

# EU Civil Society Contact Group

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## Survey

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## How to improve relations between NGOs and the Council of the European Union?

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### EU Civil Society Contact Group recommendations



The European Forum  
for the Arts and Heritage

socialplatform



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The Civil Society Contact Group brings together eight large European NGO platforms in the following fields: culture (culture action europe), development (CONCORD), environment (Green 10), human rights (HRDN), lifelong learning (EUCIS-LLL), public health (EPHA), social (Social Platform) and women (EWL).

Together we work to develop the dialogue between civil society organisations and the EU institutions as an essential part of strengthening participatory democracy.

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## How to improve relations between NGOs and the Council of the European Union?

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#### Executive Summary

As part of a wider reflection on how to strengthen democracy in the European Union (EU), the EU Civil Society Contact Group (EU CSCG) looked at the relations between civil society organisations (CSOs) and the Council of the European Union (CoEU, i.e. the Member States), as the CSOs platforms coming together in the EU CSCG felt that the current practices are not tapping the full potential of it.

For the purpose of this paper, a questionnaire<sup>1</sup> was developed and disseminated to the members of these platforms. This document is also to be seen in relation with the implementation of Article 11 of the Lisbon Treaty that determines the legal basis of the EU institutions' contacts with civil society organisations.

The aim of this exercise was threefold:

- to understand the current practices at European and national level
- to identify good practices
- to develop recommendations for CSOs, the Council and the Member States

Based on the responses received<sup>2</sup> to the questionnaire and discussions held in a lunch debate on the issue, this paper identifies the main trends of the relations between the Council and CSOs, formulates recommendations for the Council and national ministries as well as for CSOs themselves. The annexes describe in more detail the responses to the questionnaire and two experiences (one national and one European).

#### **FINDINGS:**

##### **TRENDS IN THE RELATION BETWEEN CIVIL SOCIETY ORGANISATIONS AND COUNCIL**

The information gathered gives the following picture of CSOs-EU Council relations:

- *involvement of CSOs with the Council is primarily the result of their own efforts*

The Council doesn't have a strategy of how to work with civil society organisations, therefore contacts between CSOs and the Council remain very informal and depend a lot on the CSOs' willingness, capacity and resources to be involved.

- *contacts are more useful for information gathering and organisation profiling than for impacting decisions*

The contacts are seen by the CSOs as useful for intelligence gathering and rising the organisations profile, but factual impact on the Council decisions is difficult, even impossible, to evaluate. Efforts by CSOs to be in contact with representatives of the Council, seem to fall on fertile ground in the sense that many Council officials are keen to receive information.

- *importance of partnerships at national level*

EU presidencies that have experience of working with CSOs at national level seem to be interesting partners for CSOs wishing to extend and formalise contacts with the Council/Ministries.

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<sup>1</sup> Find the questionnaire [here](#).

<sup>2</sup> Responded to the questionnaire: 12 organisations working at EU level (from which 5 sectorial Platforms), 4 organisations from EU Member States (Bulgaria, Finland, Ireland, Slovenia), 1 organisation from a Non EU State

## RECOMMENDATIONS TO THE EU COUNCIL AND MEMBER STATES

The main fields of recommendations target together the Presidency, the Council Secretariat and the Member States' ministries and can be summarised in the following 4 key issues:

1. develop long term strategies for dialogue with and involvement of CSOs both at EU and national level
2. appoint permanent representatives/focal points for the relations with CSOs both at EU and national level
3. develop tools to improve communication and access to information both at EU and national level
4. exchanges of good practices between member states and between EU and national level

## RECOMMENDATIONS TO THE CIVIL SOCIETY ORGANISATIONS

The main fields of recommendations target both national / local organisations and European Platforms, and can be summarized in the following 5 key aspects:

1. better anticipate early involvement in EU policy making
2. improve coordination and mutual reinforcement both between EU and national level, and among European platforms
3. "informally formalize" by building long term trust relationships
4. adapt messages according to target level
5. include the Council early in the building of an advocacy, communication and media strategy

## GOOD PRACTICES EXPERIENCES

### *Social Platform intervening in informal Council of Social Affairs Ministers*

The Social Platform has been invited since 2000 by the Presidency to attend the trio meeting that precedes informal Council meetings and brings together the three presidencies that have a common program. Since 2007, this invitation has been extended to a participation and intervention during the informal Employment, Social Policy, Health and Consumer Affairs Council itself. A joint press conference, with the presidency, the European Commission and the Social Platform takes place after the trio meetings.

### *Slovenian Presidency*

During the Slovenian EU Presidency in the first semester of 2008, the participation of Slovenian and foreign NGO's was supported through a web portal ([www.Predsedovanje.si](http://www.Predsedovanje.si)) Public administration bodies were motivated to use the web portal for regular information-sharing with NGOs and to engage in the e-dialogue with them. The Slovenian Ministry for Environment and Spatial Planning has organized three Council briefings with the specific aim of involving NGOs in the development of thematic dossiers prior to Environment Council meetings.

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25.02.2009

#### 1 Background and methodology

As part of a wider reflection on how to strengthen democracy in the European Union (EU) and to overcome Brussels-centred decision-making, the EU Civil Society Contact Group decided as part of its work program 2008 to look at the relations between civil society organisations (CSOs) and the Council of the European Union (CoEU, i.e. the Member States) and the role of European CSOs' platforms in this respect.

Why did we choose to specifically look at the CoEU? The CSOs platforms coming together in the EU Civil Society Contact Group felt that they weren't tapping the full potential in what regards their working relations with the CoEU. We are convinced that strengthening the relation between CSOs and the CoEU as well as between CSOs and the Member States' governments would profit both sides. If CSOs at Member State level had more opportunities to engage with their governments on European decision-making, European NGO platforms would have more weight and could expect more involvement by their members. For the Council, as well as the Member States' governments, involvement of CSOs in decision-making is one way of increasing support to EU decision by citizens. Improving the working relations of CSOs with the Council and ministries needs to be seen in the wider context of strengthening European democracy.

Therefore the eight NGO platforms united in the EU Civil Society Contact Group earlier this year developed a questionnaire<sup>3</sup> that they then disseminated to their members. The aim of this exercise was threefold:

- to understand the current practices by gathering experiences of different NGOs at European and national level
- to identify good practices in order to help civil society organizations to strengthen their relations with the Council and the Member state governments
- to develop recommendations for CSOs, the Council and the Member States on how to improve their relations

This document is therefore to be seen in relation with the implementation of Article 11 of the Lisbon Treaty that determines the legal basis of the EU institutions' contacts with civil society organisations.

Based on the responses received<sup>4</sup> to the questionnaire and discussions hold in a lunch debate on the issue, this paper identifies the main trends in relations between the Council and CSOs and formulates recommendations for the Council and national ministries as well as for CSOs themselves. The annexes describe in more detail the responses to the questionnaire and the two experiences (a national and a European).

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<sup>3</sup> Find the questionnaire [here](#).

<sup>4</sup> Responded to the questionnaire

- 12 organisations working at the European level, from which 5 sectorial Platforms
- 4 organisations from an EU Member State: Bulgaria, Finland, Ireland and Slovenia
- 1 organisation from a Non EU State

## 2 Findings

### 2.1 Trends in the relation between civil society organisations and Council

Information gathered through the Civil Society Contact Group questionnaire leads us to sketch the following picture of relations between civil society organisations and the Council:

- Where CSOs have become more involved with the Council, this is primarily the result of their own efforts, not a result of a Council strategy, action plan or policy
- The Council doesn't have a strategy of how to work with civil society organisations
- Therefore contacts between CSOs and the Council remain very informal and depend a lot on the CSOs' capacity and resources
- The contacts are seen by the CSOs as useful for intelligence gathering and rising the organisations profile, but factual impact on the Council decisions is difficult, even impossible, to evaluate
- Efforts by CSOs to be in contact with representatives of the Council, seem to fall on fertile ground in the sense that many Council officials are keen to receive information
- EU presidencies that have experience of working with CSOs at national level seem to be interesting partners for CSOs wishing to extend and formalise contacts with the Council/Ministries

### 2.2 Good Practices

#### 2.2.1 *Social Platform intervening in informal Council of Social Affairs Ministers*

The Social Platform has been invited since 2000 by the Presidency to attend the trio meeting that precedes informal Council meetings and brings together the three presidencies that have a common program. Since 2007, this invitation has been extended to a participation and intervention during the informal Employment, Social Policy, Health and Consumer Affairs Council itself. A joint press conference, with the presidency, the European Commission and the Social Platform takes place after the trio meetings.

#### 2.2.2 *Slovenian Presidency*

During the Slovenian EU Presidency in the first semester of 2008, the participation of Slovenian and foreign NGO's was supported through a web portal ([www.Predsedovanje.si](http://www.Predsedovanje.si)) Public administration bodies were motivated to use the web portal for regular information-sharing with NGOs and to engage in the e-dialogue with them. The Slovenian Ministry for Environment and Spatial Planning has organized three Council briefings with the specific aim of involving NGOs in the development of thematic dossiers prior to Environment Council meetings.

## 3. Recommendations to Council, Member States' ministries and civil society organisations

### 3.1 Recommendations for the Council of the European Union

#### 3.1.1 *Presidency*

- Develop a strategy for an open dialogue and collaboration with European CSOs in the preparation, implementation and follow-up of its term
- Work with the troika to ensure continuity and coherence in the relationship with CSOs and the structures established to achieve this objective

- Encourage Member States to collaborate regularly with CSOs at national level and to develop a strategy for civil society involvement
- Appoint a high level official in charge of developing the collaboration with civil society during the preparation, implementation and follow-up of its term

### 3.1.2 *Secretariat*

- Appoint a permanent representative in charge of relations with civil society and support for Member States in developing the national strategies; and appropriately staff his/her service
- Develop - in cooperation with European NGO platforms - a strategy for involvement of civil society organisations: Although informal contacts are important, a certain formalisation seems desirable to respect principles of transparency and participative democracy
- Develop - in cooperation with European NGO platforms - tools to improve the access to information, communication and transparency of the Council activities and: Web portal, e-mail alert, briefing/debriefing sessions, civil servants responsible for relation with civil society organisations in each configuration

### 3.2 **Recommendations for Member States' ministries**

- Appoint permanent representative in charge of relations with civil society
- Develop - in cooperation with civil society organisations/National NGO platforms - a strategy for involvement of civil society organisations
- Develop - in cooperation with civil society organisation - tools to improve the communication of the Ministries activities: Web portal, e-mail alert, briefing/debriefing sessions, civil servants responsible for relation with civil society organisations in each Ministry
- For Member States with elaborated and successful cooperation with CSOs: Encourage other Member States to adopt similar principles and especially future EU Presidencies to integrate these notions into their priorities, strategies and action plans
- Encourage their Permanent Representations and the Secretariat of the Council to regularly dialogue with CSOs in order to prepare the Council meetings and to collaborate on the follow up of the dossiers
- Collaborate with the Council Secretariat in the elaboration of their national strategies ensuring synergies and coherence with the Secretariat's strategy

### 3.3 **Recommendations for CSOs**

#### 3.3.1 *National and local CSOs*

- Establish contacts and negotiate priorities with presidencies a year and a half in advance to contribute to the agenda setting
- Request involvement in the government's preparation for the Council meetings
- Coordinate systematically with European networks: While national civil society organisations should push with the Ministries, European platforms can concentrate on the EU presidency, participation in Council meetings and Council working groups. Combined efforts might be most adequate for contacts with the Permanent Representations.
- Communicate targeted political messages: Ministers are interested in political arguments, technicalities need to be discussed at another level
- Include the Council/Ministry in advocacy as well as communication and media strategies

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## 3.3.2 European Platforms

- Establish contacts and negotiate priorities with presidencies a year and a half in advance to contribute to the agenda setting
- Explain the expertise and representative role of European NGO platforms to Council secretariat and ministers
- Request participation in the Council meetings at ministerial and working group level
- Establishing working structures that allow systematic coordination with national members
- Encourage systematically the national members to provide information from the field in order to build cases and inform the institutions in Brussels
- Build capacities (training + information sharing) of the national member organisations to engage with their ministries on EU policies
- Support the national member organisations in their activities on EU policies at national level including briefing them about the competences and “marges de manoeuvre” of the different Council bodies
- Include the Council/Ministry in advocacy as well as communication and media strategies
- Coordinate with other European Platforms in order to be able to put joint pressure on member states blocking a welcomed initiative



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The European Forum for the Arts and Heritage



## Annex 1: Summary of responses to EU Civil Society Contact Group questionnaire

### *Before Council meetings*

The responding organisations only report a very limited number of *formalised* procedures that allow civil society organisations to engage with the Council prior to Council meetings.

Since 2000 the Social Platform has been invited by the EU Presidency to attend the trio meeting that precedes informal Employment, Social Policy, Health and Consumer Affairs Council meetings.

CONCORD gives a presentation of 45 minutes in the Council working group on development CODEV meetings twice a year. An exchange of view follows the CONCORD presentation.

The Green10 twice a year organise an informal pre-Council gathering on the eve of the Environment Council to which Environment ministers are invited.

CNVOS, Centre for Information Service, Co-operation and Development of NGOs in Slovenia, during the Slovene Presidency in the first semester of 2008 - has organised a series of briefings ahead of the Council meetings which enabled civil society organisations to directly exchange their views on certain issues with the relevant ministries. During the same period the Slovenian Ministry for Environment and Spatial Planning organised three briefings with the specific aim to involve the NGOs in the preparation of the Environment Council. The NGOs welcomed the initiative – although the exchange hasn't developed beyond information exchange towards real consultation.

In the absence of formal procedures, most of the responding organisations nevertheless do have informal contacts both before informal and formal Council meetings with the Council/Ministry. Largely it is the civil society organisations themselves that are at the origin of these contacts. Member States are not organised and prepared for such contacts. An Irish organisation notes that "Although we have made contact (with Ministries) at national level, we cannot say that there has ever been particular response: there doesn't seem to be any method of structuring this contact and it (their participation) seemed to take the departments (in the Ministry) somewhat by surprise". If civil society organisations take the initiative, meetings with Permanent Representations and Ministries seem in most cases possible. National organisations replying find it difficult to establish contacts with the COREPER. Contacts with the COREPER, if they take place at all, are very informal and depend a lot on personal contacts. The responding organisations evaluate them very differently: from quite good, to weak and unorganised.

The existing contacts between NGOs and the Council/Ministry show no regularity. Only few organisations report formal preparation meetings with the Council/Ministry. Very few organisations report systematic contacts. Contacts consist in informal meetings, phone calls and sending documents.

While civil society organisations communicate policy content (existing positions papers, specific briefings) the only information typically received by the Council is very general (agenda). Only a handful of organisations report that sometimes they receive early versions of the Council conclusions.

The impact of the contacts with the Council/Ministry before Council meetings is evaluated very differently by the responding organisations. One tendency that can be extracted from the responses is that the contacts are useful for intelligence gathering and raising the organisations profile, but that factual impact on the Council decisions is difficult to evaluate.

In Slovenia the new communication channels that were set up during the Presidency in 2008 have improved the frequency and quality of information exchange and have contributed to better responsiveness of both NGOs and the government representatives. It is though too early to evaluate impact on policies.

Although a few organisations feel that informal exchanges may have the most impact, a certain formalisation of NGO-Council relations seems desirable. Through the formalisation of contacts, the Council would become more accountable and increase the transparency of its contacts with civil society organisations. The Slovenian NGO-presidency web portal that was promoted as tool for communication between public authorities and civil society organisation is one example of formalisation. Other ideas raised to improve NGO-Council relations are the announcement of NGO liaison officers within the Ministries and at EU level as well as regular Council briefings organised by Ministries for national civil society organisations / the Council for European Networks (as by the Ministry of environment in Slovenia, see ).

### ***During Council meetings***

Most responding organisations can not take part in informal or formal Council meetings. A few human rights organisations do attend informal Council meetings; since 2007 the Social Platform is invited to attend partly and intervene in informal Council meetings (see page 9). Only very rarely an organisation may be invited to a formal Council meeting.

For the organisations that do participate, there is no rule on how many participant they (can) send: it varies from 2 to 6 representatives. Most organisations that can participate in meeting can also intervene shortly (5-10min). In the case of the Social Platform participating in trio meetings there is time foreseen for discussion. In informal Council meetings there is no discussion foreseen between the Social Platform representatives and the ministers.

The Social Platform describes its participation in the Council meetings as learning experience for the organisation. The impact of the intervention depends on the way the organisation communicates. The Social Platform presence and visibility in the trio and Council meetings led to it being more respected and listened to. Still the Social Platform misses discussion to take place following its interventions in trio and informal Council meetings.

### ***After Council meetings***

It is only on Human Rights that a few selected NGOs take part in a debriefing organised by the Council. In no other policy area debriefing sessions with the participation of NGOs are reported at European level. Other forms of debriefing only take place if NGOs initiate them.

Formal debriefing meetings and/or written information (online or per email) from the Council/Ministry would be appreciated by the responding organisations. It is thinkable that civil society organisation take part in organising debriefing meetings although it needs to be considered that for most organisations resources are already very limited.

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## **Annex 2: National and a European experience of engaging with the Council / Ministry**

### **CNVOS<sup>5</sup> experience during the Slovenian Presidency 2008**

During the Slovenian EU Presidency in the first semester of 2008, the participation of Slovenian and foreign NGO's was supported through a web portal ([www.Predsedovanje.si](http://www.Predsedovanje.si)) Public administration bodies were motivated to use the web portal for regular information-sharing with NGOs and to engage in the e-dialogue with them. The project continued until the end of 2008 and followed the main priorities during the French EU Presidency. At the time of writing follow-up was being discussed.

The practice of engagement with the Councils/Ministries prior to Council meetings was also developed further during the Slovenian EU Presidency. The Ministry for Environment and Spatial Planning has organized three Council briefings with the specific aim of involving NGOs in the development of thematic dossiers prior to Environment Council meetings. Information exchange could be improved by introducing this practice of regular council briefings in all relevant line ministries.

CNVOS - The Centre for Information Service, Co-operation and Development of NGOs in Slovenia - has organized a series of briefings/debriefings before/after the Council meetings which enabled NGOs to directly exchange their views with the relevant ministries. Although informal in nature, during the Slovenian EU Presidency the events were organized within the management partnership between the European Commission and the Slovenian governments by CNVOS as a contractor for the Government Communication Office. It is envisaged to continue the (de)briefings.

As these mechanisms of exchange of information and positions were only introduced during the Slovenian EU Presidency, it is too early to assess the policy impact. On more general level, the new communication channels have improved the frequency and quality of information exchange and have contributed to better responsiveness of both NGOs and the Government representatives. Nevertheless no mechanism was developed that would allow for systematic participation of NGOs in the Council meetings.

On the general level, participation of Slovenian NGOs in the policy development on the level of ministries is guaranteed in the rules of government procedure, which contain the obligation of public consultations. Some NGOs are engaged in the policy dialogue through regular consultation meetings with the ministries (especially in the environmental field) or have their representatives in various governmental bodies. For the selection of NGO representatives, CNVOS has developed a selection procedure, which enables transparent and inclusive selection. It is increasingly being used by the Ministries.

### **Social Platform's experience with the Informal Social Affairs Council**

The Social Platform has been invited since 2000 (first invitation by the Portuguese presidency) by the Presidency to attend the trio meeting that precedes informal Council meetings. It has been formalised since then. Since 2007, this invitation has been extended to a participation and intervention during the informal Employment, Social Policy, Health and Consumer Affairs Council itself. There is no formal procedure for that but the process is seen by the Social Platform as quite formalised and official. The Social Platform is given 5 minutes speaking time to address the 27 ministers, the secretariat of the Council and the social partners at the beginning of the meeting.

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<sup>5</sup> The Centre for Information Service, Co-operation and Development of NGOs in Slovenia

A joint press conference, with the presidency, the European Commission and the Social Platform takes place after the trio meetings.

There is no rule of how many Social Platform representatives can participate in the informal Council meetings. The Social Platform has decided to go there with six persons: the president, the director, a representative of one member organisation, and three representatives of national members of Social Platform members. This creates a bridge with the national level and also shows that European networks are not cut off from national organisations. It depends on the presidency how long the Social Platform representatives can attend the meeting but they normally can not attend the entire meeting.

It is difficult to evaluate whether the exchanges have an impact. The impact of position papers or letters sent like that is rather weak. The impact of participating in the informal Council is better: the Social Platform is more listened to and respected because Ministers are used to seeing representatives in the Councils and in the Troika meetings. Still there is no dialogue taking place.

The involvement has been a learning experience for the Social Platform: impact will depend on the way demands are communicated to Ministers.

Prior to formal Council meetings no real information and dialogue take place: everything remains to be done on that side!

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