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GOVERNMENT STRATEGY FOR COOPERATION WITH CIVIL SOCIETY

2013 - 2017

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Executive summary

Office of the Prime Minister / Office on Good Governance (OGG / OPM), in close cooperation with CiviKos Platform (hereinafter: CIVIKOS), and with the support and cooperation of Legal Office and Office of Strategic Planning in the Office of the Prime Minister, as well as in continuation of implemented the Law nr.04/L-57 on Freedom Association in Non-Governmental Organization, Rules of Procedure of the Government no. 09/2011, and in order to find ways of cooperation, civil society involvement in policy making and support of civil society organizations, have taken the initiative to develop the Government Strategy for cooperation with civil society.

The Government of the Republic of Kosovo, upon drafting this Strategy, is committed to:

- recognize and appreciate the role and work of civil society in building a democratic society;
- Create a supportive and favorable environment for the development of civil society;
- establish the government mechanisms that would enable a structured cooperation between Government and Civil Society;
- clearly define the obligations and responsibilities of each government institution on this cooperation;
- establish monitoring mechanisms for implementation of this Strategy and
- to encourage civil society to implement the principles of good governance within the sector, including promoting a professional and constructive approach towards citizens and government institutions.

Strategic objectives aiming to be achieved within the period 2013-2017 are as follows:

- **Strategic objective 1:** Ensure strong participation of civil society in drafting and implementation of policies and legislation
- **Strategic objective 2:** System of contracting public services to civil society organizations
- **Strategic objective 3:** Building system and defined criteria to support financially the CSOs
- **Strategic objective 4:** Promoting an integrated approach to volunteering development

The principles on which the strategic document is built are: good governance, transparency, participation and accountability to citizens. As such, this strategy represents the basis of cooperation between the Government and civil society in Kosovo, by obliging the Government of the Republic of Kosovo to strongly be committed in creating favorable conditions for development of civil society sector. On this Strategy will be established a regular and structured communication with civil society sector, partnership and transparency in policy making processes, ensuring at the same time maintaining independence of civil society sector. Also, upon drafting of this Strategy the Government of the Republic of Kosovo confirms commitment and political will to involve citizens in decision-making improve services to citizens through cooperation with civil society and provide financial and non-financial support for the development of civil society sector and proposed projects by this sector.

Basic needs addressed from this Strategy are as follows:

- the need to ensure a comprehensive access and equal opportunities for all civil society organizations in cooperation with the Government, through the establishment of basic rules and mechanisms for cooperation;
- the need to cooperate transparently and based on clear information and in time from both sides, including also the information transparency for public available in the Government, unless it is otherwise provided by law;
- the need to cooperate with civil society sector for development of policies to promote effective dialogue by using a suitable plan for both parties, the need to ensure cooperation with the civil society sector on issues that concern each party, and
- the need to create a good environment and partnership between government and civil society.

Basic rules for drafting this strategy are priorities of the Government of the Republic of Kosovo for better public policy, accountability and transparency, greater confidence and increasing public legitimacy.

Legal Basis

In addition to addressing the needs and priorities of the Government, this strategy has been drafted in accordance with a large number of normative acts applicable in the Republic of Kosovo. Most important of them are:

- Constitution of the Republic of Kosovo;
- International agreements and instruments applicable in the Republic of Kosovo;
- Law on Freedom of Association in Non-Governmental Organizations no.04/L-57;
- Law on access to public documents no. 03/L-215;
- Law on Local Self-Government and municipal regulations on transparency;
- Rules of Procedures of the Government of the Republic of Kosovo no. 09/2011;
- Guideline for public consultation process;
- Code of good practice for civil participation in decision making process adopted by the Conference of NGOs on 1 November 2009;
- Regulation no.03/2011 for government communication service with the public
- Administrative Instruction no. 02/2012 on procedures, criteria and preparation methodology and adoption of strategic documents and plans for their implementation.

Comperative report analysis of cooperation Government – Civil Society in the region

The form and nature of cooperation between civil society and government varies from country to country, social environment, economic and political situation in each country separately. However, the situation in Kosovo is comparable with the countries in the region or is comparable with the situation in which other countries have passed in the context of overall development and civil society-government relations.

In terms of constant change and continues development of democratic and circumstances of promoting innovative forms of governance, sustainable drafting of public policy and provision of social service can not be the exclusive right of political representatives.

Government needs competent partners outside government who will help create effective public policies and the implementation of effective interventions for their citizens. In this process, a unique role can be attributed to civil society either in the initiation, organization and comprehensive leadership debates to address the priority needs of citizens or in providing and fulfillment of public services for citizens.

To begin the process of genuine cooperation, the two sectors should recognize joint values, to accept the responsibilities of certain common issues and share their financial resources and human resources in order to achieve common goals. This cooperation will cover the gaps of both sectors but without harming their point of strength.

In most countries of the region and Europe have been already established formal mechanisms that regulate the role of civil society as a genuine partner of the government. In many cases, the role of civil society in the development of internal democracy and European integration process has been essential.

In most countries close cooperation between sectors occurs between specific ministries and CSOs who are working in the fields covered by that ministry. Normally, in this case there is a common interest which for CSOs means bringing the laws and regulations that reflect the needs of their members, while for the ministry shall mean the help that CSOs can contribute in drafting and implementation of national policies. Sometimes this cooperation is leaded by a formal advisory body consisting of members from both sectors, such as e.g. Slovak Government Council for Cooperation with CSOs and the Council for Civil Society Development in Croatia,

founded in 2002, which consists of 10 government representatives and 14 representatives from civil society and has the mandate to implement the Plan of Cooperation between sectors. This advises are usually characteristic for centralized forms of cooperation, such as cooperation agreements at governmental level, but may also be tasked with monitoring the implementation of specific cooperation agreements.

Summary of current cooperation Government - Civil Society

Civil society is one of the main pillars of construction and functioning of a democratic society. Civil society organizations shall offer people an alternative way to advance their common interests, channeling different views and securing their interests in decision-making or obtaining various services.

Although traces of the civil society actions in Kosovo exist since before many decades, in its modern sense, initiatives and the first organizations of civil society in Kosovo dating from late 80's and early 90's after the fall of communism in Central and Eastern Europe and the beginning of a new form of political repression in Kosovo and parallel life in Kosovo. These initiatives / organizations were mainly of humanitarian character (providing humanitarian aid, protection of human rights, various civil movements, etc.), which over time took the form of a comprehensive peaceful resistance towards structures of that time.

End of war and NATO intervention as well as the establishment of United Nations Mission in Kosovo (UNMIK) and Provisional Institutions of Self-Government (PISG) in 1999 was a turning point for general development of civil society in Kosovo. Greater needs for emergency assistance and reconstruction, as well as inter-ethnic reconciliation, civil society did transform its operations and adjust to new realities and needs, with a greater financial support and technical assistance from international donors.

In the report, cooperation between public authorities and civil society in this period, it is worth noting that due to the nature of the country's governance, involvement of citizens and civil society in decision-making led by UNMIK was mostly impossible. Moreover, it is often stated that it was hard for PISG to take part, especially in the initial period of administration of Kosovo by the United Nations. Normally, certain initiatives of civil society managed to push certain

issues, but without being able to formalize cooperation between the two sectors. The first official initiative to formalize cooperation was taken just before the declaration of independence, when the Government of Kosovo and CiviKos Platform signed a Memorandum of Understanding at the end of 2007.

Upon declaration of independence in 2008, Kosovo has entered a dynamic period of socio-economic and political development. Civil society, following the social development, adjusted to its new role within the overall framework of institution building, dealing more and more with issues of governance and policy making.

First of all, the cooperation between the two sectors was conducted under various bilateral initiatives, but without any sustainable organization and structure. With the advancement of policy-making system through the adoption of new legal regulations, the Government of the Republic of Kosovo has put in place various mechanisms that enable a more structured cooperation with civil society. Eg. Rules of Procedure of the Government of 2011 obliges all ministries to organize public consultations with civil society by providing sufficient time and adequate information to all interested parties. Another problem often encountered which still presents difficulties in cooperation between the two sectors is the method of selection of civil society organizations in various groups and government forums. While in Kosovo are already registered over 7,000 NGOs, government is very difficult to decide which organizations should be invited to participate in various working groups on specific issues.

In this regard, exclusively by narrow sectoral issues, the main general areas addressed as problematic by civil society and which have prompted the Government to adopt various normative acts were related to access to documents and access to official information, involvement of citizens and civil society in policy and legislation, as well as provision of services by civil society organizations. Also as problematic issue was considered financial support of civil society organizations from the budget of the Republic of Kosovo, which was taken without any concrete mechanism to address the specifics of the civil sector. Moreover, considering that the two sectors have a relatively young age, is constantly observed lack of capacity for mutual cooperation. While recognizing and understanding the role of civil society by civil servants remains low, civil society continues to have insufficient knowledge about the processes of policy-making and the work governing bodies.

These, as well as various disagreements about various developments in Kosovo, made the mutual trust between the two sectors to be in low level. This strategy do not intended to unify opinions of either party on various issues of social and political developments. Kosovo Government recognizes and accepts the independence of civil society organizations and their right to hold different opinions and to express those views with all allowed legal forms. Also, the Government appreciates the professional potential of representatives of civil society organizations in various fields, a potential that offers the Government an added value in drafting and implementation of its policies and the provision of services to citizens.

Regardless of whether the government and civil society organizations interact in in cooperatively or critical or confrontational form, this strategy aims this interaction to be formal, transparent and conducted according to rules known in advance and equal for all.

Benefits of Cooperation Strategy Government - Civil Society

Government strategy for cooperation with civil society shall bring both parties in general, and also Kosovar society a large number of benefits. The main benefit which seems to be achieved can be listed into several levels:

Strategic level - This strategy shall clearly define a strategic objective which aims to be achieved within a five year period. As a result of a cooperative and comprehensive these strategic objectives represent a shared vision of the majority of representatives of the two sectors in relation to the key issues of mutual cooperation. This common vision initially enables avoidance of different goals, or opposite from both sides, and moreover affects the commitments of both parties to produce results that contribute to the fulfillment of the same vision.

Political level - Through this strategy, the Government of the Republic of Kosovo for the first time establishes its relationship with civil society within institutional framework, thus ensuring that cooperation and interaction between the two sectors will not be dependent from individual willingness of various government units, but frameworks and opportunities for cooperation will be the same consistently, despite the current availability of various representatives of the two sectors.

Institutional level - This strategy, through concrete measures foreseen in the Action Plan for implementation of the Strategy, the government shall charge certain units with specific obligations which must be met within certain deadlines. Determination of institutions of various actions enables the foreseen measures to have a certain address for implementation and accountability. Moreover, specific measures and actions will be taken within a comprehensive framework, which will be coordinated by a single central unit. This would avoid a partial approach and not standardized, by increasing the value of each specific action in relation to the overall strategic objectives.

Inclusion and equal opportunities - This strategy, apart of addressing many problems so far, is constructed based on experiences and good cooperation between the two sectors. Evaluating these experiences as a successful model, this strategy will enable cooperation between the two sectors to be inclusive from both parties. Knowing the specifics of sectors for more intensive or

less intensive cooperation, this strategy enables all civil society organizations to have treatment and equal access to government institutions, at least in relation to the principles and main mechanisms of cooperation.

Active citizenship – Considering the role of civil society organizations as direct representative of certain interested groups of citizens, deepening cooperation of the government with this sector will contribute to increase citizen involvement in governance. The challenges that Kosovo is facing in the process of state building and European integration is impossible to be solved without involvement of the whole society. This strategy, recognizing the high human potential located in the civil society sector and individual citizens, enable the Government to create partners outside government who will help create effective public policies and implementation of effective interventions for their citizens them.

The methodology and the process of drafting the Strategy

Drafting such strategy requires a clearly defined methodological approach, which enables the content of document to be the result of an inclusive process where all parties have the opportunity to give their input, but also to define the role and assume their responsibilities. Taking into consideration that the countries of the region and Europe have gone through similar processes in the past, the initiating group has analyzed different experiences and defined methodology of this process in Kosovo.

Approaches of other countries have been different depending on the specifics of the country. Some countries have first prepared the so-called "broad agreement", which defined the principles of cooperation agreed upon by both parties. For the purpose of implementing these principles as the second stage was drafted the "Strategy" to cover certain parts of the broad agreement, for a certain time limit. However, due to "broad agreement" requires a longer time to prepare and clear signatory parties (particularly in relation to civil society), most of the countries of Central and Eastern Europe have prepared strategies directly, which the government has taken unilateral obligations and responsibilities to deepen cooperation with civil society. In this regard, Kosovo had the opportunity to follow the full process, since previously a "broad agreement" was reached between the two sectors (Memorandum of

Cooperation of the Government of Kosovo with Civil Society represented by Civikos Platform, signed on 09 / 11/2007). Through this Memorandum of Cooperation, Government and representatives of a large number of civil society organizations agreed on the main principles and together are committed to implement the Strategy. Since this memorandum is evaluated that contains all the elements of "Broad Agreements", a joint initiative to develop this strategy is based on the principles set out in the Memorandum.

As a result, in September 2011 with the decision of the Secretary-General of the Office of the Prime Minister, Office on Good Governance in the Office of the Prime Minister (OPM / OGG) is mandated to be responsible for drafting the Strategy for cooperation with civil society. OPM / OGG in cooperation with Legal Office of Strategic Planning in the Office of the Prime Minister established the initial group for drafting the Strategy. In this group are included civil society organizations represented by CiviKos Platform, as well as Kosovar Civil Society Foundation (KCSF) and Kosovo Democratic Institute (KDI) as civil society organizations with experience and expertise to the development of civil society and cooperation between civil society and public authorities. CiviKos platform, within an internal process with member organizations, have identified key issues that should be addressed in relation to cooperation with the Government of Kosovo. Based on this, the initiated group has prepared a working and a comprehensive methodology by both parties.

The main issues which have been found to be necessary and be addressed by the Strategy for cooperation with civil society:

- Ensure participation of civil society in drafting and implementation of policies and legislation;
- Contracting of public services to civil society organizations;
- Financial and non-financial support of civil society organizations.

Also, recognizing the role and importance of voluntary work in the sector of civil society and wider, volunteering is considered an issue that should be addressed horizontally in the context of this strategy.

Based on experiences and lessons learned from countries that have already gone through this process, in parallel with the broad involvement of civil society organizations, initiating group has estimated a great importance and proper involvement of various ministries and agencies, which will have the main burden of implementing the various measures of the Strategy. This involvement is considered important since the early stages of drafting the Strategy.

Also, to avoid a conversion of Strategy into a wish list which would be difficult feasible, the initiating group has insisted that all participants during various phases of drafting to identify priority issues and set realistic and achievable objectives. This was the reason that, despite the numerous needs, this Strategy to address in the end only three strategic objectives and volunteering as a horizontal objective.

The process of drafting the Strategy has lasted relatively long, but this has been the reason for giving the opportunity for all interested parties to contribute and comment on the work done. For more than a year of work on drafting the document, are organized many meetings and workshops with representatives from multiple organizations of civil society in Kosovo, officials of the Government of the Republic of Kosovo, media representatives and representatives of international organizations operating in Kosovo.

The first phase consisted in compiling the first draft of the logical framework of the Strategy. A public consultation process undertaken by OGG / OPM and Platform CiviKos in all regions of the Republic of Kosovo has accumulated specific issues which are then turned into specific strategic objectives. These strategic objectives are met with specific measures and detailed activities to be undertaken to meet strategic objectives. Finally, for each activity was set a deadline for implementation, responsible institution, other supportive institutions and financial resources. Thus, in parallel with the strategy (which is lying on a five-year term), is drafted Action Plan for implementation of the Strategy for a period of three years.

After finalizing the Strategy and Action Plan, both of these documents have gone through public consultation process. During this process, all interested parties had the opportunity to give their written comments about any part of the strategy, comments which were taken into account in drafting the final version of both documents.

Despite this comprehensive process, the Government of the Republic of Kosovo has foreseen that this strategy, in particular the Action Plan to be reviewed at the end of the second year, by allowing the assessment of achievements and then address the challenges and problems encountered. This review is provided based on highly dynamic developments in Kosovo, but also due to specific characteristics of civil society sector, as a variable sector and constantly developed.

Scope and parties

Government strategy for cooperation with civil society is focused at the central level, namely at the level of the Government of the Republic of Kosovo. However, in accordance with the extent of powers of the Government, various actions envisaged in this strategy are spreaded throughout the territory of Kosovo. The strategy will be effective for 5 years, including the period 2013-2017, while the Action Plan for implementation of the Strategy includes three year period, respectively until 2015.

Very important element, which reflected in the definition of strategic objectives, concrete measures and actions is the time period covered by this strategy. Limited period of time made participants during drafting of the strategy to identify only those issues which are very important and achievable in a five-year term. Strategic objectives were taken into account for setting realistic goals, especially in dealing with public services and financial support to civil society organizations. Through these strategic objectives originally intended to create a proper system of addressing these issues, and only then the following actions to be taken that will functionalize the system.

Regarding the scope covered by the strategy, it focuses mainly on horizontal issues that affect the cooperation between the Government and civil society. During many discussions in the drafting stage of this strategy, the parties have raised numerous issues which relate to specific sectors or specific problems of certain regions. A number of such specific issues are included within the horizontal strategic objectives, while other issues are left out of this strategy and could be addressed through policy or sectoral agreements, which could be drafted between particular groups of civil society organizations and various government departments.

Although it addresses general issues, however, this strategy sets out general principles of cooperation in the future which should be applied in specific cases of specific sectors.

Also, it is important to note that concrete actions and measures set out in this Strategy include only those cases which the government has clear jurisdiction, such as drafting policies and laws, determining the general policies of public services, or management funds of the budget of the Republic of Kosovo. Although it is drafted in close cooperation with civil society organizations, this strategy is the government document, and as such only the Government of the Republic of Kosovo is obliged. Eg internal organization issues of civil society organizations in which the Government has no power, although very important for a genuine cooperation, are not included within the Strategy.

Finally, it is worth noting that the official side of this strategy is only the Government of the Republic of Kosovo and institutions that are subject to the Government. Other institutions, such as the Assembly of Kosovo, municipalities or independent institutions are encouraged to apply the principles set out in this strategy, but this strategy is not necessarily an obligation to do so. E.g. This strategy obliges municipalities of Kosovo only in the extent to which the Government has powers toward the local level.

As for civil society, the official party in drafting this document has been CiviKos Platform as a single functional organization that gathers a large number of civil society organizations aimed at structuring the cooperation with public institutions. However, this does not mean that from this strategy shall benefit only civil society organizations that are represented through CiviKos Platform. All civil society organizations that have an interest to interact with the government are parties that are affected by this strategy. Also, CiviKos platform will not seek to replace the activities of member organizations. The main task in relation to this strategy for CiviKos Platform, is the promotion and maintenance of mechanisms of cooperation and coordination of the work of member organizations on giving contribution and receiving benefits from these mechanisms. Member organizations, but also others, will continue to perform their work and goals based on their specific needs, by already knowing clear rules of their interaction with public authorities and its own mechanism which would protect and monitor that the rules are applied. As such, CiviKos platform will be called to make proper coordination and pressure to all parties that the actions of this strategy will be implemented.

STRATEGIC OBJECTIVES

Strategic Objective 1: Ensure strong participation of civil society in drafting and implementation of policies and legislation

Democracy lies in the compatibility of citizens to exercise power from their constituents. To ensure this compliance, representative democracy (a model that exists in the Republic of Kosovo) bases itself on a set of formal rules and traditional principles - such as elections and campaigns that accompany them. However, representative democracy is based on continuous inter-action between public authorities and citizens in the period between elections.

Based on the Constitution, Parliament is the legislative institution of the Republic of Kosovo, which has the power to adopt laws, resolutions and other general acts. However, based on its constitutional mandate, the majority of laws and other acts are proposed by the Government of the Republic of Kosovo, which also has executive authority in the implementation of these acts. Considering that policies and laws that are proposed and implemented by the government have a tremendous importance in the regulation of social, economic and political life of Kosovo society, strengthening civil society participation in drafting and implementation of policies and legislation is the first objective of this Strategy.

In the last decade, the Government of the Republic of Kosovo has developed significant experience in policy-making, while in recent years special attention has been paid to the involvement of public in general and civil society organizations, particularly in this process. In this regard, the Government of the Republic of Kosovo in the meeting held on 25.08.2011 approved the Rules of Procedure of the Government of the Republic of Kosovo (Decision no. 04/34). With this Regulation is determined: working method and decision-making procedures of the Government of the Republic of Kosovo, rules and procedures for drafting legislation and policy recommendations from government and ministries, as well as organizing meetings of the Government and Ministerial Committees work. Through this regulation, for the first time the government has required all its subordinate institutions to publish the content of their proposal for public comment for all policies, laws and other important and will specifically seek comments from non-governmental organizations which significantly are affected by the proposal. Also, from the sponsoring bodies it is "required to provide sufficient

information in understandable form by the public to enable the public to understand the nature and consequences of the proposal, and publicly announce the start of the consultation process and will be given enough time for public and non-governmental organizations to review the recommendations and provide them with proper answers. Moreover, "the results of the consultation process will be reported at the meeting of the Government or Ministerial Commission meeting and will be an integral part of the concept document or explanatory memorandum". Based on this regulation, the Secretary General of the Office of the Prime Minister dated 29/09/2011 has issued a guide for public consultation process in order to help civil servants and civil society organizations to successfully plan and implement a public consultation process to define clear expectations of each other and to avoid misunderstandings that can arise when different institutions or organizations take the initiative and contribute in completely different ways.

Also, on 05.04.2011 was issued the Regulation No.03/2011 on Government Communication Service with the Public. This regulation determines the establishment and operation of a coherent and coordinated system to communicate to the public, policies and activities of public institutions. This regulation shall define the roles, duties and functions of offices and relevant officials communications and spokespersons in public institutions. Also, this regulation sets out the rules for general communication policy, and government activities to the public.

Even though the advancement of the legal framework has significantly raised the bilateral initiatives to cooperate in drafting policies and laws, however, it can be concluded that it is not yet developed a general culture of consultation, as there are not enough developed capacity needed to implement various techniques to involve citizens and civil society in this process. Furthermore, there is no yet a structured and standardized form to such participation. Although in 2012 was perceived a growing implementation of public consultation methods set out in the Regulation and Guidelines, various government departments still continue to have levels, forms and different mechanisms of civil society involvement in decision-making, while different organizations respond to these initiatives in most different ways. Last, despite involvement of public consultation process in general government system of reporting and monitoring,

successful implementation requires mechanisms to create a special system which will coordinate and oversee various aspects of involvement of citizens and civil society.

Measures planned to achieve this objective are as follows:

- Measure/Strategic sub-objective: 1.1. drafting / amendment-supplementation of basic legislation / referring CSO involvement in policy development and implementation
- Measure/Strategic sub-objective: 1.2. Setting standards of CSO involvement in drafting and implementation of policies and legislation
- Measure/Strategic sub-objective: 1.3. Professional capacity building of civil servants and members of civil society organizations in drafting and implementation of policies and legislation
- Measure/Strategic sub-objective: 1.4. Establishment of monitoring system and reporting for CSO involvement

Strategic objective 2: System of contracting public services to civil society organizations

Civil society is implementing a wide range of social services and community support activities that were previously performed by the state. In modern societies the demand for new social services is constantly growing and community is constantly looking for diversity of these services. Governments are already being set back from the community processes in order to address local problems through local elections.

Civil society organizations in Kosovo for a long time providing a number of social services for different groups of beneficiaries. While immediately after the war of 1999 were mainly international organizations those that provide necessary social services to citizens, now more and more local organizations are doing so. Examples from different areas such as services for persons with disabilities, shelters for victims of violence or trafficked persons, etc. indicate that civil society organizations in Kosovo can be important participants in the provision of social services. These services extended, whether in the fulfillment of those provided by the state (e.g. health, social welfare) or the provision of services which currently can not be provided by the state.

However, in different areas in which these services are offered, applied various principles of delegating responsibilities to provide certain services. The method of licensing or funding of certain services is not always properly adjusted, and it often presents obstacles to contracting parties, especially difficulties in receiving quality services from recipients of these services.

In various countries of Europe and beyond apply different models of different services delegated to civil society organizations. German model of support, which encourages community who encounters a problem to address and solve the problem itself; Hungarian normative model specifies that each entity that provides services which are the responsibility of the state (including education, health, and welfare services) and who meets the criteria set by the state should be financed by the government based on the number of clients serves; Competition system of Great Britain and Poland represents the model whereby every time the government wants to provide a service that is listed in the "Schedule of activities for the benefit of the community" she announces an open tender for all entities. CSOs should follow a similar

model to compete with other entities (institutions or private companies) to win the contract on the basis of better services and cheaper offerings.

In Kosovo it is not yet developed a genuine debate about the principles and model based on which civil society organizations will provide services that are the obligation of the state. Precisely defining the general principles and model is the main goal of this strategic objective, to be followed upon the completion of necessary legal framework and building necessary monitoring mechanism. Since the extent of potential services that can be provided by civil society is very wide and depending on specific areas applied also specific rules, ministries and organizations covering certain sectors will be encouraged to develop their own specific mechanisms, but always based on the general principles set out in advance.

In this context, Kosovo society can benefit from services that can be provided by civil society through the development of what today is known as the world's social economy that actually represents nonprofit economic activity that can improve the economic, social and environmental community. Social economy can be a vital source of new work, knowledge and skills to new employment avenues. CSOs can be a source of entrepreneurial knowledge in areas where the market economy fails to provide efficient services.

Planned measures to achieve this objective are:

- Measure/Strategic sub-objective: 2.1. Drafting the legal framework which regulates procedures of contracting of public services by CSOs and identifies contracting areas
- Measure/Strategic sub-objective: 2.2. Setting standards and principles for contracting of public services by CSO
- Measure/Strategic sub-objective: 2.3. Building joint monitoring mechanism of implementation on licensing standards and offered services.

[Strategic objective 3: Building system and defined criteria to support financially the CSOs](#)

Although an important part of the work of civil society is made voluntar, for specific activities required special funds to enable the services delivery, expertise and infrastructure necessary for certain activities. Not having a steady income from a single source, a special characteristic of

civil society is the need to increase funding and use them to implement the mission of the organization.

Since 1999, civil society organizations in Kosovo have had a strong financial support from international donors, which apart from large number of registered NGOs funds through which they have been operating and were very easy to reach. This "flood" of donors has had good and bad sides. A number of civil society organizations have managed to increase their human capacity and financial and become legitimate representative of their membership or professional stable centers of various fields. On the other hand, a large part of the sector remains highly dependent on international funding and shall be activated only when funding is available. Datas for 2011 shows that about 80% of funds for civil society come from international donors, thus indicating a large dependence on foreign donors. While the role of foreign donors in the development of civil society is ireplacable, especially by knowing the economic difficulties through which Kosovo has passed immediately after the war and the transition phase, the expected departure of a large number of donors seriously undermine functioning and sustainability of the sector.

In this regard, civil society organizations have already begun to seriously seek alternative sources of funding, which are expected to be mainly local. As key management budget of the Republic of Kosovo, the Government can take a very important role in this regard. Eventhough in the past, state funding for civil society organizations were not lacking. It is estimated that about 8% of funding for civil society have been received from the budget of the Republic of Kosovo, while accurate statistics on funding for civil society there are no data from the government level. In almost all European countries, funding from various government mechanisms represents a significant percentage of overall funding of CSOs. In 2003, the percentage of CSO funding from government funds was ranged from 30% in Sweden and Norway to 70% in Ireland and Belgium, while in countries of Central and Eastern Europe from 20% in Slovakia to 40% in the Republic Czech.

However, currently concern remains present on some important aspects regarding how the grant funding, of which relate to the selection criteria and procedures of the beneficiary organizations, reporting and monitoring mechanisms, and most importantly, mechanisms that

would ensure maintaining the independence of the civil society organizations that receive government funding. However, currently concern remains present on some important aspects regarding the grant funding, of which is related to the selection criteria and procedures of the beneficiary organizations, reporting and monitoring mechanisms, and most importantly, mechanisms that would ensure maintaining the independence of civil society organizations that receive government funding.

For this reason, it is important that the government provide financial support to the civilian sector, but financial support will make within a transparent system, with predetermined criteria and clear mechanisms for reporting and monitoring. Also, considering that a significant number of civil society organizations have the mission to advance public interest, should be considered other sources of public funding in addition to the budget of the Republic of Kosovo. For example, many countries apply the model of "lottery funds" or "direct orientation certain percentage of taxes" to raise funds for the development of civil society. All these elements need to be treated by analyzing the specifics of Kosovo and building a system that would increase the effectiveness of public funds spent, but also to preserve the independence of action of civil society organizations that receive funding from the government.

Another important aspect is the Public Benefit Status, which exists in Kosovo since 1999, but in recent years has been faced with numerous problems of harmonization between various laws and implementation in practice. Harmonization of obligations and benefits for organizations that enjoy this status would advance the work of public benefit organizations, thus contributing directly in addressing different issues of which benefit marginalized groups, or Kosovo society in general. In parallel with this, the problem appears to encourage private donations and philanthropy, which may represent a source of great interest to civil society. Tax facilities for private donors and companies must be clearly regulated under the fiscal system of the Republic of Kosovo by creating a supportive environment for philanthropy and sponsorship.

In recent years, the proportion of EU funding for civil society is steadily increasing, and it is expected to increase further. However, the European Union's procedures require that part of funds from co-beneficiary organizations, thus making the absorption of EU funds very difficult for Kosovar organizations. Co-financing of EU funds for civil society is one of the issues

addressed by this strategy, along with the involvement of civil society in government mechanisms of donor coordination.

Last, civil society organizations is quite helpful as well as non-financial support, namely making available to organizations and their activities of various resources that are in the possession of public authorities. While most of this practical support is offered by municipal level, this strategy aims to establish the general principles under which public authorities at different levels will supported various civil initiatives.

Planned measures to achieve the objective are:

- Measure/Strategic sub-objective: 3.1. Legislation reform to implement joint projects
- Measure/Strategic sub-objective: 3.2. Creating supportive environment for philanthropy and sponsorship
- Measure/Strategic sub-objective: 3.3. Standardization of public benefit status
- Measure/Strategic sub-objective: 3.4. Civil society involvement into donor coordination mechanisms
- Measure/Strategic sub-objective: 3.5. Defining criteria for the award and implementation of grants from public funds
- Measure/Strategic sub-objective: 3.6. Defining criteria for non-financial support to CSOs

Strategic objective 4: Promoting an integrated approach to volunteering development

In general and in principle, volunteering is the working practices of people who work for others without being motivated by financial or material benefits. Volunteering is mainly related to an altruistic activity, which intends to promote the highest quality life for people. People also participate in work and volunteer activities to gain new skills without the need of having financial investment of the employer. Volunteering can be in different forms and is practiced by different groups of people. Many volunteers are specifically trained on the area they operate, for example, in medicine, education or emergency rescue. Others take part in voluntary work and activities based on need and demand, eg. Reacting to natural disaster. As such, volunteering is one of the key elements of civil society.

There are two major benefits that volunteering brings. Firstly, economic benefit, since volunteering is an important economic assistance for the society. Activities carried out by volunteers, otherwise it should be financed by the state or private capital. Volunteering creates an added value to the overall economic balance of the state and reduces government spending. But volunteering has also a second dimension, perhaps the most important in terms of positive effects. It helps to create strong and cohesive communities. Volunteering increases the level of trust between people and helps develop norms of reciprocity and solidarity, which are essential for stable communities. Furthermore by assisting in construction of this "social capital", volunteering plays an important role in economic regeneration.

Promotion and application of voluntary work is coordinated action of relevant sectors of society, where the state, civil society, businesses and families are part of it. Kosovo has a bright period of social mobilization (solidarity and volunteering) during the 90's. This practice is not shown stable even in the post-war years. The basic reasons of this disconnect are: the new political and social context, belief that the state should be responsible only for social welfare, lack of adequate policies and legislation, and application of the principles of free market economy destroyed in a post -conflict. This degradation of volunteer work has affected in damaging the social capital of Kosovo citizens.

Volunteering is an area which is adjusted with the legislation and state policies of Kosovo. Law on Youth Empowerment and Participation, in general treats youth volunteerism, and defines it as "youth activities organized by the respective institution, where young people voluntarily offer their time, work, knowledge, skills without fee or reward, serving the community, for the benefit of society ". This law is limited to treating only volunteering at age 15-24 years old, by leaving untreated other part of society who has a great potential of voluntary work. Moreover, restrictions in certain sectors makes the overall institutional approach to volunteering fragmented and insufficient to develop volunteering work throughout society.

Taking into account the diversity of volunteering, it is almost impossible to suggest universal models for its development through laws and policies, without addressing this issue through a comprehensive debate and based on the detailed information and analysis. What function in a state, can be counterproductive in another country, with different culture and traditions. Volunteering is a product of the environment in which it develops and government policies for

promotion and volunteering development in one country may not be appropriate for another country.

For this reason, this strategy aims to initially analyze and identify the needs and profile of volunteering in Kosovo, and according to this the debate should be developed and to build an adequate system to the specific needs of Kosovo. The principles which will be determined by subsequent legislation and policies will aim to build an integrated system of volunteering, including different areas and institutions that are necessary for development of volunteering potential.

Planned measures to achieve the objective are:

- Measure/Strategic sub-objective: 4.1. Identifying the needs and profile of volunteering in Kosovo
- Measure/Strategic sub-objective: 4.2. Defining principles of the system for an integrated approach towards development of volunteering
- Measure/Strategic sub-objective: 4.3. Building monitoring system and reporting for volunteerism

Mechanisms responsible for monitoring the implementation and report of government strategy for cooperation with civil society

Establishment of mechanisms for cooperation between civil society and government and strengthening the dialogue and cooperation between them shall mean the partnership on equal basis and goodwill. Based on this Strategy, the government should develop mechanisms and structures that will define specific duties and responsibilities of each party in the context of partnership and also to create reporting and monitoring mechanism that will follow the implementation of specific tasks arising from this Strategy.

Office of the Prime Minister / Office on Good Governance, with the help of CiviKos will be responsible for coordinating the whole process of implementation of the Strategy and Action Plan, and to provide an independent approach to monitoring and evaluating the success of implementation of this Strategy will be funded a joint commission with participation of both parties. The mandate of this Council will also include discussion and propose solutions to issues that are not part of this Strategy, but which affect in the cooperation of both parties and concern of each party. The Council will be co-chaired by representatives of CiviKos Platform and representatives from the Government of the Republic of Kosovo, while the Office of the Prime Minister / Office on Good Governance, OGG will serve as Secretariat and will be responsible body for monitoring and reporting on implementation of the Strategy and Action Plan.

The purpose of establishing, organizing, conducting efficient and legitimate responsibilities of the Council, immediately after adoption of this strategy, OPM / OGG with CiviKos Platform will prepare a special regulation which will set rules of procedure, organization, scope, functions of the council and the manner of selection of members.

Also, OPM / OGG with CiviKos Platform and in cooperation with other interested organizations will organize promotional campaigns in order to be informed all institutions and civil society on the approval of this Strategy and regarding benefits and obligations arising from this Strategy.

OPM / OGG is obliged to publish the report on annual basis, on implementation of the Strategy and Action Plan and Platform CiviKos and other interested organizations will be invited to

regularly monitor and report on the implementation of parallel concrete activities provided with this Strategy. Based on monitoring and reports of both parties, the Council shall be authorized to assess and review the Strategy after a two-year period.

SHTOJCË: Memorandumi i Bashkëpunimit i Qeverisë së Kosovës me Platformën CiviKos

MEMORANDUM BASHKËPUNIMI

i

Qeverisë së Kosovës

me

Platformën CiviKos

Të përkushtuar për

- **Ndërtim të demokracisë**, që e çmon aktivitetin e shoqërisë civile dhe e mbështet të drejtën e individit në asociim të lirë me të tjerë, duke e krijuar një mjedis të favorshëm ligjor për veprimin dhe fuqizimin e organizatave të shoqërisë civile.
- **Qytetari aktive**, duke ju bërë të mundur qytetarëve të marrin pjesë në vendim-marrje;
- **Pluralizëm**, të bazuar në diversitetin e identiteteve dhe të interesave brenda Kosovës, përfshirë edhe grupet e minoriteteve, minoritetet etnike dhe personat me aftësi të kufizuara, duke e mbështetur të drejtën e secilit grup që të shpreh, në emër të vet, interesat e veta;
- **Të drejta të njeriut**, duke inkurajuar respektin për njëri tjetrin si individ, por edhe si pjesëtarë të komunitetit me vlera të përbashkëta;
- **Mundësi të barabarta**, me qëllim të parandalimit të diskriminimit dhe përmirësimit të kushteve dhe rrethanave, për ti dhënë shanse të gjithë pjesëtarëve të shoqërisë që t'i realizojnë të drejtat që ju takojnë.
- **Transparencë**, që kërkon punë të hapur të institucioneve vendim-marrëse, komunikim dhe llogaridhënie, për luftim të korrupsionit dhe me qëllim të krijimit të kushteve për mirëqenie për të gjithë.
- **Punë ndër-sektoriale**, për të promovuar bashkëpunim ndër-sektorial dhe ndër-ministoror më qëllim që t'i përgjigjemi nevojave komplekse të shoqërisë, e që shpesh nuk mund të parcializohen.
- **Zhvillim të qëndrueshëm**, që i plotëson nevojat e tashme, pa ju vështirësuar mundësitë gjeneratave të ardhshme që t'i plotësojnë nevojat e veta.
- **Bashkëpunim** më të mirë të institucioneve publike, qytetarëve dhe shoqatave të tyre.

Dëshirojmë të koordinojmë përpjekjet tona për të realizuar qëllimet e përbashkëta dhe për të vendosur një partneritet gjithëpërfshirës. Me këtë Memorandum, pajtohemi që me dispozitat në vijim të rregullojmë bashkëpunimin tonë:

Neni 1 - Qëllimi

Qëllim i këtij Memorandumi është që të vendoset një kuadër për bashkëpunim i Qeverisë së Kosovës dhe organizatave të shoqërisë civile, që do të rezultojë në ndërtimin e Strategjisë së Qeverisë së Kosovës për bashkëpunim me organizatat e shoqërisë civile.

Neni 2 - Definimi i koncepteve

Për nevojat e këtij Memorandumi, konceptet e poshtëshënuara, e kanë kuptimin në vijim:

Koncepti **Qytetar** nënkupton të gjithë individët që jetojnë në Kosovë në mënyrë të ligjshme.

Organizata të shoqërisë civile konsiderohen të gjitha llojet e organizatave të themeluara në bazë të lirisë së asociimit, që nuk janë themeluar me qëllim të përfitimit, si shoqatat, fondacionet, dhe organizatat e tjera të natyrës së ngjashme, që pa marrë parasysh se a janë të regjistruara, apo jo.

Shoqëria civile nënkupton bashkëpunimin e qytetarëve në bazë të iniciativës së lirë, për të realizuar interesat e veta, për të diskutuar çështjet publike dhe për të marrë pjesë në procesin e vendim-marrjes, si dhe shoqatat, rrjetet, institucionet, etj. që e mundësojnë një bashkëpunim të këtyllë.

Neni 3 - Partneriteti

Zotimet e qeverisë së Kosovës

Për të inkurajuar ndërtimin e një praktike të mirë dhe metodave të bashkëpunimit në vendim-marrje, Qeveria merr përsipër që:

- Të bashkëpunoj me sektorin e shoqërisë civile për të zhvilluar politikat;
- Të promovojë dialog efektiv, duke e përdorë një plan të përshtatshëm;
- Të bashkëpunojë me sektorin e shoqërisë civile në çështjet që janë preokupim i cilësdo palë, në frymë të hapur dhe të partneritetit;
- Të njohë rolin e CiviKos dhe të organizatave të tjera përfaqësuese të shoqërisë civile në përfaqësimin e pikëpamjeve të anëtarësisë, pa e mohuar të drejtën e organizatave individuale që të përfaqësojnë pikëpamjet e veta;
- Të sigurojë se në procesin e zhvillimit të politikave, do të merret plotësisht parasysh ndikimi që politikat mund të kenë në sektorin e shoqërisë civile dhe në grupet e komuniteteve;
- Të siguroj qytetarët se të gjitha informacionet me të cilat disponon Qeveria janë të hapura për publikun, nëse nuk është e përcaktuar ndryshe me ligj; dhe
- Të ketë parasysh kufizimet në resurse me të cilat ballafaqohet sektori i shoqërisë civile për pjesëmarrje në vendim-marrje dhe në partneritet me Qeverinë.

Zotimet e organizatave të shoqërisë civile

Për të bashkëpunuar me Qeverinë, resorët e saj, si dhe me institucionet e tjera publike, sektori i shoqërisë civile merr përsipër që:

- T'i promovojë vlerat e punës në partneritet, në bazë të interesit të anëtarëve të tyre, shfrytëzuesve të shërbimeve të tyre, dhe publikut të gjerë;

- Të siguroj se do të bëj përpjekje maksimale të mundshme që të informohet një rreth sa më i gjerë i organizatave të shoqërisë civile për bashkëpunimin me qeverinë, për zhvillimin e politikave dhe praktikave që e promovojnë dialogun efektiv;
- Të punojë me Qeverinë në çështjet që e preokupojnë cilëndo palë dhe në frymë të hapur dhe të partneritetit;
- Të sigurojë që përfaqësuesit e vet të jenë të informuar dhe të mbështetur si duhet në të gjitha takimet e partneritetit; dhe
- Të respektoj konfidencialitetin e informacioneve të qeverisë, nëse konfidencialiteti është përcaktuar në përputhshmëri me procedurat ligjore.

Neni 4 - Resurset

Zotimet e qeverisë së Kosovës

Mbështetja financiare e projekteve të organizatave të shoqërisë civile do të bazohet në procedura të qarta të vlerësimit të punës. Qeveria do të:

- Zbatoj çdo herë praktikat më të mira në financim dhe në administrim të granteve, përfshirë pagesën me kohë të fondeve të miratuara;
- Të zbatoj standardet më të mira për monitorimin e punës së financuar nga fondet publike, si dhe të zbatoj dhe të promovoj procedurat e “vlerësimit më të mirë” në mënyrë që të sigurojë trajtim të barabartë, konform kriterëve të përcaktuara paraprakisht, të organizatave të shoqërisë civile;
- Ti fokusojë resurset, përfshirë resurset jo-financiare, në mënyrë efektive duke i pasë parasysh edhe ndryshimet e nevojave të shoqërisë;
- Të mbaj dokumentacionin, në mënyrë që të dokumentohet se është marrë në konsideratë ndikimi potencial në sektorin e shoqërisë civile, si pjesë e zhvillimit të politikave; dhe
- Të respektojë konfidencialitetin e informacioneve sensitive komerciale, në përputhshmëri me procedurat ligjore.

Zotimet e shoqërisë civile

Në shfrytëzimin e resurseve publike, sektori i organizatave të shoqërisë civile ndërmerr që të:

- Mbrojë dhe të mbështes rëndësinë e menaxhimit të mirë të resurseve financiare dhe jo-financiare, si dhe të promovoj standardet më të mira të menaxhimit, duke përfshirë përmbushjen e kushteve të mbështetjes me resurse publike;
- Bëj përpjekje për të siguruar “vlerat më të mira” për objektivat e deklaruara me resurset që i përdorë, si dhe të zbatojë dhe të promovojë procedurat e “vlerës më të mirë” në mënyrat që e sigurojnë barazinë e trajtimit të organizatave të shoqërisë civile;

- Bëj monitorimin, vlerësimin e punës, dhe të përgadis dhe paraqes raporte sipas marrëveshjes, për të siguruar shfrytëzimin efektiv të resurseve; dhe
- të pranoj se resurset publike janë të kufizuara, dhe se kontributi i Qeverisë bazohet në prioritetet e përcaktuara me politika.

Neni 5 - Zbatimi

Zotimet e qeverisë së Kosovës

Duke e mbështetur këtë Memorandum, Qeveria e Kosovës, me ndihmën e Ministrive dhe të agjencive të saja, e udhëhequr nga Zyra e Kryeministrit për Qeverisje të Mirë, e merr përsipër që të :

- vendosë plane dhe procedura efektive për të zbatuar këtë memorandum;
- themeloj një kuadër të pranueshëm për të monitoruar dhe për të vlerësuar veprimet e Qeverisë, së bashku me sektorin e shoqërisë civile;
- vendosë mekanizmat për të mundësuar bashkëpunimin ndër-ministor në mënyrë që të ndërtohet Strategjia e Qeverisë së Kosovës për bashkëpunim me shoqërinë civile.
- promovojë frymën dhe parimet e këtij Memorandumi në të gjithë sektorët e qeverisë, agjencitë e saj dhe në institucionet e tjera publike, përfshirë institucionet publike komunale; dhe
- raportoj rregullisht në progresin e implementimit të memorandumit para CiviKos, Qeverisë dhe publikut të Kosovës në përgjithësi.

Zotimet e shoqërisë civile

Duke e mbështetur këtë Memorandum, organizatat e shoqërisë civile e marrin përsipër që të:

- informojnë një numër sa më të madh të organizatave të shoqërisë civile dhe publikun e gjerë për Memorandumin, të arriturat që shoqëria i përfiton nga Memorandumit dhe obligimet që duhet t'i përmbushë sektori i shoqërisë civile për t'u realizuar memorandumit;
- promovojë frymën dhe parimet e memorandumit në kontaktet me Qeverinë, institucionet publike, përfshirë institucionet publike komunale;
- vendosë një kuadër të duhur, së bashku me institucionet qeveritare për të monitoruar dhe për të vlerësuar zbatimin e Memorandumit; dhe
- raportoj rregullisht për progresin në zbatimin e Memorandumit para organizatave të shoqërisë civile, Zyrës së Kryeministrit për Qeverisje të Mirë, Qeverisë dhe para publikut të gjerë.

Neni 6 – Nënshkrimi dhe hyrja në fuqi

Ky memorandum nënshkruhet sot më datën 09/11/2007 në dy kopje origjinale, hyn në fuqi në momentin e nënshkrimit nga palët dhe në prezencën e përfaqësuesve të autorizuar të të gjitha organizatave të shoqërisë civile, anëtare të CiviKos.

Për Qeverinë e Kosovës

Për CiviKos

Agim Ceku

Linda Bunjaku

Kryeministër

Kryetare