



Technical Assistance for  
Civil Society Organisations  
Serbia Office



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# **Report**

## **on initial assessment of Serbia governmental institutions' practices for consultations with CSOs**

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## **1. Abbreviations**

AP - Autonomous Province

CSO(s) - Civil Society Organization (s)

DACU - Development Assistance Coordination Unit

ICT - Information and Communication Technologies

IPA - Instrument for Pre-Accession

IZVOR - Initiative for Volunteerism Legislation in the Republic of Serbia

NA - National Assembly

NARS - National Assembly of the Republic of Serbia

R&D - Research and Development

SEIO - Serbian European Integration Office

SEKO - Sector Civil Society Organisation

SIPRU - Social Inclusion and Poverty Reduction Unit of the Deputy Prime Minister of Republic of Serbia

SME - Small and Medium Enterprises

TACSO - Technical Assistance for Civil Society Organizations

TOR - Terms of References

UNDP - United Nations Development Program

UNIFEM - United Nations Development Fund for Women

## 2. Introduction

TACSO Serbia office initiated the **ASSESSMENT OF SERBIA GOVERNMENTAL INSTITUTIONS' PRACTICES FOR CONSULTATION WITH CSOs**. It is one of the activities within the general objective of TACSO project that is to strengthen the overall capacities and accountability of the Civil Society organizations (CSOs) within the IPA beneficiaries and to guarantee the quality of services of CSOs and a sustainable role of the CSOs in the democratic process. The main purposes of the project are to:

- Increase and improve the capacity and actions of CSOs and to
- Improve the democratic role of CSOs.

An important activity under this heading is component 4: Relationship between CSOs and external stakeholders. One of the key challenges for CSOs from Serbia is related to lack of continuous practices and regulations on consultation with government and its institutions.

With this initial assessment, it is planned to put additional efforts and resources in this field in order to assess the situation and to identify existing mechanisms and practices in place. It is needed to look into the national and province practices and identify examples of good/best consultation practices that are implemented. **The assessment is seen as very initial stage in deeper analysis of needs for actions.**

As planned within TOR, this report gives the initial assessment of Serbia governmental institutions' practices for consultations with CSOs" and includes key findings, examples of existing good practices and recommendations for needed improvements and actions. Information is provided from variety of sources (books, internet sites, brochures, articles, analysis) that are listed at the end of this report. In some cases, information was not available at all and the writer of this report consulted individuals and experts from civil society to check for possible sources of information. Therefore, it should be regarded as a starting point for more thorough analysis of the situation, which is in accordance with the initial idea of the assessment.

### 3. CSO consultations and Civil Participation Mechanism in the Republic of Serbia

#### 3.1. Government of the Republic of Serbia

In the so-called Westminster model of power division (which prevails in the majority of European countries, including Serbia), the Government has a decisive role in the process of preparation and adoption of laws and other public policy instruments. It is therefore exceptionally important to have an effective mechanism for civil participation in the stage of *designing of law* and other public policy instruments; after a law enters the Parliament, chances of citizens and CSOs to have an impact on the contents of the legal proposal are much smaller. Pursuant to provisions of the Serbian Law on Government, the Government implements laws and other general acts of the National Assembly, proposes to the National Assembly laws, budget and other general and individual acts, supervises constitutionality and legality of general acts, supervises the work of State administration bodies, guides State administration bodies in implementation of policy and enforcement of laws and other general acts, and harmonizes their work.

According to provisions of the Rules of Procedure of the Government of the Republic of Serbia, the Government forms committees and commissions as standing and interim working bodies (council, task force, expert group etc.). The chairman of the standing working body may invite to the session representatives of other bodies and experts in specific issues, for the purpose of getting their opinion.

The Rules of Procedure define the obligation of the law proposer to conduct a **public hearing** during preparations of a law that essentially changes regulation of an issue, or regulates an issue of special interest for the public. However, provisions of the Rules of Procedure *do not contain* more precise criteria that define when the new law essentially changes regulation of an issue, or regulates an issue of special interest for the public – nor does it define in detail (minimum standards of) public hearing conduction – which opens up the opportunity for different interpretation during preparation of the provisions of the Rules of Procedure.

According to the procedure in force, the Ministry that is the draft law proposer sends the draft law to the General Secretariat of the Government after acquiring the opinion of the draft law from the Secretariat for Legislation, Ministry of Finance (if financial assets are necessary for implementation of the law), Ministry of Justice (if the law stipulates criminal deeds), European Integration Office (that verifies harmonization of the law with EU legislation), Council for Regulatory Reform (that analyzes effects of implementation of the new law), and other competent ministries. The General Secretariat checks whether the draft meets formal and legal requirements for further procedure. After that, the competent committee of the Government (Committee for Legal System and State Bodies, Committee for Economy and Finances, Committee for Public Services, or Committee for Foreign Relations) considers the draft. When the competent committee proposes adoption of the draft, it is being decided on at the session of the Government.

Newly established Office (2010) for cooperation with civil society gives an institutional framework for more structural cooperation arrangements. The Office is directly responsible to the Prime Minister and will work on developing the National Strategy for CSO Development. Other competencies of the Office are to encourage dialogue and cooperation between public administration and CSOs both at national and local level, to participate in development and monitoring of implementation of strategic documents, preparation of the report on budgetary spending allocated for the CSOs, etc.

As stated in **publication Europeanization of Serbia**, practice of public consultations is widely spread<sup>1</sup>. Out of 50 organizations interviewed within this research, 71,4% were consulted in relation to some policy. However, the actual methodology of consulting is under question: most of these organizations are consulted in the final phase of draft law/policy shaping, did not have sufficient information well in advance; participated in one day conferences which were considered to be “public hearings” although most of the time was devoted for proposers to explain their intentions that to the audience to give comments. The relationship between the government and CSOs is still marked by fragmented cooperation, lack of government understanding for civil society, and a selective approach towards individual CSOs.

Other issues related to the State, which affect CSOs consultation practices are:

- Lack of **transparent and efficient mechanism of civil participation** in the procedure of drafting laws and other public policy instruments that would define in detail minimum standards of participation and consultations (this refers to both executive and legislative authorities). The Government’s Rules of Procedure in force are not an efficient mechanism for participation of citizens and CSOs in the process of drafting laws and other public policy instruments, therefore participation of CSOs in public discussions organized by authorized proposers in the first place results from initiative and self-organizing of the sector itself, more than from direct and formal invitation of authorized proposers of regulations and documents.
- **Lack of general standards and procedures regarding appointment of representatives of civil society** in foundation and activities of different **bodies at the national and local levels**; this is an obstacle to optimum use of available social resources. The criteria of selecting CSO representatives for these bodies is not always clear, because the process is not public, therefore it often occurs that in a body are not sitting the most competent CSO representatives for topics related to the civil sector. It is still a frequent practice to form working groups for designing a law, which consist exclusively of representatives of competent ministries and professors, i.e. representatives of academic community without one civil society representative – even when it is about legal regulation of issues that representatives of academic community have modest academic and even more modest practical experience in the topic.
- **Bodies of executive authorities on all levels still do not understand** sufficiently advantages of cooperation with CSOs, both in the procedure of designing and in the procedure of implementation of public policies. It is not quite sure whether it is about lack of political will or about mere lack of understanding of the role and importance of civil society organizations in democratization of the society. Very often, participation of CSOs is conditioned by donor requirements, or it is a result of persistence and pressure by CSOs
- **Non-transparent method of budget financing of civil society organizations**, including criteria for allocation of budget funds, is a serious obstacle to their activities and sustainability. The main source of income of CSOs is still foreign donations. It results in the fact that the implemented projects are sometimes more in conformity with donor’s requirements than with defined and recognized priorities at the national and local levels. A certain number of ministries allocate funds from the State budget for financing activities implemented by CSOs, but in the majority of cases **without previously established criteria** and clearly **defined priorities**. The adoption of the new Law on Associations and the new Law on Endowments and Foundations initiated establishing of a working group that will develop unified and transparent criteria for CSO budget financing at all levels of authorities.

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<sup>1</sup> According to the data from the publication, page 41: **Europeanization of Serbia, Civil Society; published by Fund for Open Society; Authors Jadranka Jelinčić & Srđan Đurović, Belgrade 2011**

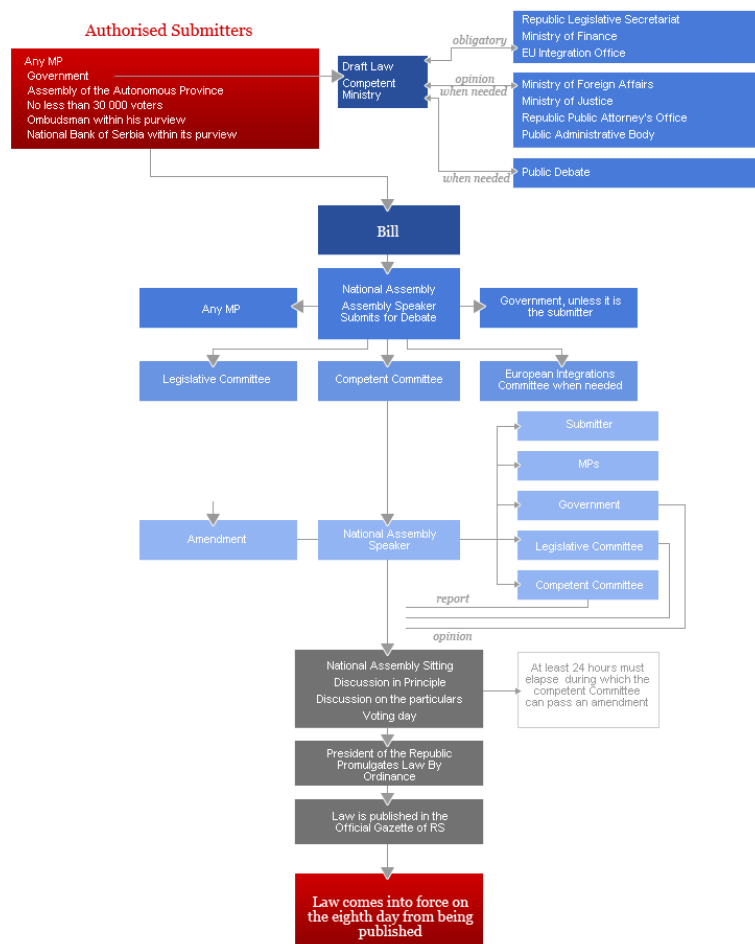
- **Unfavourable tax status of CSOs.** Positive legal regulations do not sufficiently stimulate development of the so-called corporative philanthropy because of relatively narrow definition of givings for general useful purposes for which trade companies and other economic entities enjoy tax relieves. There are no tax relieves prescribed for physical persons – taxpayers for giving for general useful purposes. Tax on private gifts has been exempted, but with very complicated procedure that require a lot of paper work for CSOs.

## 3.2. National Assembly of Serbia

### 3.2.1. Legislative Process

The law adoption procedure is regulated in the Constitution of the Republic of Serbia, the National Assembly Rules of Procedure, and the Government Rules of Procedure. All MPs, the Government, the Assembly of the autonomous province, a minimum of 30,000 voters, as well as the Ombudsman and the National Bank of Serbia (within their areas of competence) have the right to propose laws (as well as other regulations and general acts adopted by the National Assembly). Regarding the law adoption procedure, after considering in the parliamentary committees, the law proposal is considered in principle and in detail, where after the law is being voted and published in the Official Gazette.

Detailed map of the legislative procedure could be found on <http://www.parlament.gov.rs/acts/birth-of-a-law/birth-of-a-law-map.643.html> and is given below:



Having in mind the complexity of the legislative procedure and our political/electoral system, there are limited possibilities for CSOs to influence law once it enters the National Assembly. The following text will explain the existing (or non existing) formal mechanisms as well as the practice of CSO involvement in the work of the parliament.

### 3.2.2. Relations with Civil Society

Some parliaments have opened civil society liaison offices with mandate to build bridges between civil society and the parliament, to explain role and work of CSO to MPs and legislative process, access to it, to representatives of NGOs (for example, the Hungarian Parliament recently established a Civic Office). In the Serbian parliament, currently there are no similar ideas or projects<sup>2</sup> i.e. there is no institutional mechanism for cooperation between the parliament and civil society in Serbia.

### 3.2.3. CSO's Access to Plenary and Committee Sessions

Parliamentary democracy includes routine visits of citizens at sessions of the National Assembly as well as sessions of the committees as its permanent working bodies. The possibility to directly attend sessions of the National Assembly based on a citizen's request should be treated differently from other possibilities, such as the "Open Door Day" or organized study visits to the National Assembly which do not necessarily offer the possibility for organized groups of citizens who are „visiting" the National Assembly to simultaneously attend its sessions.

The recently adopted Law on the National Assembly<sup>3</sup> contains a separate Chapter (II) that regulates the issue of transparency of the work of the National Assembly. Among other things, Article 11 of the Law provide that the work of the National Assembly is transparent, and that transparency is ensured through directly televised sessions and their transmission by the media; press conferences; press releases; monitoring of the work of the National Assembly by **domestic and foreign non-government organizations, monitors, interested citizens** and the like.

Also, the current Rules of Procedure of the National Assembly of the Republic of Serbia contain a separate chapter (XIII) on the transparency of its work. Among others, in the Article 258 it provided for special seats at the National Assembly for „**observers of domestic and international associations and organizations and interested citizens to monitor its work and of the committees**". The manner in which they could enter the National Assembly and spend time in it is to be regulated by the act of the National Assembly, that is, its competent working body.

In several cases over the last few years, representatives of civil society organizations were given an *ad hoc* opportunity (usually by invitation of a Committee Chair or NARS Speaker) to attend sessions. From time to time, representatives of civil society organizations are presented with the opportunity to attend, and even actively participate at sessions of certain committees of the National Assembly, particularly in cases when associations are the formal proposers of legislative initiatives or when their representatives have actively participated in work groups of various Ministries during the creation of a certain law. This possibility stems from the National Assembly's Rules of Procedure which do not mention representatives of organizations, but states that initiators of draft laws and amendments or their authorised representatives, including members of organizations, are to be invited to sessions of committees at which such draft laws and amendments are reviewed. Professional and

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<sup>2</sup> **Study: Office of Civil Society in the National Assembly**, International Practice in Establishing the Office of Civil Society within the Parliament – Recommendations for Work, Serbian Unity Congress Serbia, Authors Smilja Rajkovic, assistants Lidija Grbić and Filip Petrović, Belgrade May 9th, 2011  
[http://www.ksusrbija.org/dokumenta/studija\\_kancelarija%20civilnog%20društva%20\(1\).pdf](http://www.ksusrbija.org/dokumenta/studija_kancelarija%20civilnog%20društva%20(1).pdf)

<sup>3</sup> Law on the National Assembly, adopted on February 26th, 2010



scientific workers can, by invitation, participate in the work of the committees; members of civil society organizations can be listed under this formulation.

One of the difficulty in ensuring citizens' right of attendance at NARS sessions has been the absence of a normative act of the NA Service that would regulate such attendance at plenary and committee sessions. Another possible difficulty of citizens' attendance at sessions of committees may be that they are frequently scheduled without an announcement and without a previous announcement of their agendas. This requires detailed normative regulation with regard to timely scheduling of committee sessions and acquainting of the public with the agenda. And finally, real reason may have been that deputies and MPs, certain permanent working bodies and the National Assembly Secretariat do not fully understand the need to allow citizens to attend sessions.

### 3.2.4. Parliamentary Hearings

Public parliamentary hearing represent another important novelty in the work of the National Assembly. The rules of procedure do not create an obligation to conduct regular, public hearings, so the NARS has no special obligation to conduct them. In certain situations, these public hearings are, in part, identified with the possibility to form *ad hoc* bodies of the National Assembly, such as commissions and committees of inquiry. Above all, these parliamentary hearings provide an opportunity for a wider circle of persons beyond deputies to consider certain issues, the ability to regulate certain areas, provide for transparency of the NARS work, and the like. A public hearing provides interaction between the deputies and various segments of the public. It encourages the exchange of ideas, knowledge, and information, and results in the more effective work of deputies. *"The Committee may organise PUBLIC HEARINGS for the purpose of gathering information i.e. expert opinions on a bill in assembly procedure, clarification of some provisions of a bill or operative law, clarification of issues important for the drafting of a bill or any other issue within the Committee's competence and supervision of the implementation and execution of a law i.e. performance of the National Assembly's control function."*<sup>4</sup>

In practice, several issues create obstacles for the legislative process to run smoothly, including also CSO consultations:

1. Due to the pressure to pass as many laws as possible, harmonized with the EU legal system, the practice of **passing laws using emergency procedure** is ever more frequent, which often renders impossible conduction of a valid public discussion and at the same time reduces the quality of legal proposals.
2. For the same reason, there is **hyper production of laws**, but also **serious faults in implementation** (e.g. supporting regulations are missing, often there are no instruments, there is no control of actors responsible for law enforcement);
3. **Law enforcement delay** – there is a provision allowing the law to enter into force but to have its implementation delayed. This creates confusion in the judiciary because there are several laws in force regulating the same matter; however, some are not applied (in the domain of Criminal Law there were examples that as many as three laws were in force, two of them not applied);
4. **Insufficiently strong influence of citizens as well as civil society in general on decision making in the National Assembly, in particular on participation in the legislative procedure** (e.g. the use of public debate and institute of public hearing, as well as submission of laws requiring a smaller number of signers – the Constitution increased the number of citizen signers

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<sup>4</sup> **Study: Office of Civil Society in the National Assembly**, International Practice in Establishing the Office of Civil Society within the Parliament – Recommendations for Work, Serbian Unity Congress Serbia, Authors Smilja Rajkovic, assistants Lidija Grbić and Filip Petrović, Belgrade May 9th, 2011  
[http://www.ksusrbija.org/dokumenta/studija\\_kancelarija%20civilnog%20društva%20\(1\).pdf](http://www.ksusrbija.org/dokumenta/studija_kancelarija%20civilnog%20društva%20(1).pdf)

- needed to submit a law proposal from previous 15,000 to 30,000, which discourages citizens from submitting legal proposals);
5. There is no work plan at the National Assembly, wherefore the agenda of the session is often formulated at the last moment.

With regard to the above mentioned, due to the current division of power within the ruling coalition, the **role of the Parliament in the procedure** of passing laws and other public policy instruments is reduced **to the lowest possible measure**.

### ***3.3. Direct Decision-Making Forms: Referendum and People's Initiative***

In this section of the report we discuss the right of citizens to a people's initiative, that is, the right of citizens to formally appear – in accordance with the Constitution – as bearers of the peoples' sovereignty, that is, as submitters of draft laws. In Article 2, the Constitution stipulates that sovereignty comes from citizens who exercise it by use of the people's initiative, among other things. Article 107 stipulates that draft laws can be proposed by each deputy, the Government, the Assembly of the Autonomous Province, and a minimum of 30,000 voters.

The possibility for citizens to submit people's initiatives is the most direct form of participatory democracy, of utmost importance for the creation of an open and democratic society. It results in the mutual connecting of citizens and their associations, in a proactive approach, in efforts and direct participation of citizens. In any case the influence of a popular initiative is enormous because it clearly shows the wish of citizens to see certain issues or areas legally regulated in a direct manner.

The Law on Referendum and the People's initiative foresees very strict rules for the collection of signatures with regard to people's initiatives. The Law allows only seven days to collect 30,000 signatures, and includes other formal duties as well, such as the submission of the report about the time and venue of collection of signatures, signature of the authorized person, etc.

**In practice, it is the case that a people's initiative has never been introduced, debated or adopted at a session of the NA<sup>5</sup>.** This is because people's initiatives are treated inadequately by the National Assembly in comparison with other authorised proposers of draft laws, especially the Government. Also, despite the constitutional provisions in support of peoples' initiatives the NA or its officials have no legal responsibility to act upon a people's initiative. In the past, there were several cases in which individual committees debated some people's initiatives, inviting representatives of citizens, as proposers, to committee sessions at which such proposals were debated.

The current law "can be qualified as restrictive, obsolete" that "does not allow citizens to efficiently exercise their right to participate in governance through civil initiatives and referendums". It is assessed as not being in accordance with the Constitution nor with the recommendations of the Council of Europe. Therefore, a changes of the Law have been initiated both by civil society and the State. Public debate on the Draft Law on the referendum and People's Initiative has been organized from the 18<sup>th</sup> May until 18<sup>th</sup> June 2011. In addition to organizing a public event, public in general is invited to send comments and suggestions to the draft law.

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<sup>5</sup> In 2007 two people's initiatives were launched to change Law on the Free Access to Information and Draft Law on Secrecy of Data. They managed to collect 72.000 signatures, and they were „lost“ in the Parliament.

### **3.4. Ombudsman**

The Ombudsman is an independent and autonomous State body, in charge of protecting and improving the observance of freedoms and rights. The immunity that the Ombudsman enjoys enables him to be independent and autonomous in his work. The Ombudsman pays special attention to the:

- rights of members of national minorities
- rights of children
- rights of persons with disabilities
- rights of persons deprived of liberty
- gender equality

The Ombudsman controls, investigating complaints or acting on his own initiative, whether State administration bodies, Republic Attorney General, Government agencies and organizations in charge of public with public powers towards citizens act in compliance with laws and other regulations of the Republic of Serbia or principles of good governance.

It is particularly important for CSOs that the Ombudsman has the right to propose laws from the domain of his competence. The Ombudsman is authorized to submit to the Government, or the National Assembly an initiative for changes and amendments to the law and other regulations and general acts, if he deems that violation of the rights of citizens ensue from lack of positive regulations; he also may initiate passing of new laws, other regulations and general acts that he deems to be important for exercising and protecting the rights of citizens. In this connection, the Government, or the competent committee of the National Assembly are obliged to consider initiatives submitted by the Ombudsman. The Ombudsman is authorized, in the procedure of preparation of regulations, to give his opinion to the Government and the National Assembly on proposals of laws and other regulations if they regulate issues important for the protection of citizens.

In his 2010 Annual report, the Ombudsman specifically mentioned excellent cooperation established with numerous CSOs and initiatives that were launched based on this cooperation<sup>6</sup>. CSOs are considered as “partners in the protection of human rights”. Furthermore, the quality of cooperation is present through the inclusion of CSO representatives in the work of different advisory bodies. A network of partner organizations and experts has been established that allows for up to date exchange of information and joint work that helps Ombudsman in carrying out his duties.

### **3.5. Commissioner for Information of Public Importance and Personal Data Protection**

The right of citizens to obtain information possessed by the public authorities in Serbia is regulated by the Law on Free Access to Information of Public Importance (“Official Gazette of the RS” no. 120/04, 54/07, 104/09 and 36/10) Pursuant to the Law, information of public concern is any information held by a public authority body, created during work or related to the work of the public authority body, contained in a document, and related to everything that the public has a justified interest to know.

For CSOs, the Commissioner is a valuable “ally” in exercising their right to being informed; when they believe that they were deprived of any information and that they cannot obtain it through regular procedure, they may and should turn to the

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<sup>6</sup> 2010 Regular Annual Report of Ombudsman, issued on March 15th, 2011  
[http://www.ombudsman.rs/attachments/1304\\_Izvestaj%20narativni%20deo%20%282%29.pdf](http://www.ombudsman.rs/attachments/1304_Izvestaj%20narativni%20deo%20%282%29.pdf)

Commissioner who will, if the legal conditions are met, help them by submitting an official requirement to the relevant body or institution.

In order to promote the right to access information in the legal system of the Republic of Serbia, the Commissioner has in 2010 several times initiated passing new or change of the existing regulations or supported similar initiatives which came from other subjects. Detailed list is available in the Commissioner's Report<sup>7</sup>.

The Commissioner is not authorized to submit law proposals or to directly influence change of regulations by submitting amendments on law proposals. However, the Commissioner has in several instances initiated submitting of amendments by the state authorities and bodies entitled for legal initiatives.

**In Practice, there is inadequate attitude of the State towards above mentioned independent bodies.** For instance, there is still no satisfactory readiness of State bodies to make possible the access to information on their activities, which must be available to the public. It is also worrying that administration is still "quiet", i.e. it ignores requirements for unrestricted access to information, although such practice is qualified by the law as illegal behaviour. Besides, it is utterly worrying that even bodies of public authorities have difficulties in exercising their right to unrestricted access to information, given that in individual cases they, too, are deprived of access to information.

### **3.6. Autonomous Province of Vojvodina**

There is limited information about the work of the bodies on the level of the Autonomous Province of Vojvodina available in written and/or on websites. Consequently, this part of the report will require additional research and obtaining information through direct consultations with different stakeholders in the AP Vojvodina.

#### **3.6.1. Assembly of the Autonomous Province of Vojvodina**

The Assembly of the Autonomous Province of Vojvodina is the representative body of citizens which enacts regulations for enforcement of laws and other regulations and by-laws of the Republic of Serbia, the enforcement of which is delegated to the Assembly, as well as decisions and other by-laws within their competence. The Assembly is the authorized law proponent, however in practice its status is unequal (e.g. not one of the law proposals submitted by the Assembly of AP Vojvodina, as the authorized proponent, was put on the agenda of the National Assembly);

According to the Article 29, of the Statute of the Autonomous Province of Vojvodina ("Official Journal of the AP Vojvodina", number 17/09), AP of Vojvodina shall be competent to perform the following duties: Spatial Planning , Regional Development , Agriculture, Rural Development, Water Management, Forestry, Hunting and Fishery , Tourism, Catering Industry, Spas and Health Resorts, Environmental Protection , Industry and Craftsmanship , Road, River and Railway Transport and Road Rehabilitation, Organisation of Fairs and Other Economic Events , Education, Sport and Culture, Science, Innovations and Technological Development , Health and Social Protection , Public Informing at the Provincial Level , Infrastructure Development and Capital Investments, Competences in Other Fields.

Rules of Procedures of the Assembly of the Autonomous Province of Vojvodina, envisage transparency of its work in the Chapter VII "OPENNESS OF WORK OF THE

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<sup>7</sup> Information Booklet on Work of the COMMISSIONER FOR INFORMATION OF PUBLIC IMPORTANCE AND PERSONAL DATA PROTECTION, for the period 2005 – 2011, updated on June 30th, 2011

ASSEMBLY”, Article 209. In the Article 215, there are also provisions for citizens to attend Assembly sessions, and to visit the Assembly. **BUREAU OF THE SECRETARY** is internal Unit of the Assembly Service. In the Office of the Secretary professional, analytical, legal, advisory and administrative tasks are performed so as to improve the work of the Assembly and Assembly Service according to contemporary standards of a good administration and management, and achieve effective management of the Assembly Service, create short and long term development strategies with activity plans of the Assembly and Assembly Service, **develop and promote cooperation with local and international NGOs** and relevant international organizations, create and develop specific measures and actions to encourage the working procedures and operating tasks in the Assembly Service.

### **3.6.2. Government of the Autonomous Province of Vojvodina**

The Government of the AP of Vojvodina (hereinafter: the Provincial Government) is the body of the AP of Vojvodina and, within the frame of competences of the AP of Vojvodina, the bearer of the executive powers in its territory. It has 12 Secretariats and most of them declare „cooperation with non governmental organizations“ as part of their regular activities. There are no detailed information about types of cooperation, however what could be found on their websites is the following: most of Secretariats announce open call for proposals for funding of Vojvodina based CSOs (according to the Review of Potential Domestic and Foreign Funding Opportunities, intended for NGOs, Local Governments, SME and Entrepreneurs in Serbia, issued in December 2010, 10 out of 12 Provincial Secretariats had open calls for proposals). There are also examples of joint projects: “Toward comprehensive system for suppression of violence against women in the AP Vojvodina” implemented by the Provincial Secretariat for Labor, Employment and Gender Equality in cooperation with local CSOs, funded by UNIFEM. It seems that because of the AP Vojvodina Assembly and Government authorized competences, not many consultations are carried out with CSOs. Writer of this report also consulted colleagues from the civil society, in an effort to learn more about CSO consultations on the level of AP of Vojvodina, and only three examples were mentioned by almost all consulted: IZVOR initiative, Action plan for youth in AP Vojvodina for the period 2011-2014 and work of the Provincial Directorate for Gender Equality. These examples are presented in the next Chapter.

### **3.7. Weakness of the civil society for the consultation processes**

In addition to the issues which represent obstacles to CSO participation in decision making processes on the side of the State, there are also obstacles and/or weaknesses on the side of the civil society:

- **Insufficient capacities** of CSOs to take part in a quality manner in the process of designing laws and other public policy elements due to restricted human and material resources. In that context, insufficient cooperation between CSOs and scientific and educational institutions is particularly evident.
- **Lack of coalitions, networks, platforms at the local and national levels**, which should systematically deal with advocacy towards public policy implementers.
- **Lack of understanding of the necessity of cooperation** with State institutions in some civil society organizations.
- **Lack of understanding of the importance of laws and other instruments of public policies** for regulation of issues of importance for CSO activities.

Here is an illustration for some of the above statements: in December 2010, SIPRU publicly invited CSOs to participate in the process of preparation the answers to the EU questionnaire assessing the Serbia's readiness to become a candidate for EU membership. It was interesting that within the CSO community there were different opinions in relation to this invitation. Some CSOs responded by preparing their answers on specific question in the area of their expertise and submitted it to SIPRU,

while others refused to participate in this process explaining that this was a “State business”.

## **4. Examples of good practices for CSO consultation in the decision making processes**

### **4.1. Government of the Republic of Serbia**

The examples of good practice show that civil society can play an important role in the policy making process in Serbia. The development of the National Youth Strategy and development process of the Youth Law has been carried out by the Ministry of Youth and Sports in partnership with CSO. In the same way, the drafting of the development strategy of the Ministry of the Interior was based on findings and opinions of relevant CSO. Ministry of Environment and Spatial Planning has signed a memorandum of cooperation with 120 CSO. In the field of HIV prevention and reproductive health, Ministry of Health is implementing activities in close cooperation with CSO. Ministry of Justice has included representatives of CSO in the working group established for drafting the Law on Financing of Political Parties. Ministry of Social Policy and Labour consulted considerable number of CSO in drafting the Law on the Professional Rehabilitation and Employment of Persons with Disabilities. Ministry of Human and Minority Rights involved CSOs in the process of drafting interim report on implementation of international agreements in the area of human rights and implementation of Roma advancement strategy. In addition, according to the Review of Potential Domestic and Foreign Funding Opportunities, intended for NGOs, Local Governments, SME and Entrepreneurs in Serbia, issued in December 2010, 10 out of 24 Ministries had open calls for proposals).

Some of the examples mentioned above, as well as others found through desk research are presented in more details in the text below<sup>8</sup>:

#### **4.1.1. Development Strategy of the Ministry of Interior 2011 – 2016**

The Strategy was adopted in December 2010. Having elaborated the Development Strategy of the Ministry of Interior for the period 2011-2016, the Ministry has organized public debates among professionals aimed at informing the citizens and drawing up the final text of the document that will represent a good basis for further planning. Public debates took place in the police districts of Subotica and Niš, as well as in the headquarters of the Ministry in Belgrade, in the period from 20th to 23rd December, 2010. The Draft Strategy was available on the website of the Ministry for a month, while the debates were attended by the representatives of the government and non-government sector, international organizations, embassies, universities, local judiciary, attorneys-at-law, as well as the local government representatives. The Ministry of Interior presented and, having discussed it with interested citizens, examined and accepted certain suggestions and proposals. The results of research and the recommendations released by non-governmental organizations in relation to public safety and policing matters were incorporated in the final document.

#### **4.1.2. Law on Social Protection**

A coalition of CSOs together with the Ministry of Social affairs and SIPRU initiated and implemented public consultations related to the new law on Social Protection (Autonomous Women’s Center, Civic Initiatives, Group 484, Society for the improvement of mental health of children and youth, Roma Information Center, Amity, Center for independent living, and Center for development of non profit sector. CSOs organized the consultation process within their clusters. Each CSO had 4 months to organize distribution of materials, numerous local events, collect comments and proposals in relation to the draft Law. All the comments were systematized and incorporated in the final report that was forwarded to the working group in charge of drafting the Law. After a period of public consultations, the Law was adopted by the end of March 2011.

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<sup>8</sup> Here, we give only several recent examples (last 3 to 4 years). “Older” examples are available upon request.

### 4.1.3. Design of the National Youth Strategy and Law on Youth

#### **National Youth Strategy**

The Ministry of Youth and Sports was formed after elections in May 2007. It is specific because of the fact that its establishment, *inter alia*, resulted from a four-year advocacy effort by the Coalition of Youth of Serbia, founded by eight national youth organizations: Civic Initiatives, Students' Union of Serbia, JAZAS, Youth Information Centre, Scouts of Serbia, Young Researchers, Youth Council of Vojvodina and Youth Council of Serbia. The Coalition was formed for the purpose of organizing an advocacy campaign for youth issues at the local and national levels. The aim of the campaign was to form bodies and strategies for youth at both levels. This campaign is one of the best examples of good practice of consultations of the State with civil society and it was highly evaluated by the Council of Europe. In the first phase it encompassed a consultative process with 167 round tables held in 166 local self-government units where discussed youth problems were in the Republic of Serbia. The total of participants was 4,077. This process was conducted by 47 citizens' associations. In the second cycle of the consultative process were organized seven regional conferences for collecting comments and proposals related to the wording of the Draft Strategy, while citizens' associations organized 170 public events. In the Strategy designing part took, in different ways, some 16,000 young people. During the consultative process and public discussion were collected opinions not only of participants in the Strategy design process but also opinions of broader public, through Internet website and sent directly to the address of the Ministry of Youth and Sports.

#### **Law on Youth**

Similarly to the adoption of the National Youth Strategy, a consultative process was organized for the development of the Law on Youth. Representatives of CSOs were selected as members of the Consultative Group for the Law development. With support of youth offices and youth CSOs, numerous round tables, consultations, public events were organized, with thousands of young people being involved giving their proposals and comments, Public discussions were organized and finally, the Law was adopted in May 2011.

### 4.1.4. Work on Designing the Gender Equality Strategy

**The National Strategy for Improvement of Women's Position and Promotion of Gender Equality** was adopted by the Government of the Republic of Serbia on 13 February 2009, and it is the first strategic document of our country in the domain of gender equality.

This document regulates the integral and harmonized policy of the State in view of eliminating discrimination of women, improvement of their position and integration of gender equality principle in all areas of activities of the system institutions, as one of elements of modernization and democratization of the society, for the purpose of faster, more uniform and efficient social development, in compliance with the equal opportunities policy proclaimed in the Constitution of the Republic of Serbia (Article 15).

The National Strategy for Improvement of Women's Position and Promotion of Gender Equality encompasses areas related to the participation of women in policy creation and decision making in the areas of economy, education, health, violence against women, as well as the role of media and public opinion, given that in a broad and democratic discussion it was assessed that these areas are crucial for improvement of women's position and promotion of gender equality.

The planned activities were determined on the basis of prior insight into needs, and they refer to the period from 2009 to 2015. Their implementation should provide that the long-term accumulation of positive changes up to now leads to a deep and lasting

transformation of gender relations in the Republic of Serbia. Activities are also included in the National Programme for Integration of the Republic of Serbia with the European Union and they make an integral part of total efforts of the Republic of Serbia on its path to EU membership.

In the period since 2000 up to now, by individual breakthroughs, such as forming of the Gender Equality Council of the Government of the Republic of Serbia, forming of special internal organization units in the Ministry of Labour and Social Policy, Gender Equality Administration, and forming the Gender Equality Committee with the National Assembly of the Republic of Serbia, were set priorities of actions and measures aimed at improvement of the position of women and promotion of gender equality. Also, amendments were made to Criminal, Labour and Family Laws. Gender equality principle was included in the draft Law on the Ban on Discrimination and Gender Equality Law, as well as in some governmental strategies.

In May 2007, to the United Nations Committee on the Elimination of Discrimination against Women at the 38<sup>th</sup> session was presented the Initial Report of the Republic of Serbia on implementation of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). From the UN Committee were obtained Final Comments with recommendations to operate upon.

This strategy should not only enable widening and deepening of the existing capacities and programmes but also provide systematic work on establishment, development, implementation and promotion of equal opportunity policies.

#### **4.1.5. Sector Civil Society Organisation (SEKO)**

Sector for EU funds and development assistance (at that time part of the Ministry of finances), initiated in 2009 consultations with civil society concerning the IPA Programming process. The first steps of this initiative have contributed to the design of the IPA 2009 and 2010 civil society grants programmes. A survey has been conducted to identify priority support areas. Nearly 70 CSOs responded to the survey, describing the sectors in which they felt that CSOs could have an important role to play within IPA programming and implementation. The survey was followed-by a Civil Society Conference 28 May 2009 providing a forum for direct consultation with civil society about IPA programming. Building upon the original electronic consultations, nearly 100 CSOs attended the Conference and participated in the working groups where the question of priority areas for CSO involvement was further explored. The results from the survey and the conference formed the basis for the design of the IPA 2009 and 2010 national programme on civil society.

In order to establish a consultation mechanism with civil society organisations which would enable their participation in programming and monitoring of EU funds and other international development assistance, SEIO/DACU published on 18 January 2011 an open call entitled Programme of cooperation with civil society organisations in the area of development assistance planning, in particular programming and monitoring of the Instrument of pre-accession assistance (the Programme is supported by TACSO).

The main actor of the proposed Programme is the so-called Sector Civil Society Organisation (SEKO), which is a consortium of CSOs of maximum three partners where one is clearly stated in the application as a lead partner. In addition, each SEKO automatically implies participation of the Standing Conference of Town and Municipalities (SKGO).

Each SEKO will represent one sector. The definition of a sector corresponds to the Needs Assessment Document 2011-2013 of the Government of Serbia which identifies eight sectors in the programming of international assistance as follows:

- Rule of law (including justice and home affairs, protection of human and minority rights etc.);



- Public administration reform (including institution building and acquis, public finance management, decentralization of powers, statistics, e-government);
- Civil society, media and cultural rights;
- Competitiveness (SMEs, R&D, ICT, tourism, business infrastructure, industry and trade);
- Human resources development (employment, education, social inclusion and health, including youth);
- Agriculture and rural development;
- Transport;
- Environment and energy (including waste, waste water, water supplies, mining etc.).

As defined in the Programme, main activities of selected SEKO should be directed towards development of communication mechanism with SEIO/DACU, in the aim of CSOs' participation in the process of programming of international assistance and harmonising priorities with the ones defined by the state.

It is envisaged that SEKO will develop and use different communication mechanisms which will gather interested CSOs in order for them to engage jointly in issues related to development assistance planning, in particular IPA programming and monitoring in a specific sector.

#### **4.1.6. Memorandum of Cooperation**

**Ministry of Human and Minority Rights** signed Memorandum with 150 organizations addressing the protection and promotion of human rights, 9 February 2009. Pursuant to provisions of the Memorandum, the Ministry will include CSOs into the activities on drawing up reports, strategies, action plans, and draft laws under the jurisdiction of the Ministry. Moreover, the Ministry will implement projects in the domain of human rights together with CSOs. With the reconstruction of the Government (2011), this Ministry is merged with the Ministry of Public Administration and Local self Government.

In 2010, the **Ministry of Environment and Spatial planning** signed Memorandum with 112 CSOs in the action "Let us Clean Serbia". Memorandum is seen as a first step to improve cooperation and advance democratization of Serbia. It aims to increase participation of CSOs in the Ministry' action "Big cleaning of Serbia" and is also a type of support from the Ministry to the CSOs.

#### **4.1.7. Law on Associations and Law on Endowments and Foundations**

Law on Associations and Law on Endowments and Foundations have been adopted due to the close cooperation between a group of CSOs and respective Ministries. This is the example of the consultation process that was encouraged, funded and supported by CSO community and foreign funders, in terms of expertise, law development, organization of public events, consultations and also implementation, once Laws were adopted. In these concrete cases, it has been a joint initiative of the group of CSOs (Balkan Community Initiatives Fund (BCIF), European Center for Not-for-Profit Law (ECNL) and Civic Initiatives (CI) together with the relevant ministries.

### **4.2. National Assembly**

#### **4.2.1. Participation of CSOs in the work of the Committees**

There were several such cases in the last few years: when the Committee for the Reduction of Poverty discussed the Draft Law on Civil Society Organizations in 2007, or in 2009, when the Information Committee reviewed the Draft Law on Changes and Amendments to the Law on Free Access to Public Information proposed by civil society organizations in the form of legislative initiative; public hearings related to the Law on Volunteering in 2010 and others.

Several non-governmental organizations have established permanent cooperation with particular committees. The Standing Conference of Towns and Municipalities, has a memorandum of understanding with the National Assembly of the Republic of Serbia which provides for its regular participation at sessions of the Committee for Local Self-Government.

#### **4.2.2. Parliamentary Hearings**

On several occasions, certain NGOs and international organizations organized, in cooperation with the National Assembly, various forms of discussions with deputies regarding important social issues („Center for Independent Living“ on the Implementation of the UN Convention on the Rights of People with Disabilities (2009), Civic Initiatives with partners on long life enterpreneurial learning (2010); European Movement, for example, organized an entire string of round tables, with deputies as participants, that resembled „parliamentary hearings“. In June 2009, UNDP organized a parliamentary hearing that was attended by the professional public, representatives of non-government and international organizations, independent bodies, and other persons interested in the relationship between the media and the Parliament.

### **4.3. Provincial Level**

#### **4.3.1. Fund for Development of the Non profit Sector**

The Assembly of the Autonomous Province of Vojvodina is the first in the country to establish The Fund for the Development of the Non-profit Sector of the Autonomous Province of Vojvodina, in order to provide support to civil initiatives in Vojvodina, with the purpose of building a citizens' society based on the rule of law, social solidarity, respect towards differences and peaceful resolutions of conflicts within the society.

Fund's mission is to create conditions for supporting civil non-profit sector development in AP Vojvodina – independently or in cooperation with other interested persons – through variety of tasks. FUND is operational in terms of organizing numerous events, training, exchanging information and cooperation with variety of stakeholders. However, it does not have funding to act as a re-granting organization, and this function should definitely be changed.

#### **4.3.2. Provincial Secretariat for Labour, Employment and Gender Equality - establishing the unique registration on domestic violence**

Within the AP Vojvodina Strategy against the gender based violence, a measure was planned to establish the unique registration on domestic violence. A working group was crated consisting of experts with different profiles that were led by a CSO representative (Autonomous Women's Center). They created a realistic model of registering cases of family violence and in the partner's relationships, as well as development of the inter-institutional exchange of data about the measures taken by the relevant institutions in the given cases. According to the CSO representatives it was a real pleasure to work with experts who understood the notion of domestic violence, contributed to the maximum. Secretariat provided all the organizational support.

#### **4.3.3. Action Plan for Youth in AP Vojvodina, 2011 / 2014**

This was a comprehensive consultative process that included following stakeholders: Assembly and the Government of AP Vojvodina, relevant Provincial Secretariats, representatives of the civil society, local self government, local Offices for youth, Institutions, media and all other interested young people (through pubic discussions). The process envisaged two phases, through announcements of the public announcements:

1. Public call for proposals for development of the Action plan for the policy for youth in AP Vojvodina, 2011-2014
2. Public call for proposals for organization of the public debates in relation to the topics from the draft Action plan

Each of the relevant Provincial Secretariat delegated a representative that worked together with CSO representative on development of the draft document. This enabled direct participation of each interested Secretariat in the development of the Action plan, as well as direct connection and cooperation between the public and non-governmental sector

Public discussions were organized in 9 municipalities. Electronic version of the draft Action plan was available for comments to all interested parties: youth, local self-governments, Youth Offices, institutions, representatives of local CSOs and others. Public discussions were organized by selected group of CSOs, for different geographic regions within AP Vojvodina.

This Action plan was adopted by the end of 2010, by the Assembly of AP Vojvodina.

#### **4.3.4. IZVOR Initiative**

At the end of June 2006 Novi Sad Humanitarian Centre (NSHC)<sup>9</sup> has officially started implementation of a new project 'Initiative for Volunteerism Legislation in the Republic of Serbia', as the official project implementer on behalf of the IZVoR Initiative. The overall objective of this project was to contribute to the development of volunteerism in Serbia, and therefore to the overall civil society development. The impact of volunteerism and its activities results in enormous gains for civic participation and social inclusion. Part of volunteerism's benefits is a resulting sense of responsibility for society, which is a fundamental pillar for the strengthening of democracy.

With this project proposal IZVOR promoted a culture of volunteerism as an organized way of citizens' participation in local community development, and increased capacities of citizens and civil society organizations to influence policies and contribute in the process of civil society development in Serbia.

The specific objective was to improve the legal framework for volunteerism in Serbia. At the time, there was no defined legal framework for volunteer work in Serbia. The existing legislation on issues such as employment, non-governmental activities etc. did not include any regulations related to volunteerism. At the same time, proper legislation on volunteerism was very important for the entire civil society development in our country.

By this joint, civil sector-based initiative, NSHC together with other NGOs prepared a proposal for volunteerism legislation (draft of the Law on Volunteerism) in the Republic of Serbia, facilitated public discussion about it and submitted the final version to relevant governmental instances for further procedure and adoption. Through these joint efforts, started within the IZVoR Initiative, volunteerism was promoted and all relevant stakeholders mobilized to participate in creating a positive legal environment for development of volunteerism in our country.

NSHC implemented this project in partnership with the Nature Conservation Movement and Volunteer Center of Vojvodina. Other stakeholders involved in the project were NGOs 'EHO' and 'Ukrstanje', Secretariat for Work, Employment and Gender Equality of the Vojvodina Province, Secretariat for Sport and Youth of the Vojvodina Province and

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<sup>9</sup> Information taken from the NSHC website **IZVOR Initiative**, [http://www.nshc.org.rs/eng\\_nshc/eng\\_izvor.htm](http://www.nshc.org.rs/eng_nshc/eng_izvor.htm)

Secretariat for Local Administration and Inter-Municipal Cooperation of the Vojvodina Province.

That version was adopted two years ago by the Vojvodina Parliament and submitted to the People's Assembly of the Republic of Serbia for further procedure. However, after the change of the Government, the new Draft Law was made and adopted afterwards.

## 5. Recommendations

### 5.1. Recommendations for the Government

- Establish **transparent and efficient civil participation mechanism** in the procedure of designing of laws and other public policy instruments that would in more detail define minimum standards of participation and consultation (this refers to both executive and legislative authorities and to local self-government bodies). Such a mechanism should establish minimum standards of consultations and openness in drafting laws and other public policy instruments. When establishing this mechanism, account should be taken of transaction costs; the mechanism must be simple, and its maintenance costs low. In that sense, different new instruments of on-line communication may play an important role. Of course, before establishing the mechanism, an appropriate public discussion, conducted in a quality manner, on what mechanism would be optimal for Serbia is necessary.
- **Establish a continuous system of education of civil servants** and employees on all levels on the role and importance of civil society in a democratic society, as well as necessity and usefulness of cooperation. In that sense is particularly important continuous education of **contact persons** in governmental bodies and local self-government bodies in charge of cooperation with CSOs. In the Report by the European Commission on progress of Montenegro on its path to the European Union, as of November 2008, it is specified that in Montenegro there are 43 contact persons for cooperation with civil society at the level of State authorities and local self-government bodies. For these persons are regularly organized seminars and other activities helping them to carry out their work in a more efficient way.
- **Rise awareness, provide support and educate civil servants about the role and importance of the Independent bodies.**
- **Provide full support and financial and human resources for the newly established governmental office for cooperation with civil society**, which is in charge of creation of enabling environment for CSO activities and capacity building of civil society. Develop good practice of appointing contact persons with ministries and local self-government bodies, particularly the ones referenced to more intensive cooperation with civil society, which would be assigned for that cooperation.
- The Office should start designing the national **strategy for civil society development**, which would identify issues of importance for activities and sustainability of civil society, as well as obligations of different social actors in that context. This document would have not only strategic but symbolic importance, too, because it would be an expression of acknowledgement by authorities of CSO contribution to establishment of democratic society and to resolution of numerous social problems; it would also contribute to promotion of civic activism, i.e. participatory democracy.
- **Establish mechanism for allocation of funds from the budget that will be based on clear rules, procedures and criteria.** Passing of the new Law on Associations and Law on Endowments and Foundations will considerably contribute to establishment of such a mechanism. In addition, the State should work on providing conditions for forming domestic sources of financing in order to establish the basis for long-term financial stability of CSOs, and thereby capacity building of CSOs for participation in forming, applying and monitoring the policy implementation. There are different mechanisms in the region which

facilitate the work and activities of CSOs (for instance, allocation of public spaces to CSOs for use at minimum compensation etc.). A working group that has been established should speed up its work and produce appropriate regulations as soon as possible.

- **Improve the tax status of CSOs.** Carry out appropriate amendments in the Law on Company Profit, which would expand the list of activities for general useful purposes, for whose allocation of funds trade companies and other economic entities enjoy tax relief. Simplify the tax exemption procedure on private gifts. Consider justifiability of introduction of tax relieves for giving by physical persons – taxpayers for general useful purposes.

## ***5.2. Recommendations for the National Assembly***

- Establishing an institutional mechanism within the national Assembly (Office of Cooperation) with the potential roles: It facilitates services that CSOs provide to parliament; It serves as an entry point for CSOs willing to engage in legislative process; It serves as an institutional memory on collaborative work with civil society, and it distributes information about legislative process targeting CSOs. These tasks could be accomplished through joint conferences, workshops, visits, info-service to NGOs and by issuing a regular electronic bulletin on parliamentary life targeting NGOs. In the case where there are no conditions for a separate office, role of the CS Liaison could be given to one employee in Office of Public Relations.
- The National Assembly Secretariat or the Administrative Committee should begin the process of creation and adoption of special regulations that would regulate citizens/CSO attendance at the NARS plenary and committee sessions.
- Rules of Procedure should determine mandatory deadlines for informing of the public in advance about the agendas of NARS plenary and committee sessions.
- Rules of Procedure should foresee the obligation of the National Assembly and its committees to invite representatives of the civil society to their sessions in cases defined by the law.
- In cooperation with CSOs, a list of organizations that monitor the NARS work as a part of their goals as determined by their Statutes should be determined
- The Rules of Procedure of the National Assembly should determine in more detail under which conditions representatives of NGOs may acquire annual ID cards or cards that would enable them to attend regular sessions of the National Assembly and its committees.
- Portions of the Rules of Procedure, as well as other acts that pertain to the access of NGOs to sessions of the National Assembly should be promoted in a visible and clear manner on the National Assembly's web presentation.
- The Rules of Procedure should specify conditions under which public, parliamentary hearings are conducted.
- Special internal regulations should specify the conditions under which public, parliamentary hearings are initiated and conducted
- Determine the possibility for MPs to submit the initiative for a parliamentary hearing session to the Speaker of the National Assembly
- Educate officers who assist the committees, bearing in mind that the secretaries of the parliamentary committees are often the parliamentary groups consultants (which put additional strain on the service).

## ***5.3. Recommendations for the Direct Citizen Participation (Referendum and People's Initiative)***

- Change the NARS Rules of Procedure to include the general principle of acting upon people's initiatives from the moment of their submission to the NA until the debate;

- Change the NARS Rules of Procedure to determine sanctions for failure to act upon people's initiatives within deadlines determined by the Rules of Procedure;
- Make changes and amendments to the Law on Referendum and the People's Initiative in order to make it easier for citizens to submit people's initiatives. This pertains primarily to the extension of deadlines for the collection of citizens' signatures.

#### **5.4. Recommendations for Civil Society Organizations**

It is necessary to work on **capacity building of CSOs**, so that they would be qualified for participation in the process of formulation and implementation of public policies. Among other:

- 1) it is necessary to establish tighter cooperation between CSOs and academic and educational institutions;
- 2) it is necessary to raise awareness on the necessity of cooperation with the State;
- 3) it is necessary to educate CSOs on functioning of the State administration, as well as on procedures and mechanisms of designing and adopting laws and other public policy instruments;
- 4) additional education and specialization of CSOs is necessary for monitoring of adopted public policies and for evaluation of projects realized in areas in which they have professional knowledge (e.g. direct experience with target groups);
- 5) with regard to the above mentioned, it is necessary to educate CSOs on the manner of using the right on information of public concern, guaranteed by the Constitution, and to strengthen cooperation between CSOs and the Commissioner for public information, as well as Ombudsman.

In order to facilitate establishment of efficient mechanism for participation and partner relations with the State authorities and local self-government bodies, it is necessary to **educate CSOs** on advantages of different forms of **functional coalitions and platforms**, particularly the ones of more lasting nature, where there are conditions for forming such coalitions. At the same time, it is necessary to work on inclusion of hardly accessible and marginalized groups, so that they would not be excluded from this process.

With regard to the above mentioned, it is necessary to **improve CSO capacities** for successful regulation **of internal relations in the coalition**, in order to establish a transparent mechanism of acting between members of the coalition, to regulate the method of coalition management, to set ethic and professional standards that oblige members of the coalition, as well as the method of dispute resolution (promotion of the recently adopted Code of Ethics) – through these measures activities of coalitions would be more effective.

#### **5.5. Recommendations for TACSO**

TACSO could find its niche specifically in the recommendations related to the newly established Office for cooperation with civil society, including development of the National strategy; provide support to CSOs in their advocacy and educational efforts towards the NARS and Government; and recommendations related to the developing and functioning of coalitions and networks, including promotion of the Code of Ethics.

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