The Relationship between the State and the Non – governmental organizations

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Abstract

In some countries, we can identify different contributions of the non-governmental organizations (NGOs) to the development process. In a part of these countries, NGOs are weak in matter of project implementation or play more of an oppositional rather than operational role and governments are highly suspicious of them. A number of factors influence the development impact of NGOs; many of them are determined by the relationship between the State and the NGO sector. This article describes the characteristics of this relationship, focused on the attainment of governments’ social objectives, collaboration between NGOs and the public sector and on issues that affect the efficacy if NGOs. It examines the main elements of legal framework and government practices which affect NGOs and which could foster a more conducive environment for positive NGO contribution to modernization. A review of the legal framework and the analysis of some relevant studies are proposed to examine these issues in a range of countries and with focus on Romania. In conclusion we will indicate areas of best practice related with good governance and participatory development.

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1. Introduction

1.1. Romania’s institutional framework for development cooperation

Among “traditional” donors or those countries that had a chief role in creating the development discourse in the
aftermath of the second World War (ex. USA\textsuperscript{1}, the founding members of the European Community\textsuperscript{2}, the Great Britain), development cooperation is most often a direct responsibility of the ministries of foreign affairs\textsuperscript{3} through a specialized department or agency. Usually, these specialized departments of the Ministries of Foreign Affairs (MFA) have the main role in: drafting that country’s policies of development cooperation; setting the main objectives for development cooperation as well as the long-term strategies; giving the guidelines for implementing such strategies; monitoring and sometimes building “awareness” in the public opinion; coordinating and harmonizing their country’s own policies and practices with those of other donors. Needless to say, these administrative entities are influenced and influence, in their turn, various stakeholders of development cooperation: non-governmental organisations in the donor countries as well as those in the developing countries, private companies, universities, think tanks and research institutes, etc.

In the last years – particularly starting from 2005 when a specific twinning light project was implemented - an important actor in building Romania’s capacity for development cooperation was the European Union. In the absence of any experience in development cooperation and given that development cooperation is a part of the EU’s acquis communitarian, the European Union first started to monitor Romania’s progress in this field and then encouraged administrative reform (while Romania was still a candidate country).

1.2. Monitoring Romania’s Progress

The monitoring process was carried out through the well-known ‘Progress Reports’, those comprehensive documents that the European Commission regularly produces and submits to the Council to account of the progress made by candidate and potential candidate countries on their road towards the European Union\textsuperscript{4}. The first, 1998, regular report on Romania’s progress towards accession shows that ‘No progress has been achieved concerning development cooperation with ACP countries’\textsuperscript{5}. Among its fellow candidates Romania seemed to be lagging behind forerunners like the Czech Republic, Hungary and Poland, which – listening to the Commission - were clearly leading candidates in this field? Thus, the Czech Republic is acknowledged to have ‘continued with its foreign development assistance through its Humanitarian Assistance budget of Ecu 830.000 and Foreign Development Assistance budget of Ecu 9.05million’, Poland ‘has continued to play a constructive regional and international role in the field of development’, while in Hungary ‘There is a foreign aid fund managed by the Ministry of Foreign Affairs through which Hungary provides development and humanitarian aid’.

In the years to come, Poland and the Czech Republic will continue to lead (even more so after the latter’s accession to the OECD), while Romania’s growth in the field of development cooperation continues to be rather slow. Year after year, and Report after Report, Romania fails to grow either institutions or a ‘policy framework for managing external assistance’ (Report of 1999), even if now the country begins being acknowledged for having provided ‘emergency assistance following natural disasters in other countries’ in a consistent manner (Report of 2000). However, in 2002 ‘Romania is (still) not an international donor and does not have a development policy although contributions are made to certain United Nations development programmes and funds’.

\textsuperscript{1} For a critical overview of the initial phase of the US development program, see Arturo Escobar, \textit{Encountering Development: the Making and Unmaking of the Third World}, Princeton University Press, Princeton , 1995.
\textsuperscript{2} For a broad-ranging analysis of the European Community’s relations with the developing world see Martin Holland, \textit{The European Union and the Third World}, Palgrave Macmillan, 2002
\textsuperscript{3} An interesting case is that of Denmark which has two Ministers in the Ministry of Foreign Affairs: the Minister for Foreign Affairs and the Minister for Development Cooperation.
\textsuperscript{4} The Reports include information regarding the implementation and the enforcement of EU standards. Based on these Reports, the European Council will then take further decisions on the respective country’s prospects and pace for EU accession. For Romanian authorities and citizens (as for the citizens and authorities of its fellow candidate countries) “the Report” was a summary of what the EU expects from us. Every important field of activity used to be screened, so that every Progress Report was a reason for long debates involving all relevant domestic stakeholders: politicians, mass-media, and all citizens interested in Romania’s progress towards the EU. \textit{Regular Report from the Commission on Romania’s Progress towards Accession}, p. 42, retrievable at http://ec.europa.eu/enlargement/archives/pdf/key_documents/1998/romania_en.pdf as of October 2013.
1.3. Romania’s national strategy for development cooperation – a complying discourse

One can hardly understand Romania’s standing on development cooperation without a quick overview of the official discourse in this field. At the time being, development cooperation is one of the policies confidently embraced by the Romanian Ministry of Foreign Affairs. Thus, it is part of the MFA’s ‘government program’; it is the object of a series of legislative initiatives; as well as the object of a growing unit in the MFA’s institutional structure. But what is the discursive framework around this field of political action?

The Government Decision number 703 of 2006 – giving the Romanian Strategy on Development Cooperation Policy and the accompanying action plan – might give an answer to this question. The ‘Strategy’ is a 6-page document, organized in 9 sections, that was developed through the years 2005 and the first half of 2006 by the Romanian Ministry of Foreign Affairs (assisted, in the framework of a Twinning Light project, by the German Federal Ministry for Economic Cooperation and Development).

2. Development projects and initiatives

2.1. The Romanian platform for development cooperation: a block in a pyramid

When considering the NGOs’ preferred mode of organizing themselves for development cooperation, one can easily imagine a pyramid. In each country there is a certain number of NGOs that are exclusively dedicated to international development and international solidarity. Some of these can be small (several passionate and dedicated volunteers carrying on a small project in this or that country of Africa, Asia or Latin America), others are medium sized (several staff are employed and funding for more structured projects can be granted from institutional sources as well as private donations) and still other can be quite large (sometimes employing hundreds of staff, with hundreds of millions of euros as budgets) entities forming the basis of the pyramid. In each country, some of these NGOs realize, at some point, the commonality of their interests (very often linked to image, legitimacy or funding) and converge into a national gathering of NGOs, the so-called national ‘platform’ of development NGOs. This can be seen as the middle layer of the pyramid that gives the pyramid its visibility above the other structures in the area, hoisting it above the horizon’s line.

The pyramid is now taken for granted and looked upon as the most efficient and rational form of organization in the complex world that we now live in. One reason might be that when development cooperation authorities need to talk to / with / through the “civil society”, they need a restrained number of legitimate interlocutors that can reach to the “base”.

2.2. Development projects of Romanian NGOs

In what follows we will take a look to a few years’ experience of Romanian NGOs in the neighbouring countries (and not only).

Already from 2004 Romanian NGOs used to cooperate with their counterparts in the Republic of Moldova: the Save the Children Association (the office in Iași) had developed the ‘Social and Psychological Services for Children’...
in Need from Romania and Moldavia’ project (247,116.50 Euro)\textsuperscript{§§}; the Pro Women Foundation had implemented two different projects in total amount of more than 160,000 EUR (‘Partnerships for Development’ - 54,868 Euro\textsuperscript{****}; and Cross Border Partnership in Developing Social – Educational Services for Teenagers’ - 113,125 Euro\textsuperscript{††††}); CATHARSIS implemented a program for transnational cooperation regarding the traffic in human beings with a total budget of 49,180 Euro\textsuperscript{‡‡‡‡}; the Corona Foundation from Iaşi developed a project to reduce the impact of waste on the environment (58,070 Euro\textsuperscript{§§§§}, while the Association for the Development of Human Resources in Vaslui implemented two projects of more than 100,000 EUR (“Let us build them a future together” and “A second chance for all”)\textsuperscript{*****}.

The same year (2004) – similar experiences at the Serbian border. Under the Economic and Social Development (ESD) Grant Scheme, the Youth Foundation from Mehedinti implements the Danubian Tourism Development - a Pilot Project for the Development of the Cross Border Tourism (69.500 Euro); under the Joint Small Projects Fund, the Ecologic Group for Cooperation NERA contributes to the improvement of the management of protected areas in the Danube – Nera Caras micro-region (45.679 Euro); the Union of Professional Journalists from Romania, the office in Caras Severin implements the “Historic Banat – press and culture” (49.928 Euro); the Constantin Brancusi Cultural Association implements a projects called “The Memory of popular traditions – bridge between the inhabitants of the cross-border area Romania Serbia” (55.400, Euro); the Activity Foundation for Human Resources and Sustainable Development from Reşiţa implements “the Path of the good example” (45.475Euro), while SCOP develops a project entitled “Together for a better life” (41.291 Euro)\textsuperscript{†††††.

Romanian NGOs also cooperated (and are still doing so) with their counterparts in Ukraine. For instance, in 2006, under the Romania – Ukraine CBC Programme, the European Center for Resources and Consultancy developed “Cultural itineraries Suceava – Hotin” (166.080 Euro), the Professional Association for Regional Management created a center for cross-border touristic cooperation and development (129.600 Euro), while the Association for European Integration of the Tulcea county implemented a system for air monitoring in the bordering region Tulcea – Odessa (293.150,00 Euro)\textsuperscript{‡‡‡‡‡}. More recently (2007 – 2008) CREST Resource Center implemented two relevant projects: one - aiming to develop human resources for local and trans-border economies and one – aiming to promote the traditional multiculturalist by developing the cross-border rural tourism between Romania and Ukraine\textsuperscript{§§§§§}.

Moreover, the Romanian NGOs took every possible opportunity for cooperating with their counterparts and show a clear interest for cooperating for development.

3. Conclusions

Civil Society and the State gain from cooperation and dialogue\textsuperscript{******}. The State can contribute to the strengthening

\textsuperscript{00} Pro Women, Tinerii si drepturile omului, available online at http://www.prowomen.ro/iiasi/index.php?page=1053 , as of October 2013.
\textsuperscript{00} Idem, p. 2.
\textsuperscript{00} Idem.
\textsuperscript{00} Information compiled by the authors, based on the list of financed projects. See Biroul Regional pentru Cooperare Transfronteriză Suceava pentru Graniţa România-Ucraina, Contract data for Programme CBC Romania-Ukraine 2006 http://www.bretsuceava.ro/.
\textsuperscript{00} IPP Bucharest and IPP Chisinau develop a series of common projects with the aim of promoting a stability climate in the region, by facilitating the exchange of expertise in domains that are crucial for the neighborly relations between the two countries: border security, the reform of the local public administration and not least the crisis in Transnistria.
\textsuperscript{00} John Clark, The Relationship Between the State and the Voluntary Sector, The Global Development Research Center, available online at:
of NGOs devoted to the implementation of development activities, i.e. NGOs complementing the State. The extent, which is possible, depends on the political, economic, regulatory, informational and cultural context of Romania. However, this relationship cannot solely be imposed by the State but must have its foundation in civil society itself.

Much literature is devoted to the need of building a strong civil society as well as the establishment of policy dialogue between NGOs and the State in transitional democracies. However, the means by which this might be obtained remain unclear. Further research into possible means of strengthening civil society and its relationship with the State is needed. The possibility that Civil Society Organizations can have a political influence at the level of implementation of services needs to be explored.

A conducive policy environment can help make the whole greater than the sum of the parts, through judicious use of policy instruments. Best practices lessons appear to indicate the following ingredients of an enabling policy environment:

a. “Good Governance” – social policies, which encourage a healthy civil society and public accountability of, state institutions.

b. Regulations – designed to help, not hinder, NGO growth, but also to root out corruption††††† and to foster sound management discipline; eliminate restrictive laws and procedures.

c. Taxation policies – to provide incentives for activities, which conform with the State development priorities; to encourage indigenous philanthropy and income generation.

d. Coordination – where the government fosters but does not dominate coordination, for example, through having NGO Units in relevant line ministries or NGO consultative committees.

e. Official support – the government provides funds, contracts and training opportunities to give special encouragement to NGO activities in priority areas without undermining NGOs’ autonomy and independence.

References


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http://www.gdrc.org/ngo/state-ngo.html as of November 2013