

Analysis of opportunities for CSO's engagement through case studies in media

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ActionSEE



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Citizens' Association "Zašto ne"

CA Why not is an organization that works on the creation of a safe, secure, healthy, active, efficient and accountable BiH society through increasing civic participation, influencing government accountability, use of new technology tools and promotion of socially engaged culture on the whole territory of BiH together with other interested groups, organizations, institutions and individuals.

ADDRESS:

Džemala Bijedića 309
71000 Sarajevo, BiH

TEL: +387 (0) 33 618 461

WEB: www.zastone.ba

E-MAIL: info@zastone.ba

AUTHOR: Danira Karović



ACTION SEE

ACTION SEE (Accountability, Technology and Institutional Openness Network in the South East Europe region) is a network of civil society organizations that jointly work on promoting and ensuring government accountability and transparency in the region of South-East Europe, raising the potential for civic activism and civic participation, promoting and protecting human rights and freedoms on the Internet and building capacities and interest within civil society organizations and individuals in the region in using technology in democracy promotion work.

The core members of the network are Metamorphosis from North Macedonia, Center for Democratic Transition from Montenegro, Center for Research, Transparency and Accountability from Serbia and CA Why Not from Bosnia and Herzegovina.

Action SEE works with partners from Albania MJAFT and from Kosovo Open Data Kosovo, well as partners from other countries in Europe and the world.

PROJECT COORDINATOR:

Metamorphosis Foundation
North Macedonia
www.metamorphosis.org.mk

PARTNER ORGANIZATIONS:

Westminster Foundation for Democracy
Great Britain
www.wfd.org

CRTA - Center for Research, Transparency and Accountability
Serbia
www.crt.rs

Citizens Association Why not?
Bosnia and Herzegovina
www.zastone.ba

Center for Democratic Transition
Montenegro
www.cdtmn.org

Open Data Kosovo (ODK)
Kosovo
www.opendatakosovo.org

Levizja Mjaft!
Albania
www.mjaft.org

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BACKGROUND

According to the State Register in Bosnia and Herzegovina¹, in September 2018 there were 25,000 registered non-governmental organizations. However, last year, only 15,000 financial reports of non-governmental organizations were received in the agencies responsible for receiving them².

There are various interpretations in the public and a lot of prejudices about the work of non-governmental organizations, and some of them relate to the belief that organizations, which are more visible in the media, are "elitist", "foreign mercenaries" or in general "someone dealing with a hollow story".

Cooperation between government institutions and civil society organizations is partially represented in legal regulations that relate to the work of local communities. On the other hand, regulations that regulate participation in more detail in the procedure of passing of laws and sub-legal acts, are most often performed from the regulations defined by the executive authority. Different levels of government have defined different normative and legal frameworks for cooperation with civil society.

For some institutions, this mechanism of cooperation with non-governmental institutions is particularly important, as its application confirms compliance with European standards and participatory democracy principles that are supported by the public and citizens, but for some not as much. There are some of the examples of good and bad cooperation that are going to be included in this assessment, through presentation of important events and initiatives that happened in the previous months.

1. <http://zborniregistri.gov.ba/>

2. <https://www.vecernji.ba/vijesti/po-drzavnom-registru-u-bih-ima-25-000-nvo-izvjesce-predalo-15-000-1275965>

METHODOLOGY

This assessment gives a preview of current situation of CSO initiatives and events that happened in the last months.

Media covering of main topics in civil society, from May to December 2018, was examined through both online and print media in Bosnia and Herzegovina.

We analyzed how present were topics regarding government's transparency and other public reforms, and how were they portrayed.

GOOD MANAGEMENT IN THE WESTERN BALKANS

In order to further strengthen the dialogue on public administration reform as one of the key priorities in the enlargement process, a two-day regional conference entitled "Good governance in the Western Balkans"³ was organized in Mostar by the Regional School for Public Administration (ReSPA⁴ in cooperation with the Ministry Justice of Bosnia and Herzegovina in July 2018.

The conference brought together 80 participants: ministries responsible for public administration; representatives of the ministries of finance; national IPA coordinators of the Western Balkans; senior representatives of state administrations dealing with public administration reform, public finance management and European integration; representatives of the European Commission (Directorate-General for Neighborhood Policy and Enlargement Negotiations - DG NEAR and the Delegation of the European Union to BiH); OECD / SIGMA; The Regional Cooperation Council (RCC), the Regional Anti-Corruption Initiative (RAI), the Center for Security Cooperation (RACVIAC); international organizations, civil society organizations and other partners.

The key topics that were discussed at conference were related to the strategic framework of public administration reform and its financial sustainability, the quality of planning and policy coordination, monitoring and reporting on the implementation of these strategies, as well as the appropriate EU financial support for reforms.

Participants of the conference agreed that there were good practices and recommendations, such as:

- Compliance with the concept of good governance, in relation to the preparation and adoption of a strategic framework for public administration reform in the Western Balkans. They agreed that this requires the application of instruments and modalities that would enable the continuous modernization of public administration and improvements in the provision of public services.
- Regarding the financial sustainability of public policies, they emphasized importance of public availability of financial reports, as an important part of the public administration reform process.
- They agreed that public oversight of the implementation of strategies, the governments of the Western Balkan countries are recommended to ensure the active publication of monitoring reports, and to enable a more consistent involvement of civil society in monitoring and reporting.
- Also, the practice of including the data provided by the civil society for government monitoring reports, as well as organizing public debates on the implementation of public administration reform strategies and public finance management, launched in some countries, should be more actively popularized across the Western Balkans as a model of good practice.
- It was agreed to encourage the exchange of experiences among members of ReSPA in the development of ICT solutions for planning systems, supported by various donor organizations.

This event was covered by many media throughout Bosnia and Herzegovina, and was promoted as an important cause.⁵

3. <http://mpr.gov.ba/aktuelnosti/vijesti/default.aspx?id=8231&langTag=bs-BA>

4. <https://www.vecernji.ba/vijesti/po-drzavnom-registru-u-bih-ima-25-000-nvo-izvjesce-predalo-15-000-1275965>

5. <http://www.federalna.ba/bhs/vijest/240809/dvodnevna-regionalna-konferencija-u-mostaru>

<https://www.bljesak.info/gospodarstvo/flash/u-mostaru-odrzana-konferencija-dobro-upravljanje-na-zapadnom-balkanu/239026>

<https://www.udrimuski.ba/clanak/66993/ministarska-konferencija-dobro-upravljanje-na-zapadnom-balkanu>

<http://www.fena.ba/article/1023791/u-mostaru-regionalna-konferencija-o-dobrom-upravljanju-na-zapadnom-balkanu>

THE RS GOVERNMENT BLOCKED THE PUBLIC ADMINISTRATION REFORM FUND

On September 24, 2014, Bosnia and Herzegovina officially joined the Multilateral Global Initiative Open Government Partnership.⁶

Open Government Partnership (OGP) is a global multilateral initiative for transparency and openness of the work of public authorities, and its participants are countries that are committed to membership in the Partnership on concrete measures and activities in the areas transparency, empowerment of citizens' participation in the government, the fight against corruption and the introduction of new technologies that make public administration as efficient as possible.⁷

Since accession, BiH has completely stagnated in terms of fulfilling its obligations under the OGP initiative. BiH missed two deadlines for creating the first Action Plan, which should lead us one step closer to creating an open government that is responsible to its citizens.

In the complete absence of institutional activities, the informal coalition of civil society organizations, consisting of Transparency International BiH, the Center for Social Research Analytics, the Center for the Advocacy of Civilian Interests, the Center for Investigative Reporting and the CA Why not worked on the development of an alternative action plan for BiH through the organization of working meetings group in the period July-September 2015.

Public Administration Reform Coordinator Dragan Ćuzulan said that mechanism of coordination is influencing the coordination in the process of public administration reform, because RS government insists on it.⁸

Ćuzulan said the consequence of this policy is that a large part of the European funds are falling apart, because without strategic planning and action documents there is no access to these funds. He states that there are obstructions in adoption of a strategic framework for public administration reform, and emphasizes that all of the authorities, except the Government of the RS, adopted Public Finance Strategy.

Ćuzulan noted that all the countries in the region have the relevant ministries of administration leading the process because of the importance of the reform. The PARCO office does not even have that capacity and authority.

According to his words, the Government of RS was not able to regularly fulfill this part of the obligation, in comparison with the other authorities, which fulfill their part of the obligations properly. Five projects from the priority list for this year are pending.

Interesting thing about this topic is that most of the media that covered it is from Federation of Bosnia and Herzegovina, and media in Republic of Srpska, rarely covers these kind of topics.

6. <https://parco.gov.ba/2017/04/24/bosna-i-hercegovina-u-inicijativi-partnerstvo-za-otvorenu-vlast/>

7. <https://ti-bih.org/wp-content/uploads/2014/03/TIBIH-OGP-INFO.pdf>

8. <https://www.klix.bha/vijesti/bih/dragan-cuzulan-vlada-rs-blokirala-fond-za-reformu-javne-uprave/180609055>

NON-GOVERNMENTAL ORGANIZATIONS AGAINST THE NEW LAW IN THE RS ON "FOREIGN DONATIONS"

The worrisome announcement of the former president of RS entity Milorad Dodik (now member of the Presidency of BiH) and the head of the SNSD's Club Radovan Višković, about the Proposal of the Law on Foreign Grants, has brought a lot of criticism from the side civil society organizations.⁹

When a similar law was in the procedure in 2015, under the name of the Draft Law on the Publicity of the Work of NGO's, a number of controversial provisions were identified that were in direct contravention of the Constitution guaranteed rights and the European Convention on Human Rights and Fundamental Freedoms. In the first place, the freedom of association and expression was restricted. The announcements of officials coming from the ruling party in the Republic of Srpska are now on a similar track. Again, a new legal regulation of the activities of non - governmental organizations is called, so it is emphasized that all those who receive foreign donations will have to submit special reports to the Ministry of Justice of Republic of Srpska.

Civil society organizations remind that the work of non - governmental organizations in Bosnia and Herzegovina is already regulated by the laws on associations and foundations existing at several levels of government and according to which all associations and foundations are registered. At the same time, all organizations are obliged to act in accordance with all other applicable regulations and laws that apply to them, and to report financially to state authorities, and this area has already been largely regulated. Any new legislative activity related to the work of non-governmental organizations should simplify the process of registering non-governmental organizations and eliminate ambiguities regarding the application of existing regulations. There is no justification for the new laws relating to this area to be referred to the urgent legislative procedure, since any new legal proposal should go through a public hearing involving as many persons as possible - states a statement signed by civil society organizations from BiH.

Organizations warned that any standardization of the work of non-governmental organizations, imposed on them by additional and special obligations, or placed under a different regime from all other legal entities only due to the source of its financing or the nature of its activities, could constitute a violation of the Constitution's foreseen rights. It could also be a violation of the European Convention on Human Rights and Fundamental Freedoms and the Universal Declaration of Human Rights.

⁹ <https://faktor.ba/vijest/nevladine-organizacije-protiv-novog-zakona-u-rs-u-o-stranimdonacijama-2994>
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NGOs operate in various fields, from environmental protection, education, culture, to the fight against corruption and protection of minority rights, helping to achieve the standards envisaged by the European integration process. Denunciations of employees in non-governmental organizations (e.g. the name "officials of a foreign subject" as it was in the previous Draft), or marking their activities as undesirable, creates a dangerous atmosphere of intolerance and lynching in which NGOs are shown as disruptive factors or entities that must be under special control.

This topic is very current since 2015, and it is interesting to note that in this case too, the media are divided when it comes to reporting. Media from the Republic Srpska were not focused on criticizing these moves, they were giving more space for the explanations to the creators and supporters of this Draft of Law, that the other way around. For instance reporting of the RTRS was that this is going to be a quality text, and that Srpska has the opportunity to find the best solution within the framework of regular parliamentary procedures.¹⁰

10. <https://lat.rtrs.tv/vijesti/vijest.php?id=301021>

NO MUNICIPALITIES IN HERZEGOVINA WILL RECEIVE AN ACKNOWLEDGMENT FOR BUDGET TRANSPARENCY

Foundation "Center for the Advocacy of Civilian Interests"¹¹ gave away award recognitions for budget transparency to the best municipalities, and interesting this is that among the winners there are no municipalities from the territory of Herzegovina. This was a news in a lot of media stated in Herzegovina area.¹² The survey measured whether the administration authorities publishes the most important budget documents in the course of the year and did the published documents contain all the necessary data?¹³

Foundation organized the event "Managing public finances" (planning and execution of the budget) within the four-year CSSP (Civil Society Sustainability Program), as part of the two-day expert meeting.

After the meeting recognition was given to the representatives of municipalities, cities and counties from all over BiH who have achieved the highest number of points in the last research on the openness of the budgetary processes, thereby proving their transparency and accountability towards the citizens and entrepreneurs of their municipality.

11. <https://www.cpi.ba/>

12. <https://www.bljesak.info/gospodarstvo/flash/nijedna-opcina-iz-hercegovine-nece-dobitipriznanje-za-proracunsku-transparentnost/239679>

13. <https://www.dnevno.ba/vijesti/koje-su-opcine-dobile-priznanja-za-proracunsku-transparentnost-u-bih-141371/>

Winners of the recognition for openness and transparency of the budget cycle are: Bijeljina, Prnjavor, Tešanj, Sarajevo-Centar, Sarajevo-Novo Sarajevo, Sarajevo-Stari Grad, Zenica, Gradiška, Mrkonjić Grad, Bosanska Krupa, Bihać, Odžak, Gračanica, Lukavac, Tuzla, Canton Sarajevo, Zenica Dobož Canton, Posavina Canton.

Encouraging these authorities is a good and important example for others in Bosnia and Herzegovina that transparency depends primarily on the political will and decision of the leading people of municipalities / cantons and to be responsible to citizens. All these authorities have made additional efforts to publish Citizens' budgets, short and understandable guides that help citizens and entrepreneurs to better understand the public finances of their municipalities/cantons. This research was carried out within the framework of the Civil Society Sustainability Program funded by the US Agency for International Development USAID.

KAKANJ PRODUCT - INFORMATION SYSTEM "ePARLIAMENT" AND IN THE ZDK ASSEMBLY

The "eParliament" system that was implemented by the Municipality of Kakanj was introduced during the 63rd session of the Zenica-Dobož Canton Assembly.¹⁴ Zenica-Dobož became the first canton in the Federation of BiH to introduce the eParliament in their work. This platform is a domestic and a cocoon product of the information company Synergy Soft d.o.o. Kakanj and is available 24 hours a day and can be accessed from various devices - private or official. The system integrates all the processes related to the work of one assembly - starting from the preparation of the session, maintenance so the deputies will have access to all materials and statistics at all the time.

14. <https://www.akta.ba/vijesti/kakanjski-proizvod-informacioni-sistem-eparlament-i-u-skupstinizdk/92848>

15. <https://www.zenicablog.com/skupstina-zdk-prelazi-na-elektronsko-funkcioniranje/>

The license was handed over to the Speaker of the Parliament, Jasmin Duvnjak, by the Deputy Head of the OSCE Mission to Bosnia and Herzegovina, Alexander Chuplygin.¹⁵ ZDK Assembly Speaker Jasmin Duvnjak expressed his hope that the representatives of this, and especially the next assembly, will use all the benefits of this system. These are, he said, functionality, transparency and accountability. At the last session, MPs voted to implement this system and, on that occasion, amended the Rules of Procedure of the Assembly so that the session could be held today using the "eParliament". This was reported by various media, as a good example of how the government that was opened, established a good practice.

TRANSPARENCY THROUGH THE ESTABLISHMENT OF A GRANT REGISTER FOR NGOS

On July 5, 2018, the Center for the Promotion of Civil Society¹⁶ hosted the 2nd Action Conference entitled "State of the Civil Society - Sustainability or Survival", and it was announced that at all levels of government in Bosnia and Herzegovina annually gave away about 100 million KM of grants to the non-governmental organizations and that the figure is falling.¹⁷

16. <http://civilnodrustvo.ba/>

17. <https://www.klix.ba/vijesti/bih/kome-idu-novci-iz-budzeta-veca-transparentnost-kroz-uspostavu-registra-grantova-za-nvo/180706092>

The conference was held with the aim of presenting the current situation in building a favorable environment for the development of civil society in BiH, and about the challenges with ensuring financial sustainability. The conference brought together over 130 participants from the governmental and non-governmental sector.

Overall results can be presented through conclusions and recommendations that were agreed to be presented to the authorities in charge of establishing an institutional framework for the incentive environment and development of civil society as follows:

- Establishment of institutional registers of granted grants for CSOs in BiH
- Establishment of a regulatory framework for the financing of OCPs at all levels of government, and arranging their mutual commitment to prevent financing duplications of the same activities

- Support to the adoption and promotion of the social entrepreneurship development strategy in the Federation of BiH and the Republic of Srpska
- Adjustment of the existing legal frameworks by which social / social entrepreneurship is defined and recognized within the business environment.

The conference relied on the activities, results, and researches of two projects implemented by the Center for the Promotion of Civil Society - Civil Society Sustainability Program (CSSP) financially supported by USAID and the Smart Start project that is financially supported by the European Union.

GENERAL CONCLUSION AND RECOMMENDATIONS

On the examples of initiatives and events that were mentioned above it is possible to conclude that the media in Bosnia and Herzegovina are reporting on topics completely flat and mostly it comes down to the transposition of the original source. The decision of certain media to monitor or not to monitor the event, initiative depends on the topic, which is not a surprise given the fact that a large number of media in Bosnia and Herzegovina is under political influence.

Regardless of the situation, it is possible to reach the media and improve the cooperation with them. So the general recommendations would be:

- To improve cooperation and intensify communication with journalists who follow certain areas.
- To prepare a media plan before holding a conference/event.
- To prepare media for presenting research after a press conference (new types of content that would be interesting for publishing)
- To develop joint projects involving multiple media.
- To try to strengthen cooperation with the media and institutions through the initiation of media stories.



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