, 2010) and recent decades have witnessed a growth in the numbers and formalisation of CSOs (Donoghue *et al.*, 2006; Donnelly-Cox and Cannon, 2010).

There is no single source of data which provides an overview of the community and voluntary sector (which is the term frequently used in Ireland, and therefore in this report, to describe CSOs) in a manner which fully reflects the definition used by the EU Russia Civil Society Forum. In addition to the studies highlighted above, there are two sources of comprehensive, population, data available about these organisations. The first is itself a non-profit project – Benefacts.ie, the second is the Charities Regulatory Authority (CRA). In this brief introduction to the sector I will rely on the Benefacts.ie data because it includes charities,[6] as well as non-profit organisations who do not have charitable status. Benefacts collates and publishes official available (and public) data about the broad non-profit sector. Its takes data from official bodies such as: the CRA, the Companies Registration Office (CRO), the Department of Education and Skills, the Revenue Commissioners (tax collection body), and other sources of data about particular groups of non-profits. According to Benefacts analysis, as of April 2018 there are more than 29,000 non-profit organisations, which represents about 11% of all organisations in Ireland (Benefacts 2018). Benefacts acknowledges that this is likely to be a significant under-estimate, as it is only recently that data has begun to become available on many thousands of small, local non-profit organisations, through the establishment, by government, of local Public Participation Networks (PPNs).[7]

About 8,500 organisations are incorporated under the Companies Act, 2014 or some other provision of Irish law (for example friendly societies), while a small number are incorporated by statute; these include some voluntary hospitals and universities whose establishment precedes the foundation of the State, and some international organisations (for example the Red Cross). The remainder include schools, universities, trades unions, local divisions (parishes, select vestries) and other members (e.g. congregations, orders, chapters) of

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6   The CRA publishes on its website a list of regulated Charities. As of November 2017 there were 9931 organisations with Chartable State in Ireland (http://www.charitiesregulatoryauthority.ie/en/cra/pages/home, no date).

7   PPNs are local, formal networks established by local authorities to enable them connect with the broad range of local organisations active in their areas (Department of Rurual and Community Development).

churches and faith bodies, as well as thousands of local clubs, societies, and associations which usually have a constitution and rules and are often constituted as members of their own national umbrella body – for sport, recreation, community or environmental benefit.

Irish non-profits reported current income of €10.8 billion from a variety of earned and unearned sources. Quasi-public bodies[8] (91% of them charities) account for €6.2 billion of this total; in the rest of the sector, income from all sources is more evenly distributed. Government funding – in the form of fees or grants – is the biggest single source of non-profits' revenue, however thousands of Irish non-profits including charities receive no government funding. Table 1 summarises financial data supplied by Benefacts to the researcher in 2018, and provides a breakdown of income sources for the organisations for which Benefacts has detailed financial records (n=5233) (not all organisations publish full detailed accounts, under company law many organisations can choose to publish 'abridged' or shortened accounts). There are difficulties with the Benefacts descriptive categories, which are based on the Johns Hopkins classification system, in an Irish context. For example, the application of this classification in an Irish context suggests that 3.9% of organisations are involved in advocacy, but this does not account for the fact that many organisations which do advocacy also engage in other activities, and hence are captured by a different classification. Nonetheless this data does contribute to the picture of funding. It also identifies that the sectors which are most reliant on government funding are: education and research, health, and social services – all of which are core public services.

Table 1   Financial overview of the non-profit sector

Sub-sector	% Total orgs	% Total funds	% Govt Grants	% Govt Service Fees	% Other income	% Donations & Fundraising	% Misc
Advocacy, Law, Politics	3.9	1.4	1.9	0.4	2.7	3.2	0.8
Arts, Culture, Media	6.8	1.6	1.9	0.3	3.3	1.2	2.0
Development, Housing	27.1	5.8	5.5	6.0	6.3	2.0	6.6
Education, Research	7.1	28.9	65.5	0.9	19.1	6.0	51.8
Environment	6.3	1.2	0.7	0.1	2.9	2.5	1.7
Health	7.0	33.2	1.9	64.0	33.4	14.1	22.0
International	2.7	5.2	12.6	0.0	1.1	31.9	0.8
Philanthropy, Voluntarism	2.7	1.0	0.1	0.2	0.3	9.7	0.8
Professional, Vocational	6.7	3.8	0.5	0.6	16.4	0.4	3.4
Recreation, Sports	8.2	1.8	1.1	0.1	5.8	1.3	1.9
Religion	5.0	0.7	0.0	0.0	0.9	5.2	0.7
Social Services	16.4	15.4	8.2	27.4	7.7	22.6	7.5

Source: Benefact.ie, data supplied to researcher

Benefacts reports that 158,000 people are employed in Irish non-profits – about 7.3% of the workforce. The greatest number work in social services, health, higher education, local development and housing. Around 4,000 organisations have no employees, and they are entirely run by volunteers.

8   *Benefacts defines 'quasi-public bodies' as non-profits which "operate on special terms with government, inasmuch as their voluntary boards don't exercise control over the remuneration of their employees because these are treated as public sector workers", see: https://en.benefacts.ie/2017/04/28/quasi-public-bodies/ (accessed 12.09.2018)*

While Ireland is consistently very high on the giving index – in 2017 Ireland ranged 8th in the CAF world giving index, the highest score among EU countries (Charities Aid Foundation, 2017) – Ireland has a very small philanthropic sector. Benefacts using data accessed through the Foundation Centre in New York, concluded that, "the aggregate trend for international philanthropy over the last three years shows a contraction each year from 2014 (€79 million), 2015 (€70 million) 2016 (€41 million)" (Benefacts 2018).

Ireland has consistently high levels of volunteering. Charities Institute Ireland reports that, "according to the CSO, over one quarter of Irish adults were actively volunteering in Ireland in 2013 (CSO 2015). This was valued as amounting to work with a value of €2 billion annually" (2017).

Legal framework and political conditions

Ireland is often described as having a political system and culture characterised by the accessibility of its politicians (Murphy 2011). Politicians may be more accessible here than in other democracies, but this informality can also reinforce subtle and not-so-subtle inclusions and exclusions (Mair, 2010). A number of authors have suggested that proximity between politicians and some CSOs has cultivated a culture of political civility which has implications for the democratic activity of CSOs (Donnelly-Cox *et al.*, 2012). Civil society engagement has been more likely to be driven by volunteering and service-provision type activities, rather than political engagement (Hughes *et al.*, 2007; Murphy, 2011), though there is evidence that political campaigning and activism has increased, and that CSOs have become more 'political' in focus.

In order to understand the recent context and history of the relationship between CSOs and the Irish state it is necessary to consider the experience of the sector of inclusion in 'social partnership' (national pay agreements system) between 1996 and 2008, and the consequent culture of inclusion and cooperation with the state which dominated for many CSOs. In 1996, the government invited a number of CSOs to participate in the negotiations for a new agreement, *Partnership 2000*, as the "Community Pillar" (Larragy, 2006, p. 376). While the Pillar continues to meet bilaterally with several government departments, Social Partnership effectively ended during the social and economic crisis of 2008, but there is a legacy of cooperation between some CSOs and the State. The post-partnership context was identified as a challenge by some of those interviewed, as one said, "post national partnership the government does not see us as partners" (Interview IE9).

In 2000 the Irish government published its policy on the community and voluntary sector, in a White Paper[9] on a *Framework for supporting voluntary activity and for developing the relationship between the state and the community and voluntary sector*. This remains the most substantive policy statement on the sector.[10] While there are gaps in the vision presented in the *White Paper* (Visser, 2018), generally this document is well regarded as a positive statement on the contribution of CSOs.

9   In the Irish context, a 'white paper' is a policy statement (sometimes called a strategy) that is published by the government. Usually, though not always, it is a reference point for the implementation of government policy. White papers can be preceded by 'green papers' that are intended to inform the development of a white paper.

10   In 2016, the incoming government announced plans to develop a national strategy on the community and voluntary sector. The February 2016 Programme for Government states that, "we will produce a coherent policy framework and develop a strategy to support the community and voluntary sector and encourage a cooperative approach between public bodies and the community and voluntary sector" (2016, p. 131).

The most significant regulatory framework for CSOs who are charities, is the *Charities Act 2009*, and the consequence remit of the Charities Regulatory Authority (CRA). Under the 2009 Act charities must make annual returns to the CRA. The Act also provides some clarification in relation to the capacity of charities to engage in political activity insofar as it:

> "…makes specific provision for charities to engage in political activities in furtherance of their charitable purposes, thereby explicitly recognising the right of charities to have some legitimate involvement in this otherwise murky area." (Breen, 2012, p. 1)

This permissive approach is framed negatively, as the Act states that a body will be excluded from charitable status if it promotes a political cause "unless the promotion of that cause relates directly to the advancement of the charitable purposes of the body".

Lobbying is regulated under the Regulation of Lobbying Act 2015. The Act introduced a register of lobbyists, and a 'cooling off' period whereby certain designated officials could not take up certain employments after leaving public service. CSOs that engage in lobbying must complete quarterly lobbying returns on the website www.lobbying.ie.

CSOs have become increasingly concerned about the impact of the Electoral Acts on campaigning and advocacy work. The Electoral Acts concern the regulation of political donations and include provisions to control the operation of third parties – such as CSOs – in electoral activity. Any organisations that receives a donation of more than €100 must register as a third party. Third parties can only receive donations for political purposes of up to €2,500, and only from a person or organisation based in Ireland. The Electoral Acts are implemented by the Standards in Public Office Commission (SIPOC). For many years these provisions were not substantially implemented, and few bodies were registered as third parties. Recently however there have been number of high profile cases whereby the SIPOC has directed CSOs to return grants that they judged to be for political purposes.

Challenges for CSOs in Ireland

The interviewees were positive about the external environment facing CSOs. Eight thought the situation was better than three years ago, one felt it was the same, and one thought it was worse. As one put it, "we suffered under austerity, we are only starting to come back now and we lost many organisations and many had to scale back" (Interview IE2), another said that "we are living with the legacy of austerity" (Interview IE6). Another said that, "the community and voluntary sector does not understand its own agency, we have been very compliant during the bad times" (Interview IE10). While some felt that the sector was now facing a more positive situation than during the crisis, for others deep problems remained. For example, one interviewee felt strongly that the situation in relation to homelessness continues to deteriorate.

In terms of the factors which influence the context in which CSOs work, overall the picture was positive, with notable exceptions. As Figure 1 demonstrates, the interviewees were concerned about the financial situation facing their organisations, and in particular about state financial support. Four people felt the situation of state support was positive, while four thought it was negative. The interviewees were most positive about the situation in relation to public opinion and to volunteering; however, many interviewees struggled to answer these questions without nuancing and explaining their answers.

Figure 1   Perspectives on the situation facing CSOs in Ireland
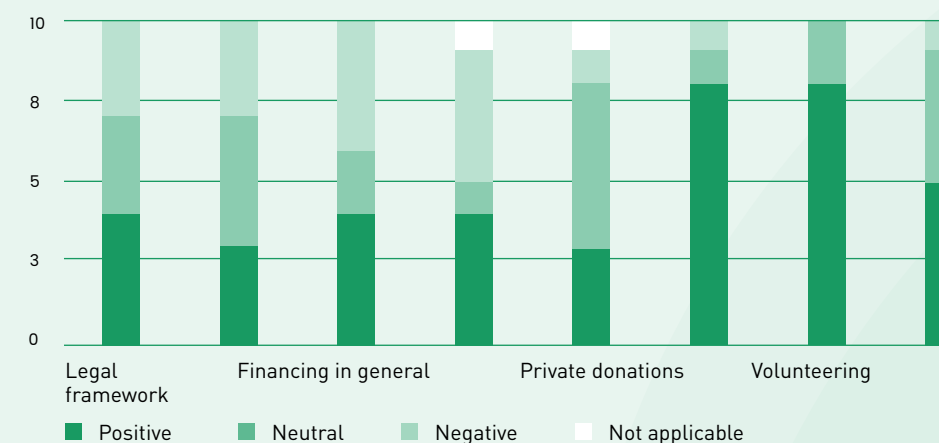
During the interviews, five main challenges emerged as significant: funding; capacity, skills and staffing; regulation and compliance, public perception; and innovation and new campaigning.

Funding

Less than half (40%) of interviewees felt positive about the funding situation of their organisation, with funding identified as a significant challenge for the majority of CSOs in Ireland. In particular, interviewees were concerned about the financial challenges their organisations faced due to a lack of philanthropic funding, a mixed public fundraising context, and the restrictions imposed by state funding.

Several interviewees identified the lack of philanthropic foundations as an issue, a perspective supported by findings in the 2018 Benefacts analysis. Interviewees pointed to the withdrawal of two large philanthropic organisation in recent years as a challenge. The impact of this was particularly felt by specific sub-sectors. As one interviewee noted, "there are no philanthropists in Ireland who have a focus on *** [issue removed to protect anonymity] so we rely on government funding" (Interview IE7).

Interviewees also identified challenges related to fundraising and donations. Several suggested that it is easier to fundraise for some issues and organisations than for others. For example, it can be easier to raise money for locally based organisations and issues than international causes. One interviewee identified that, "there has been a shift from international causes to local and domestic causes" (Interview IE5). This interviewee also raised the problem of some organisations boasting about "how little is spent on overheads" (Interview IE5). They went on to suggest that "this was a disingenuous claim, which serves to undermine the broader fundraising environment".

Several interviewees also suggested that state funding was restrictive and prioritised service provision over advocacy and campaigning. The consequence of which has been a 'hollowing out' of the sector. One interviewee said: "In disadvantaged areas, community groups don't have the same depth any more… they almost have to start again," (Interview IE8). For another the issue was that it was not possible to secure funding for innovations (Interview IE10). One interviewee spoke of 'control' by the state: "I am a board member of a HSE [Health Service Executive, Ireland's public health provider] funded organisation, we can't do any lobbying or campaigning, the HSE sits in on board meetings, but is not a board member, and comments on activities. This organisation is being directed by a funder, and that is a problem," (Interview IE6).

Capacity, skills and staffing

> "Public desires for charities are inherently contradictory; professionalism and top-quality service are the desire, but run by volunteers and without overheads". (Charities Institute Ireland, 2017, p. 17)

Several interviewees spoke about challenges of human resource capacity. They felt that their organisations were not always well positioned to meet the demands placed on them. As one interviewee put it, "we are inundated with requests for support and are missing opportunities because we lack human resources" (Interview IE4). While this challenge relates to financial resources it is also a distinct issue, and for one interviewee is "not just about financial resources, it is also about human capacity" (Interview IE7).

Interviewees spoke of specific skills or capacity gaps which included a perceived lack of professional certification in fundraising (Interview IE8), capacity to demonstrate impact (Interview IE8), and risk management (Interview IE5). In addition, a number of interviewees noted that there is insufficient collaboration amongst CSOs – while there is significant awareness of the need to collaborate it is not always possible to do so in practice. One interviewee particularly noted that, "big organisations need to come together and develop shared agendas" (Interview IE 6).

Several interviewees identified a specific challenge in relation to recruiting and retaining staff. As one interviewee put it: "last year quite a few of our staff moved on... we have a lot of problems recruiting" (Interview IE8). The key challenge for staffing is pay, "we need to be able to offer a comparable standard of living [to other employers]" (Interview IE8).

Regulation and compliance

The majority of interviewees named the increasingly complex regulatory environment as presenting challenges for the capacity of organisations. None of the interviewees contested the value of regulation, but they highlighted the 'burden of compliance', as a significant issue particularly for smaller organisations. Regulation is not new, but there was a view that the extent of it is new. One interviewee summarised the regulatory environment facing her service organisation:

> "We have two service level agreements with the HSE, two agreements with Tusla [Ireland's Child and Family Agency], each have their own corporate governance and compliance, and they are different. We have the code of governance for community and voluntary sector organisations. We have the code of governance aligned with the Housing Agency. We have the Charity Regulatory Authority. We have company law. And we have nobody, actually, in the organisation whose job it is to manage all of these compliance requirements apart from me [CEO] and the director of finance, both of whom already have full time jobs. And then you have GDPR, and we are supposed to have a data protection officer. So, I would say that the governance and compliance requirements are becoming unbelievably challenging". (Interview IE8)

There was a sense that the regulatory environment is creating new dynamics for the boards of CSOs. In some cases, interviewees felt that this had the effect of making potential board members more reluctant to join CSO boards (Interview IE8), with government funding agencies perceived to be "passing all the risk over" to CSOs. Another interviewee said that boards are becoming increasing corporately orientated, because they have to have the skills to meet regulatory requirements, the consequence of which is that boards risk losing sight of the mission and mandate of the organisation. This interviewee said, "if [boards are] too corporate, then all they do is check the paperwork and they don't look at the mandate of the organisation" (Interview IE12).

Some interviewees believed CSOs are becoming increasingly cautious. They said there is a trend that CSOs increasingly publish abridged, or shortened accounts, rather than providing a full account of their financial situation. Organisations are becoming more cautious in campaigning and advocacy work. For one interviewee, regulation is leading to a context whereby, "we are not creating the requisite variety in systems for innovation" (Interview IE10).

In addition to the resource pressure which the regulatory environment creates, several interviewees were deeply concerned about the impact of the Electoral Acts, which regulate political donations. One interviewee suggested that organisations had come to fear the implementation of these Acts: "People are now afraid of the Electoral Acts, where they were not afraid before" (Interview IE11). Another interviewee said that these provisions have a "detrimental effect on the whole CSO sector" (Interview IE3), while others stressed the "chilling effect on campaigning" (Interview IE11).

Public perception

> "Public perceptions of charities are currently more negative than 12 months ago, with less than one in ten (7%) saying that their perceptions have become more favourable". (Charities Institute Ireland, 2017, p. 23)

Interviewees held mixed views regarding the impact of negative public perceptions on their work. While the majority of interviewees felt that overall public perceptions of the sector were positive, the question of negative perceptions was raised by several interviewees.

One of the organisations interviewed was particularly impacted by a scandal involving governance (of its parent organisation). The interviewee described it as a "shock wave" that made the last few years difficult. Their experience was that their government funding was political, in that the funder was more concerned about public perception than with the service being delivered (Interview IE2). Another noted that the experience of individual charities scandals had impacted upon the sector, they noted that "it is a bit unfair that individual organisations are becoming truths for everyone" (Interview IE5). Two interviewees suggested that these dynamics were more likely to have negative consequences for bigger organisations, and that perceptions of smaller local organisations often remained positive (Interview IE8, Interview IE12).

A number of interviewees noted that it can be difficult to gain public attention for certain issues (Interview IE7, Interview IE 3). For one interviewee, there are increasingly negative perceptions of those who live in poverty, which undermines the work of CSOs. They argued that "a fear of the underclass has emerged, like in America" (IE12).

One interviewee noted that social media has presented challenges to protecting the reputation of individual organisations. Their experience was that a lot of reputational damage can be done if someone complains about a service on social media, with no effective right to reply (Interview IE9).

Innovation and new campaigning

Several interviewees noted that CSOs need to continue to evolve and change to meet the new dynamics of campaigning and advocacy, citing the emergence of ground-up initiatives which have gained traction on social media. Many CSOs have not yet found ways of galvanising these opportunities. According to one interviewee, "methods and modes of campaigning are changing, and many [CSOs] are still outdated... with social media, people can coordinate without traditional organisations" (Interview IE4). Another said that, "the C&V sector will talk itself into irrelevance, unless we do joined-up stuff, and work across different things. We can't be precious about the old ways of doing things" (Interview IE10). This interviewee said there is a risk that, "direct action will leave the sector behind" (Interview IE10). The challenge for the sector is to reframe and reimagine how to campaign and to engage the public.

Interviewees identify a broad range of challenges facing CSOs. Some are technical, such as the need to develop capacity and the challenge of meeting increasing regulation requirements, others reflect questions of identity and purpose, including the changing role of the sector and how it is perceived by the public. Interviewees suggest that these issues are having an urgent and practical impact on their capacity to deliver services, though noting that the sector has demonstrated considerable resilience.

Solutions: How CSOs respond to challenges

Interviewees identified a range of innovative solutions to the challenges facing CSOs. Often they suggested that it was not so much about innovative approaches, but rather about doing things that had proved successful in the past (Interview IE1). They named practices that their own organisations were involved in, as well as those that they had witnessed. These practices can be broadly grouped under two main headings:

1   Changes in the way organisations themselves operate, and

2   Initiatives to engage with (and influence) the political system.

During the interviews and the recommendations focus group the respondents did not suggest that any of these solutions are widespread, but they believed that individual practices pointed the way forward for the sector.

CSO governance and operational innovations

For many of the interviewees responding to the challenges involved changing how they operated, building on good practice, and seeking out new ways of working. The interviewees identified practices in their own organisations, and in the broader sector, such as:

1   Using technological innovation to democratise engagement with the public and their members. Examples include: Campaign training by conference call in the evenings, private Facebook groups to build connections with vulnerable and excluded communities such as undocumented workers, and WhatsApp groups which deepen engagement and ownership of members.

2   Enhancing transparency by publishing more information about their governance on their websites, and developing more transparent annual reports (Case 1: Trócaire – Accountability Framework).

3   Exploring and undertaking mergers and consolidations with other organisations (for example the merger which created the Charities Institute Ireland, a charities infrastructure support organisation).

4   Developing innovative projects and service delivery initiatives (Case 2: Irish Environmental Network (IEN) – Wellbeing toolkit).

5   Diversifying income, including using crowd-funding and international donations (for non-political purposes).

Case 1: Trócaire – Accountability Framework
www.Trócaire.org/sites/default/files/accountability-framework.pdf

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Trócaire was established by the Catholic Church in 1973 as a way for Irish people to donate to development and emergency relief overseas. It has a dual mandate to support the most vulnerable people in the developing world, while also raising awareness in Ireland of injustice and global poverty. Its website includes a page on 'accountability' and it has published a Stakeholder Accountability Framework which aims to make explicit Trócaire's accountability commitments and is publicly available to all of its stakeholders. The framework identifies the organisation's stakeholders, defines accountability, and sets out the principles which the Trócaire seeks to realise. The framework sets out seven core accountability commitments: values; partnership; solidarity and subsidiarity; transparency and information sharing; participation and feedback; safeguarding and complaint handling mechanisms; programme quality; and learning and continual improvement.

Case 2: Irish Environmental Network (IEN) - Wellbeing toolkit
www.environmentalpillar.ie

In collaboration with the Environmental Protection Agency (EPA), the IEN is developing a programme which will enable 31 local Public Participation Networks (PPNs) to develop a well-being statement for each of their local areas. The project has begun with three pilot initiatives. The objective of the programme is to create "communities where individual members of the public and their families, friends and neighbours, promote and protect the well-being of this and future generations" (documents supplied to researcher). Each area will develop a participatory, ground-up process and the intention is to develop a well-being statement for individuals and the community. Wellbeing is multi-faceted combining social, economic, democratic and environmental factors. After the pilot, the tool kit will be launched, and the IEN intends to roll out the process with all 31 local areas across Ireland.

CSO advocacy innovations

As well as looking to their internal practices and governance, the interviewees also named innovations and good practices which focused on strengthening their engagement with, and influence on, political decision making. The interviewees named practices such as:

1   Working in alliances and networks of organisations.

2   Engaging in governmental policy fora and committees.

3   Engaging with members of parliament to exploit the potential of the current minority government, including through supporting the introduction of Private Members Bills.

4   Focusing more on legal proceedings and taking cases to court.

5   Seeking to work with new forms of social activism by engaging with ground up and social media initiatives (Case 3: Social Change Initiative – Fellowship programme; Case 4: Migrant Education Access (MEA) Campaign Group).

Case 3: Social Change Initiative – Fellowship programme
www.thesocialchangeinitiative.org/fellowship-scheme-main/

The Social Change Initiative (SCI) is an international charity based in Belfast, and operating across the island of Ireland. Its mission is to improve the effectiveness of activism for progressive social change, particularly in divided societies and to influence the way this work is funded and supported. A key part of SCI's work is to capture, distil, disseminate and apply lessons from philanthropy and activism particularly in the fields of reconciliation and human rights. The SCI fellowship programme is aimed at nurturing the talents of activists and enhancing their ability to challenge inequality, expand democracy, and promote reconciliation and human rights. There are 24 fellows working across a range of social change issues.

Case 4: Migrant Education Access (MEA) Campaign Group
www.mrci.ie

The MEA campaign was established in April 2012 by the Migrant Rights Centre (MRCI) to respond to the situation that that children of migrants, who were forced to pay non-EU fees to attend Irish universities. This prevented many of them from accessing third level education. MEA was made up of concerned parents and young people, who along with allies and supporters, campaigned for equality of access to third level education for children of non-EU migrants. Over the year, the campaign achieved the changes necessary to ensure that these young people had equal access to third level education. A video about the campaign, *Not bad for a bunch of immigrant kids*, is available on the MRCI website: https://www.mrci.ie/our-work/young-people-education/.

Conclusions and recommendations

> "I am an optimist and I am hopeful. We have to embrace the fact that civil society has to evolve in order to survive." (Interview IE11)

Despite the difficulties that this report has documented, overall those interviewed felt that the context facing CSOs in Ireland is improving. Ireland is emerging from a period of deep social and economic crisis, and while significant social problems remain there are renewed opportunities for civil society to take on these challenges. The extent to which CSOs will manage to do this is still, for many, an open question. Many of those interviewed felt that it is a time of significant opportunity, but it is not yet clear if CSOs will be able to successfully innovate and evolve to maximise potential. This research revealed several recommendations which are relevant to realising this potential. The emerging recommendations were tested and analysed during a telephone focus group in August 2018 (this focus group was independently facilitated by Joan O'Donnell).

Recommendations for policymakers

> "There are green shoots but they [the state] are very service orientated." (Interview IE2)

- Government must explicitly recognise that it is dependent on CSOs for the delivery of essential public services. Government needs to engage with the sector as equals, and define how it sees the relationship with the sector developing with a 15-20 year vision for this relationship.

- The government should proactively engage in a campaign to communicate the role and value of the CSO sector.

- Government must find ways to make the regulatory burden facing CSOs more manageable and efficient, particularly for smaller organisations. Options could include streamlining government reporting and being more realistic in the expectations of voluntary boards. Interviewees felt that, the state often demands regulatory compliance in a way which it could not fulfil itself.

- Funding from the state remains a significant challenge. In addition to insecure and inadequate state funding, the interviewees felt that funding relationships needed to be restructured and that there should be an independent route and universal standard for government funding. For one interviewee: "Organisations need to be able to feel more able to take risks, but the funding environment is still challenging" (Interview IE1).

Recommendations for CSOs

> "I hope NGOs will be and feel stronger and be more capable of being advocates for those they represent." (Interview IE1)

> "we are not changing fast enough or reflecting on that change." (Interview IE10)

> "this is a huge sector which is in a process of transition." (Focus Group Participant IE4)

- Ireland's current minority government offers specific opportunities to influence political actions. For several interviewees Irish CSOs need to assert their role and purpose in their relationship with the state. According to one interviewee: "The sector needs to assert its rightful place, with government and in the economy." (Interview IE8)

- While purpose may mean different things to different organisations it should be possible to define a coherent set of value and principles that define the sector and its role in society. One focus group participant summed this up as: "the conversation always comes back to how diverse the sector is, but I do think there are some basic principles and values that we could all agree to and which would allow us… to create better perceptions of the sector" (Focus Group Participant IE1). For another "we need to assert out role with one voice" (Focus Group Participant IE2). The sector needs to engage with the media in rebuilding positive public perceptions.

- The sector needs to deal with the issues of wages. It is unacceptable that many of those working on CSO frontline services barely earn a living wage. For the focus group participants equal pay (between the CSO sector and the public sector), could be one of the principles that would unite the sector.

- CSOs need to manage the burden of regulation in ways which can reinforce public confidence and trust. For one interviewee: "regulation can be a force for positive good, if it creates a standard playing field… when we have clear, high quality data we will rebuild confidence and the trust of public" (Interview IE5). One interviewee felt that for CSOs "the challenges of regulation will force innovation" (Interview IE11).

- CSOs need to define their relationship with new types of social movements, and in particular how they engage with young people. By integrating and supporting spontaneous popular campaigns, CSOs can demonstrate their relevance and channel the energy of these moments into specific policy change. One interviewee said that in these moments of popular outcry CSOs "can bring a steady hand, combining the fire of the moment with experience of lobbying and campaigning" (Interview IE10). For another, CSOs "need to be able to act in moments of motivation" (Interview IE11).

- CSOs must use new forms of communication and technology to democratise the ways in which they engage with supporters and members. One interviewee said that "traditional approaches are changing, there is a massive opportunity to democratise how NGOs work" (Interview IE11).

- Several interviewees felt that CSOs need to work harder to foster collaborative actions at local, national and international levels. A sense emerged that Irish CSOs engage in less international cooperation than before and that the work of some CSOs needs to recapture its outwards focus. The focus group participants agreed that opportunities to reflect on these questions with people from diverse backgrounds was important.

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List of interviews

Interview IE1: national CSO, social services
Interview IE2: national CSO, LGBT rights
Interview IE3: national CSO, migration issues
Interview IE4: national CSO, history and culture
Interview IE5: national CSO, human rights
Interview IE6: academic expert
Interview IE7: national CSO, environment
Interview IE8: national CSO, civil society sector development
Interview IE9: local CSO, social services
Interview IE10: national CSO, social services
Interview IE11: national CSO, social movement
Interview IE12: retired expert

List of focus group participants, 13 August 2018

CEO, local social care CSO
Senior manager, national social and cultural organisation
Expert, academic & board member of local CSOs
CEO, national CSO support organisation

Greece

Greece: Financial and refugee crises shape civil society

By Eugenia Vathakou

Civil society overview

The term civil society is used to encompass the space between the state and the market, beyond the family and the personal. Thus, it refers to voluntary associations, community groups, philanthropic foundations, formal and professional Non Governmental Organisations (NGOs) as well as informal organisations, citizens' initiatives and social movements. The basic criterion for this categorisation is the non-governmental and non-profit character of these organisations.

Greek civil society is a dynamic field, including CSOs with a legal personality and informal organisations, social movements and networks.

Over the last ten years, the country has suffered the financial and the refugee crises, both ushering in dramatic changes in the Greek civil society landscape. Many informal CSOs and movements were established, providing the space for active citizens to mobilise and to tackle the consequences of these crises. Several formal professional CSOs, managing large funds and implementing big projects, grew fast as they secured funding and provided services to people in need.

The dynamic and constantly changing nature of Greek civil society is a serious challenge to researchers examining numbers. The data presented in this paper (based on three large research projects, two ending in 2015, one starting in April 2018) imply that there are 6,217 CSOs in Greece. These are small associations, humanitarian and cultural, at local level with limited resources. This number does not include the largest Greek and international CSOs registered in the country, which total 983. Other CSO categories, such as schools' parents associations, are also not included in the above figures.

This report tried to strike a balance and reflect a realistic picture of civil society, presenting formal and informal organisations, networks and social movements and their institutional and political context. Based on interviews with key civil society figures and experienced academics/researchers, it presents the challenges these CSOs face.

As this report will contribute to the dialogue, exchange and growth of CSOs across borders, selected good practices devised to address some of the identified challenges are also presented. Last but not least, this report ends with several recommendations addressed to CSOs, the state and the EU.

The first part of the paper (Greek civil society in numbers, Legal and Financial Resources) draws from the existing literature and three recent large research projects in Greece on civil society: First, the work of Alex Afouxenidis, researcher at the National Centre for Social Research, who has been collecting data about Greek civil society for more than ten years; second, the results of Thales I project (June 2012- June 2015) which sought to evaluate the formal professional Greek CSOs which manage large funding, according to different criteria (accountability, transparency, efficiency, etc.) and create an Index of CSO Credibility; and third, data from Thales II which continue the mapping and evaluation of these formal Greek CSOs (April 2018-March 2020) (Huliaras and Petropoulos 2015). The section on Challenges and Good Practices is based mostly on the interviews and the focus group conducted for this purpose with key figures in the field (practitioners and academics). Additionally, the comments and suggestions of two peer reviewers have been incorporated.

Before the presentation of data (including numbers and statistics) about Greek civil society it is necessary to make some clarifications. It is a commonplace observation in literature on Greek civil society that organised civil society has traditionally been weak. It is important to explain what is meant by "organised". These studies refer to the small number of professional CSOs which implement large scale interventions and their organisational problems (e.g. dependence on state funding, lack of transparency and accountability, low level of civic engagement, and lack of evaluation of their impact) as manifestations of this weakness. The investigation of the phenomenon leads to the conclusion that there are multiple causes which include: strong state and political parties in Greece, which do not allow for the development of an active civil society; the dependence of the trade unions on the state; characteristics of Greek society, such as clientelism, patronage and individualism; strong family ties instead of collectivism; and the 'top-down' organisation of the sector encouraged by generous EU funding (Simiti 2014, Sotiropoulos, 2014, Huliaras, 2014). Other important reasons, perhaps neglected as Professor Huliaras argues, are to be found in civic education, church-state relations, the lack of tax incentives and the negative stance of the Greek Left against CSOs replacing the state (Huliaras, 2014).

Thus, less attention has been paid to informal civil society initiatives. Yet, the financial and the refugee crises the country has faced over the last decade, has mobilised civil society, leading to the emergence of many informal interventions. We will explore the latest developments, identifying the most critical challenges that Greek civil society (organised and less organised) faces nowadays, and the good practices developed to address some of these challenges identified through the interviews conducted.

According to Alex Afouxenidis, there are 6,217 civil society organisations in Greece. The focus of their work is tabled below.

Table 1   Categories of Civil Society organisations

Category	No. of Organisations	Percentage
Animal Protection	86	1%
Arts & Culture (museums, theatre, cinema)	1245	20%
Children & Youth	119	2%
Education & Research	366	6%
Elderly & Handicapped	290	5%
Environment & Sustainability	311	5%
Health & Welfare	406	7%
Hobbies & Entertainment	402	6%
Human Rights & Social Solidarity	753	12%
International & Development	63	1%
Local Neighborhood Associations	1378	22%
Religious	387	6%
Sports	411	7%
Total	6217	100%

Source: Afouxenidis, 2015

Table 1 demonstrates that the highest ranked are humanitarian (1,378) and cultural organisations (1,245). The majority are small associations at local level, with limited resources. The above table is not exhaustive, as it does not include, for example, school parents' asso-

ciations established in every primary and high school (in 2015 there were 4,561 primary schools and 1,814 high schools – public and private).

Large CSOs, large in terms of organisational structure and funding, are not included in the above numbers. According to the Thales II research project there are 983 organisations of that kind, including 40 international organisations (e.g. MSF, WWF, Greenpeace, ActionAid) which also belong to the three most popular categories (human rights, humanitarian aid and environment & sustainability).

Table 2   Year of establishment of professional Greek CSOs

Year	% of total
Up to 1951	5%
1951–1989	27%
1990s	29%
2000–2009	32%
2010–2014	7%
Total	100%

Source: Huliaras & Petropoulos 2015

We will better understand "organised" Greek civil society by looking at important changes that have occurred over the last few years. Data collected through the Thales I project, demonstrate that 68% of these professional CSOs were formed after 1990 and 32% of them were established between 2000-2009.

Researchers agree that the most important reasons accounting for the growth of formal and professional CSOs over the last two decades are the availability of large EU funding amounts, the change of the political and social landscape with the weakening and even the de-legitimisation of the political parties and the rise of serious social and environmental issues.

Less organised civil society initiatives are at the neighbourhood level. Under the category of the Local Neighbourhood Associations (table 1) we find a number of informal citizens' initiatives emerging after 2010, as a response to deteriorating living standards and a new social and political landscape emerging out of the two major crises, the financial crisis and the refugee crisis.

The economic crisis brought about by the harsh austerity measures taken by Greek governments, in return for loans from the International Monetary Fund (IMF) and European institutions, starting in 2009, led to a dramatic loss of the country's GDP (almost 30%). According to official data, in 2012, 35% of the population ran the risk of poverty or social exclusion. In 2013, unemployment rose to 27.5%, while youth unemployment stood at 61% (Statistical Annex of the European Economy, May 2013, National Statistical Agency 2014). Poverty and unemployment particularly hit low- and middle-income groups.

The civil society initiatives that emerged because of the crisis involved an impressive range of activities: tangible, result-oriented projects, e.g. collective kitchens, solidarity pharmacies, schools, medical centres, social grocery shops, etc, addressing basic needs of the most disadvantaged members of the community. They also organised cultural events, awareness-raising activities and political activism against the austerity measures. A special place in this spectrum of initiatives is occupied by social solidarity economy activities i.e. labour collectives, cooperatives, Time Banks and community exchange networks (Vathakou, 2015).

A considerable number of those initiatives emerged through citizens' assemblies organised at the municipality/neighbourhood level, in the aftermath of the "indignados" movement on Syntagma Square, in 2011. Other initiatives were undertaken by existing groups of citizens to which the crisis environment gave new impetus. The refugee crisis, with 856,723 refugees arriving in Greece only in 2015, further mobilised civil society to support hundreds of people (families and children) entering the country.

The financial and refugee crises significantly affected the formal and more professional CSOs too. As a result of the financial crisis, state agencies and private donors cut down on funding to CSOs, affecting in particular those dependent on state funding. Additionally, CSOs working on issues other than the alleviation of the consequences of the crisis found it difficult to survive, and a considerable number had to cease operations.

There has also been a positive impact of the economic crisis on the Greek Third Sector. Many professional CSOs adopted different strategies to build capacity and effectively address these challenges; they managed to ensure funding from existing and new private philanthropic foundations which committed large funds to interventions that would alleviate the consequences of the crisis. Additionally, the urgent needs created due to the crisis stimulated civic engagement and the rise of volunteerism. The data presented in table 3 below are drawn from the Thales I research project which investigated large professional CSOs in Greece.

Table 3   Staff and Volunteers of professional CSOs

	2011	2012	2013
Permanent	2090	4109	4016
Free lancers	779	972	1134
Total	2869	5081	5150
Regular Volunteers	5557	5874	7100
Irreg. Volunteers	9020	9666	12769
Total	14577	15540	19869

Source: Huliaras & Petropoulos 2015

The increased numbers of citizens volunteering in different CSOs could be seen to demonstrate a culture of solidarity and civic responsibility. Yet, as Afouxenidis argues, it could also reflect broader developments beyond Greek borders (Afouxenidis, 2018). Volunteerism is also strongly promoted by the EU, World Bank and states not only for its ethical but rather for its economic value. In the context of the restructuring of the labour market at a global level, where full-time jobs are replaced by part-time or under-occupation and unemployment, voluntary work could be seen as a route to employment and new skills development or just a different type of work.

It is important to underline a distinction: People involved in informal groups and organisations use the term "kinimatikos" (meaning an individual actively involved in social movements and translated as "activist") to describe themselves, as opposed to "volunteer" (Vathakou, 2015). Interestingly, formal and informal civil society organisations do not cooperate, mostly for ideological reasons.

Legal framework and political conditions

The political party SYRIZA, which is the stronger partner in the current coalition government, appears to be closer to civil society than previous governments. After having aligned with the claims of the "indignados" (aganaktismenoi in Greek) and the anti-austerity social movements, SYRIZA won 16.78% of the vote in the elections of 2012 and won the elections of 2015 with 35.46%. In the elections of 2009 it won just 4.60% of the vote. Key government people and even members of the cabinet emerged from civil society (e.g. Giannis Mouzalas, appointed Minister of Migration Policy in 2015, is a surgeon-gynaecologist and activist and a founding member of the Médecins du Monde). It should be noted that SYRIZA members of parliament financially support the organisation Solidarity for All by providing a small part of their monthly salary. Solidarity for All, according to its website, seeks to become a hub for the facilitation of communication/cooperation of different social solidarity initiatives.

The current government has strengthened legislation for human rights (e.g. anti-racist legislation, and has passed several laws supportive of the rights of the LGBT community). However, SYRIZA's government has not as of today developed an operational institutional framework for the licensing, supervision, accountability and funding of CSOs which would optimise their operation and regulate and systematise their cooperation with the state.

KM argued that "the tax regulations for CSOs are not clear, especially whether they are required to pay VAT or not" (Interview G3). Neither is there an institutional framework for volunteering.

Most of the relevant state initiatives seek to regulate the funding framework and the state carries out what in reality is a superficial supervisory role. Certain ministries supervise the operations of CSOs working in their field and have developed databases of relevant CSOs; however, these are not regularly updated.

The lack of an appropriate institutional framework that regulates the operation of CSOs and limited state funding have a negative impact on the capacity of civil society to contribute to the shaping of policies; CSOs are left with the role of implementor of national and European programmes (Afouxenidis, 2015). Although this is true to a large extent, one of the good practices selected below demonstrates that, if the appropriate conditions are provided, CSOs do have the necessary knowledge and experience to contribute decisively to the formulation of public policies.

Looking closely at the legal framework for the operation of civil society in Greece, the right of association for all citizens is enshrined in article 12 of the Hellenic Constitution, and the right of freedom of expression in article 14 and 1. The existing legal framework does not include a definition of CSO, or special provisions regarding their establishment and operation. The term CSO appeared for the first time in the law for the National System of Social Care (Law 2646/1998) and then in the law for development aid (Law 2731/1999).

The Civil Code provides for the following types of non-profit private law legal personalities:

1   Union of persons (Enosi prosopon): It constitutes the simplest type, a citizens' initiative and does not require substantive legal formalities.

2   Association (Somatio): This is a form of collective activity of at least 20 persons, with a non-profit aim. The capital of the association comes from membership fees.

3   Civil Non-Profit Company (Astiki Mi Kerdoskopiki Eteria – AMKE): This is another form of collective action. Civil law does not specifically legislate for this type of company. However, such a non-profit company is implied by the law, since companies may pursue any aim, hence also non-profit aims.

4   Foundation (Idrima): Foundations are a sum of property/inheritance/donation devoted to a certain goal, as per its act of establishment. Foundations are not associations of individuals, hence foundations have no members.

5   Collection Committee (Eranos): This can be an alliance of at least five persons (that includes legal or natural persons) whose aim is the collection of funds or objects to serve a specific aim of public benefit. A collection committee is different from a foundation in that it is an association of individuals and has an ephemeral, transitory aim.

Financial resources of formal and informal organisations

According to the Thales research project, the number of employees in formal and professional CSOs in Greece – not all CSOs in Greece – corresponds approximately to the number of staff of a major Greek company, such as Lidl Hellas (4,000 employees), see Table 4. The revenues of organisations, such as Children's Smile, ActionAid and ELEPAP (€8-10 million per year) are almost double the budgets of small universities (including wages and operating costs) such as the University of Peloponnese (around €6 million). If they were businesses, at least 10 of these CSOs would be ranked in the 500 largest companies of the country in both turnover and number of staff. The most important sources of funding for these CSOs are private donations, foundations, state funding, co-funded programmes, EU programmes and members' contributions. Below is a table presenting the funding sources of the formal and professional CSOs (under the common legal forms of Civil Non-Profit Company and Association).

Table 4   Greek CSOs' sources of funding

	Member contributions	European programs	Co-funded programs	State funding	Foundations	Private funding
Association	7.2	4.1	12.0	32.3	8.0	36.3
Civil non-profit company	1.9	8.6	23.3	21.6	9.2	35.4

0%   20%   40%   60%   80%   100%
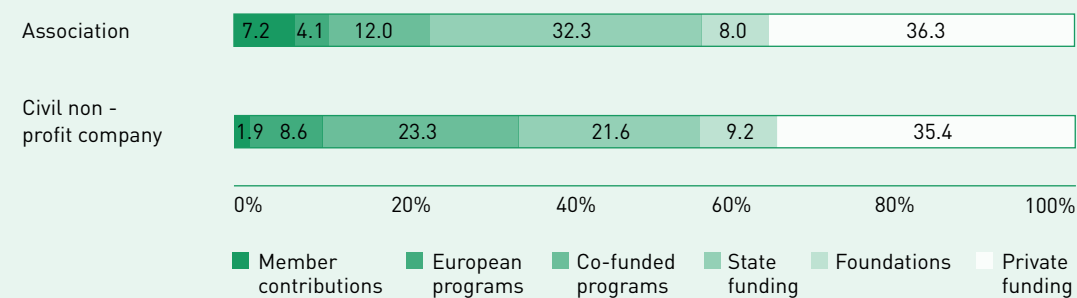
Source: Huliaras & Petropoulos 2015

Operational costs of informal CSOs such as citizens' solidarity initiatives are covered by donations, support by local authorities, fund-raising through concerts or bazaars and crowd funding. There is a strong reservation among citizens' solidarity initiatives regarding funding, which comes from the fear that the donors' money would lead to a gradual alignment to individual interests and compromise in the objectives of those initiatives.

Challenges for CSOs in Greece

Given the diversity of different civil society actors one should also expect very different answers to the question of the most serious challenges over the last 12 months. Representatives of CSOs agreed that important challenges were:

1   Lack of funding

2   Lack of cooperation and networking

3   Lack of an appropriate legal framework to facilitate the operation of certain CSOs (e.g. organisations providing healthcare services)

4   Refugee housing.

By contrast, informal citizens' solidarity initiatives, although they might refer to funding as a problem, emphasise as challenges for them existing social problems, such as proper housing and living conditions for refugees and the politicisation of this and other relevant issues. Each is addressed in turn.

Funding – always a challenge

As mentioned above, funding, especially since 2010, has been a major challenge for CSOs. Positive steps towards diversification of funding resources have been made over the years of the crisis. However, funding is still a big challenge for CSOs, as they can raise only limited sums from members and the public. There is also the risk of a shift from dependence on the EU and state funds to dependence on private foundations.

Networking and cooperation

Cooperation between and among civil society organisations is still a challenge, leading to lack of coordination, overlapping of activities, and a waste of resources. There are many reasons accounting for that. Professor Asteris Huliaras argued "in the past, there were not many civil society organisations, the existing organisations had distinct target groups and target regions, so there was no urgent need for cooperation. However, over the last few years, the numbers of civil society organisations considerably increased and this accentuates the dire consequences of the lack of cooperation" (Interview G13). Other important reasons for this phenomenon are: a prevailing individual and organisational culture of individualism versus collectivism; competitiveness for scarce resources; ideological reasons (affecting in particular the relationship between formal and informal CSOs); lack of know-how and lack of good practices.

Ineffective legal framework

In section 2 it was highlighted that the lack of an appropriate institutional framework undermines the effective operation of Greek CSOs. Below a good practice is presented from the field of health services, more specifically palliative care services. It has been selected as an appropriate case study, because it resonates with many CSOs in the health field.

Greece is characterised by the sparsity of its palliative care services, which are often home-based in nature and limited in relation to the size of the population. More important, "the few CSOs active in the field face critical difficulties which undermine their effectiveness. CSOs providing home-based palliative care (and/or hospices) are not licensed. They lack an appropriate legal framework for the provision of palliative care to children, adolescents and adults. They lack an appropriate infrastructure, such as a national register of diseases and individual patient files which could help with those in need of palliative care; last but not least, access to opioids and their use at home is time consuming and demanding" (Interview G4, with Danai Papadatou, professor of clinical psychology and president of Merimna, the only organisation in Greece providing paediatric palliative care services).

Refugee housing – claiming the right to adequate housing and the right to the city

In 2015, 856,723 refugees entered the country aiming to seek a better future in northern Europe. Following the closure in February 2016 of the Greece-Former Yugoslav Republic of Macedonia border for all third-country nationals and the implementation of the EU-Turkey deal on 20 March 2016, over 57,000 refugees were trapped in Greece, one third of whom lived in Athens. More than 15,000 refugees were settled in 14 state-run camps and reception centres on the outskirts of the city. Most of these structures were lacking basic infrastructure and the living conditions therein were inhuman, as people were exposed to the cold or hot weather, illnesses, psycho-social distress, the lack of food, energy and water supplies.

This situation became a major challenge for informal citizens' solidarity initiatives, networks and migrants organisations seeking to develop a practice and culture of co-existence, pivotal for refugees and migrants' integration. Their aim was also to address the "invisibility" of refugees because the camps were far from the city. Last but not least, they sought to address racist speech fuelled by the xenophobic Golden Dawn, an extreme rightwing party with strong ties to fascist and ultranationalist informal groups, which entered the Greek Parliament in 2012.

Solutions: How CSOs respond to challenges

Funding: The strategies formal and professional CSOs employed to address the lack of funding are:

1   Decrease of operational costs.

2   Improved transparency. According to the Thales survey, a constantly increasing number of CSOs (51.2% of respondents) publish online yearly activity reports and data about budgets and human resources, while some CSOs (25% of respondents) have hired chartered accountants to audit their finances.

3   Diversification of financial resources.

4   Restructuring of operations.

The role of private foundations became critical for the support of CSOs during the crisis. These were foundations which existed before the crisis, such as the Stavros Niarchos Foundation, John S. Latsis Foundation and Bodossaki Foundation as well as new ones, such as TIMA Charitable Foundation (established in 2011), which focuses on the elderly, Solidarity Now funded by the Open Society Foundations (established in 2013), with a more general focus and Hellenic Hope and the Hellenic Initiative (established in 2012) – the latter two were created by members of the Greek diaspora.

According to the Thales survey, funding from private foundations in many sectors of CSO activity increased multifold during the 2011–2013 period: 105% in the human rights sector, 772% in the migration sector, 70% in the health sector and so on.

Networking and Cooperation: Cooperation between CSOs has increased over the past few years. As discussed above, the financial crisis and its aftermath led to fewer financial resources available for CSOs. Networking and cooperation was one of the strategies used to meet this challenge. Additionally, CSOs have to adapt to the terms and conditions of donors and cooperation with other organisations/institutions constitutes a criterion for accessing funding.

Refugee Housing: Housing squats emerged within the city centre, mostly in Exarchia – the historic centre of anarchists and radical leftists, from September 2015 and in 2016. The example of City Plaza hotel, one of the most successful initiatives, is presented below as good practice.

Using mass media to increase the base of support

Some large, professional CSOs successfully used the media to increase awareness about their causes and gather financial support from individuals. The CSO 'Chamogelo tou Paidiou' (The Smile of the Child), a Greek CSO focusing on children's wellbeing, made support appeals through media outlets – the most important being through 'Radio Arvila,' a popular satirical TV show. ActionAid Hellas shot a video with the anchorman of the same show, Antonis Kanakis, which aired in 2013. This initiative, according to Gerasimos Kouvaras, general director of ActionAid Hellas, brought 3,500 new 'sponsors' to the organisation's causes in three weeks, representing a 10% increase of the organisation's support base (Huliaras & Petropoulos 2015).

Co-working space at HIGGS

HIGGS |Higher Incubator Giving Growth & Sustainability| is an initiative established in 2015, aiming to reinforce non-profit organisations operating in Greece, through educational and supportive programmes and activities that are carried out at its premises. It is a CSO with the legal form of a civil non-profit company, and is funded by the Stavros Niarchos Foundation.

According to Sotiris Petropoulos, HIGGS's director, "the co-working space established in the premises of the organisation constitutes a good practice which addresses effectively the challenge of the lack of collaboration among CSOs" (Interview G1). HIGGS is housed in a three-floor neo-classical building in the centre of Athens and the space has been designed so that people can work independently but also collaboratively, based on needs and objectives. It includes spacious rooms, a flexible space aiming to be a meeting point for the CSOs and open to the community. HIGGS provides amenities such as audiovisual equipment, wi-fi Internet access and an independent kitchen on each floor.

Additionally, it offers space for:

•   public benefit events

•   art and cultural events and initiatives

•   educational seminars, workshops, lectures

•   book presentations

•   documentary projection

Petropoulos argued that "when CSOs come together and work in the same space, their communication is enhanced and innovative ideas for collaboration emerge. There are examples of projects that have emerged as a result of the co-existence of representatives of different organisations in the same place. Several collaborative projects have also been approved for funding over the last year".

Most of the CSOs using the co-working space in HIGGS participated in training where they learned the potential of collaboration and networking through interactive exercises.

As Aris Souras, HIGG's networking trainer, said: "Many participants at the end of a training on networking underlined that 'among other things, we learned that collaboration with very different organisations can be productive and this is something we could not have imagined before!'" (Interview G2).

One conclusion drawn from the above is that although there might be different reasons including individual and organisational culture that account for the low levels of collaboration among Greek CSOs, collaborative behaviour is also something that can be learned and the appropriate environment could be a catalyst for that.

Multi-part structured dialogue among relevant stakeholders

Over the last ten years, the Foundation Stavros Niarchos has supported with considerable funding most of the existing CSOs providing palliative care in Greece. Having been in a constructive dialogue with the CSO providers of palliative care, the Foundation undertook an initiative that would lead to the development of a much needed national strategy for palliative care which would address key deficiencies. It invited the Worldwide Hospice Palliative Care Alliance (WHPCA), an international charity organisation based in London, to provide expertise and organise a step-by-step national dialogue in Greece that would lead to the development of a national strategy for palliative care. A national committee was established under the lead of the Ministry of Health involving representatives of the Ombudsman office, academics teaching relevant topics and all CSOs providers of palliative care. The committee is the leading force in this project, providing important information and directions to the team of experts working on strategy development. The project involves three phases: first, a feasibility study; then the development of a national strategy of palliative care; and third, the implementation of the strategy.

As Stephen Connor, director of WHPCA has underlined, "a key element for the success of this initiative is the methodology employed, including the participation of all important stakeholders (CSO providers of palliative care, state representatives, academics). The synthesis of the committee reflects a simultaneous bottom-up and top-down approach to ensure adaptation to the real conditions of the country, local support and rapid progress. Furthermore, expertise and good practices from other countries enrich the dialogue. Last but not least, professional dialogue facilitation and coordination is important to maintain impetus. The status and the good reputation of the foundation vis-a-vis the Ministry of Health is a catalyst for this project" (Interview G8).

This initiative was identified as a model of collaboration among different actors, namely international and national CSOs, foundations, state actors and academics.

City Plaza Hotel – 'the best hotel in Europe'

The City Plaza Hotel was occupied in November 2015 when the refugee housing crisis was at its peak. It was squatted by 100 people, members of leftist political groups, anarchists and migrants' solidarity initiatives. During its operation, from November 2015 to September 2018, it hosted about 2,700 refugees and 50 babies were born in a humane environment. The hotel now hosts about 350-400 refugees, 70% of whom are families and single women. Refugees stay for a few months and then either go to other countries or find more permanent accommodation.

NA, a member of the coordination team of City Plaza explained how this intervention was made possible and the rationale behind it: "This initiative was made possible because it is well-networked with other solidarity initiatives in countries across and beyond Europe; it is also supported by 40 volunteers from 12 countries. City Plaza was occupied so as to become "a counter-example" for Greece and the world, addressing three levels at the same time: the state, the CSOs and the society level. First, it has become one of the best places hosting refugees in Greece providing decent housing and basic needs, including free access to education and healthcare" (Interview G9). In City Plaza, refugee families of different nationalities are working in solidarity with volunteers, cleaning, repairing, and organising all provided services. As well as the collective kitchen, there is also a kindergarten, a school, a medical centre, medicine and clothes stores to support the residents of the hotel as well as other people in need from the neighbourhood.

This has been achieved with limited resources, as it is a self-organised structure without employees and specialists which relies solely on donations rather than institutional funding. NA argued that "if living in the camps costs €5.8 per refugee/day, living in City Plaza costs €1 per refugee/day because refugees cook and clean by themselves."

NA adds that "this intervention challenges the prevailing state policy and narrative that "there is no alternative" to camps due to the "emergency" and the "refugee crisis" (Interview G10). It also provides a model of how self-organisation can function and produce social rights from the ground up, thus exemplifying emancipation and solidarity. The experience of City Plaza also opposes the CSO way of basic services operation in the camps. Additionally, people from City Plaza argued that their aim was to create a pattern of co-existence and integration with the neighbourhood: "When we occupied the hotel, neighbours were throwing bottles at us, but a couple of months later, by Easter, they were bringing chocolate to the children and were cleaning the streets with us."

The City Plaza case is an example that extends beyond Greece's borders, puts on the spot the EU migration policy and as Alain Badiou put it, is an "ecumenical example". Apart from Badiou, tens of researchers, academics from well-known universities, such as the American feminist and academic Judith Butler and artists such as the singer/activist Manu Chao have visited the hotel. The Greek Minister for Migration, in a statement on Dutch TV, mentioned that "City Plaza constitutes a positive example of hosting refugees in Greece".

The biggest challenge now for the activists of City Plaza is the next step. In November 2018, the intervention reached its third anniversary. It was partly possible because of the sympathy of a few government officials and the involvement of young people from the ranks of SYRIZA's youth. Otherwise 400 people would not have been able to survive with no electricity or water.

City Plaza has become a controversial topic in Greece, as it poses a thorny question: is the right to own an unused eight-floor hotel more important than the right to use this property as a house for 400 people who are in dire need of accommodation? This initiative also challenged a core value of capitalism, the right of ownership.

Recommendations

The above discussion has demonstrated that Greek civil society is a dynamic field including different types of CSOs with a legal personality and informal organisations, social movements and networks. The following recommendations are based on the above report:

Recommendations for policymakers

- CSOs have grown in number and importance, as some manage large amounts of money and implement complex projects. The state should proceed in close partnership with civil society actors in the development of the appropriate legal and regulatory framework. The establishment of an institutional framework for donations and tax related issues will facilitate considerably CSOs activities. There is a need to develop a framework for volunteers, regulating working conditions and social insurance. This framework will fill a gap and contribute to the development of volunteering in Greece.

- CSOs are not only implementers but they have valuable know-how, experience and ideas that could be used in the process of policy formulation and prioritisation. Joint committees in ministries involving officials and CSOs representatives could be established.

Recommendations for CSOs

- An open and constructive dialogue and coordination of action should be developed, including formal and informal CSOs and going beyond their prejudices and ideological differences. CSOs should be proactive in sharing information and good practices and joining forces on the basis of common objectives and specific actions instead of looking for a much broader agreement on ideological principles/values. The Spanish example of an ad hoc cooperation of various CSOs for a specific cause is a case in point. Radical community management tools could be also very useful.

- Greek CSOs have experienced the benefits of cooperation and networking at the EU/international level in capacity building, lobbying and advocacy for important issues, mostly in the framework of EU projects; They should use better existing opportunities for enhanced dialogue and cooperation with civil society actors from other countries and actively participate in EU/international networks.

- It is recommended that Greek CSOs work on the issue of funding developing appropriate strategies to ensure their independence from specific donors such as the state, the EU or sponsor foundations. They could capitalise on modern techniques and technologies for fundraising which will enable them to raise awareness about their causes and actively engage the public (crowdfunding, Corporate Social Responsibility model etc).

- Certain positive trends such as improved capacity-building, organisational management, transparency and accountability, should be further enhanced and initiatives such as HIGGS should be strengthened.

- Civil society actors themselves have a significant role to play in the establishment of a favourable enabling environment which goes beyond the laws and the regulations and values pluralism, organisational autonomy and innovation.

- The rise of volunteerism is an important trend which requires a closer look at its causes, which will lead to a better understanding of both the positive and possible negative aspects involved. Robust research on this and similar issues will improve our understanding and therefore planning of interventions. For that purpose, a closer cooperation of civil society practitioners with academia and research institutes is highly recommended.

- In this section we discussed the significant contribution of informal CSOs to the alleviation of the consequences of the crisis among the most vulnerable groups. Their emergence and effectiveness also contradict the prevailing narrative which considers Greek civil society rather atrophied. Greeks have responded quite fast to the economic and refugee crises. An interesting question to be further discussed is to what extent can the Greek response to the crisis evolve into a more political and mature dialogue with a wider impact.

Recommendations for the EU

- Several steps have been taken over the last 15 years towards the establishment of a constructive dialogue between the EU policy-making bodies and EU civil society. This dialogue should be enhanced with the creation of institutions and mechanisms which will aid regular, transparent and democratic consultation.

- It is important to maintain funding for CSO interventions which will not favour just the biggest non-governmental actors across the EU, but will support small organisations providing quality services to people in need.

- Greek and other European CSOs have contributed to the management of the financial and refugee crises that broke out in 2008 and 2015 respectively. Hundreds of thousands of people in Greece under the burden of the financial crisis and the austerity measures imposed by the Troika (European Commission, European Central Bank and IMF) lost their jobs, their right to basic social services including health services. In many cases people lost the right to a dignified life. The lack of a coherent EU immigration and refugee policy account for the thousands of refugees in Greek camps, the children and families now in limbo. EU policies should be aligned to the principles of human rights and EU and international law.

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List of Interviews

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Academic-researcher, university
Senior Researcher, national research centre
Director, national capacity building CSO
Member of the coordination group, solidarity initiative
President, national social services organisation
Board member, international development NGO

Czech Republic

Czech Republic: Civil society at the crossroads

by Pavel Havlicek

Civil society overview

The state of civil society in the Czech Republic reflects the current situation of other parts of Central Europe where issues of illiberalism and populism have become prominent. Yet, the Czech case is not comparable with those of Hungary or Poland, where state authorities have been pressuring groups that are critical of their governments into isolation using legislative, financial, administrative and other means for the last couple of years (Belokurova et. at. 2016; Zgut 2018: 4-5). Despite this, Czech civil society lies – and its representatives perceive themselves as being – somewhere in between ideal conditions and a shrinking space for future development, which poses a challenge for the analysis of the current situation in Czech civil society. Most significantly, it is the unpredictability of the political, legal and financial environment that makes the life of civil society organisations (CSOs) in the Czech Republic more complicated. Nevertheless, the overall state of Czech civil society is – despite some negative trends – far from being hopeless. On the one hand, the present polarisation of the Czech society confirms negative trends, but in other cases leads to the promotion of activism and stronger engagement in support of the civil society. Finally, Czech civil society has to find ways to respond to the new environment created after the most recent elections.

According to Czech civil society representatives, the upcoming years will decide if Czech civil society will have the characteristics of the Netherlands, or of Hungary. The stakes are high for Czech civil society to find the right solutions. An awareness of common problems, the more efficient working of CSO networks, stronger coordination and communication, and a reaffirmation of civil society's legitimate position and role in the greater society were identified as key principles to overcome the current challenges. Finally, the European Union has a special meaning for Czech civil society, since it offers additional means of support that can be used for activities beyond the traditional scope of donor support.

Meaning and concept of civil society

The concept of civil society is anchored in the Czech legal system and it is enshrined in the Preamble of the Czech Constitution in the following way:

> (...) "As a free and democratic state founded on respect for human rights and on the principles of civic society, (...)" (Chamber of Deputies, Parliament of the Czech Republic 2013)

The Czech constitution dates 1993,[11] which was a period of strong emphasis on the development of civil society, democracy and human rights, in contrast to the previous Communist regime which repressed fundamental rights. Civil society was considered as one of the cornerstones of the new state after 1989.[12] However, during the 1990s another line of

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11 The Constitution of the Czech Republic entered into force on 1 January 1993.

12 During the Communist period between 1948 and 1989, the CSOs independent of Communist control were banned and had to operate illegally. This has had an impact on the understanding of civil society that lasts until this day.

thought was also present and developed in Czech politics and society, one which under-mined the position of civil society, especially advocacy, which were considered as some-thing unnatural. This mindset was represented by the former Czech Prime Minister and later president Vaclav Klaus and is now exemplified in the lack of understanding of the meaning and purpose of civil society. This has affected support for CSOs, including funding, public endorsement or volunteering. The situation deteriorated after 2015 as a result of the migration crisis.

At official level, civil society is defined very broadly and according to the Czech Statistical Office (2017a) includes trade unions, hunters´ associations, political parties and churches even though common views mostly associate CSOs with service-providing activity (Vavroň 2017).

The Czech Statistical Office states that there were 132,953 non-profit institutions (NPIs)[13] in 2015, a 3.02% rise on the year-to-year basis.[14] These NPIs provided jobs for 104,277 employees,[15] or 2.04% of employment in the Czech labour market. In addition, 26,102 vol-unteers contributed. The contribution of NPIs to GDP was 1.66% (Czech Statistical Office 2017b). Research by Lester M. Salamon and Wojciech Sokolowski (2018) gives a similar figure of Czech CSOs but uses a different classification of NPIs combining data from the Czech Statistical Office with other sources. According to Salamon and Sokolowski, in 2014 there were 98,156 employees and 25,442 volunteers (a total of 123,597 persons) in what they called the third or social-economy (TSE). According to them, NPIs employed 2.5% of the Czech labour force, which, combined with 'Coops & mutuals' (0.7%) and 5.4% of 'direct volunteers' accounted for 8.6% of total national employment (Ibid.).

The Czech state budget contributed about CZK 18 billion (€690m) to the third sector econ-omy in 2017 (AVPO 2018).[16] Of this, €424m came from the state budget (85% from the Min-istry of Labour and Social Affairs and the Ministry of Education, Youth and Sport),[17] 2.9bn (€111m) from regional administrations and 4bn CZK (€154m) from local administrations. More than one-third of the overall amount went to sport and sports activities (Břešťan 2018). In 2017, the Czech Football Association received the largest state subsidy of CZK 376m (€14m).[18] It was followed by the association of Czech universities and Czech CSO People in Need. Social affairs, education, foreign aid and international cooperation were prioritised among state subsidies in addition to sports.[19]

The graph illustrates the structure of Czech civil society, and gives numbers of employees in individual sectors according to data provided by the Czech Statistical Office in 2012.

Graph   Structure of the Czech civil society sector according to the number of employees FTE (full-time equivalent) in 2012, in total 54,200 employees

Others 4792 | 8.89%
Human aid 1046 | 1.9%
Housing 392 | 0.7%
Human rights 1326 | 2.5%
Health Issues 4126 | 7.6%
Local and regional development 1283 | 2.4%
Environmental Protection 617 | 1.1%
Sport 3652 | 6.8%
Professional associations 2291 | 4.2%
Hobby clubs 2624 | 4.9%
Trade unions 1061 | 2.0%
Culture 2660 | 4.9%
Political parties 1388 | 2.6%
Religion 5979 | 11.1%
Education 8344 | 15.5%
Social services 1236 | 22.9%

Source: Czech statistical Office (2012), Satellite Account of Non-Profit Institutions Table SA00154: Number of employees according to CZ-COPNI

Data of the Government Council for Non-Governmental Nonprofit Organisations (RVNNO 2017) state that Czech companies gave around CZK 3.5 billion (€135m) in each of the years 2013, 2014 and 2015, which indicates a relatively limited support for the private sector. Despite a rising number of people donating to CSOs (21,425 in 2015), the overall amount of money remained rather low (RVNNO 2017). However, data provided by Nadace Via,[20] show a more optimistic picture, claiming that in 2016 private donations (from both physical and legal en-tities) reached CZK 8 billion (€310m), the highest level since 1989 (Darujme.cz 2018). Nev-ertheless, Czech CSOs are preparing for a decrease in funding after 2020 in connection with the new multi-annual financial framework of the EU. To add some more statistics provided by the Czech Statistical Office, in 2015 the Czech TSE generated CZK 113 billion (€4bn), of which more than half was provided by public universities. Volunteers working in TSE worked 45.1 million hours and generated overall work worth of CZK 5.96 billion (€229m).[21] At the same time, private donations from abroad decreased by 52.5 %, but the whole sector grew by 11.2%, the highest increase since records for the sector began in 2005. In general, the USAID report (2018) on overall CSO sustainability considered that financial viability in 2017 had improved.

13 For the purpose of this study, "NPIs", "TSE" and "CSOs" are effectively considered the same.
14 See the whole Czech satellite account of NPIs in 2015: https://apl.czso.cz/nufile/SUNI%202005_2015%20 popis%20EN%20171031.pdf.
15 See the structure of Czech civil society in 2012 in the Annex 1 and at: https://apl.czso.cz/nufile/SUNI%20 2005_2015%20popis%20EN%20171031.pdf.
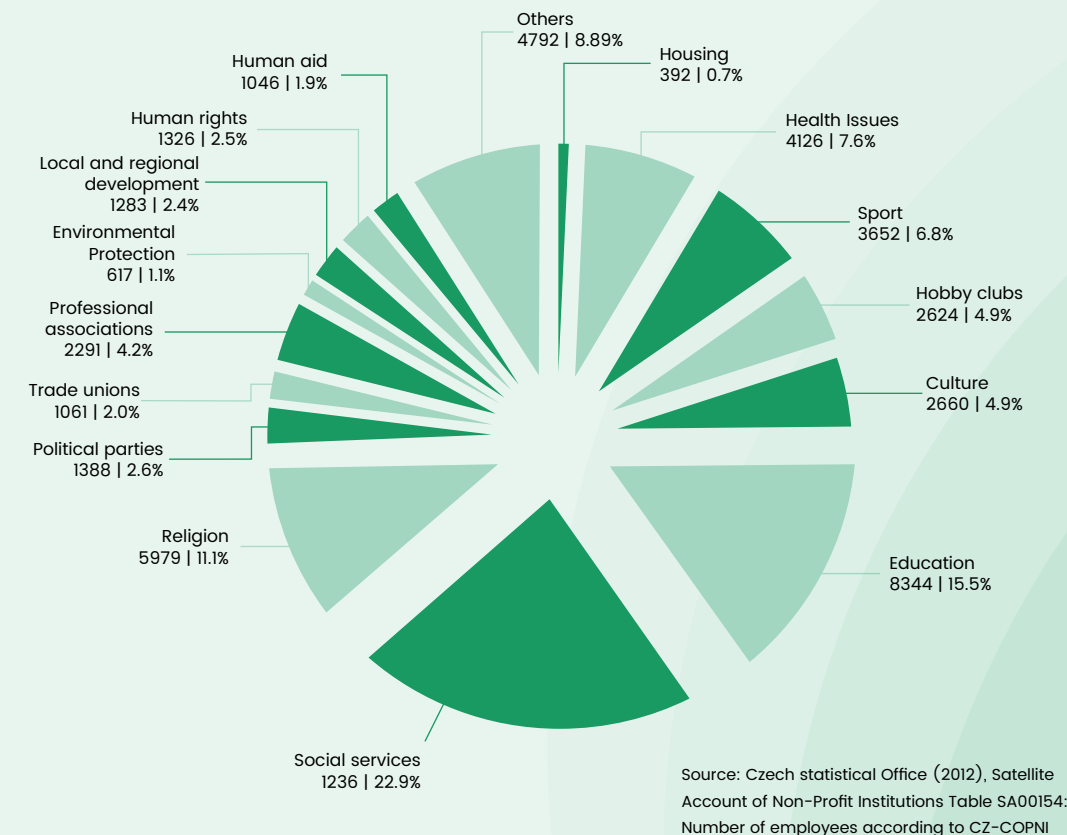16 More details can be found here: https://www.vlada.cz/assets/ppov/rnno/dokumenty/rozbor_2016_materi-al_pro_web.pdf.
17 See the breakdown of state funding in 2016: https://www.irozhlas.cz/zpravy-domov/neziskove-organizace-sektor-financovani-skrty-vlada-andrej-babis-vydaje_1808280600_pek.
18 In 2017, the Czech police started investigating the Czech Football Associated and its chairman for fraud.
19 The thematic priorities for 2018 can be accessed here: https://apps.odok.cz/attachment/-/down/IHOAAP8F-T4RP.

20 See: https://www.nadacevia.cz/en/2016/04/02/czechs-are-giving-more-and-more-the-volume-of-gifts-is-growing-faster-than-the-gdp/.
21 See: http://crdm.cz/publikace/metodiky-vydane-v-ramci-projektu-safe/.

Legal framework and political conditions

General legal regulations

Legal conditions for operation of the Czech CSOs have been since January 2014 determined by the new civil code, which regulated CSO activity and increased the administrative burden on CSOs (USAID 2018). The new civil code has been a major source of administrative and technical problems and an additional burden on CSOs, since some of its parts have been legally disputed and are unclear even to policymakers (Ceska justice 2017). Legal changes have been identified as problematic in state-civil society cooperation, and further deteriorated in 2017 (USAID 2018).

To illustrate recent legislative changes, new laws were passed to increase the transparency of the sector and prescribe a list of documents to be made publicly available. From 2014, all Czech CSO had to be registered online and from 2017 they had to declare additional documents when working with public funds. In addition, some CSOs are now obliged to issue receipts for certain types of sales and services or submit monthly VAT control statements and to report foreigners whom they are hosting (USAID 2018). By contrast, laws on social entrepreneurship, public benefit and volunteering were not passed, which might have made the situation of civil society easier. On a positive note, in 2015 Czech CSOs managed to lobby in favour of cancelling registration fees. Before, CSOs had to pay the same amount as a business. Czech CSOs can receive subsidies, grants or donations tax-free.

In July 2015, the Government of the Czech Republic approved ˝State Policy with Respect to NGOs for the Years 2015 – 2020˝. This conceptual document explicitly recognised added value of CSOs, their work for the public good, in some sectors irreplaceable and in most cases cheaper than provided by the state. The document proposed a concrete set of measures and outlined four basic principles, e.g. creating effective and meaningful partnerships between the state and civil society; and support for sustainable, strong, diversified and independent CSOs. Nevertheless, a major part of these proposals remained only on paper due to the change in government in 2017.

Formal contacts between the state and civil society are the responsibility of RVNNO, which was headed by the Minister of Justice (but now by the Prime Minister of the Czech Republic) and coordinated by the Government of the Czech Republic (2018b). Its function is to monitor and assess Czech and EU legislation, facilitate dialogue between CSOs and the state, coordinate ministries and follow the financial situation of the sector in relation to the state. Among its 33 members, there are 17 CSOs networks representatives advocating on behalf of their members. In the past, the Council was reformed and made more useful and inclusive of civil society as a governmental advisory body, but it still depends to large extent on the person in charge of the Council.

Political conditions

The political system was shaken in October 2017, when the general election gave nearly 30% support for ANO, a movement of Czech businessman and former minister of finance Andrej Babis. Eight more parties joined the Czech parliament, which fragmented the political scene and contributed to an atmosphere of political uncertainty. The general election and re-election of Milos Zeman as the Czech president in January 2018 also brought a worsening of the political discourse and further legitimisation of political parties on the right (SPD) and left (Communist Party), which contributed to harsher rhetoric and political hate speech, including an increased number of verbal assaults against minorities, independent media (including public broadcasters), journalists, academia and CSOs. Some anti-CSO proclamations were voiced by political parties which had formerly been more supportive of civil society.

As a result, there have been an increasing number of attacks on Czech CSOs, driven by extreme right and left politicians, the Czech president and some media sources, which have limited the scope of activities or funding for advocacy-based CSOs criticising the government. This may be a part of wider effort to control and subordinate civil society to the will of the new government. This is also motivated by populists to identify a convenient topic and to focus on an enemy to criticise, in order to garner political points. So far, Czech civil society has been successful in fighting back and maintaining its position as an expert, important stakeholder and partner to the public sector as well as an enabling pillar for the voice of citizens in democratic society. However, Czech civil society has shown only a limited potential in advocating for positive change, for example, in the legal or administrative areas. Therefore, it is open as to how this relationship will evolve in the coming years.

The most important recent political changes, decisions, public discussions

In January 2018, debates were opened, as part of the discussion on the national budget for 2018, about the amount of state funding going to the civil society sector. Although in the end, the ANO-led minority government did not make any changes to the originally proposed budget, Prime Minister Babis questioned the overall amount of support provided to CSOs, casting doubt on the level of state support.

This discussion re-opened with the second ANO-led minority government approved on 11 July 2018 when Ministry of Finance led by ANO proposed lowering the state support to the civil society by CZK 3 billion (€11m), with the exception of social services and sport. This proposal was contested by civil society.[22] Czech CSOs reacted with spontaneous efforts and protested against the proposal. They explained the importance of state support to the civil society and put down arguments in favour of their activities and its added value for societal development. The most recent public statements by Prime Minister Babis indicated that state support would be decreased by a lesser amount than originally proposed (if at all) and any reduction would be dependent on individual ministries.[23] In any case, it was a warning of future measures against civil society, which might be aimed primarily at the advocacy-based CSOs (labelled as so-called political NGOs) criticising the prime minister and his cabinet.

Among major institutional changes, the office of Minister for Human Rights (previously responsible for CSOs too) was removed from the new government and the agenda of CSOs was moved first to the ministry of justice and then to the Czech Government Office. Despite the fact that the former Minister of Justice Robert Pelikan was seen by some CSO representatives as somebody ˝who listens to the concerns of the CSOs˝ (Interview C2), the transfer was not welcomed and assessed as structurally wrong, since this measure was seen to be overly influenced by the person appointed.

22   See: https://svetneziskovek.cz/lide/uspory-v-neziskovych-organizacich-nebo-plosne-skrtani-dotaci.
23   See: https://domaci.ihned.cz/c1-66228740-vlada-snizila-sumu-vyclenenou-pro-neziskove-organizace-na-pristi-rok-o-pul-miliardy-oproti-letosku-ale-neziskovky-dostanou-vic-ujistuje-babis.

Civil society campaigns, mass social movements

Among the most successful activities in Czech civil society, "Rekonstrukce statu" (Reconstruction of the State) was the most ambitious transparency, anti-corruption and anti-clientelism in the past decade, involving almost 20 actors. After three years, this widely popular campaign managed to push through several important anti-corruption and pro-transparency measures, including financial disclose by politicians, the publishing of laws and agreements, to mention just a few.

Other successful movements and campaigns were "Stejna Rodina" (Same Family) arguing in favour of same-sex marriage and couples adopting children,[24] a campaign led by Czech trade unions "Konec levne prace" (End of Cheap Labour),[25] part of a wider European efforts of #OurPayRise[26] advocating a significant increase of minimum wage. Another significant public campaign was "Zachran jidlo" (Save Food), which pushed for cancelling the 15% donation tax on food.[27] "Krutost pro modu" (Cruelty for Fashion)[28] succeeded in putting a ban on fox and mink fur farms that will end by January 2019.

Challenges for CSOs in the Czech Republic

Based on interviews conducted with 16 representatives of Czech CSOs, focus group with selected CSO representatives, existing research on the topic and academic literature, we can identify a complex picture of sector-wide and individual challenges faced by the Czech CSOs. Some challenges stem from the particular focus of CSOs or the type of their activities, especially the way they are implemented, while others illustrate the overall state of Czech civil society.

First, there is a challenge to the lack of understanding about civil society: Why it exists, what it does, how it operates, how it is funded or why people should support it. As mentioned above, the concept of civil society was never fully accepted by one part of the Czech society as something natural in societal development.

> "Czech history was interrupted by 40 years of Communism (...), which changed the public perception of CSOs or charities, which used to be – the same as in Western Europe – interpreted as an autonomous part of the society [during the interwar period]" (Interview C14).

CSOs themselves are partially to be blamed too, because of their limited PR and focus on implementing activities rather than working on public communication. They often lack the financial sources, organisational capacity and the ability to plan strategically.

C2 described a problem of advocacy-based organisations whose work became more complicated over the last couple of years. The problem comes from a logic that the state and its institutions are less and less willing to give public grants to organisations that are openly criticising it. The recent case of the City of Prague (Arnika 2018) points to the politicisation of the granting process, which puts especially small advocacy-based organisations into a complicated financial situation and forces them to look for additional sources of finance, mostly from international or private donors.

The second challenge is the unpredictable environment in which the Czech CSOs find themselves from political, legal and financial perspectives. Not only that, but they face hostility from the extremes of the political spectrum. The third is that cooperation between civil society organisations is sometimes poor, especially between well-established professional CSOs and new grassroots CSOs (interview C2):.

> "One of the biggest challenges for civil society in the Czech Republic is the inward-looking character of the sector and competition between well-established organisations and newly established ones, which was visible in the migration field after 2015" (Interview C2).

Public support and trust in CSOs have been gradually decreasing after September 2014 (CVVM 2018).[29] CSOs with an international focus became ever more focussed on the situation "back home" (interview C1), since they are forced to explain their purpose and meaning to the public. The next challenge is that Czech CSOs are very often dependent on a single source of funding, which was confirmed by data from 2015, the majority of Czech CSOs remains dependent on one main source of funding (AVPO 2016b). One interviewee analysed the problem in the following way:

> "After 1989, when civil society started re-emerging, western donors and western-based CSOs provided a large degree of help to the nascent Czech CSOs of financial, capacity or organisational character. A lot of money was flowing into the sector, which became addicted to the easy source of financial resources based on grants and project circles. However, after 2004 western help started to fade away since the major goal of EU/NATO accessions was achieved, and the Czech civil society sector seemed stabilised." (Interview C14)

This addiction did not motivate Czech CSOs to look for additional channels of income or develop strategies for sustainable development. The economic crisis of 2008/9 and a gap in the EU financial framework between 2013 and 2014 meant a financial shock for CSOs and pushed them to look for alternative sources of money to diversify their financial portfolio. Some CSOs started investing in more efficient fundraising strategies, while others began working more closely with the private sector. Nevertheless, the general awareness that financial management should be prioritised, and more energy should be invested in strategic and sustainable development has been a feature of Czech civil society for many years.

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24   The same-sex marriage agenda was approved by the government in June 2018 to be further discussed in the Parliament. See http://www.stejnarodina.cz/.

25   See: http://www.ceskenoviny.cz/zpravy/ceske-odbory-chteji-konec-levne-prace-a-kratsi-pracovni-dobu/161615.

26   See: http://payrise.eu/.

27   See: http://zachranjidlo.cz/.

28   See: https://www.obrancizvirat.cz/kampane/kozesiny/.

29   Even if according to research by Vavroň (2017), 77% of Czechs recognised the necessity of CSOs´ existence. An overwhelming majority of them confirmed the importance of organisations working with the ill and disabled children (83%), pensioners (77%), sick and disabled adults (71%), while only 20% recognised the significance of regional and community development or fighting against corruption (22%).

In addition, it was recognised by C15 and C2 that EU and international donors in particular required CSOs to invest more resources into their capacity and sometimes into establishing broad alliances to apply for grants. According to C15, this put substantial additional pressure on civil society and *de facto* led to "corporatisation" of the sector and creation of "quasi-structures in the society", for example, in the European Commission´s subgranting schemes.

> "This is ambivalent. From one side, it is understandable [from the point of view of international donors] (...), but from the other, it leads to the creation of elite organisations in the EU member states that have the opportunity to cooperate, which makes international cooperation more complicated and difficult to access."

Finally, the working environment for CSOs is affected by conditions in the labour market, which now has the lowest unemployment rate since 1997. Therefore, CSOs sometimes find it hard to compete with the state or private employers, which has affected the overall number of employees in the third sector. This has meant that measures reforming organisational structure and financial management had to be taken by CSOs (C4 or C11) to keep and/or employ the best people in the job market. Several respondents (C14) also complained about the insufficient number of experts on civil society law, project management or accountancy and PR that are absent from the job market.

Solutions: How CSOs respond to challenges

Czech CSOs employed various tactics to respond to their new environment and this section presents some examples that worked well.

"Mej se k svetu"

First is "Mej se k svetu" (Meet the World) that developed from a campaign organised by the Czech think-tank Glopolis (2018a) in 2015. It was mentioned by several respondents (C1, C2) as an example of efficient cooperation among Czech CSOs working not only on the topic of the UN's sustainable development goals (SDGs) but reaching far beyond. The platform brings together around 20 Czech CSO networks ("platform of platforms") that at the beginning agreed on a common vision and goals and established a common value approach to the working agenda. They used interdisciplinary and cross-sector principles ("integrated approach") to overcome the existing barriers to achieving the ambitious goal of sustainable development. Currently, the platform is working on implementing the new strategic framework for sustainable development called 'Czech Republic 2030' (Government of the Czech Republic 2016). *Mej se k svetu* strives to define concrete measures, set measurable targets for particular goals and strengthen the network of contacts and cooperation among the Czech CSOs. As one respondent said:

> "This is an innovative way of how to better respond to some of the negative tendencies, reflect on the way in which the third sector is discussed or how the Czech CSO are presenting themselves in public."

The added value of such a platform lies in providing a safe space for regular dialogue, coordination and communication among CSOs who would normally not communicate with each other, as their agenda does not usually bring them together. However, the principle of SDGs and sustainable society is in working together for a better future, which can be achieved only by common efforts, networking and synergy put into the shared vision, despite a broad agenda. Advocacy and work with Czech policymakers as well as voluntary commitments are practised during the meetings.

The platform is open to dialogue with third parties, including business or trade unions, which gives an interesting example of coordinated efforts bringing all three sectors together. This can be contrasted with the inward-looking approach that was identified as one of the key problems of Czech civil society Finally, an important part of its success stems from the fact that the working platform lacks a heavy institutional set-up and is based on regular peer-to-peer meetings facilitated by Glopolis.

In a similar vein, a CSO network Czech Council of Children and Youth[30] can be considered as a good example to follow for its efficient work in defending the interests of Czech youth. This is thanks to its representing an overwhelming majority of Czech CSOs who work with children and youths (most of these CSOs are membership-based), which makes its negotiating position and relations vis-à-vis Ministry of Education very strong and inspiring for others in Central Europe.

"Lepsi misto"

The second innovative solution developed in 2011 by the Czech CSOs Prostor Plus (2018a) is an online application called "Lepsi misto" (Better Place) aiming at improving civic participation in local and regional development through an online engagement in public affairs. The app was designed by a regional Czech CSO dealing with social and welfare issues as well as community development. The solution has a special added value since it offers an easy and interactive way to solve daily problems in the neighbourhood community or urban centres. In areas of community development or providing social and welfare-related services, it is very important to establish trust and good working cooperation between citizens and those authorities that are responsible for providing the public good, for which they very often lack sufficient information.

So, *Prostor Plus* developed an easy system of sharing information online and accessing help in the form of interventions by the public authorities. Thanks to a system of *tips*, it was possible to not only take and send pictures but also comment and contact the directly-responsible officials. This way, the solution can be delivered in a faster and more efficient way. Private companies can be easily connected to the system to provide solutions to concrete problems too. A mayor of Kolin – a home base of Prostor Plus – Vit Rakusan assessed the application in the following way:

> "Lepsi misto is something exceptional in the Czech environment. The system is very well worked out and at the same time very simple from the user´s point of view. This is a present for every town, which should in its own interest start employing the tool."

30   See: http://en.crdm.cz/.

Based on its successful practice, the project expanded and was employed by local administrations around the Czech Republic, which proved the simplicity and adaptability of the tool. The project is open-ended and can be easily replicable not only in the Czech Republic but around the world in different languages. For example, the project has been already running in schools giving a voice to young people and empowering them to look for problems and their solutions in a democratic and participatory manner (Prostor Plus 2018b).

Examples of innovative finance-raising techniques

The third set of successful practices was employed by Gulag.cz, which is a Czech CSO dealing with historical memory, especially related to Eastern Europe and Russia. Its project, the online museum of GULAG (Gulag.cz 2018), was developed together with the Russian CSO International Memorial and other partners several years ago and became the second most successful crowdfunding campaign on the Czech internet. Asking about the success of the campaign, the organisers pointed to the level of public interest, which was accompanied by promotion on social media, popularisation in the mass media and a public campaign raising awareness of the project. The added value of this initiative lies in experimenting with different means of funding and relying on society to obtain additional financial resources.

Engagement with public and individual fundraising was identified as a new way of strategic investment by C4, who described the struggle for financial resources going back to the times of granting crisis of 2013/14, which led the organisation to the realisation that it should make better use of its existing network of supporters and invest more in contacting their followers, in supporter services and in professionalisation of the fundraising team. Thanks to a capacity-building partnership with a UK-based CSO, the Lead Generation practice, introducing a sophisticated method of working with individual donors, was adopted:

> "The core of the whole practice lies in our database of contacts, people who supported us in the past (...). So, today instead of campaign type of support once or twice per year, we invest in our supporters systematically (...) and this generated around 70% of our overall income in the last year."

Unfortunately, not all (especially small) CSOs can replicate this practice because of its high initial financial obligations that can consume up to 40% of the money raised. However, in two or three years, this can lead to sustainable funding and less reliance on the donor-based circle of grant funding, which is highly beneficial for Czech CSOs.

A good practice related to sustainable financial management was mentioned by C15, which has been for the last couple of years in a strategic partnership with a private subject. This model based on trust and mutual respect between equal partners proved to be very successful in providing a sustainable source of funding, stabilisation of the financial management and getting feedback on the conducted activities.

CSO international cooperation

It is important to note that an overwhelming majority of interviewed CSOs are engaged in some kind of international cooperation, even if this is not the case for most Czech CSOs overall. Typically for CSOs involved in human rights protection, ecology or think-tanks, international cooperation is considered as something natural and even desired. It is clear that the international arena started to be even more significant over the past couple of years connected to international problems on a global scale, such as global warming, migration, SDGs or conflicts and the rise of authoritarianism. These issues, especially that of migration, extend beyond the borders of the Czech Republic and are very much evident in the public discourse and vocabulary of the politicians.

To give some examples – new opportunities have been established in the last 12 months, including *Call for Coalitions* proposed by a newly-established fund, Civitates, a philanthropic initiative hosted by the Network of European Foundations in Brussels (2018). The main aim is to promote coalition-building and implement common local and/or national actions. In addition to the EU´s Europe for Citizens, Erasmus+ or Key Action 3, another future possibility for development of the Czech CSOs is presented by the Active Citizens Fund by Iceland, Lichtenstein and Norway that is currently being negotiated (EEA Grants 2018). In the past operated by the Czech NGO resource centre NROS (2016), the Norwegian funds allowed for the development of the capacity of Czech CSOs, advocacy work related to unpopular topics, social inclusion of minorities as well as creating international partnerships with CSOs in the donor countries.

Conclusions and recommendations

Czech civil society in 2018 presents a mixed picture of good practices, innovative ideas and positive energy on the one hand. However, on the other, we can see political, legal and financial unpredictability, a rising number of attacks against CSOs, financial challenges and intense competition for the best talents. The real state of play of Czech civil society is that it is slowly but surely deteriorating, even if the situation is not as critical as in other countries of Central Europe. Lethargy and apathy in the civil society could yet play a largely negative role in the further shrinking of its space. Therefore, it is necessary to realise the common problem, express solidarity, look for the right responses – also in neighbouring countries – and be aware of the necessity to network and to work together. The upcoming years will decide the future of Czech civil society.

Recommendations for policymakers

- Czech policymakers should resolutely recognise the legitimate place and importance of independent civil society as part of the democratic state, which is in some areas an irreplaceable partner to state institutions. It is also important to support the strategic development of the Czech CSOs and prevent the introduction of additional administrative and legal burdens on them. In many respects, the successful implementation of the governmental document *State Policy with Respect to NGOs for the Years 2015 – 2020* can lead the way forward. Special attention should be paid to the legal environment and financial situation of civil society.

- Czech policymakers and officials should together with CSOs establish partnerships, channels of mutual cooperation and communication that would lead to a more efficient exchange of views and collaboration. It is recommended to further institutionalise the RVNNO format of cooperation and avoid a situation in which cooperation between state and civil society was dependent on the single person of the responsible minister.

- Czech policymakers should give stronger incentives for the support of Corporate Social Responsibility in the private sector and remove obstacles (e.g. taxation of pro bono services and donations of certain goods) of Czech companies which engage more with civil society for the public good of the society. In general, the area of donations and public contributions to the civil society should be paid more attention.

- The Czech government should at the EU level advocate for better access of CSOs to EU funding, especially through efficient capacity-building and a lower level of bureaucracy. Provisions for co-funding for the value of voluntary work should be established. Also, implementation of the ILO Manual for measurement of voluntary work should be applied to the regular household survey of the Czech Statistical Office, in order to produce comparable results with other countries.

Recommendations for CSOs

- Czech CSOs should promote closer cooperation, coordination and communication, including better work in networks, in order to tackle common challenges and work together in favour of the common good. The Czech Council of Children and Youth can be considered as a good example to follow.

- The Czech CSO sector should actively seek opportunities to engage with the public through providing information and explaining their work, including what are the outputs and benefits for the society as a whole. Apart from the capital, communication strategies of CSOs should target regions as well. This should be done by organising public events, campaigns and discussions or other means of engagement with the public (including fundraising). This way, the CSOs can further strengthen their legitimacy and position in society, which can help to achieve more as well as protect the organisations from political pressures.

- It is important for the CSO sector to draw in other players in society (policymakers, bureaucratic apparatus, business, public figures or intellectuals) that recognise and defend its role against possible future populist attacks. In the public space, credible defence cannot be achieved by the CSOs alone.

- On financial management, it is recommended not only to follow the logic of multidimensional financial management, but also work with public grants as well as fundraising and establishing strategic partnerships with private subjects, which can be beneficial for the financial stability of the organisation. CSOs should not be afraid to experiment with new tools and methods of raising financial resources, including crowd-sourcing or Lead Generation practice, which can contribute to the long-term sustainable development, despite short-term investment.

- It is important to communicate and analyse the situation in other countries of Central and Eastern Europe and collect information as well as share know-how of best (resp. worst) practices with counterparts in neighbouring countries to learn from their experience.

Recommendations for the EU and at the internation level

- It is important that the EU institutions and member states set down predictable, transparent and beneficial conditions for CSO operation. Similarly, it is important to guarantee possibilities for development and enabling an environment for CSOs, if necessary, through criticism and implementation of sanctions against those EU member states repressing CSOs and limiting their space, as witnessed – for example – in Hungary.

- The proposed Rights and Values programme[31] (European Values Instrument)[32] for EU-based CSOs should be introduced. It is important to make the best out of this new financial tool and ensure the broad scope of its operation at local and transnational level as well as its inclusive character, including access for grassroot organisations. The new programme is positive especially because it might bring additional financial resources, which should, however, be expanded to a level of at least €2 billion to match the EU spending on value-promotion in third countries.[33]

Recommendations for CSOs' communication strategy

- Czech CSOs should bring a more positive agenda and good, including personal, stories to the public debate, which is too often dominated by criticism and negative emotions. This is especially important for the long-term mobilisation of the public in support of civil society. Therefore, it is essential to note that good PR and patient explanation of the role, operation and meaning of CSOs in the Czech Republic is an important part of the public image of the sector that should not be underestimated.

- It is crucial for the Czech CSOs to communicate, coordinate and work together in solidarity to counter the most serious attacks against its members. Here, a more significant role should be played by the CSO networks. Also, informal platforms for dialogue and regular communication can be beneficial, in order to make a more significant impact on Czech society. The *Mej se k svetu* format of exchange of opinions and information can be taken as a good example of this practice.

- It is important to think strategically about communication. It is not always the most productive to engage in public communication and criticism of state authorities, when it is possible to directly meet and negotiate with the actors. This way it is sometimes possible to prevent escalation of conflicts.

31 See: https://ec.europa.eu/info/law/better-regulation/initiatives/com-2018-383_en.

32 See: http://www.europarl.europa.eu/news/en/press-room/20180412IPR01607/eu-must-support-civil-society-organisations-promoting-european-values.

33 How to best make use of the EU Value Instrument: https://www.euractiv.com/section/economy-jobs/opinion/making-the-most-of-the-european-values-instrument/.

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List of focus group participants, 13 May 2018

Director, national think-tank, international affairs
Research director, national think-tank, international affairs
Policy officer, network of CSOs organisation, migration issues
Director, national think-tank, public affairs

Romania

Romania: Low level of trust and difficult conditions

By Mihaela Lambru and Andrei Dobre

Civil society overview

The changes in Romania, made possible by the fall of the Communist regime in 1989, included, *inter alia*, the re-launching of civil society organisations (CSOs) and the development of other types of organisations. The dynamic of these organisations is closely related to the main political, economic and social evolutions of Romanian society over the past 28 years.

Civil society is a driving force of Romanian democracy, as well as of its overall social and economic development. According to the Ministry of Justice, there are now more than 100,000 CSOs with different forms of legal incorporation, from associations and foundations, cooperatives and credit unions, to labour unions and social movements. Such associations and foundations, known generally as Non-Governmental Organisations (NGOs), represent the most developed type of civil society organisations. CSOs have played an active role in promoting liberal democracy, the rule of law, and the market economy, promoting citizens' empowerment and public participation while representing the interests of their communities and society.

For a period reaching back almost three decades, Romanian civil society has experienced several development stages. The early 1990s marked the re-launch of CSOs, associations and foundations, politically independent organisations, mutual societies and independent trade unions. These newly-established CSOs evolved in a complicated environment, dominated by the negative legacy of Communism, an outdated and underdeveloped legislative framework and public mistrust and scepticism which all translated into a low level of citizen participation. The first years after the 1990s can be characterised as "an opposition period" for CSOs, when they contested the lack of democratic values and practices of the political leadership that won the first democratic elections in 1992.

During 1996-2000, CSOs became more consolidated and more successful in advocating for the modernisation of legislation concerning the associative sector. The development of CSOs was strongly supported by many international donors, both private and public (Soros Foundation, UNAID, USAID, EU, EEA Grants etc.). Parliamentary elections from 1996 onwards helped the evolution and consolidation of CSOs. In the 1996 elections, the activism of the CSOs contributed considerably to the victory of the Democratic Convention of Romania (DCR). Once in power, the DCR and the president had engaged CSOs in the process of structural political, institutional, legislative, administrative reforms and overall, in the acceleration of democratisation. Strategic decisions shaping the CSOs/government relationships were adopted, and many public offices set up special departments facilitating the cooperation and partnership with CSOs in many policy areas.

Between 2000 and 2007 the CSO sector played an active role in Romania's accession to the European Union (EU). This stage of development of the sector was dominated by the issue of good governance and the integration into the EU. Legislation on the free access to public information (Law no. 544/2001) and transparency in decision making (Law no. 52/2003) were adopted, facilitating civil society organisational activities and increasing the visibility of their work. CSOs played a major role in the process of consolidation of the welfare mix system.

Romania's accession into the EU, in January 2007, had an important impact. CSOs were involved as partners in many areas of the structural policy reforms. The EU financial support was quintessential in the professionalisation of the work of many CSOs. Access to funding was a challenge for many organisations, with the majority of other international donors reduced their technical support and funding, as was expected for a new EU member state. CSOs and government (central and local) had to learn how to collaborate in order to respond with better services to the needs of citizens. This accommodation process was not always smooth and consensual. CSOs often criticised the reduced administrative and policy capacity of the government and its endemic corruption.

As the understanding of the importance of dialogue with political parties on issues related to good governance and partnership matured, during the 2008 election campaign, a "Coalition for Good Governance and Partnership with Associations" was created. The Coalition published a ten-point platform addressed to election candidates. The document proposed good governance which meant strengthening participatory democracy, supporting the social economy, strengthening subsidiarity and the decentralisation of services of general interest, investing in education and sustainable development, and adopting a coherent legislation on public financing of NGO sector. The invitation to dialogue did not received any responses from political decision makers.

The first signs of a critical mass of citizens protesting corruption came with the massive protests from 2012-2013 against the Rosia Montana Gold Corporation and high level corruption. After 2015, the relations between government(s) and CSOs became tense. CSOs were accused of representing "foreign interests" aiming to destabilise the elected power. CSOs had intensified their actions against the government, highlighting the endemic corruption and abuse of power. The tipping point for popular discontent followed the Colectiv nightclub tragedy, where many young people died in a fire. Mass protests over corruption led to the government's resignation. A technocrat government came into power, and one of the first decisions was to create the Ministry of Public Consultation and Civic Dialogue. The agenda of the Ministry included transparency in decision-making processes, increasing the quality of public consultation and the establishment of satellite accounts for the "third sector". In 2016 elections were held and the Social Democratic Party came back to power. The mistrust and tensions between government and civil society continued. In January 2017 a massive protest erupted because of people's anger at the decision of the government to amend the Penal Code and reduce penalties for the abuse of power and some acts of corruption. Many civil society organisations supported the protests. Mass demonstrations and political scandals marked this stage in the CSOs-government relationship. "Corruption Kills" became one of the most popular slogans.

Size of the CSO sector

The majority of CSOs are registered as associations (referred to as non-governmental organisations, NGOs). The Johns Hopkins Comparative Non-profit Project described the non-profit sector in Romania at the beginning of 1990s as one of the "smallest not-for-profit sectors in eastern and central Europe" (Salamon et al., 2000; Salamon et al., 1999). While in the 1990s, the associative sector was of relatively small size, in the 2000-2015 period, there was an almost four times increase in the number of associations and foundations.

National Institute of Statistics data indicate 42,707 active organisations with 99,774 employees in 2015. The mean or average number of employees in non-profit organisations is 2.34 and most of them rely on volunteers' work. Despite the quantitative growth of the associative sector in the last 15 years, associations and foundations' territorial dispersion is uneven with a concentration in urban areas (approx. 75%) and in the more developed regions (55% of associations and foundations are in the three most developed regions) (CSDF, 2017, p. 22-23). Because of this uneven distribution of associations and foundations, the level of service accessibility is variable, lacking in areas faced with the most serious social issues – the rural and poor areas.

In recent years, an issue for the non-profit sector has been to secure funding. (Lambru & Vamesu, 2010; CSDF, 2017) The resources of most NGOs are mainly grants, followed by sponsorships and donations and, on a lower scale, contracts with public authorities. (CSDF, 2017) Another possibility to secure financial resources apart from traditional methods (grants, sponsorship, subsidies, donations, membership fees, etc.) was the development of economic activity. As a result of the measures to incentivise associations and foundations to carry out economic activities, their number has increased over the last 15 years to 5,302 (12% of all active associations and foundations) with 13,117 employees (13% of associations and foundations employees), (CSDF, 2017, p. 96-97).

The main activities carried out by associations and foundations are provision of public interest unaccredited services (e.g. youth, cultural services etc., 42%), provision of public interest accredited services (e.g. social services, healthcare services, counselling, professional training etc., 36%), advocacy and public policy monitoring (30%) and local development (26%), (CSDF, 2017, p. 31). A total of 19% carry out activities at national level, 13% at regional level, 21% at county level, 27% at local level in urban areas and 15% at local level in rural areas (CSDF, 2017, p. 31).

Fields of activity range from social to education, culture, environment protection, sport and leisure time, healthcare, local development, tourism, human rights. Most associations and foundations are active in the social-charitable field (21%), followed by sports (19%), education (13%) and culture (12%) (CSDF, 2017, pp. 27). Most active associations and foundations are in the most developed regions of the country – Bucharest city and Ilfov County, Centre and North-West.

Philanthropy is another important source of income while public sources (public grants and subsidies, contracts with public authorities and the use of the 2% law provision) provide funds, becoming increasingly a reliable source of funding for small- and medium-size organisations. (Lambru, Vamesu, 2010; CSDF, 2017, p. 79, p. 96). The most important income sources remain the EU's, mainly through the European Social Fund, managed by Romanian public authorities (the Management Authorities). CSOs depend greatly on the policy and management capacity of the government, but contractual relationships with government tend to be challenging. Delays in contracting or reimbursement, weak evaluation process, cancelation of funding programmes are more and more frequent (CSDF, 2017, p. 79-83).

Legal framework and political conditions

Each type of CSO has its own legislation. For example, unions operate on the basis of Law no. 54/2003 and political parties are established by Law no. 114/2015. Legislation regarding the establishment and operation of any type of CSO such as associations, foundations and federations (NGOs) operate on the basis of Government Ordinance no. 26/2000.

For more than 80 years, legislation regulating NGOs was unchanged, based on Law 19/1924. The political, economic and social dynamics in Romania after 1990, made necessary the initiation, review, and updating laws and regulatory frameworks for associations and foundations.

Figure 1   Evolution of the main and Secondary Legislation for CSOs in Romania
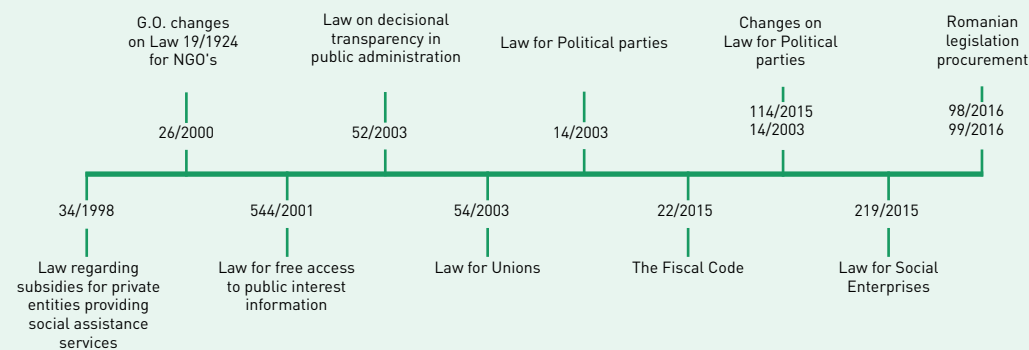
The G.O. no. 26/2000 reformulated the definitions of associations and foundations, dramatically limiting any intrusion of public authorities, reducing the number of persons required to register an association from 20 to three. New elements were introduced, reflecting the changing context and the demand for more flexible and modern legislative framework. The new legislation explicitly allowed the associations and foundations to conduct economic activities. It also introduced the concept of public utility statute and established the Associations and Foundations National Register, under the authority of the Ministry of Justice. The public utility statute represents the recognition of the fact that certain organisations are distinguished from others by the range of interests they promote and the services they provide to the community and gives them certain facilities from the authorities.

Equally important to the legislation regarding associations and foundations is secondary legislation enabling NGOs to function effectively. Recently, the Romanian government put forward a legislative initiative that could limit the access to funding for CSOs. For example, the 2018 fiscal code envisaged changes that could jeopardise the access of CSOs to private funding. Receiving support from private citizens will become more difficult (more forms to be filled in and more data required: the proposal stipulates that each NGO should publish in the Official Monitor information about all donations including the identification data and the amount from each donor). As a result of the fiscal code reform, the companies' sponsorship activities became more complicated.

Another important legislative change of the post-Communist period was the introduction of public-private partnership practices and the development of welfare mix systems. A benchmark was Law no. 34/1998 regarding subsidies for private entities providing social assistance services. This law opened up cooperation and partnership opportunities with the public sector for many associations and it was followed by other laws and government ordinances enabling public-private-partnerships and social contracting in various policy areas. Despite this, almost 20 years later, the public-private policy toolkit use and the management capacity of public authorities remains limited. Currently, this specific legislation is under revision.

After 2010, when the public financial crisis affected the development of social programmes and projects, CSOs became increasingly interested in pursuing business opportunities in order to carry on their mission. After four years of public consultation and advocacy efforts, social enterprise legislation was enacted in July 2015.

Procurement legislation, aligning Romanian legislation to EU procurement rules was reformed in 2016, providing opportunities for NGOs interested in promotion and development of services of general interest. Special provisions regarding social clauses and reserved contracts were introduced, but the implementation is limited.

The adoption of the EU General Data Protection Regulation (GDPR) bolsters citizens' digital rights, but civil society will also have to comply with strict standards for collecting and using sensitive data and this will put a financial and operational pressure on many CSOs.

An unsatisfactory situation is the representation of the CSOs within the national Economic and Social Council. Such representation was blocked for years because of a misunderstanding of the law stipulating the presence of 15 members from civil society. In 2017 the CSO sector became a member of the CES. There are similar situations concerning the appointment of CSO representatives within the Supreme Council of Magistracy, the National Council of Audio-visual or boards of national (public) radio and television. (CSDF, 2017)

The development of a political and policy environment that fosters CSO growth was influenced by the structural changes since the 1990s in strategic areas such as good governance, public administration, economic and social policy reforms. The existence of legislation (Law 544/2001) regulating the free access to public interest information and making mandatory public consultation when requested by citizens offered a good platform for CSOs in their advocacy efforts on public interest subjects. Yet, the implementation of these transparency laws remain questionable.

This legislation is still not well known, so the impact is limited. On the governmental side, research showed that public authorities are slow to respond to citizens' requests for information and sometimes the citizens and CSOs have taken them to court to decide in their favour and speed up the information and consultation process. The most recent NGO Leaders` Barometer, published by CSDF shows that in 2016 "21% of organisations requested public information at least once in 2015, and 13% made written requests for public debate". The report also mentioned that "an equally large number of organisations do not know the provisions of those laws," (CSDF, 2017, p. 102).

Challenges for CSOs in Romania

There is a consolidated associative sector, which faces important challenges.

Challenges regarding long term funding for CSOs

There is difficulty in accessing long-term funding. All categories of organisations have been affected. Financial issues have always been present, but after EU accession, the diversity of funding sources for CSOs diminished considerably because of the large-scale withdrawal of important international donors.

> "The systemic lack of resources deeply affected the sector. NGOs acting as service providers, as well as watchdogs and advocates were equally weakened." (Interview RO4)

EU membership provided opportunities to Romanian CSOs, especially for funding and European networking, but also generated challenges. After the withdrawal of almost all non-EU funding after 2007 the Romanian government became the most important funder of CSOs programmes and activities, however the relationship between public authorities and CSOs is not strong enough, while the coherence of public authorities' policy towards the CSOs is crucial.

Besides the limited policy and administrative capacity of Romanian governments in using EU funding, CSOs faced the challenge of the economic crisis after 2009. Several public programmes and EU structural fund programmes were delayed or suppressed. In response, CSOs became more interested in the development of entrepreneurial activities.

> "[There was] difficulty in accessing European funds due to bureaucracy and extremely long evaluation processes (e.g. a period of six months passes between project approval and contract signing and more that nine months between project approval and payment of first instalment). Those factors have caused delays in project timelines, difficulty in observing financial projections and generated insecurity among employees." (Interview RO5)

The CSO sector has often expressed concerns about the scarcity of funding. Schemes to support public-private partnerships in social services from domestic sources were recently introduced, with a limited budget (around 0.03% of total budget for social assistance in 2016). Corporate Social Responsibility practices are at an early stage and the possibility of collecting funds from individuals are poorly regulated by law and hard to implement. The adoption of "2% Law" (Law no. 571/2003, through which taxpayers may decide on the destination of an up to 2% of the annual tax on salary incomes, used to support non-profit organisations, churches, and private scholarships) was of interest for the development of the non-profit sector. It has generated positive outcomes. Many small NGOs use the "2% Law" to support activities.

Challenges related to changes in the legal framework and the tendency towards bureaucratisation

Many CSOs are critical of the impact of frequent and unpredictable legislative changes, which affect effectiveness and efficiency. In a volatile legislative environment it is difficult to develop an organisational strategy. Management decisions become *ad hoc*, in trying to keep pace with legislative changes. An example is the reform of the Fiscal Code that has put pressure on the CSO sector. Another is the many proposals made to change GO 26/2000.

> "The frequent legislative changes and the ambiguity of laws have made procurement and financial procedures much more difficult to apply and very long." (Interview RO5)

> "…the main challenge was represented by the current government's multiple attempts to change the legislation governing the civil society sector. Most of the changes in sight would impose burdensome reporting procedures and include easier legal means for NGOs to be dissolved by third parties." (Interview RO6)

Another important issue is related to the government's lack of vision regarding the role of CSOs in a welfare mix system. Although the public-private partnership between government and CSOs in services of general interest has a functional legislative framework, the development of a coherent, predictive and citizens'-needs oriented system is lacking, both at central and local level. For more than two decades, CSOs have enhanced their role within the welfare mix system, as service provider in many policy sectoral areas, acting as policy

entrepreneurs in governance and public services reforms. Despite these positive trends, civil society organisations remain on the outskirts of the welfare system, covering risks and representing interests but without constant and consistent state support. Like other countries in eastern and central Europe, Romania has been slow and inconsistent in promoting reforms to modernise public services that foster the right settings for the development of the civil society organisations in a welfare mix system framework.

Especially after 2016, Social Democrat governments were not able to promote fiscal stability and take advantage of economic growth. Many decisions are viewed as having been taken for political or electoral reasons, without a real impact analysis. Many NGOs reported that they were affected by sudden changes in fiscal legislation affecting private donations and salaries, changes in structural funding processes, changes in legislation affecting specialised NGOs and changes in the public consultation procedures.

> "Increased bureaucracy is again promoted through a Bill proposing new and burdening financial reporting requirements for NGOs, which increase the risks of sanctions or dissolution. Restrictions of the participation of NGOs in decision-making processes are also intended, through a bill proposing new restrictive criteria for NGOs to become part of formal consultative structures." (Interview RO4)

Challenges related to the present political/societal context

In the first two decades after the fall of the Communist regime, political, governance, economic, institutional, administrative, legislative reforms seemed to progress but in the last few years this has reversed. The points of contention are several – from legislative changes, to bureaucratic harassment, from strong political declaration, to strategies meant to deter or avoid collaboration. Government representatives attempt to reduce CSO access to the public space. This is not specific to Romania and examples can be seen in other countries, for example Hungary attaching the "foreign agent" stigma to the NGO sector from 2017 with specific reference to George Soros. This is a feature of the political class. It is disseminated by mainstream media, which is controlled by the governing political parties. There are attempts to describe some of the most relevant NGOs as being "enemies of the nation". An emphasis is put on those NGOs supporting the anti-corruption process and the consolidation of the rule of law. Those NGOs pointed out as enemies are the target of defamation and denigration campaigns by the propaganda 'arsenal' of the government. Media campaigns target not only NGOs, but also individuals working for NGOs.

Formal and informal attempts were made to limit the freedom of peaceful assemblies/protests:

> "Government officials publicly threatened activists during recent protests; the City Hall of Bucharest refused to authorise some public assemblies, under obviously far-fetched reasons." (Interview RO4)

In the last few years, the relationship between the government and the CSOs seems to be deadlocked – there are no significant elements to indicate progress or a positive change in the relationship. In a post-Communist society characterised by low trust and difficult development conditions for CSOs, corruption and weak state capacity, the future of CSOs seems to be difficult. This seems to be the flavour of the region now.

"In the last 12 months things have got worse in the discourse at the political level against NGOs (similar to Hungary, only not that radical). There is a stronger polarisation of opinions, more (and more vocal) voices from the majority, less tolerance towards diversity, more nationalistic themes and discourses, fewer NGOs having resources to publicly defend the NGO issues (anti-corruption, human rights, etc.)." (Interview RO2)

As a consequence of the degradation of the political environment for CSOs, there are setbacks of advocacy initiatives. Despite advocacy successes in the past, with a notable impact on the life of Romanian citizens and democracy, the last few years have been marked by frequent violations of transparency and access to public information. CSOs report frequent situations where adoption of public budgets is done without public consultation or transparent information.

Solutions: How CSOs respond to challenges

CSOs have to face a variety of challenges – financial, legal, and political. Often, difficulties were seen by CSOs as opportunities to rethink their mission and strategies while promoting innovation aiming at provision of affordable services to target groups or to enhance their status and diversify income sources:

"Fundraising and providing paid services such as training, consultancy, etc." represent a big part of the income of the organisation. (Interview RO4)

"Civil society organisations have been preoccupied for more than 15 years in diversifying funding sources and promoting philanthropy. CSOs representatives have participated actively in working groups and advocacy initiatives aiming at tackling legislation and policy change and to prevent negative impacts affecting the work of the civil society. NGO networks have been developed to work on common issues." (Interview RO5)

"The solutions we envisage are more operational funding for local CSOs and investment in building the capacity of the grass-root NGOs and local initiative groups." (Interview RO6)

Another concrete strategy of the CSO sector in diversifying funding resources was to successfully advocate for the enactment of new legislation on social enterprises. Beginning in 2005, the associative sector witnessed the emergence of policy advocacy initiatives aimed at creating specific laws for social enterprises. Ten years later, social enterprises obtained legal status, hence creating opportunities for CSOs interested in developing entrepreneurial activities. (Lambru & Vamesu, 2010; CSDF, 2017) Social enterprises were set up with the support of associations and foundations to pursue predominantly social goals, namely reaching out to the community or to specific disadvantaged population groups. To achieve these goals, they engaged in different economic activities but, last year, the government passed an emergency ordinance which dismantled their business model: It eliminated fis-

cal incentives for companies not employing sufficient numbers of disabled persons to buy the products of protected shelters. The social economy became a victim of the degrading environment.

Another specific challenge for CSOs is the quality of dialogue and cooperation with political and bureaucratic actors. CSOs are influenced by the institutional environment in which they operate so that it determines their nature and roles in society. They are given social and economic significance based on the political culture in which the CSOs develop and on the level of support given by public policies. Because of the importance of dialogue with political parties and bureaucracy on issues related to good governance and partnership, Romanian CSOs have since the middle of the 1990s advocated building the infrastructure of cooperation by an enabling legislative framework. It has been a long and challenging process that is not fully consolidated yet.

Another category of challenges is related to the engagement of the CSOs in policy making, as advocates for a range of social agendas. Here the challenge is double – on the one side we have a government with low administrative and policy capacity and a partially reformed public sector; while on the other side, we have a CSO sector with a limited advocacy capacity (e.g. limited knowledge on how to build and maintain advocacy networks, limited capacity to gather and analyse data to be used in advocacy initiatives, etc.). As a result, much of what is done in the name of both advocacy and citizen's participation is fragmented.

The strategies of CSOs related to this challenge focus on improving leadership and management skills, investing in policy research and general advocacy skills:

"There is this management and leadership long-term training that we developed with Concordia, called Concordia Academy. It works towards building leadership skills." (Interview RO2)

"The foundation has developed a strong team of people engaged not only in project development and service delivery but in research and advocacy, a team of motivated and trained professionals involved in decision-making processes and able to think strategically. This is the main asset and resource in mitigating risks and threats." (Interview RO5)

In a survey (NGO Leaders' Barometer, 2016) 30% of respondents declared that advocacy activities are part of their organisation's agenda. The main areas of interest for advocacy activities were related to measures to generate a more favourable environment for associations and increased funding for programmes (19%). Also, 16% of the respondents addressed issues related to good governance and improved transparency in policy making. (CSDF, 2017, p.110)

"There are small organisations doing relevant programmes – the Independent Journalism Centre, for instance, with its media literacy programmes, Funky Citizens with their projects against fake news, small associations doing investigative journalism." (Interview RO2)

The relationship with the mass media is also a part of CSOs' survival strategies. In many advocacy campaigns, mass media had an important role in informing and mobilising

citizens on topics such as the fight against corruption, environmental protection and anti-discrimination. In the NGO Leaders' Barometer, 45% of respondents stated that the mass media were involved or highly involved in promoting organisations' activities. Even where there are strong relations with mass media there are also attempts by the government to label NGOs as enemies of society.

Online communication and mobilisation is the main tool used by CSOs and can limit the risks and challenges posed by partisan media.

> "There is an increasing civic involvement (considering the recent peaceful protests against the governmental authorities) and the increasingly outspoken private business (more instances of support for NGOs, more public positions related to topics of interest for NGOs, such as rule of law and anti-corruption)." (Interview RO6)

> "Engagement and mobilisation are becoming easier to analyse and strategise." (Interview RO7)

CSOs international cooperation: Changing significance?

Many organisations are connected to and cooperate with European and international platforms, coalitions and organisations. This leads to a better shaped identity, increasing managerial capacity and interest in advocacy work.

Romanian CSOs are interested in international cooperation in domains such as social services, environment protection, community engagement, resource centres and international networking is seen as an added value:

> "International cooperation has worked well. We are an active member of the European Community Organising Network (ECON), we have been implementing for the last six years an exchange programme together with an US partner, a community mobilisation programme. We have developed and implemented throughout the years joint projects in the region." (Interview RO4)

> "The Foundation has developed a strong background in programme management, working in partnership with civil society organisations and public authorities at national and international level (...) has built partnerships with academic institutions across Europe and it is also connected with important advocacy initiatives across Europe, being part of different coalitions and networks." (Interview RO5)

> "We are members of the many European networks and coalitions (...) international cooperation has a positive effect on our daily work." (Interview RO6)

Conclusions and recommendations

Despite almost three decades of investment in Romanian civil society and the development of good governance, there are many indications of a step back in the effort to foster a comprehensive and supportive eco-system for the sector. The government is not an enabling partner for CSOs, who could contribute to strengthening general development and democratic values in society. The government tries to expand its regulatory power and control over CSOs. Statements from government leaders show how the government is trying to dismantle the civil society sector and civic participation, at least that part of which is funded by Soros, the most critical of NGOs. "I have something [a problem] with Mr Soros. This man, his foundations and structures, funded evil in Romania" said the PSD leader, Liviu Dragnea during a TV show in January 2018.

CSOs have to deal with a series of sectoral issues and deficiencies. Difficult access to financial resources, the reduced diversity of existing financial sources, the low level of citizens' participation and a weak civic culture, low policy advocacy skills and capacities are all important factors challenging the CSOs.

Despite attempts by CSOs to develop a more strategic approach to sectoral development and to government relations, this has not been achieved. CSO development is banking on the opportunities generated through available funding, mainly from the EU. For many CSOs, it is a daily struggle to keep their own mission alive and follow their agenda. From the government perspective, there was never a genuine political commitment. Occasionally, CSOs are mentioned in government documents as potential partners, yet it is not put into practice. A constructive engagement of civil society is the only guarantee of the development of democracy and rule of law in a post-Communist country such as Romania.

Based on the in-depth interviews and focus group results, we have recommendations for decision makers, civil society leaders and international donors for the CSOs.

Recommendations for policymakers

- In recent years Romanian society has been tense and divided. The government should view CSOs as partners and enablers of public dialogue and cooperation, and not as a disturbance. One way of recognising the important role CSOs play is to reorganise the Ministry of Public Consultation and Civil Dialogue.

- The government should rethink cooperation with CSOs in policy areas. Already, many general interest services in Romania are delivered in cooperation with CSOs, yet the legislation regarding social contracting and public private partnership is outdated. A policy redesign should be undertaken by government in cooperation with CSO representatives and with the involvement of beneficiaries.

- In a context marked by mistrust and division, the government should invest more in promoting civic culture, volunteering, a culture of giving and inclusiveness. These values can be promoted through specific measures, such as educational programmes, fiscal encouragement and the recognition of good practices.

- The government should invest more in educating policymakers and civil servants about the role of CSOs and how both can cooperate to the benefit of citizens. This can be done by creating and investing in specialised training modules

integrated in the National Institute of Administration curriculum and investing in the design of policy guides for the use of civil servants.

- Public consultation legislation has existed since 2003 (Law no. 52/2003 on transparency of decision making). Thousands of public consultation processes have been organised since then at all levels of government. An effort should be made to increase the quality of the public consultation process. This quality revision can be done through a large evaluation process involving all main stakeholders.

- The government should open the public market wider for CSOs, through new procurement legislation. The government should also revise and reconsider the access of CSOs to EU funding. Excessively bureaucracy and poorly-designed grants schemes are at the root of the underdevelopment of general interest services reform in Romania.

Recommendations for CSOs

- Civil society should better channel the energy of citizens participating in protests into positive and concrete outcomes. CSOs should play a stronger role as enablers and facilitators.

- To increase their advocacy capacity, CSOs should invest more strategically in increasing specific skills and capabilities. Advocacy work should be more professionalised and CSOs networks and resource centres can contribute to this.

- CSOs are protesting against the shrinking of civic space in Romania. This can be addressed by investing more in communication techniques and in social media platforms. The aim should be to have a common voice to stop political initiatives against them.

- For decision makers to understand the role of CSOs in society, CSOs must be able to present clearly the impact of their work and the value of their ideas for reform. CSOs should invest more in evaluative research and making-the-case reports.

Recommendations for the EU and international donors

- EU institutions are worried about the increase of populism and anti-democratic tensions in Europe in general and in eastern and central Europe in particular. EU representatives (for example, the EU Delegation) should participate more actively in public debates in Romania, bringing a strong message about the role of CSOs in a successful democracy.

- The EU traditionally invested in general interest service-oriented organisations. It is recommended that they revise these funding schemes and strategies and orient resources towards civic organisations.

- The EU should support more civic education programmes at national level by government and CSOs in partnership. Civic education programmes can cover topics such as active and responsible citizenship, participatory policy-making, media and social media education.

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List of interviews

Interview RO1: national NGO, youth and civic education

Interview RO2: regional NGO, social services for youth (homeless)

Interview RO3: national NGO, social services and financial support for elderly people

Interview RO4: national NGO, resource centre for civic participation

Interview RO5: national NGO, social services incl. healthcare for chronic diseases

Interview RO6: national foundation, resource centre for NGOs

Interview RO7: regional NGO, environment

Interview RO8: national NGO, training

Interview RO9: national NGO, legal services for the sector

Interview RO10: national non-governmental think-tank

Interview RO11: academic researcher

Interview RO12: think-tank
Interview RO13: academic researcher

List of focus group participants, 11 July 2018

Grant officer, national foundation, resource centre for NGOs

Expert, academic research

CEO, national NGO, social services incl. healthcare for chronic diseases

Project Manager, national NGOs, legal services for the sector

Project Assistant, national NGO resource centre for civic participation

Board member, resource centre for NGOs

Russia

Russia: More funding but less stability

By Yulia Skokova

Civil society overview

The case of Russia is special. Every year, we analyse the state of civil society in a different set of European countries but always, every year, in Russia. In 2018, we follow the same format as for our other country reports, and present statistics on civil society organisations (CSOs) and their main challenges. Since this year's and earlier reports showed that Russian CSOs were working in a volatile and restrictive legal framework, compounded by the lack of diversified sources of funding and qualified human resources, we decided in our examination of best practices to focus on the issue of sustainability and effectiveness. Experience of Russian CSOs could provide meaningful insights on how to survive and develop even within a difficult and obstructive environment.

Officially, the term 'civil society organisation' is absent in Russian legislation. The nearest term is 'non-profit organisation' which means, according to the law, that this organisation: 1) is established with social and other public goals and 2) is not oriented to profit and profit cannot be distributed among its shareholders. 'Non-profit organisations' in Russia have a number of different legal forms and official statuses among which are, for instance, charitable organisations, associations, socially oriented organisations and social service providers (see more below in next section). However, in order to be in line with other national reports, we will use the unified term of CSOs as the official term for 'non-profit organisation' in Russia, and the term of civil society sector for the totality of all CSOs.

The number of officially registered CSOs does not vary much from year to year, the fluctuation being about 1-2% either way. According to the Ministry of Justice, the number of CSOs decreased by 1% during the last year, from 223,000 in 2016 to 220,000 in 2017 (Ministry of Justice 2018). In relative terms, it is about 1.5 CSOs per 1,000 people all over Russia. Despite the stable size of the sector, its internal composition is changing dramatically. For instance, in 2017, 14,000 new organisations were registered and, over the same period 18,000 were excluded from the list of registered CSOs. In total, since 2011, 114,000 new CSOs were registered and 116,000 were closed. It means the sector is quite stable in size, but the internal composition is fluid, with about 50% of CSOs enjoying short lives. In terms of regional distribution, CSOs are mostly based in big cities. In particular, 27.8% of all registered organisations are based in only three regions (Moscow, the Moscow region and Saint-Petersburg) out of 85 Russian regions. As for the fields of activity, the major part of Russian CSOs work in sphere of social services for those in need (disabled people, poor families, orphans, elderly people). A lesser number of CSOs deal with human rights and environmental issues.

According to the Rosstat and Public Chamber (2017), the total revenue of CSOs was R686bn (equal to about €9.8bn) in 2015 and R831bn (about €11.8bn) in 2016. As Public Chamber commented on these numbers, they do not reflect the real state of CSOs because substantial volumes of governmental funds go to state-sponsored sports clubs and other organisations that are only nominally CSOs. As for the revenue structure of CSOs, there are no consistent data and different research comes up with different conclusions. On the one hand, according to official statistics, which are available only for the biggest part of the sector, the so-called 'socially oriented non-profit organisations' (see more below), the biggest share of CSOs' revenue is market activities (in 2011-2016, the percentage varies from 36 to 40%), which mostly consists of "income from sales of goods, works, services and the

realisation of property rights". Other research shows different results. According to the Higher School of Economics (HSE) survey of 852 CSOs (2016b), they mostly rely on state funding (54% altogether for municipal, regional and federal funding), private donations (39%) and membership fees (33%), while market activities constitute only 27%. Research on charitable organisations made by the foundation "Nuzhna Pomosch" (2017) shows almost the same results for state funding (55% CSOs have it) and for market activities (31%). However, according to "Nuzhna Pomosch", state funding is not the most popular one. Instead, among 125 surveyed CSOs, 92% receive private and 69% corporate donations, which are the top two sources of funding. Explanations of differences in these figures lie in their sampling, but they give an overall picture.

Legal framework and political conditions

The legal framework of CSOs is constantly changing and the state regulates the sector heavily and inconsistently. There are 15 different legal forms of CSOs and a long list of special federal laws on 'Non-profit Organisations', 'Public Organisations', 'Charity Organisations', 'Philanthropy' and other more specialised laws. As of June 2018, the main Law on 'Non-profit Organisations' has changed 81 times since its adoption in 1997, and about two thirds of the changes (53) were made after 2010.

The past eight years have been marked by the most significant legislative changes ever, influencing the situation of all civil society sector and its internal structure. The current legislation is oriented towards the prioritising of a specific type of organisation working in the social sphere and social service provision, and, at the same time, limiting the opportunities of organisations that mostly represent the fields of human rights, the environment and think-tanks. Also, many changes in legislation have gradually limited foreign funding to CSOs with the political intention of restricting it. This comes alongside the development of new sources of state funding as a substitution, in order to put the civil society sector under state control and supervision. These prioritising and restricting mechanisms are implemented through the division of CSOs into four official registers managed by the federal Ministry of Justice, which are lists of 1) 'socially oriented non-profit organisations', 2) 'socially oriented non-profit organisations providing public benefit services', 3) 'foreign agents', and, finally, 4) 'undesirable organisations'. For CSOs, to be in first two types of registers means more opportunities to receive state funding and other in-kind support, while those placed in the last two types face different types of restrictions, starting from additional heavy reporting ("foreign agents") to prohibition of their activity in Russia ("undesirable organisations"). Below, we briefly describe what each of these four statuses mean, what it gives to CSOs and what is their effect.

The reform started in 2010 when the law on 'socially oriented non-profit organisations' was adopted. With this, the government specified the main and prominent task of CSOs to solve the rising level of social problems, with which it was not able to manage alone. 'Socially oriented' organisations themselves are commonly registered CSOs, but operating in 18 specified fields, such as the social sphere, education, culture and so on. Those who fall under these criteria have additional opportunities to compete for financial and other in-kind support on federal, regional and municipal levels. Before 2016, there was a federal support programme for 'socially oriented non-profit organisations' managed by the Federal Ministry of Economic Development (MED). It was designed so that the Federal Ministry, first, co-funded regional support programmes, and then regional governments organised a grant competition among local organisations. Also, MED directly provided long-term grants

to regional resource centres that built the infrastructure for the local civil society sector. Experts and the academic community saw the programme as highly effective and transparent (Krasnopolskaya et al. 2015). It helped to strengthen partnerships between CSOs and regional governments and enhanced regional expertise in sector issues. By the end of the Federal MED programme, 75 Russian regions had their own regional support programme, while before then only a few regions had allocated competitive grants to CSOs.

However, in 2016, the MED Programme together with all other small federal funding programmes, were transferred to the Presidential Administration and its Foundation of Presidential grants. It was made with the political intention, first, of replacing foreign funding that many CSOs, especially human rights and environmental organisations, had had before, Despite a quite large amount of funding allocated in presidential grants, they could hardly be termed a full substitute for foreign funding. Second, presidential grants play an important role as a political "supervisor" that manages the process of civil society sector development. This grant operator is the biggest in Russia and sets the rule of the game for the sector in general. As a result, CSOs became highly dependent on it as the only source of funding. For instance, state funding in 2015 was the same as in 2017 (R7.2bn, about €98.6m), but in 2015 there were many different sources and only R4.2bn (about €57.5m) was allocated by Presidential grants. Officially, Presidential grants are aimed at supporting CSOs in 13 different policy fields. However, in practice, it supports more social organisations than any others and represents a sort of partial replacement of foreign funding for human rights and environmental organisations. In 2017, 3,213 CSOs got Presidential grants of R6.65bn (about €92.8m). In 2018, both numbers grew and 3,573 CSOs' projects got R7.8bn (about €111.4m). Despite criticism by CSOs of the monopolisation of state funding and limiting other opportunities of getting finds, the changes that were made in 2016 with the Presidential grants were generally perceived positively among community and experts (Ivanushkin, 2017). The system for the application process, competition criteria and reporting procedures become more transparent than it had been.

The next type of organisations is the sub-type of 'socially oriented' CSOs that "provides high quality public benefit services for at least a year". The law introduced this new type of organisation in July 2017 with the intention of enhancing state support for CSOs providing social services to increase competition between state institutions, commercial companies and CSOs; and, finally, improve the quality of social services. The status gives CSOs an opportunity to provide standardised social services to clients paid by the state according to established charges. As a result, this type of CSOs has access to sustainable state funding for its operational activity. However, the complicated procedure of obtaining the status as well as very low charges for social services are extremely significant barriers to becoming a 'socially oriented non-profit organisation providing public benefit services'. For instance, the charge for psychological consultation in the Orenburg region is R13.3 (about €0.2) per hour, which is far from the real market price. In December 2018, only 185 CSOs had this status, which is less than 0.1% of all 'socially oriented NPOs'.

In parallel with opening up new opportunities for CSOs working in the social sphere, the state introduced a number of restrictive measures aimed at weakening and de-legitimising independent, uncontrolled civic activity. After the mass protest movements against electoral fraud in 2011-2012, the state tried to limit opportunities for human rights, environmental and think-tank organisations. Since then, amendments were introduced to the legislation to define two new types of CSOs and form two additional registers of 'organisations performing the functions of a foreign agent' and 'undesirable organisations'. As for the first type, organisations receiving foreign funding (including donations from individuals) and simultaneously engaging in political activity must be placed on a special 'list of organisations

performing the functions of a foreign agent'. The most important criterion here is involvement in 'political activity'. Experts and politicians have debated the meaning of the term and defined it quite broadly and vaguely: it means not only involvement in state affairs, but also, for instance, conducting of opinion polls, analysis of the situation of civil society, and the expression of opinions about politics. It makes every CSO having foreign funding vulnerable to being labelled as a 'foreign agent'. Since the law was adopted in 2012, more than 150 CSOs has been included in the list and, by December 2018, 71 organisations still had this status. Among them, 41 are human rights and environmental CSOs, 19 are think-tanks, 11 are social organisations out of which four work in HIV prevention issues.

The term 'foreign agents' has a great symbolic influence on people's relation to CSOs. In the Russian language, the word 'agent' is closely associated with 'spy'. It slurs the work of a 'foreign agent' organisation in the public mind and makes open partnerships with state bodies almost impossible. Moreover, the direct consequences of the law on 'foreign agents' is that they are obliged to provide full, detailed financial and operational reports quarterly, and they must provide these reports with auditor's conclusion annually. This regulation significantly complicates the work of 'foreign agents' since they need to allocate extensive resources to the bureaucratic procedures of reporting and it forces many of them to close, re-register as new CSOs without a history of foreign funding, or even register as a commercial company. The register of 'undesirable organisations' mainly affects those who used to get foreign funding: human rights and environmental organisations and think-tanks. According to the legislation, 'undesirable organisations' are "international non-profit organisations which the Prosecutor's Office regards as threatening the country's constitutional order". Their work is prohibited in Russia and any legal entities, including CSOs, cannot get funding from them, have contacts, and share their materials anywhere, even in social networks. In case of violation, a CSO or its leader will be fined or legally prosecuted. By December 2018, 15 international CSOs were labelled as 'undesirable' in Russia, among them the National Endowment for Democracy, the National Democratic Institute for International Affairs, the European Platform for Democratic Elections (EPDE).

Also, in 2018, there were three important changes in CSOs legislation, all of which limit opportunities for partnership with foreign donors and other foreign civil society organisations. The first legal change adopted in July 2018 made the registration process of foreign CSOs in Russia more complicated. According to the new regulation, foreign CSO must provide more information about their operational activity and provide all contact information to state authorities within seven days after their registration. Then, in August 2018, new rules of financial reporting for all types of CSOs were adopted and, according to them, an organisation has to report on the foreign funding received by their own donors. This rule is almost impossible to operate since CSOs have no means to know whether their donors had foreign funding, and donors are not obliged to disclose their sources of funding. As a result, this makes the position of a CSO unsafe and vulnerable as a CSO could be fined under the pretext of irrelevant financial reporting. The third important change in October 2018 banned the right of foreign CSOs and 'foreign agents' CSOs to conduct independent anti-corruption testing of legal acts. Since a number of such organisations used to provide an official anti-corruption expertise (for instance, Transparency International), this substantially limits their operations.

Additionally, CSOs work is affected by a number of laws restricting freedom of expression, association, rights of LGBTI persons, etc. Altogether, the legal framework of civil society organisations is far from friendly for stable development. The CIVICUS Monitor and International Center for Not-for-Profit Law drew attention to this restrictive legislation and

identified it as a significant barrier to civil society development in Russia (CIVICUS 2018, INCL 2018). The legislation intentionally undermines the balanced and sustainable development of civil society sector.

Challenges for CSOs in Russia

This is the third year since 2016 of researching the challenges facing CSOs. During this period, the list of main problems has not changed dramatically, especially those that are about macro context conditions and processes, and they remain negative. Table 1, based on interview insights, summarises the most significant challenges that CSOs identified this year. The first four challenges are "old, but slightly transformed" meaning that they stayed as significant problems for the development of CSOs, but some aspects changed during the last year. The last three challenges mostly "stay the same" as 2016 and 2017 and include different macro-contexts. In order not to be repetitive, it was decided to focus more on newly-emerged aspects of old problems but not to forget about the things that have not changed but still play a significant role.

Table 1   Major challenges for CSOs

Challenges	Description
Old, but slightly transformed	
Tough, complex, contradictory, ambivalent and unbalanced legislation	Imbalance in different types of CSOs, law on 'foreign agents', weakly operating support instruments for CSOs providing social services (high barriers to entry, low charges)
Bureaucratic regulations	Heavy reporting on state funding, excessive amount of reports to different state bodies, lack of tax privileges
Lack of financial resources	General decrease and sustainability of various funding sources, lack of long-term funding, monopolisation of state funding, unequal opportunities to get state funding and limited international funding
Human resources	Low salaries for hiring high-qualified specialists, emotional exhaustion, aging CSO leaders, little interest in building a career in CS sector among young people
Stay the same (see reports 2016 and 2017)	
Repressive and narrowing policy environment	State pressure on independent CSOs and political activists, decreasing level of political freedom, excessive state regulation and controls
Restructuring of civil society sector	Creation of pseudo (pocket) CSOs by the state, state prioritises social CSOs and hinders human rights and environmental CSO, charity swindlers. Building of institutional support system for loyal CSOs
Macro context	Problems in social, political and economic spheres including corruption, poverty, economic crisis, strained international relations, xenophobia, mistrust, populism

The two core interconnected challenges for CSOs in Russia are tough, complex, contradictory, ambivalent and imbalanced legislation, and lack of financial resources. The current legislation clearly demonstrates an unequal relationship between, on the one hand, socially oriented organisations that help the state to solve different social problems and have more opportunities to get state financial support, and, on the other hand, CSOs working in more contested fields like human rights, environment and think-tanks which face different legal restrictions on their activity, e.g., the 'foreign agents' law. This problem was perceived urgently in 2016 (see *Report 2016*), when the number of CSOs included in the list of 'foreign agents' was the highest, 154 organisations. The division among social and human rights organisations is not of the first significant importance in respondents' mind. As one said, "we are used to the new reality and live with that as it is something common… but of course the intentional division of the sector is problem number one for all of us" (Interview R13). Social organisations have a more positive view of the environment and legislation in which they work, usually positive, but human rights organisations take a more negative view. This year, when talking about legislation, CSOs paid more attention to different details that affected their daily operations. For instance, respondents noted high levels of bureaucratisation and the absence of tax privileges for CSOs. Organisations regularly go through an audit where they must provide all bills, reports, contracts and so on. This may stop activities for months. Additionally, the legislation in Russia does not have any tax privileges for CSOs. Organisations pay the same income and social taxes as do commercial organisations.

> "We do not have legislation that would really stimulate the development of all kinds of CSOs. We pay the same taxes as businesses. If we could pay less or had tax holidays that would be of much help to us. As a result, we could have raised salaries or hired more people who we really need but cannot afford." (Interview R12)

Social organisations identify the unsatisfactory law on social service provision as an issue. On the one hand, CSOs have new opportunities to work on the market of social services and lift their financial sustainability, but, on the other hand, the requirements for them and other circumstances work against organisations' willingness to be registered as an official 'social service provider'. In particular, CSOs providing state social services face extremely low charges for their work and high bureaucratic barriers to enter the social services market.

> "The number of CSOs that work with this system is very limited and the reason is low tariffs [charges]. In my opinion, this instrument does not work well. We cannot work for five rubles per hour. Municipal organisation can, because they have additional funding to pay for rent and utility bills, but we have only these five rubles for everything. It is not adequate to think that this would be enough for a high-quality services." (Interview R7)

The next important challenge rooted in the legislation is the limited number of sources of funding. First, due to the 'foreign agents' and 'undesirable organisations' laws, the number of international and foreign donors fell significantly, as well as the willingness of CSOs to get funding from abroad. Human rights, environmental and think tank organisations were the first ones to suffer.

> "The number of foundations where we can apply for a grant now has decreased fivefold. One of our partners became an 'undesirable organisation' and we cannot work with it now, others have left Russia because of the unpredictability of the political situation and consequences for them and us. As a result, we lost a lot and need to survive somehow." (Interview R9)

The financial situation was aggravated by the decreasing of number of state funding programmes. As described in 2017, presidential grants became the main and the only source of state funding where an organisation can obtain significant support on an open, competitive basis. Even if there were some other grants provided by different federal ministries or regional governments, they are either local or and are oriented on some organisations only, or provide quite small grants. It is worth noticing that almost all the respondents simultaneously said that the system of Presidential grants had become more transparent and effective than it used to be before, and it is widely respected by CSOs, but they also expressed criticism of the monopolisation of state funding. Organisations feel vulnerable and dependent saying that they "never know whether they get a grant or not, and how long they will operate" (Interview R14).

Civil society organisations lack long-term funding to support their operational activity. Before 2018, presidential grants provided support for short-term projects only and CSOs "always have to invent something new in order to get funding, but not to get support for our programmes that prove their effectiveness through years of practice" (Interview R4). In May 2018, after the field work was completed, three CSOs (out of 1,551 winners) received presidential grants for a three-year period with total amount of R43.9m (about €626,700).

In sum, the research results show that civil society organisations face a serious challenge of financial sustainability, which affects human resources. Organisations generally cannot pay market salaries for highly qualified personnel, and they either hire less-qualified people, or pay highly qualified but motivated professionals less for their work. Between them, these two factors create little incentive to work in the civil society sector, and cause a high turnover of employees.

> "From year to year, we see fewer and fewer young people who want to build their career in CSOs and devote their life to something socially significant. They understand that we cannot afford good salaries, and I think many of those who would like to join us do not do it, because they have to support their families, children, pay for mortgage, etc. We all are humans and we should not blame young people for that." (Interview R2)

In addition, some respondents mentioned the problem of emotional exhaustion among people working in CSOs. The issue was intensively discussed within the sector in 2017. Employees of CSOs had to work much more than in any other jobs and they needed psychological assistance because of the traumatic experiences they faced on a daily basis.

> "Every day we save someone, we are in rush for helping new people, but we forget about ourselves. People in CSOs usually do not have a work-life balance, we work 24 hours a day. But we also need professional psychological consultations.

It is very important that we finally raise our voice, we also get tired and we need to find a way to deal with that." (Interview R10)

Altogether, the challenges listed above put the issue of organisational sustainability and effectiveness at the forefront. CSOs are under constant pressure because of the interconnected problems of the lack of financial resources and the need for highly qualified personnel. However, these challenges are not the only ones that CSOs face today. During the past three years, there was evidence of continued state pressure on independent CSOs and political activists, as well as the creation of pseudo (pocket) CSOs. The macro context is also important. Problems in the social, political and economic spheres such as corruption, poverty, economic crises, strained international relations, directly and indirectly influence the civil society sector.

Despite the serious challenges to civil society sector development, it has a number of growth points. During the interviews, the respondents noted that volunteering as well as private donations were the main two spheres of positive changes. According to the World Giving Index (Charities Aid Foundation, 2017), the percentage of Russians contributing to private donations grew and reached 17% in 2017, almost twice than in 2016 (9%). However, because the survey question covered only respondents' experience during the last month, the results do not show the level of intensity in private donations over a more long-term period. For instance, HSE data (2016a) show that in 2014 13% of Russians made donations often, 39% from time to time and 5% once a year. These data make the final share of Russians who participated in private donations at least once in a year much higher (57%), than if we take only a one-month period.

Despite relatively high numbers, there are a few windows of opportunities for CSOs to develop private donations. As one of the respondents noted, "CSOs should continue their educational work telling of the importance of any, even small, donations, and organisations should seek for more recurring donations in order to get financial sustainability." (Interview R5)

As for volunteering, respondents also name it as a sphere where they see positive development. Respondents note that there are more and more different projects that involve people in pro-bono, corporate, social, events and many other types of volunteering. In many cases, people do volunteer work not through CSOs but by themselves or through non-registered initiative groups.

"Today is a time of informal initiatives, but not registered CSOs. People see a certain problem, and they join together to solve it, they do not need an office or a grant support, they just do it from the bottom of their hearts. They see that to get an official registration does not give anything, instead it takes a lot of your time for pointless paper work." (Interview R9)

To some extent, these positive changes have happened due to improvements in media coverage and public opinion. Comparing to the situation a decade ago, the media devote more of their time to socially significant issues and tell more CSO success stories. Regarding public opinion, as one of the interviewed experts has mentioned, people are not afraid of the words 'volunteers,' or 'CSOs' as they usually were in the 1990s (Interview R7). A general acknowledgement of civic activities is growing, slowly but surely, together with a positive public opinion and trust.

Solutions: How CSOs respond to challenges

Lack of funding undermines organisational sustainability and effectiveness. The lack of financial resources and especially the limited number of grant sources, as well as the need for highly qualified professionals, force CSOs to search for new, cost-effective solutions. In order to find solutions so as to stay sustainable and effective in a hostile environment, it was decided to focus on best practices that could help CSOs to support and enhance their sustainability and effectiveness, defined as programmes, human and financial resources and operational activity. When asked about their perception of the meaning of sustainability, respondents mostly describe it in financial term such as long-term funding from diversified sources and professional staff. As for effectiveness, CSOs understand it as the ability to reach their goals. Below, there are four best practices that could be widely applicable for different types of organisations. They are devoted to new ways of attracting human resources, getting funds and organising joint efforts for a broader people's involvement.

Todogood
http://todogood.com

Todogood is one of the best-known Russian Internet platforms for pro-bono volunteering and professional-level advice. The platform was created as an initiative of employees of the Boston Consulting Group in 2016. Today, it brings together about 50 CSOs and 600 volunteers. The mission of Todogood is to popularise the pro-bono culture in Russia and create a community of young talented leaders capable of solving large-scale social problems (Todogood, 2018).

It works in the following ways. First, CSOs apply for professional help from specialists who provide pro-bono services. Then, volunteers, who are professionals from consulting, major international and Russian companies with at least three years of experience, help these CSOs in solving complex long-term tasks.

Todogood helps social projects, social entrepreneurs and CSOs to find professionals from business ready to do pro-bono work during their free time. In particular, Todogood helps CSOs to solve a broad range of tasks, including development of a general strategy, financial plans and budgets; the creation of fundraising tools (for example, a donor club or corporate fundraising products); the development of marketing and communication plans based on research of target audiences; and the design of collaborative projects between business and CSOs. Many CSOs are not able to solve these tasks by themselves but employees of leading consultative companies can. As a result, Todogood helps to solve strategic issues for CSOs, brings new cost-effective solutions and saves CSO time and funding on their social mission.

Russia behind bars (Rus' sidyashchaya)
https://zekovnet.ru/

"Russia behind bars" is a charity-based project aimed at providing financial assistance and fundraising to support convicts, prisoners and their families in Russia. Founded by a renowned journalist Olga Romanova in 2008, the organisation gathers a team of like-minded people, including lawyers, journalists and economists, who are involved in representing the victims in court, helping to file complaints, and teaching how to deal with investigators and law enforcement officials. The organisation helps hundreds every year, and its work and campaigning are known to the majority of people who have ever encountered the Russian penitentiary system.

The organisation uses a variety of channels to collect funds for its support initiatives. It not only employs online bank payment, but also collects donations via SMS. However, what makes "Russia behind bars" really innovative is accepting contributions via bitcoin. Over the years, "Russia behind bars" have fundraised more than R1.7m (€24,300) (Rus' sidyas-hchaya, 2018). In 2018, the organisation had several large private donations constituting in total R1.2m (€17,100). With these techniques the organisation has been successful in di-versifying its income sources. In fact, "Russia behind bars" has lived exclusively off crowd-funding and private donations for several years.

White Nights of Fundraising (Belye nochi fandraisinga)
http://fr.crno.ru/

"White Nights of Fundraising" is an annual conference for professionals, fundraisers and representatives of various CSOs organised by NGO Development Centre in Saint-Peters-burg. Since 2006, there have been more than 900 guests participating in the conference, coming not only from Russia, but also from other CIS countries, Europe, the United States and Canada (Gercovskaya, 2018).

The aim of the event is to share the best practices of fundraising in a civil society sector and exchange experience with emerging CSOs and other civic activists on how to find donors and gain financial sustainability. Various lectures and workshops also help participants to develop their negotiating skills and presentation of projects, as well as teach them the practical skills of grant applications and communication with public and corporate donors. The event serves as a great platform for networking for CSOs (Baranova, 2018).

In 2013, the "White Nights of Fundraising" conference was also marked by the establish-ment of the Association of Russian Fundraisers. Its aim is to create performance and ethi-cal standards for fundraisers, improve the organisational of fundraising, and develop edu-cational programmes in the field of philanthropy (Gercovskaya, 2018).

Open Space (Otkrytoe prostranstvo)
https://ospace.ecwid.com/

"Open space" is a co-working space for CSOs and civil activists in Saint-Petersburg. This is one of a very few public spaces in Saint-Petersburg where people can freely gather and run an event. It started in 2012, when several local CSOs understood the need to have a com-munal place with Internet access and equipment to organise various types of gatherings like conferences, community meetings, lectures, etc. Over the last five years, "Open space" hosted about 2,800 events.

It was important to keep independent from any political parties, state agencies or busi-nesses. CSOs started a crowdfunding campaign in order to pay for rent, amenities and taxes. It turned out to be possible to crowd-fund for this purpose. Every year, "Open space" collected about R250.000. (€3,500) through the crowdfunding platform "Planeta.ru" and on its website where they sell different goods and merchandise (Otkrytoe prostranstvo, 2018). The Online store "Open Space" sells books, T-shirts, mugs, pens, and other goods with civic symbolic and slogans like "Sex, Drugs, Human Rights."

Endowment "Capital of the local community" (Fond "Kapital mestnogo soobshchestva")
https://penza.capital

Against the background of a lack of funding, CSOs search for new opportunities for sustain-able financial resources. One possible solution is the creation of an endowment, a special foundation made up of donations of money or property, where investment income is used for the CSO's mission. The income from an endowment allows a CSO to ensure their in-dependence from unstable private donations and state funding, helps to build long-term funding for a CSO's activities and, finally, ensure financial stability.

The endowment "Capital of the local community" is based in Penza in 2014. The founders fundraised more than R6m (€85,700). After 10 months of investment activity, its income com-prised R836,668 (€11,950) and was allocated as grants to support other CSOs in the region.

Based on their experience, "Capital of the local community" presented a number of recom-mendations (Sharipkov, Frantsuzova 2017). Before starting to create an endowment, CSO should clearly determine its purpose, form a team to work on its creation and management and find sponsors who understand their mission and share the same values. Organisations should understand that an endowment does not give a quick financial result, but, that it is a long-term investment. They also should be prepared for financial losses, as an endowment does not always have high financial results.

Conclusions and recommendations

The civil society sector in Russia is imbalanced, its different parts moving in almost opposite directions. During three years of research, it was evident that current legislation deliberately divided socially-oriented organisations with opportunities for state support from organisations working in more contested policy field like human rights, the environment and think-tanks, which face legal and informal restrictions. As a result, for the third consecutive year, social and human rights organisations assess, quite differently, both the general context for civil society development in Russia and the existing legislation in particular. They seem almost to exist in two different realities, where one feels that it has support, while the other feels repressed and deprived. As a result, solidarity within the sector has decreased, and it becomes harder for quite different CSOs to have a joint collective identity and express collective opinions on important state and social issues.

Despite opposite perceptions of the general environment, the main challenges CSOs face today are mostly the same, such as organisational sustainability and effectiveness. In particular, limited sources of funding undermines their financial sustainability. Although the main source of state support, presidential grants, has been substantially transformed in 2017 to become more transparent and fairer, it monopolises state funding. As a result, many CSOs express concerns that they are highly dependent on only one source of funding, and they cannot be sure about their future. In addition, CSOs face high levels of bureaucracy in reporting to tax and social security state bodies. The main consequence of financial instability and bureaucratisation is the problem of human resources. For many CSOs, it is impossible to hire highly qualified specialists, who cost a lot, like PR managers, fundraisers, accountants and so on. Ultimately, this undermines organisational effectiveness.

Due to those practical reasons, it was decided to search for best practices that could help CSOs working in a different policy fields to gain and increase their sustainability and effectiveness. Best practices showed that pro bono services could assist civil society organisations in solving complex long-term tasks such as strategic planning, financial planning and budgeting (e.g. Todogood). The cases of "White Nights of Fundraising" and "Russia behind bars" showed how CSOs could learn from innovative approaches to getting funds that could help them to maintain financial sustainability. The successful experience of "Open Space" demonstrated the significance and effectiveness of joint actions for the development of communities and civil society. Finally, the practice of the "Capital of the local community" endowment showed that CSOs could invest their donations to get financial sustainability and independence.

Recommendations for policymakers

- The state should build an enabling legal environment for the future development of the whole of the civil society sector in Russia. The state, in cooperation with representatives of CSOs, should review the current legislation and cut down excessive regulation, add more space to the freedom of CSOs to operate and make the process of registration simple.

- All CSOs pursuing social or civic mission, regardless of their legal form, field and scale of activity, should have equal opportunities for their development. Restrictive legislation such as laws on 'foreign agents' and 'undesirable organisations', limiting fundamental rights should be repealed.

- State financial support should be diversified, not concentrated in the hands of a single operator (presidential grants). To make CSOs more financially sustainable, the state should establish other financial support programmes and tools of in-kind support on the federal and regional level.

- CSOs best practices should systematically be recognised, supported by the state and contracted by the state agencies to CSOs.

Recommendation for CSOs

- It is recommended that CSOs diversify their revenue. This can be done by the development of social entrepreneurship projects, cooperation with private companies and the establishment of endowment funds.

- The sustainability of CSOs includes not only financial but also human and organisational aspects. To make organisations more sustainable, CSOs are recommended to constantly develop the level of professional expertise of their employees and apply methods of strategic planning.

- To make the sector more visible and trustworthy, CSOs must develop more partnership, long-term and large-scale projects. With mutual cooperation within the sector, it would be possible to make the voice of CSOs louder and they could advocate effectively.

- Turn to a wider public and use accessible language in a dialogue with citizens so that they know what CSOs do (especially human rights and environmental).

- Reach out to new audiences, promote the universal freedoms and values of civil society more actively.

Recommendations for the EU and at the international level

- EU institutions and the EU member states should systematically stimulate cooperation between Russian and EU-based CSOs. This is possible not only though the mechanisms of financial support, which needs to be significantly increased, but also by providing platforms and opportunities for sharing of experiences, recognising the value of bilateral and multilateral cooperation, providing visa support, etc.

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Interview R2: regional CSO, community foundation

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Interview R5: national CSO, civil society sector development

Interview R6: national CSO, social services

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Interview R11: national CSO, think-tank

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Interview R15: national CSO, ecology and social services

List of focus group, 28 June 2018

Expert, academic & board member of national CSOs

Board member, national human rights organisation

Senior manager, national think-tank organisation

Senior manager, national CSO support organisation

EU-Russia Civil Society Forum: 2018 Recommendations

The recommendations are intended to improve the situation of Civil Society Organisations (CSOs) across the European Union and Russia and are divided into recommendations for CSOs themselves, governments and the European Union.

Recommendations for civil society organisations

Networks of cooperation. In the light of increasing common challenges and new rising threats, CSOs across the EU and Russia should build stronger networks of cooperation. For instance, CSOs from neighbouring countries could form informal cooperation groups, which would allow them to develop a sense of solidarity. This would allow them to engage in exchanging information, share best practices, coordinate their efforts and formulate common standpoints.

Advocacy and public relations. CSOs should put more efforts in educating people about the value, work and benefits of civil society, done through cooperation with governmental institutions and media. Good public relations and strong advocacy efforts will mobilise society's support for civil society.

Professionalisation. CSOs should take measures to professionalise and strengthen their competences and capacities. First, this should include the diversification of funding sources, while also exploring new opportunities for funding (e.g. crowdsourcing and other online instruments). Second, CSOs should invest in holding workshops and seminars to improve their personal and collective skills and find ways to reduce the burden of regulation. Finally, CSOs should introduce more technologies into their daily working and make themselves transparent.

Recommendations for governments

Governments should create a favourable, stable funding environment. This should include measures which establish a sustainable, transparent and predictable system, with multiple funding streams. Improved support mechanisms include incentives for business support, corporate social responsibility, tax incentives and improved delivery of European funding.

Recommendations for the European Union (EU)

High-level visible support. The European Union should provide public support for CSOs at the highest level (Council, Commission, Parliament, Economic and Social Committee, Committee of the Regions), condemning anti-democratic threats to and attacks on civil society.

Strengthen education programmes. The European Union should use its instruments such as the Europe for Citizens programme to promote the benefits of civil society and knowledge of its role and organisations

Improve financial instruments for CSOs. The European Union should use global grant systems to fund CSOs and introduce an adequately funded Rights and Values programme, based on the European Values Instrument, to provide readily accessible support for civil society organisations which promote the Union's fundamental values and rights.

Create a new measurement framework. The European Union should include civil society within the remit of Eurostat so as to set down and publish a Europe-specific comparable framework and system of measurement.

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Annex 1: In-depth interviews questionnaire

1   Name of the organisation (not obligatory)

_____

2   In which field is your organisation primarily working?

☐ human rights and democracy, international aid
☐ environment
☐ social services, incl. healthcare
☐ youth, civic and vocational education
☐ history and culture
☐ sport and hobby clubs
☐ community development, NGO resource centres, think-tanks
☐ religion
☐ business and professional associations
☐ others

3   In what organisational and legal form does your organisation operate?

☐ registered non-governmental non-profit organisation
☐ registered for-profit organisation with public interest mission
☐ non-registered organisation – grassroots initiative (local)
☐ non-registered organisation – big major social movement (regional / national / international level)
☐ other: ….

4   How long has your organisation been in existence?

☐ less than 1 year
☐ 1-10 years
☐ 11-20 years
☐ more than 20 years

5   How many people (employees, volunteers, members) are usually involved into your organisation?

☐ Less than 10 people
☐ 10-50 people
☐ 51-200 people
☐ More than 200 people

6   Budget of your organisation:

☐ We work on voluntary basis (no staff and salaries, only volunteers)
☐ Less than €1000 per year
☐ Less than €10,000 per year
☐ Less than €100,000 per year
☐ I do not want to disclose this information

7   On which level does your organisation work mostly?

☐ On the local / regional level
☐ On the national level
☐ On the international level

8   How do you evaluate the context conditions for your organisation with regard to the following aspects?

Context conditions with regard to:	Positive	Neutral	Negative	Not applicable
	1	2	3	4
Legal framework				
Political support by the state				
Financing in general				
State financial support				
Private donations				
Public opinion				
Volunteering				
Media coverage				

9   Has the situation of your organisation became better or worse during the last 3 years?

☐ better
☐ worse
☐ stayed the same
☐ difficult to say

Interview – PART 2

10a   What are the main challenges your organisation has faced in the last 12 months? Are these challenges new or have they existed for some time? Have these challenges changed the way your organisation operates (e.g. themes, activities or organisational structure)?

_____

_____

_____

10b   Are these challenges similar or different to those facing other organisations that you work with?

_____

10c   Do you think these are challenges which face all civil society organisations in *country*?

11a   Are you aware of any interesting innovations or solutions which have been initiated by civil society in order to overcome these negative trends?

_____

11b   Has your organisation developed any solutions which you think might be replicated by others? Can you provide any written descriptions of these practices that could be shared with others?

_____

12   Do you think there are any broadly positive developments for civil society at the moment? What do you think will be the new opportunities in the future?

_____

13   What is your organisation's experience of international cooperation (e.g. CSOs, international bodies, donors, solidarity movements)? Would you describe it as positive or negative? Do you think there has been any change in international cooperation in the last 12 months?

_____

14   Would you be interested in participating in a focus group to explore the policy implications of the research findings in May 2018?

_____

15   May we publish your interview anonymously through open data storage, so that it can be used by other researchers?

_____

(Researcher may elaborate on topics of his/her own choice for each particular interview)

Annex 2:
Focus group questions

1   Do you agree that the main challenges and trends in your country are those indicated in the research conclusions? What can the CSO sector in your country share as a learned lesson with the international community?

2   Given the identified challenges, what do you think policymakers need to do (or not do) to secure a more enabling environment for CSOs (at local, national, European and international level), and why?

3   Given the identified challenges, what do you think civil society needs to do differently?

4   What messages should be sent by the CSOs to the media in regards to the current challenges and policy recommendations?

NOTES

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I welcome this report by the EU- Russia Civil Society Forum. It testifies to the importance of civil society in promoting the fundamental individual and societal values on which the EU is built, and it highlights the role of civil society organisations as watchdog at a time of political and socio-economic change. The analysis provides a sound basis for the better understanding of the challenges faced by CSOs and helps to focus the direction of EU support.

Markus Ederer
Ambassador of the European Union to the Russian Federation

Any research is a source of information, and regularity is of particular importance for any information. The study that you are now holding in your hands is already the third in an annual series. This report analyses the international structure of the civil sector in different European countries using the same methodology. The fact that Russia is included in this research allows us to take a fresh look at our common challenges.

Alexandra Boldyreva
Executive Director of the "Donors Forum", Russia

Your feedback & contribution

Your comments and proposals are very welcome, especially on further thematic aspects and countries to be studied and included in following reports. Send your feedback and ideas to research@eu-russia-csf.org

Other CSF publications

We also invite you to look at our reports "State of Civil Society in the EU and Russia" (2016, 2017). See our website: www.eu-russia-csf.org

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