



8TH CIVIL SOCIETY FORUM REPORT



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22 November 2017, 15:00 – 18:00

Merit Hotel Nicosia

The 8th Civil Society Forum of Civic Space was held at Nicosia on 22nd November 2017 with the participation of 31 Participants from 26 CSOs. The Forum started with the welcoming note of Marija Jancic-Amberg, the Team Leader of Civic Space and continued with the agenda topics, as presented below. (*Please see Forum Agenda in Annex 1 and Participant List in Annex 2.*)

BACKGROUND INFORMATION

Civic Space Steering Committee CSO member Süreyya Çelmen Değer and Capacity Building expert Selen Lermioğlu Yılmaz provided brief information to remind the participants about the process that was led since 2016, which included a set of consultation meetings as well as studies. A document was distributed by Çelmen Değer, summarizing the process and findings of the previous process.

PRESENTATION OF CIVIL SOCIETY STRATEGIES AND SITUATION ANALYSIS AND EXISTING PRIORITIES IN THE NORTHERN PART OF CYPRUS

The presentation was made by Luben Panov, a senior expert from the European Center for Not-for-Profit Law (ECNL). He covered the below topics in his presentation:

- What are CS Strategies
- What do they contain
- Who/which institutions adopt them
- What have been their practical effects in selected EU countries
- How are they developed
- Why do we need them
- What priorities have already been identified for the northern part of Cyprus.

(Please see Annex 3 for the ENG presentation made by Luben Panov).

WORKING GROUP PROCEEDINGS

Three small groups convened to discuss the already identified priorities under 3 different topics and to identify if necessary additional priorities. The three groups were as such: Financial Environment; Participation in Decision Making; Legal and Structural Framework. Each group focused on the following questions and guiding principles put forwards by Luben Panov:

- **List key measures under each area:**
 - Is it important for all CSOs?
 - How realistic/achievable it is in 3-5 years?
- **Measures should be:**
 - Clear
 - Not too general
 - Not too detailed
- **What are the expected results under each area after completion?**
- **Monitoring mechanisms and how should CSOs be involved?**

Each working group was facilitated by 2 CSO representatives of the CS Enabling Environment Working Group Members (Emete İmge, Hassan Vahib, Mehveş Beyidoğlu, Melis Eroğlu, Salih Örses, Süreyya Çelmen Değer). Based on the decision made previously with the CSO representatives, they

will be drafting the recommendations and proceedings of their groups, which will then be compiled by Civic Space and sent to ECNL that will provide technical assistance in finalizing the draft strategy.

(Please see Annex IV for the proceedings of the working groups)

ANNEX I – Agenda

- 15:00 – 15:15 Registration
Welcome note by Marija Jancic-Amberg, Civic Space Technical Assistance Project Team Leader
- 15:15 – 15:30 **Background Information:** Süreyya Çelmen Değer, Civic Space Technical Assistance Project Steering Committee CSO Representative and Selen Lermioğlu Yılmaz, Civic Space Technical Assistance Project Capacity Building Expert
- 15:30 – 16:15 **Presentation:** Strategies for CS development and situation analysis & existing priorities in the northern part of Cyprus, Senior Expert Luben Panov, European Center for Not-for-Profit Law (ECNL)
- 16:15 – 16:30 Coffee break
- 16:30 – 17:30 **Working Groups:** 3 working groups on financial environment, participation in decision-making and legal and structural framework facilitated by Luben Panov and Civil Society Enabling Environment Working Group representatives
- 17:30 – 18:00 **Summary of Working Group Proceedings & Recommendations for Next Steps,** facilitated by Senior Expert Luben Panov, ECNL
- 18:00 – 18:45 Refreshments & Snacks

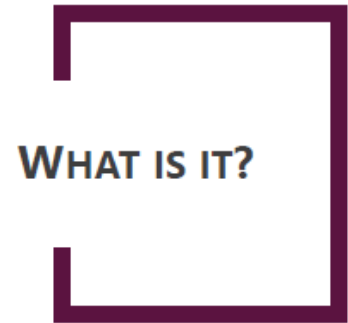
ANNEX II – List of Participants

Organization	Name	e-mail
AKDER	Nisbet Kızılyürek	akder1991@gmail.com
Akova Women's Association	Aysel Bodi	ayselbodi@hotmail.com
Envision Diversity	Salih Örses	salih.orses@windowslive.com
Universal Patient Rights Association	Emete Imge	emeteimge@hotmail.com
Universal Patient Rights Association	İzlem Sönmez	isonmez@ehhd.eu
French Culture Association	Heran Çiftçi	heranciftci@gmail.com
French Culture Association	Kemal Dorum	kemaldorum@gmail.com
HASDER	Ali Nebih	alinebih@gmail.com
HASDER	Kani Kanol	kanikanol@gmail.com
Cancer Research Foundation	Sevinc Miralay	sevmir@hotmail.com
Cancer Research Foundation	Mustafa Kanizi	mutfakanizi56@yahoo.com
Cancer Research Foundation	Fikret Hasan	-
Kemal Saraçoğlu Foundation	Övgü İnce	ovguince@kemalsaracoglu.org

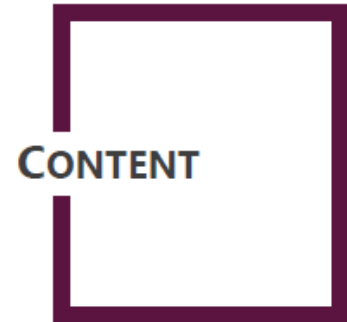
Cyprus Green Crescent Association	Fatma amlıköylü	fcamlikoynu@gmail.com
Cyprus Turkish Diabetes Associaiton	Ali Yıldırım	a_yildirim@hotmail.com
Cyprus Turkish Orthopedic Disability Association	Ahmet Akdeniz	ahmet_akdeniz71@hotmail.com
Queer Cyprus Association	Erman Dolmacı	dolmaci90@gmail.com
KUŞKOR	Damla Beton	damlabeton@gmail.com
Association of Cave Enthusiasts	Salih Gücel	sgucel@hotmail.com
Management Centre	Suay Anil	sanil@mcmed.eu
Maraşder	Ali Furkan etiner	-
Refugee Rights Associaiton	Neslihan Güzey	neslihanguzey@gmail.com
POST-RI	Mehveş Beyidođlu	mbeyidoglu@yahoo.co.uk
POST-RI	Hassan Vahip	vahib1@yahoo.com
Peace Players International - Cyprus	Süreyya elmen Deđer	sdeger@peaceplayersintl.org
SOS Children's Village Association	Cemil Hafiz	Cemil.Hafiz@soscocukoyu.org
Social Transformation Centre	Melis Erođlu	melismaticus@yahoo.com
Clean Society Association	Erkut Derviş Özgöray	erkutozgoray@yahoo.com
Green Action Group	Bahadır Mahmutođlu	b_gaz@yahoo.com
Green Action Group	Ersun Aytaç	ersunaytacol@gmail.com
Youth Power	Seziş Thompson	sezis@youthpowercyprus.org

ANNEX III – Presentation

- A policy document
- Supports CSO development and enabling environment
- Establishes framework for partnership;
- Coordinates the policy towards NGOs;
- Serves as a roadmap.



- History/Analysis of NGO sector and state of cooperation
- Principles
- Areas of support
 - Legal framework
 - Funding
 - Participation in policy making
 - Service delivery....
- Implementation and responsibilities
- Action Plan
- Monitoring and procedure for amendments



- **Bulgaria** – a new funding mechanism on a competitive basis to be adopted;
- **Estonia** – the EKAK Committee and the Civil Society Foundation;
- **Croatia** – Rules on Public Funding and Rules on Participation in Decision-making.



- Parliament
 - *Estonia, Moldova*
- Government
 - *Croatia, England, Hungary, Macedonia, Montenegro, Bulgaria*
- Ministries
 - *Denmark, England, Hungary*




- Initiative from the CSOs
- Priorities determined publicly
- Cross-sectoral working group (including also government)
- Open and public process with possibility to provide opinions at various stages
- Several rounds of discussions (both online and in-person)
- Give more visibility to the sector and ensure recognition of CSOs and their contribution to state policies;
- Have something tangible that can be used as a reference point;
- Bring CSOs together to agree on a common purpose;
- Build trust and understanding towards the CSO sector;
- Create an enabling environment for civil society;
- Set principles for cooperation.
- **Funding**
 - Criteria for transparent public funding
 - Street collections
 - Tax benefits for CSOs and their donors
- **Legislation**
 - Public benefit/Charity legislation
 - Associations law
- **Participation in decision-making**
 - Standards for participation
 - Assembly legislation
 - Monitoring and implementation of the Strategy (incl. institutional body)



HOW TO DEVELOP?



WHY WE NEED IT?



SUGGESTED TOPICS

ANNEX IV – Summary of Working Group Priorities on CS Development Strategy

Financial Framework Working Group – facilitated by Emete İmge and Salih Örses

FUNDING PROVIDED BY THE TC ADMINISTRATION

- Each year, certain amount of the taxes shall be allocated in accordance with the designated themes. It shall be sustainable and shall not be politicized. There may be certain and central funding mechanism, one or more committees in which the CSOs would be involved and all funding may be collected herein and distributed from here. It would not be appropriate to create such a mechanism under any “ministry”.
- Each year, priority themes/issues based on the strategy document will be identified and funds will be allocated on these themes – hence the organizations may make their applications accordingly. Clear criteria shall be determined for funding allocation, and the procedures shall be very transparent. Allocation of the funding shall be based on the presentation of projects and their evaluation.
- Funding amount shall be increased. An accountability body will be identified for independent monitoring and audit of the funding provided. This body will include CSOs in its monitoring, reporting and evaluation. The legal framework should be improved for this monitoring and audit mechanism with clear regulations and working principles.
- Additional audit and monitoring measures shall be created, such as under the “parliamentary assembly”, conducting annual and/or 2 years’ extended meetings which will include CSOs.
- All related stakeholders shall be included in the mechanism to be established for both distribution of funding and its auditing, it shall have a wide range of participants including universities (CSO centres); CSO representatives and other relevant groups/institutions. The funding will be diversified to cover the diversity of civil society, including newly established ones.
- Implementation criteria shall also be more flexible and simple. More detailed documents and information shall be requested from older and more established organizations. An approach encouraging participation shall be adopted.

FUNDRAISING

- The legal texts on charity and fundraising are very outdated, some even dating back to the British rule. As it stands at the moment, it is mandatory to obtain a permit from the “district governorship” for each public fundraising activity which is not in line with international and EU level standards. It shall be amended in its entirety to lift permission requirement for CSOs and allow them to conduct fundraising activities freely.

TAX BENEFITS FOR DONORS

- The current legal texts are far away from drawing a clear and explicit framework. It is necessary to review the existing benefits in the legal texts governing both the corporate tax and income tax to ensure they provide sufficient and clear benefits for donors to CSOs.
- It is equally important to focus on how to facilitate the implementation of the respective legal texts. It is important to review the implementation practices and prepare a related guide and information on how tax benefits for donors could be used. The respective Guide shall cover information about under what circumstances and for whom tax exemptions/deductions are applicable, how much deduction can be awarded to what type of donations, what shall the corporations and individuals (donors) do in order to benefit from tax deductions.

TAX EXEMPTIONS FOR CSOs

- There is a need to revise the legal text on Charitable Organizations which is outdated and not compatible with today’s conditions. In addition, there shall be a review of the existing tax exemptions for CSOs, to ensure that the tax framework provides a spectrum of benefits to all CSOs and not only to charitable organizations. As such, the legal framework will be developed and amended by bringing a public benefit status compatible with EU standards and good practices.

VOLUNTEERING

Regulations shall be amended, new ones will be drafted if/when necessary and put into effect for promoting and encouraging volunteerism.

Legal and Structural Framework Working Group – facilitated by Melis Erođlu and Süreyya Çelmen Deđer

- There is a need to update the “law on foundations” and render it as amenable to current conditions and needs. Specifically, the needs and operations of the “modern (çağdaş) foundations cannot be properly met with the existing legal framework. There are several problems in the existing legal text on a variety of issues such as vagueness and challenges in founding and managing a foundation and to which authority they are liable to in their activities, permissions, etc. These all result in implementation problems. Thereby, a new legal text governing the founding and operations of foundations shall be drafted and adopted, which will be compatible with EU standards. Compatibility with the legal text on associations shall also be sought. This draft will be prepared in consultation with the CSOs, specifically with foundations.
- A “regulation/by-law” for the new legal text is necessary for proper, consistent and systematic implementation and it shall be drafted in consultation with CSOs. Guidance and trainings will also be provided to ensure its proper implementation.
- There is a need for increasing the knowledge of the employees/staff in the “district governorships” about the legal framework and their implementation. The lack of sufficient expertise leads to a considerable loss of time and labour. Insufficient and incoherent knowledge and guidance of the employees may, from time to time, lead the organizations to take wrong steps and even be fined. The respective employees of the “district governorships” shall be provided periodic trainings on civil society and its role, international and EU standards around freedom of association, as well as the existing legal framework.
- Registration problem about the activities of the civil society – some activities of some organizations become a matter of public record, this is done by some associations for a long time. For example, the foundation for research on cancer organizes an Orchid Walk (Orkide Yürüyüşü), and when another institution organizes an activity under the same name, what happens? Registration of the activities is very difficult. Something like a ‘Registrar of the Associations’ may be established. They have already registered it with the Registrar of the Companies but the legal arrangements for the registry of registered and branded activities, the bureaucratic obligations during the registry process were very hard. These shall be reduced for the NGOs.
- Establishment of a coordination centre. It is suggested that this coordination center shall give explanatory information to civil society organizations about their legal rights and responsibilities, organize trainings for capacity building, as required, and coordinate the relations between the state and CSOs. It was also suggested that this centre may also assume the duty of auditing if it has a legal independence.
- Registration/patenting problem about the activities of the civil society was raised by some group members – some activities of some organizations that become publicly known for years should and could be receiving a patent. Currently, there is no such possibility for CSOs, when/if a patent wants to be received, CSOs also has to apply to the registrar of patent for commercial companies. But the legal arrangements for the registry of registered and patented activities are too bureaucratic and difficult for CSOs, hence some measures should be taken to ease this process for CSOs.

Participation in Decision Making Working Group – facilitated by Hassan Vahib and Mehveş Beyidođlu

- A crucial element of participation is civic education. In order for people to participate either directly or through CSOs, they need to understand the benefits of participation and the value of being involved in the decision-making process. It is necessary to encourage the youth to engage in civil society, and include civic education in the schools. The new “law on associations” facilitates the membership of the children to the associations so it is important to organize awareness and capacity building at schools. The curriculum shall be reviewed and revised to ensure young people receive education on civil society and participation.

- A unit shall be established in the administration to efficiently oversee the relations and consultation with CSOs. In addition, similar units/focal points shall also exist in all administration units.
- A group in the "assembly" may be formed (e.g. Friends of CSOs) with those members who are familiar with and experience in civil society, to establish a continuous relation and consultation with civil society.
- With regards to the decrees with three signatures, as a procedure for civil servant appointments, CSOs shall also have a say: in particular for the appointment of the civil servants to the duties that are related with the civil society, it shall be ensured that CSOs also has a say in the matter.
- There are some committees, the establishment of which is stipulated in certain legal texts, and which envisage participation from civil society. Very often the selection criteria are not defined and clear in the respective provisions. Such "laws" (e.g. municipalities, labour) shall have clearer rules on how organizations participate. The bodies established under them shall also be open to control and monitoring of civil society - they shall be more transparent and accountable. Information about the possibility of CSO involvement in already existing legal texts shall be more widely made known.
- Capacity building work about the role and importance of CSOs shall be carried out in all existing administration units. This will help the administration understand better their potential partners. Similarly, the administration should support and help organize trainings for CSOs in collaboration with civil society on how to be involved in the decision-making process and what is the benefit for them.
- In addition to the demands from and recommendations to the administration, CSOs should establish a more powerful network and platform among themselves. People, who are capable of influencing the politicians also should be engaged as part of the platform/network, which will be established.



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