



**Progress Report on
the Implementation
of the Strategy for
Cooperation of the
Government with the
Civil Sector**

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LIST OF ABBREVIATIONS

CCI – Centre for Civic Initiative

CIRa – Centre for Institutional Development

EAR – European Agency for Reconstruction

EU – European Union

CPM – Civic Platform of Macedonia

HERA – Association for Health Education and Research

HOPS – Options for Healthy Life

IPA – Instrument for Pre-Accession Assistance

JCC - Joint Consultative Committee of the Republic of Macedonia with the Economic and Social Committee of the European Union

LACF - Law on Associations of Citizens and Foundations

MCIC – Macedonian Centre for International Cooperation

MIA – Macedonian Interethnic Agency

MIPD – Multi-Year Indicative Program Document

NGO – Non-Governmental Organizations

SOZM – Association of Women’s Organizations of Macedonia (National Council of Women of Macedonia)

VAT – Value Added Tax

ZELS – Association of Local Self – Governments of the Republic of Macedonia

Progress Report on the Implementation of the Strategy for Cooperation of the Government with the Civil Sector (2007 – 2011) for the period January 2007 – December 2008

1. Background

One of the activities of the Macedonian Centre for International Cooperation (MCIC), as part of the programme for Institutional Development of the Civil Society, is to prepare periodical reports on the progress in implementing strategies and policies relevant for the civil society. The Strategy for Cooperation of the Government with the Civil Sector (hereinafter the Strategy) is the main document regulating the cooperation between the Government and the civil society organizations, foreseeing a range of measures referring to the sustainability of the civil sector.

At the session held on January 23, 2007 the Government of the Republic of Macedonia has adopted the Strategy for Cooperation of the Government with the Civil Sector for the period 2007 – 2011. The document includes an Action Plan outlining the goals, measures and activities, as well as the timeframe and the institutions responsible for their implementation. The Strategy was prepared through an exceptionally participatory process, taking place from March to December 2006 through six public debates, bringing together the relevant civil servants, as part of the working process for preparation of the Strategy, and numerous representatives (around 380) from the civil society organizations.

2. Purpose of the Report

The general purpose of the Report is to contribute for efficient implementation of the Strategy. The Report should highlight the progress in implementing the Strategy and provide recommendations to the officials for implementation and coordination of the Strategy.

3. Results

The report should describe and study several main issues: assessment of the implementation of activities (quantity and quality) for the 24-month period, realization of planned activities within the timeframe, emphasis on the positive accomplishments, bottlenecks and key drawbacks, conclusion on the course of activities and recommendations for overcoming the problems.

4. Methodology

The Report is based on the “Report on Realized Activities foreseen with the Strategy for Cooperation of the Government with the Civil Sector in 2007” prepared by the Unit for Cooperation with Non-Governmental Organizations, analysis of the web sites of the relevant bodies of state administration and individual consultations with representatives from the civil society organizations.

5. Findings and Analysis

5.1. Introduction

The primary aim of the Strategy is to promote the cooperation of the Government and the relevant ministries with the civil sector. The Strategy should serve as an overall guidance framework for a conceived national policy for cooperation and support to the civil sector, reflecting the priorities, principles and proposed methods.

Besides the promotion of the mutual communication and cooperation, this document also aims at creating more favourable environment for the activities of the civil sector, thus allowing for joint contribution in meeting the community needs and providing conditions for the civil sector to realize its societal role.

The added value of the Strategy is its contribution towards the overall Euro-integration processes of the Republic of Macedonia. Namely, the National Strategy for Integration of the Republic of Macedonia in the European Union identifies the level of established cooperation and partnership between the Government and the civil sector as significant factor in the national reform process.

The Unit for Cooperation with Non-Governmental Organizations and the General Secretariat of the Government hold the primary role in coordinating and implementing the Strategy. They are also responsible for the periodic assessment and reporting on the implementation of the Strategy. Two years after the Strategy’s implementation, an external evaluation will be conducted to assess the achievements of the Strategy. The implementation period of the Strategy is January 2007 – December 2011, while the measures and activities are grouped in seven specific goals.

5.2. Realized Measures per Objectives

Goal 1: Upgrading the Legal Framework for Development of the Civil Sector

Foreseen measures

The first aim of the Strategy is focused on upgrading the legal framework addressing the civil sector, including the provision of improved conditions for the establishment and functioning of civil society organizations and harmonization of the local legislation with the best European practices and regulations. Four groups of measures were foreseen to be carried out in this area, such as:

1. Changes and amendments to the Law on Citizens' Associations and Foundations (LCAF);
2. Undertaking measures for efficient implementation of the provisions by drafting and adopting secondary legislation on the basis of the analysis of comparative and domestic conditions;
3. Promoting new legislation and opportunities for the civil sector organizations;
4. Capacity building for the civil servants implementing laws.

The realization of these measures should contribute for an improved legal framework that will provide the right for everyone to join and participate in the management of civil society organizations, to provide conditions for civil society organizations for direct engagement in economic activities and to introduce a new status of civil society organizations dealing with public interest activities, thus enabling greater commitment on behalf of the civil society organizations.

The timeframe for implementation of these measures is the first half of 2007.

Responsible institutions for implementation are the Ministry of Justice and the General Secretariat of the Government.

Situation as of December 2008:

Measure 1

In March 2007 the Law on Amendments and Supplements to the Law on Citizens' Associations and Foundations (Official Gazette of Republic of Macedonia, no 29/07) was adopted. The amendments were adopted in order to align this Law with the Law on Central Registry and it incorporated amendments to provisions referring to the registration of association of citizens and foundations. With these amendments, the decision in the LCAF as of 1998 stipulating registration of associations and foundations in the basic courts was replaced with registration in the Central Registry. The benefit for the organizations was the accelerated registration procedure. In May 2007, the Ministry of Justice has established a working group for drafting the new law on associations and foundations. The members of the working group are also representatives of the civil society organizations. In 2007 and 2008 several coordination meetings of the Working Groups were held. The draft version of the Law includes the key amendments pointed out as necessary by the civil society organizations since 2002, such as: more liberal registration, direct engagement in economic activities, precise formulation and division of managing and executive bodies, status of an organization of public interest, etc.

The law is still in working procedure.

Measures 2, 3 and 4

The other measures foreseen with this goal should be realized after the adoption of the new Law, so they are still on hold.

Goal 2: Participation of the Civil Sector in the Decision-Making Process

Foreseen measures

The second goal set by the Government in the Strategy is to develop a system of basic principles for the participation of citizens and their organizations in the decision-making process. Through this system the civil society organizations will participate in the decision-making process and in the drafting of legal acts by taking part in public debates and submitting opinions and will also be involved in the inter-departmental working groups and the Government's advisory bodies (for example the Expert Councils of the Government – the Legal and the Economic Council).

The following measures are foreseen for realization of this goal:

1. Changes to the Rules of Procedure of the Government and establishing mechanisms for active participation of representatives of the civil society organizations in adopting policies, laws and other decisions and active participation in working groups, drafting the governmental policies and the state administration bodies;
2. Enabling draft laws to be accessible to the public through the web pages of the ministries and the other state authorities;
3. Providing measures for safeguarding participation of a civil sector representative in the work of the expert councils of the Government and other state authorities;
4. Devising measures for participation of the civil society organizations in the process of development of the Budget of Republic of Macedonia, as well as transparent and timely reporting to civil society organizations for the fundamental guidelines of the Budget policy and the allocation of the Budget;
5. Making a coalition with the civil sector, combining efforts to combat corruption.

The timeframe for legislative amendments and establishing principles and mechanism for involvement is the period 2007 – 2008, with continuous monitoring until 2011.

Responsible institutions for implementation are the General Secretariat of the Government and all relevant Ministries.

Situation as of December 2008:

Measure 1

The changes of the Rules of Procedure of the Government (Official Gazette of the Republic of Macedonia, No. 36/08) as of March 2008 have regulated the access to the draft laws on the web sites of the Ministries drafting the laws. Paragraph 1, Article 71 of the Rules of Procedures stipulates: *“The proposals for adoption of laws, drafts and draft proposals, are published by the competent Ministry on its web site and in the electronic registry of regulations.”* Paragraph 4 of the same Article further states *“every interested party can submit opinion, remarks and proposals to the electronic registry regarding the published proposals for adoption of laws, drafts and draft proposals no later than ten days since the day of publication.”*

Measure 2

Furthermore, another novelty is the obligation of the relevant ministries to prepare report on the received opinions, stating the reasons why the remarks and proposals were not accepted, which should be published on the web site of the relevant ministry and electronic regulation registry¹. Although the provisions of the Rules of Procedures will be enforced as of January 1, 2009, some of the ministries have already started to put this into practice. For example, proposals have been published by the Ministry of Justice, Ministry of Labour and Social Policy, Ministry of Finance, Ministry of Transport and Communications and Ministry of Health. The most evident and easily accessible are the laws posted on the web site of the Ministry of Finance and the Ministry of Agriculture, Forestry and Water Economy. It takes more time to access the draft laws on the other web sites.

Measure 3

The participation of representatives from the civil sector in the work of the expert councils of the Government is still not introduced, because the Economic and Legal Council foreseen with the Rules of Procedures of the Government as permanent expert and consultation bodies have not been established yet. In January 2008, the Unit for Cooperation with the Non-Governmental Organizations has sent a letter to the governmental Committee on Appointments requesting representatives of the civil sector to be involved in the process of establishment of these bodies.

On the other hand, in the past 24 months in different occasions the state administration, mainly the ministries, has involved the representatives of the civil society organizations in their working bodies. The Ministry of Justice has involved two representatives of the civil sector in the working group tasked for drafting the

¹ Official Gazette of the Republic of Macedonia, No. 36/08, Rules of Procedures for the Government of the Republic of Macedonia (cleared text), Article 71, paragraph 5

new law on citizens' associations and foundations. The Ministry of Labour and Social Policy involved the civil society organizations in direct drafting of the laws, bylaws and strategies. In some instances, the civil society organizations were members of the working groups, preparing the regulations, while in other cases they were consulted through public debates, roundtables and workshops. The following laws were drafted or adopted with participation of the civil society organizations: Law on Volunteerism, including the associated Rulebooks; amendments to the Law on Employment of Disabled Persons; draft law on social protection and social security; draft law on protection from discrimination; draft national strategy for protection from family violence; draft strategy on deinstitutionalization; National Action Plan for Gender Equality, etc.²

Law on Volunteerism

The initiative for adoption of the Law on Volunteerism dates back from January 2007, while the Law was adopted on June 2, 2007.

The process was led by the Ministry of Labour and Social Policy in cooperation with the civil society organizations (e.g. CIRa and others). The representatives of the civil sector were involved in the working group drafting the law as well as in organizing the public debates. Six public debates were organized in Bitola, Stip, Skopje, Strumica, Veles and Gostivar, where the representatives of the civil society organizations and state institutions were informed about the draft law and gave their recommendations for improvement. Over 100 civil society organizations took part in these debates.

Furthermore, the Ministry of Labour and Social Policy, with support of the civil society organizations, prepared rulebooks on the implementation of Law (the Rulebook on Registration of Foreign Volunteers, Rulebook on Registration of Volunteers and the Rulebook on the design of the Volunteering Book were adopted in October).

The Ministry of Local Self-Government has involved the civil society organizations in the consultation process while drafting the Law on Equal Regional Development. Their more intensive cooperation, due to the scope of the work, is mainly through the Association of Local Self-Government Units (ZELS)³ The Ministry of Agriculture, Forestry and Water Economy has also involved the relevant civil society organizations in the policy making process. During the drafting of the Law on Agricultural and Rural Development they invited the Federation of Macedonian Farmers and the Union of Farmers of Macedonia. In addition, the Union of Associations of Tobacco Producers participated in drafting the Law on Tobacco and Processing⁴.

² <http://www.nvosorabotka.gov.mk>, Report on the realized activities foreseen with the Strategy for Cooperation of the Government with the Civil Sector in 2007, p.4

³ Ibid, p. 5

⁴ Ibid, p. 5

In the Ministry of Interior, during the preparation of the Law on Weapons, the National Weapons Association was actively involved in the working group. Consultations were also made with several organizations during the drafting of the Police Law⁵. Besides the activities undertaken by the ministries in the process of drafting the laws and strategic documents, in 2007 and 2008 the General Secretariat i.e. the Unit for Cooperation with the Non-Governmental Organizations has undertaken several activities for informing the civil society organizations on the existing possibilities for their involvement in the policy making. In June 2007, the Unit and the Civic Platform of Macedonia have organized one-day workshop in Skopje on "Participation of the Civil Sector in Policy Making". In December 2007 one-day conference was held on "Participation of Citizens and Civil Society Organizations in the Policy Making and Decision Making Process", again in organization of the Unit for Cooperation with the Non-Governmental Organizations together with the Liaison Office between NGO and the Parliament and the European Centre for Not-for-Profit Law. In March 2008, the Unit has initiated and hosted the regional conference on "Governmental Cooperation with the Civil Society Organizations", with representatives from the governmental bodies responsible for cooperation with the civil sector in Serbia, Albania, Montenegro, Croatia and Slovenia.

Measures 4 and 5

No activities have been undertaken for participation of the civil society organizations in the process of drafting the budget of Republic of Macedonia, or transparent and timely reporting to civil society organizations on the fundamental guidelines of the Budget policy and the allocation of the Budget. Similarly, no activities were initiated for establishing a coalition with the civil sector for combating the corruption.

Goal 3: Maintaining Cross-Institutional Cooperation

Foreseen measures

This goal in the Strategy refers to the establishment of a functional network contributing towards a facilitated communication and coordination of the activities related to the development of the civil sector.

The following measures should be carried out:

1. Capacity building of the Unit for Cooperation with the Non-Governmental Organizations;
2. Appointing responsible persons for cooperation between the civil society organizations and the relevant ministries;
3. Develop an exchange of information and consultation system between the Unit for Cooperation with Non-Governmental Organizations and the

⁵ Ibid, p. 6

- responsible civil servants in order to monitor the cooperation among institutions;
4. Organizing educational debates and workshops dealing with sector-significant issues for the responsible persons in the ministries cooperating with the civil society organizations.

Responsible institution for implementation is the General Secretariat of the Government in cooperation with the state administration bodies.

The timeframe for implementation is 2007-2008 (intensively) and 2009 – 2011 (continuous monitoring).

Situation as of December 2008

Measure 1

Most of the activities were realized within the project “Technical Assistance for the Unit for Cooperation with Non-Governmental Organizations”⁶, in the component on capacity building, whereas the training needs assessment was conducted. From November 2006 to September 2007 the members of the Unit for Cooperation with Non-Governmental Organizations and some civil servants responsible for cooperation with the civil sector in the ministries and the other state institutions had an opportunity to go to three study visits in Hungary, Denmark and England; to attend four training sessions on “Communication with the Civil Sector and the Public”, “Strategic Analysis, Monitoring and Evaluation”, “Dynamics and Dimensions of the Civil Society” and “Financial Management”. In addition, two on-the-job trainings were organized for two civil servants from the Unit in Slovenia and Croatia. With support from OSCE and MCIC, the Unit staff attended nine trainings in 2008, including: Human Resource Management, Project Cycle Management, Good Governance, Advanced Training on Lobbying and Advocacy, etc.

However, the organizational setup of the Unit for Cooperation with Non-Governmental Organizations is somehow limiting. The Unit is located within the Sector for Policy Analysis and Coordination under the General Secretariat of the Government. The communication procedures are the same for all state administration bodies and should be equally respected by the Unit staff. However, this situation sometimes hinders the timely response to relevant requests or developments from and in the civil sector. On one hand, sometimes it takes ten days for obtaining response on a certain issue or request submitted from the civil society organizations to the Unit, as it is necessary to get an approval from the highest instances in the hierarchy of the General Secretariat.

⁶ The project “Technical Assistance for the Unit for Cooperation with Non-Governmental Organizations” was implemented from December 2005 to September 2007. It was funded by the European Union, managed by the European Agency for Reconstruction and implemented by a consortium of three organizations COWI from Denmark, MCIC from Macedonia and INTRAC from the United Kingdom.

Such an example is the request of MCIC for obtaining a support reference letter from the Unit in order to apply to an open competition. Ten days were needed to get the response. This was only a written support letter without any financial repercussions and it was expected for the procedure to be less time consuming and the decision to be made within the Unit. On the other hand, the position of the Unit does not allow direct communication with the other, higher, instances of the state administration. However, having in mind the nature of the work, responsibilities laid in the Strategy and the business plan of the Unit it is necessary for the Unit to be more flexible.

Measure 2 and 3

All ministries have appointed responsible persons for cooperation with the civil society organizations, which are connected through the cross-institutional network coordinated by the Unit for Cooperation with Non-Governmental Organizations. The purpose of the network is to coordinate the implementation of activities foreseen in the Strategy. In February 2007, the Unit for Cooperation with Non-Governmental Organizations has initiated a coordination meeting with the responsible civil servants, where they adopted the recommendations for future cooperation between the Unit and the civil servants. According to the recommendations, the Unit for Cooperation with Non-Governmental Organizations organizes periodical meetings in order to coordinate the realization of the measures and activities of the Strategy.

Measure 4

In addition, as part of the generic training on policy making and strategic planning implemented by the General Secretariat of the Government i.e. the Sector for Policy Analysis and Coordination, which covers the civil servants from all ministries, total of 25 trainings were delivered from February to December 2008, including the presentation of the Strategy for Cooperation of the Government with the Civil Sector; Competencies of the Unit and Code of Good Practices for Funding the Association of Citizens and Foundations.

Goal 4: Maintaining Inter-Sector Cooperation

Foreseen measures

With the fourth goal of the Strategy, the Government aims to promote active cooperation between civil society organizations and the Government on both central and local level as well as to promote and implement long-term strategies for a particular area, targeted projects and other meaningful activities to the community.

The following measures are foreseen as a basis for achieving this goal:

1. Engaging civil society organizations in the drafting and the implementation of projects and activities of mutual interest to the Government, civil society organizations and the citizens, and to provide financial support through grants or contracts;
2. Establishment of inter-departmental advisory bodies to review and implement certain projects;
3. Creation of mechanisms for cooperation between the ministries and civil society organizations in provision of services;
4. Introducing a Citizen Charter as an efficient instrument for improving the public service system and combating bureaucracy and corruption.

Responsible institutions for implementation are the General Secretariat of the Government and the other state administration bodies.

The timeframe for implementation is 2007-2008 (intensively) and 2009 – 2011 (continuous monitoring).

Situation as of December 2008

Measure 1

The Ministry of Labour and Social Policy together with the Ministry of Interior, the Ministry of Health and other relevant civil society organizations regularly cooperate on joint projects in the area of family violence and human trafficking. In addition, the Ministry of Labour and Social Policy realized joint projects with the civil society organizations in order to implement the measures set for the Roma Decade⁷.

The Ministry of Health has joint activities (campaigns) in cooperation with the Macedonian Women Lobby within the programmes on early detection and prevention of diseases affecting the female reproductive system and the programme on early detection, diagnosis and treatment of breast cancer⁸.

The Ministry of Interior in certain segments of its work intensively cooperates with the civil society organizations. With a purpose to prevent the human trafficking and illegal migration, the National Committee on combating human trafficking and illegal migration, has members from the relevant international organizations as well as from the local civil society organizations: Happy Childhood, Open Gate, Coalition All for Fair Trial, CGI, Semper and SOZM⁹

⁷ <http://www.nvosorabotka.gov.mk>, Report on the realized activities foreseen with the Strategy for Cooperation of the Government with the Civil Sector in 2007, p.10

⁸ Ibid, p. 12

⁹ Ibid, p. 12

In 2007, the Agency for Youth and Sport in cooperation with the Coalition of Youth Organizations “Sega” has implemented the campaign on stimulating the implementation of the National Youth Strategy of Republic of Macedonia. As a result of this activity several follow-up documents were prepared, serving as a basis for more efficient implementation of the National Programme.

The Ministry of Environment and Urban Planning regularly cooperates with the civil society organizations in resolving the environmental problems and raising the public awareness of the citizens. One feature of this institution is that it has opened a Liaison Office for communication with the public in 1999 in order to raise the environmental awareness¹⁰.

The Ministry of Defence establishes regular cooperation on joint projects with organizations working in the field of defence and security and NATO integration, such as the Organization of Military Reserve Composition, the Organization of Military Veterans, the Euro-Atlantic Council of Republic of Macedonia, the Balkan Security Forum, etc.¹¹

Measures 2 and 3

Most of the foreseen measures and activities are not realized. The direct cooperation on joint projects is low. There are no cross-sector advisory bodies for reviewing and implementing certain projects, no mechanisms for cooperation between the ministries and civil society organizations were established regarding the service delivery.

Measure 4

On the other hand, the Citizen Charter, as a tool for easier access to the services of the ministries, is fully operational. The web sites of all ministries have a separate part referring to the Citizen Charter, including information on the procedures falling under the ministries and the responsible person from whom the information/support could be requested. In addition, all ministries and other state administration bodies that have direct communication with the citizens have opened special stands providing forms for assessing the work of the state administration bodies. This is a mechanism for controlling the work of the Government and the other state administration bodies, which is not fully utilized by the citizens. The General Secretariat is preparing quarterly reports on the Citizen Charter, but due to the small number of submitted forms, it is impossible to draw a conclusion.

¹⁰ Ibid, p. 15

¹¹ Ibid, p. 15

Goal 5: Involvement of the Civil Sector in the Process of EU Integration

Foreseen measures

This goal foresees enlarged role and participation of civil society organizations in the integration process to the European Union, through introduction of mechanisms safeguarding consultations for the civil sector involvement in the drafting, approximation, implementation, monitoring and assessment of political and legal measures, and especially in the process of developing national development plans, operation programmes and similar strategic documentation.

The following measures were foreseen with this goal:

1. Establishing mechanisms for consultations with civil society organizations in the drafting, approximation, and implementation and especially in the process of creating the national development plans, the operational programmes and the accompanying strategic documents;
2. Adoption of a decision for creating partnership between the Government and civil society organizations intended towards full engagement of all end users in the European integration process as well as in the process of utilizing the IPA;
3. Adoption of Framework Regulation for implementation of the IPA instrument on behalf of the Government, after it is conferred by the European Commission;
4. Continuation of established practices of cooperation with civil sector according to the Strategy for capacity building (trainings) of the civil servants of the Republic of Macedonia in the EU integration process.

Responsible institutions for implementation are the Secretariat for European Affairs and the General Secretariat of the Government.

The timeframe for implementation of these measures is 2007 - 2011.

Situation as of December 2008

Measure 1

No mechanism has been established for regular, timely and substantial involvement of the civil society organizations in the drafting and approximation of the national development plans, the operational programmes and the accompanying strategic documents.

Measure 2 and 3

Besides the Partnership principle laid down in the IPA Implementing Rules (CR No. 718/2007 as of 12 June 2007) on consultations with the civil sector, the Secretariat for European Affairs did not involve the civil society organizations in the consultation process for preparation of the Multi-Year Indicative Programme

Document (MIPD). The organizations could submit their comments only to the Delegation of the European Commission in Skopje, which organized public presentation and discussion on MIPD. The programming of components and years is also not done with appropriate participation of the civil society organizations. With the IPA plan for 2007, direct assistance for the civil society organizations was not foreseen. However, the IPA plan for 2008 includes direct financial assistance for the civil society organizations. It was provided after the intervention of the civil society organizations, which took the opportunity provided by the Delegation of the European Commission for commenting on the MIPD and the annual plans and commitment of the Unit for Cooperation with Non-Governmental Organizations. Contrary to the established practice during the preparation of the IPA plan for 2007 and 2008, on August 7, 2008 upon the initiative and in organization of the Unit for Cooperation with Non-Governmental Organizations and the Civic Platform of Macedonia (CPM) a consultative meeting was held for preparation of IPA 2009. More than 30 organizations took part.

Measure 4

Another practice was established in 2008 aimed at increased participation of the civil society organizations. The ministries and the other governmental bodies involved the representatives of the civil society organizations in the working bodies tasked with monitoring the IPA operational programmes. The ministries usually send the invitations to the CPM with a request to nominate a representative. Although CPM is a network of 30 organizations, it forwards the invitation to a larger number of civil society organizations making it possible for the selection to be made from a wider pool. Representatives from the civil sector were selected in May 2008 for participation in the Sector Committee, body responsible for monitoring the Operational Programme for Regional Development. The Ministry of Environment and Urban Planning was the responsible institution that addressed the civil sector. In September 2008, a representative from the civil sector was selected through a transparent process based on previously established criteria, to be a member of the Sector Committee for monitoring the Operational Programme for Human Resources Development. The responsible institution for this component was the Ministry of Labour and Social policy.

Representatives of the civil sector are also members of the Joint Consultative Committee of the Republic of Macedonia with the Economic and Social Committee of the European Union. The selection of two representatives was in cooperation with the Ministry of Foreign Affairs and the Unit for Cooperation with Non-Governmental Organizations, which sent an invitation to the CPM for nomination of the representatives from the civil sector.

Goal 6: Provision of More Favourable Conditions for Sustainability of the Civil Service Sector

Foreseen measures

Besides the first goal that referred to upgrading of the legal framework for civil society organizations, the sixth goal also directly implies to the civil sector and the provision of more favourable conditions for its activities.

The following measures are foreseen:

1. Drafting and adopting a new Decision for the methods and criteria of reallocation of budget resources;
2. Adopting changes to the Law on Games of Chance and passing an allocation act;
3. Preparation of draft changes to the tax laws (profit tax, VAT, personal income tax) and other laws affecting the work of civil society organizations;
4. Considering the possibilities for creating a system for engaging civil society organizations in implementing activities from their domain (for example, through defining standards, rewarding licences for social service provision) thus, providing to the citizens wider choice in selecting a service provider and advanced quality of the services;
5. Making an analysis for implementing the Law on Accountancy for Non-Profitable Organizations and drafting changes for upgrading the financial legal framework;
6. Preparation of a plan for monitoring the implementation of the Law on Donations and Sponsorship in Public Activities;
7. Cooperation with legal entities and civil society organizations to sustain programmes for socially accountable enterprises;
8. Drafting and adoption of a Law on Volunteering, as well as a plan for support of the programmes for promotion of volunteerism.

The timeframe for implementation of these measures is the first half of 2007.

Responsible institutions for implementation are the Ministry of Finance, the Ministry of Labour and Social Policy, the Ministry of Justice, the Ministry of Economy, the Agency for Youth and Sport and the General Secretariat of the Government.

Situation as of December 2008

Measures 1 and 2

Several activities were realized in 2007 as part of the project "Technical Assistance to the Unit for Cooperation with Non-Governmental Organizations". Comparative analysis was prepared for the methods of direct financial support to the civil society organizations provided by the state and an overview was given on the support provided in Macedonia. Based on this analysis information with draft measures was prepared to be adopted by the Government of the Republic of Macedonia. The draft measures included: Guidelines for funding of citizens' associations and foundations from the budget of the Republic of Macedonia;

amendments to the Law on Games of Chance and Decision on allocation of funds from the games of chance. After the consultations with the ministries, only the Code of Good Practices for Funding of Citizens' Associations and Foundations from the Budget of the Republic of Macedonia was adopted. The Code is based on the provisions stipulated in the draft guidelines. This activity has contributed for improving the criteria for allocation of funding, but not the amount of the funds allocated from the budget. Furthermore, most of the funding (particularly the funds allocated from the games of chance) are reserved for an exclusive number of organizations. Although the open call for funding of citizens associations and foundations from the budget in 2008 was published on time and in accordance with the provisions suggested in the Code, the further monitoring of the recommendations was missing, particularly in terms of respecting the deadlines.

In order to contribute for improving the methods of state funding of the civil society organizations as well as to familiarize the civil society organizations with the procedures prescribed in the Code, the Unit for Cooperation with Non-Governmental Organizations held seven workshops in October and November 2008 on "Strengthening the Access of Non-Governmental Organizations to the State Budget Funding" in Gostivar, Prilep, Ohrid, Stip, Strumica and Skopje (2) for 266 representatives from 234 civil society organizations.

Measure 3

The tax laws do not foresee special tax reliefs for the civil society organizations. The general reduction of the rate of the personal income tax applies to the civil society organizations, but also to all other entities.

Measure 4

In terms of provision of services, i.e. realization of activities that fall under the ministries by the civil society organizations, the Ministry of Labour and Social Policy has made the major advancement. The Ministry has a special registry of civil society organizations working in the field of providing social protection and these organizations, pursuant to the public calls, are entitled to implement the projects. In 2007, the civil society organizations implemented four projects on behalf of the Ministry: Project on Social Protection of Children on the Streets; Project on Providing Support for Drug Addicts; Project on Social Protection – Day Care Centre for People above 18 with Medium and Severe Intellectual Deficiency and the Project on Protection of the Family Violence Victims.

Measures 5, 6 and 7

There is no plan for monitoring the implementation of the Law on donations and sponsorship in public activities, nor a program of socially responsible entities. The analysis of the Law on Accounting for Non-Profit Organizations was not conducted.

Measure 8

In 2007, the Ministry of Labour and Social Policy has led the process of adoption of the Law on Volunteering with participation of the civil society organizations in the working group that drafted the law. Also, six public debates were held. The Law was adopted in June 2007.

Besides the financial support provided directly from the Government and the above mentioned support from the Ministry of Labour and Social Policy, direct funding is provided by the Ministry of Health through the Global Fund to Fight AIDS, Tuberculosis and Malaria, which has supported several organizations active in the health area, such as: MIA, HERA, HOPS – Options for Healthy Life, Izbor, EGAL, Youth Cooperation Forum, etc. Also, the Ministry of Agriculture, Forestry and Water Economy provides financial support for the farming associations (Association of Sheep Breeders from Gostivar, Association for Plant Protection of the Republic of Macedonia; Association of Wine Producers Vitis, Union of Technical Culture in Economy, etc.)

The Ministry of Environment and Urban Planning regularly supports the civil society organizations. In 2007 the total funding reached MKD 12,000,000 and 27 associations were supported through an open call.

The Agency for Youth and Sport in 2007 has provided support for 86 youth associations amounting to MKD 9,000,000. Additionally, in compliance with the youth policy, 55 projects were supported with MKD 4,000,000.

Goal 7: Continuous Development of the Civil Sector

Foreseen measures

The last goal of the Strategy aims to support the capacity building of civil society organizations on both national and local level, and especially in the rural environments.

To this end, it is foreseen to do the following:

1. Motivating the development of the civil sector, especially beyond the borders of the capital and in the rural areas;
2. Supporting activities significant for the development of the sector by the means of an open and transparent process of cooperation with all stakeholders;
3. Initiating cooperation and involvement of the media in the work of civil society organizations through continuous monitoring of their activities;
4. Devising communication networks for sharing positive examples of mutual cooperation with the local self-government units.

Responsible institutions: the Ministry of Local Self-Government, General Secretariat and civil society organizations.
The timeframe is throughout the implementation period of the Strategy, 2007 – 2011.

Situation as of December 2008:

The Unit for Cooperation with Non-Governmental Organizations within the project “Technical Assistance to the Unit for Cooperation with Non-Governmental Organizations” organized a presentation of the Strategy in June 2007 in order to give a positive example and to stimulate the cooperation among the local self-government units and the civil society organizations. Mayors and municipal officers were invited and took part at the event. No other measures were realized.

6. Conclusions and Recommendations

6.1. Conclusions

1. The Strategy for Cooperation of the Government with the Civil Sector 2007 – 2011 adopted on January 23, 2007 by the Government of the Republic of Macedonia is currently being implemented. The Strategy includes an Action Plan, outlining the measures, activities, timeframe and responsible institutions.
2. The realization of activities is progressing differently. In certain areas significant progress has been made, in others some progress was observed, but there are also areas where the situation has not been changed.
3. The key achievements in this period are the following:
 - Law on Volunteering adopted through an exceptionally participatory process. Also, the bylaws necessary for implementation of the Law were adopted (responsible institution in the process was the Ministry of Labour and Social Policy);
 - Although there is no systematic solution, yet the representatives of the civil society organizations participate in the working groups tasked for drafting the laws and strategies that are relevant to their work, such as: Working Group for the Law on Citizens’ Associations and Foundations (Ministry of Justice), Working Group on Law on Volunteering (Ministry of Labour and Social Policy), Working Group on the Law on Protection from Discrimination (Ministry of Labour and Social Policy), etc.

- Changes were made to the Rules of Procedures of the Government, according to which it is obligatory to publish the bylaws on the web sites of the ministries. In case any suggestions are submitted, they should be taken into consideration or otherwise an explanation to be provided if they are dismissed.
- The Citizen Charter is functional as a tool for easier access of the citizens to the services provided by the state administration (responsible institution is the General Secretariat of the Government).

4. Goals in which no progress was made:

- Despite the few examples of some ministries and the activities undertaken by the General Secretariat of the Government, there is no centrally established system of participation of the civil society organizations in the processes of policy making, particularly in the process of drafting and adopting the Budget of the Republic of Macedonia.
- Except for the adoption of the Code of Good Practices for state funding of the citizens' associations and foundations, which is not a legally binding act, there are no improvements in provision of state funding to the civil society organizations;
- Measures have not been undertaken for development of the civil sector in the rural areas.

5. The programs and activities of several ministries and state administration bodies related to the cooperation and development of the civil sector are harmonized with the goals and measures set in the Strategy. Such an example is the Ministry of Labour and Social Policy and the Agency of Youth and Sport.

6. The organizational setup of the Unit for Cooperation with Non-Governmental Organizations under the General Secretariat of the Government does not provide the necessary flexibility and does not have the required authority in the hierarchy of the General Secretariat of the Government to respond and act proactively in realizing the measures of the Strategy, but also in establishing direct communication with the civil society organizations.

7. Most of the implemented activities were realized when external financial support was provided (the project funded by the European Union on Technical Assistance for the Unit for Cooperation with Non-Governmental Organizations or other donations provided by the Unit) or when it is necessary to harmonize the activities with the European and international standards or directly with the Acquis Communautaire. Despite the

commitment of the Unit for Cooperation with Non-Governmental Organizations and the General Secretariat of the Government, when there is no budget for realization of the activities, the difficulties in the realization of the plan could have been expected. The lack of funds for programme activities of the Unit for Cooperation with Non-Governmental Organizations additionally impedes the process of implementing the measures.

6.2. Recommendations

1. It is necessary to realize certain measures from the Strategy, which are of key importance for its full implementation. These are:
 - Adoption of a Law on Associations and Foundations incorporating the changes advocated by the civil sector, which are set as priorities in the Strategy;
 - Changes to the Law on Donations and Sponsorship from Public Activities and harmonization with the other relevant laws in order to be applicable;
 - Systematic solution on involvement of the citizens in the policy making, starting with thorough changes to the Rules of Procedures of the Government;
 - Adoption of legally binding act on the transparency of criteria for providing financial support to the civil society organizations, as well as changes to certain laws for providing appropriate budget funds necessary for sustainability of the civil society organizations;
2. The ministries and other state administration bodies to be governed by the measures outlined in the Strategy when preparing the annual plans, in the part referring to the cooperation and support of the civil sector.
3. For an increased visibility, influence and proactive action in certain situations it is necessary to review the possibility for increasing the level of the Unit for Cooperation with Non-Governmental Organizations in the structure of the General Secretariat (e.g. to become a sector).
4. With the foreseen mid-term assessment of the Strategy, which should be conducted in mid-2009, it is necessary to incorporate and assess the necessary budget for its implementation, but it is also necessary to provide annual programming budget for the Unit. Based on the assessment, the funding should be provided from the state budget or the available IPA funds.

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