

Estonian Civil society Development Concept

DECISION OF ESTONIAN PARLIAMENT
APPROVAL OF ESTONIAN CIVIL SOCIETY DEVELOPMENT CONCEPT

Estonian Parliament decides: To approve the attached Estonian Civil Society Development Concept.

Speaker of Estonian Parliament - Toomas Savi
Tallinn, December 12, 2002

ESTONIAN CIVIL SOCIETY DEVELOPMENT CONCEPT
INTRODUCTION

The Estonian Civil Society Development Concept (hereinafter EKAK) is a document which describes the different roles of the public sector and the nonprofit sector which supplement each other, and the co-operation principles in developing and implementing public policies and building up the civic society.

Civic initiative has been essential for shaping the Estonian nation and state. The formation of nation's self-initiative in the second half of the 19th century, its intensification and widening made it possible to achieve the national goals of the Estonians, ensured solidarity and gained importance in guiding the whole social life. Respect for education, characteristic of the Estonians, rooted in the traditions of educational societies; in joint activities the economic interest was combined with mutual willingness to help; choral and theatrical societies were the cradle of our professional culture. Most importantly, by the network of self-initiated organizations and through local governments, Estonians created the possibilities for taking part in the management of public issues. The willingness of people for co-operation made possible the establishment of Estonian statehood, and after occupations also its restoration. Even now the citizens' associations are necessary for ensuring the continuation of democratic process in Estonia which involves all the population. According to our traditions, free individual and a state are not the enemies but partners.

EKAK is a statement of mutual devotion of the public sector and the nonprofit sector for supporting and promoting the self-initiated organization of citizens. By establishing voluntary associations, people create new possibilities for expressing and following their interests, values and goals and for public discussions, also for solving daily problems and offering mutual aid. Consideration of the citizens' associations and co-operation with them raises the efficiency of public authorities and the legitimacy of public policies in the eyes of the citizens.

EKAK is based on the understanding that in the name of a lasting and developing democratic regime, the public sector needs to hear its citizens and co-operate with possibly many of them. In decision-making, the public sector must consider the special interests, values and goals of the members of the society and their associations, and take them seriously also in case they form a numerical minority. At the same time the historical experience proves the positive influence of self-initiated activity. By ensuring citizens' associations and democracy, members of the society and their organizations and the public sector can work together for the preservation of fundamental values enacted in the Constitution of the Republic of Estonia: liberty, justice and law, internal and external peace, social progress and welfare, Estonian nation and culture.

I. GOALS

EKAK phrases the basis of partnership between nonprofit associations and the public sector, and a framework to promote civic initiative and strengthen democracy in Estonia.

The specific aims of co-operation between nonprofit associations and the public sector under this concept are the following:

1. to promote civic initiative and involvement democracy;
2. to support the idea of voluntary action being one of the essential features in acting as a citizen;
3. improve the better acknowledgement and implementation of the economic, social and political rights and obligations of citizens;
4. the citizens' sense of responsibility towards their family, other citizens, home neighbourhood, state and world;
5. to make conscious the values and principles which are the basis of co-operation between the nonprofit sector and public sector, to frame mutual obligations, rights and priorities of action;
6. to establish a favourable environment for the functioning and strengthening of citizens' associations as an inevitable factor for the development of democracy;
7. to develop a support system for nonprofit sector;
8. to spread good co-operation practices and the knowledge on favourable co-operation of the public institutions, citizens and citizens' associations;
9. to involve citizens and their associations more widely in the process of developing, implementing and analyzing public policies and legal acts, to develop necessary information channels and mechanisms;
10. to acknowledge and consider the specific rights and interests of insufficiently represented or unacknowledged citizens and their associations in arranging public life;
11. to create an environment supporting charity and philanthropy, and involve business sector.

In this document, the concept of citizens indicates to all the persons legally living in Estonia.

In this document, citizens' associations are considered to be various types of organizations established on the basis of the freedom of association which do not strive for profit, such as non-governmental organizations, foundations, associations, etc.

In this document, the support system of civic initiative is considered to be an institutional structure (network) shaped in co-operation with the nonprofit associations and public institutions in order to guarantee the competence and sustainability of citizens' associations.

Civil society indicates to the self-initiated co-operation of people for following their interests, discussing public issues and participating in decision-making processes, also the associations, networks and institutions which enable such co-operation.

II. PRINCIPLES OF CO-OPERATION AND VALUES

The representatives of public sector and nonprofit sector shall co-operate under this concept based on the following principles and values:

1. Citizen action

Citizen action, self-initiative and voluntary participation in public life are an integral part of the democratic society. Public authorities support it by creating a favorable legislative environment, informing the public about their work, involving citizens and their associations in the planning and implementation of relevant decisions.

2. Participation

Nonprofit organizations are channels in the democratic society for representing different values and interests; people receive information on drafted decisions and express their viewpoints. The actions of public sector will get more credibility in the eyes of the public if the proposals emerging in public debates are taken into consideration by the political decision-makers.

3. Respect

In developing and implementing policies, the public sector and nonprofit sector have different roles to play, yet they benefit from each other. Public authorities respect the right of citizens and their associations to set goals for themselves and execute their activities within the framework of the Constitution.

4. Partnership

Partnership between the citizens' associations and public sector enables practical co-operation and division of tasks to follow the public interests more efficiently.

5. Responsibility and accountability

Concerning the activities and use of allocated resources, acting in public interests requires openness, responsibility and accountability from both the public institutions and nonprofit organizations.

6. Political independence of civic initiative

Citizens' associations are free and independent in their goal-setting, decisions and activities. When civic initiative receives allocations from public sector budgets and foundations, restrictions of political nature are to be avoided.

7. Preventing corruption

When selecting contractual co-operation partners from citizens' associations and delegating services or other tasks to citizens' associations, the public institutions must avoid establishment of any relations which might give rise to corruption.

8. Sustainable and balanced development

In their activities and mutual co-operation, the nonprofit sector and public sector proceed from the principle of sustainable and balanced development.

9. Equal treatment

Citizens' associations and the public sector respect the principled equality of all citizens and their associations to access and participate in public life.

III. WAYS OF ACHIEVING GOALS

In order to achieve the above-mentioned goals, EKAK provides the main obligations and rights in the co-operation of the public sector and nonprofit sector which are related to the acknowledgement and representation of both sides, their partnership, development of policies, use of resources and reporting.

1. Acknowledgement and Representation

Citizens' associations and the public sector:

1.1 determine transparent and easily accessible communication channels, inform the interested groups and public thereof;

1.2 enable that the public sector could be responsible to the public for efficient use of resources allocated to citizens' associations, guaranteeing the distribution and use of resources for intended purposes, transparency and reporting;

1.3 avoid conflict of interest of their representatives;

1.4 create conditions whereby citizens' associations are able to appoint their representatives to nonpolitical open bodies and committees, and respect the authority given to the representatives;

1.5 acknowledge the role of umbrella organizations and networks of the nonprofit sector in representing its members, which does not exclude the right of separate citizens' associations to represent their own interests;

1.6 acknowledge that no citizens' association or umbrella organization can represent the interests of the whole nonprofit sector in relations with the public sector. Widely acknowledged representative councils or umbrella organizations of certain areas of activity proceed from the following principles in the performance of their representational function with regard to the public sector:

1.6.1 represent the joint interests of their members and supporters, explain to the public sector bodies what is the consultation process with their membership and to whom they hold responsible;

1.6.2 assist in infrastructure development so as to help various interest groups to express their opinion and reach public authorities;

1.6.3 provide their opinions to the public sector in a reasoned manner and within the agreed time schedule;

1.6.4 support co-operation between different parts of the nonprofit sector.

2. Partnership

Citizens' associations and the public sector:

2.1 co-operate with each other bearing in mind the principles of openness, trust, tolerance, flexibility and respect for the specific nature of the other party;

2.2 in mutual co-operation, look for the representation of a possibly wide circle of persons and assure the sufficient knowledge of their representatives;

2.3 give necessary information to co-operation partners to make the process more efficient, if necessary indicate clearly the confidential nature of such information and guarantee the confidentiality of the information given by the other party;

2.4 starting from the level of finding common interests, agree on the requirements of efficient time schedule;

2.5 promote and inform their supporters, members, employees, customers and the general public of the mutual co-operation principles, priorities of action and good practices;

2.6 introduce and support mutual co-operation by providing information in mass media and public presentations, and avoid providing general negative opinion.

3. Development of policies

Citizens' associations and the public sector:

3.1 co-operate in establishing, implementing and assessing the policies of different areas through their authorized members or representatives according to their areas of activity and competence;

3.2 arrange the collection of opinions necessary for establishing policies and initiating legal acts, present them to the authorized bodies systematically and according to the agreed time schedules and form;

3.3 consider each others experience in establishing policies and initiating legal acts and consult with various citizens' associations already in the drafting stage, giving them sufficient time for drafting their own opinion;

3.4 assess the effect of various policies and legal acts on the society and environment both in the drafting stage and later;

3.5 enhance the competence of their representatives for participating in the process of establishing, implementing and assessing the policies;

3.6 in devising the policies concerning minority groups, consider the opinions and viewpoints of the citizens' associations representing such groups, and involve them in the drafting of legislation and in political debates;

3.7 jointly draft and follow the good co-operation practices in order to organize the drafting, implementation and assessment of policies and to involve the nonprofit sector in the law-making process.

4. Resources

Citizens' associations and the public sector:

4.1 use the means at their disposal for promoting voluntary work and involving citizens in the solution of global problems by voluntary action;

4.2 ensure that citizens' associations are not prevented from activities guaranteed by law for strengthening their economic basis, and acknowledge the confidentiality of the business and other sensitive information;

4.3 elaborate and make public the allocation, use, reporting and controlling of necessary monetary and non-monetary resources from public funds and devises for developing the support system of the nonprofit sector;

4.4 use any opportunity to introduce and develop a tax system that supports the civic initiative and charity in order to raise the interest of the business sector to support nonprofit activities;

4.5 elaborate and make public the principles and order for transferring services to the nonprofit organizations and for financing the implementation of co-operation agreements between the public sector offices and citizens' associations;

4.6 use the allocated resources for the intended purpose, in an efficient and innovative manner in order to achieve the set goals.

IV. IMPLEMENTATION OF EKAK

1. The general long-term priorities of implementing EKAK include:

1.1 Major rise in civic education and citizen action, and strengthening of involvement democracy.

1.2 Introduction of the co-operation based on partnership principles between the public sector and nonprofit sector, promotion and wide implementation of good co-operation practices and creation of

co-operation network.

1.3 Guaranteeing of a functioning support system for civic initiative.

2. The short-term priorities of implementing EKAK include:

2.1 Mapping of the conditions necessary for the nonprofit sector and its sustainability, development of the classification system for citizens' associations and systematization of the statistics.

2.2 Mapping, improvement and strengthening of the co-operation and support structures.

2.3 Large-scale promotion of the Code of Ethics of the nonprofit sector.

2.4 Revision of the legal acts related to citizens' associations and, if necessary, drafting of the amendments.

2.5 Elaboration of the mechanisms for involving the representatives of citizens' associations in the development and implementation of the policies of different areas and legislation in general.

2.6 Mapping, systematization and improvement of the system for financing citizens' associations from public budgets and informing the general public thereof.

2.7 Improvement of the information channels and feedback mechanisms between the public sector and the society.

2.8 Development of the order for concluding and implementing co-operation agreements between the public sector and the nonprofit sector.

2.9 Elaboration of the general standards for offering public services and the principles and quality standards for transferring public services to the nonprofit sector.

2.10 Examination and updating of the civic education curricula and training materials, organizing of the in-service training for teachers of civic education.

2.11 Starting of the state-financed broadcasts and programs in mass media concerning the joint activities of civic initiative and the public sector, and creation of a related sub-section in the state server.

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Citizens' associations and the public authorities use their facilities for propagating and promoting the EKAK and its main ideas, values, principles and priorities of action, the rights and obligations of the parties to, and good practices of, the cooperation. The public authorities make the knowledge of the basics and principles of action of citizens' associations an integral part of the qualification requirements of officials.

The Government of the Republic of Estonia and representatives of citizens' associations will establish a joint committee for launching a system of elaborating plans of action for implementing the EKAK, for fulfilment of these plans and assessing their results.

Once every two years, the Riigikogu, the parliament of Estonia, will organise deliberations of the implementation of the EKAK and the development of the civil society as a matter of significant national importance.