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**THE DIALOGUE BETWEEN THE MINISTRY OF FOREIGN AFFAIRS OF
POLAND AND POLISH NGOS: PROBLEMS, SOLUTIONS AND LESSONS
FOR MOLDOVA**

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1. Introduction

The NGO sectors in both Moldova and Poland are large and diversified, and their activities include different spheres of social and cultural life. In the last twenty years the roles of these organizations have enormously changed – from simply associative forms of participation in social and cultural life of the society to consultative functions, including cooperative relations with the state structures and social services provided to the society.

The issue of cooperation between state bodies and non-governmental organizations is an urgent matter for both the Republic of Poland and the Republic of Moldova. To confirm this situation for the Moldovan case, it is worth mentioning a number of events that took place in 2006-2007.

On the one hand, the Ministry of Foreign Affairs and European Integration of the Republic of Moldova (MFAEI) initiated a dialogue with civil society organizations. This became possible due to the European integration process in general and to the necessity to consolidate the Moldovan society in order to achieve this strategic goal. One of the MFAEI's steps in this direction was inviting civil society organizations in spring 2007 to continue the dialogue. The subject for discussion was how to improve the information process regarding Moldovan European integration. A memorandum between the Ministry of Foreign Affairs and Civil Society Organizations on the Cooperation in the European Integration Process was signed on 30 May 2007¹.

On the other hand, special attention to the issues of the cooperation between the first and third sectors in Moldova is jointly paid by both Moldovan international partners like the European Union, its state-members as well as by the Moldovan non-governmental organizations. In this context, the event that took place on 12 June 2006 – an international conference entitled “The EU and Civil Society in Moldova” – was very important. The event was organized by the Association for European Training and Information (AETI) based in Chisinau, Moldova and the European Citizen Action Service (ECAS) based in Brussels, Belgium².

The main goal of this paper is to propose measures and steps to improve the cooperation between the MFAEI of Moldova and the Moldovan non-governmental organizations, based on the Polish experience.

The paper will take a closer look at the Polish experience in the sphere of cooperation between state structures and NGOs, taking as an example the relations between the Ministry of Foreign Affairs of the Republic of Poland and the Polish NGOs. These relations took the form of the “Zagranica Group”, an association of Polish non-governmental organizations working abroad in cooperation with and for the benefit of foreign partners, representing also the Polish NGOs in the dialogue with the MFA. The paper will present the achievements and difficulties that have appeared in this process of cooperation between the Polish NGOs and the MFA.

A substantial part of this paper is dedicated to lessons which could be transferred to Moldova in this sphere and recommendations on how to improve the situation in the field of cooperation between the Ministry of Foreign Affairs and European Integration of the Republic of Moldova and Moldovan NGOs.

¹ The text of the Memorandum is placed on the official web-page of the Ministry of Foreign Affairs and European Integration of the Republic of Moldova: <http://mfa.gov.md/img/docs/memorandum-privind-cooperarea-in-procesului-integrarii-europene.pdf>

² For more details about this conference see: www.eustrainers-moldova.org

2. Problem Description

While the cooperation between the MFA and NGOs exists in both countries, it has various forms, methods and is undertaken in different legal frameworks.

In Poland, this cooperation dates back to late 1990s. A period of high activity was observed in 1999-2002 when a number of joint international conferences and working meetings took place. Examples include conferences organized by the Stefan Batory Foundation in December 1999 and in June 2002, entitled “NGOs in Poland’s Foreign Policy” and “Social Diplomacy”.

In Moldova, this kind of cooperation has been established only recently – in 2006-2007. One of the pioneering and distinguished documents on this cooperation was the “Memorandum on Cooperation in the European Integration Process between the Ministry of Foreign Affairs and European Integration of the Republic of Moldova and the Civil Society Organization”. The Memorandum declares that the field of cooperation between the parties is the European integration of Moldova. An agreement has been reached on cooperation in different spheres of European integration in various forms such as information and experience exchanges, planning and fulfilling joint events at the levels of experts, working groups, conferences, round tables, training activities, etc. The parties to the memorandum consider that their cooperation would be useful within the process of the bilateral implementation of the Republic of Moldova-European Union Agreement. At the same time they pledge for an open dialogue that would contribute to establishing and consolidating the democratic institutions as well the economic and social development in the Republic of Moldova.

A number of conferences dealing with cooperation between the public and NGO sectors in Moldova took place in recent years. Among the most important was the high-level conference “Strengthening the Dialogue between the Government and the Civil Society in Moldova in the framework of the Coordinated Implementation of the EU-Moldova Action Plan, Economic Growth and Poverty Reduction Strategy and Millennium Challenges Programme”. The main achievement of this conference was the mutual agreement to develop a Government Decision on the mechanism of sustainable cooperation between the state structures and the civil society. While the signature of the document reaffirms that interest and good will to cooperate exist, the event did not produce a real mechanism for this cooperation. It may be concluded that the mechanism of cooperation is at the stage of establishment and that the dialogue in Moldova is limited to European integration issues.

There have been some attempts to institutionalize the cooperation between state organs and structures and NGOs in Moldova. Examples include Consultative Council within Moldova’s Parliament or a Consultative Group on Information Strategy on European Union Integration matters within the MFAEI. The state bodies of Moldova sometimes (especially the two last years) used to invite Moldovan non-governmental organizations to take part in these consultations. The civil society organizations, in their turn, also invite the representatives of the MFAEI. This practice is stipulated in the Memorandum mentioned above.

In Poland, the cooperation between the MFA and non-governmental organizations working abroad is institutionalized. In 2002 a special body under the Polish MFA called the Council on Issues of Cooperation with Non-Governmental Organizations was established. Several sessions took place in the period 2002-2005, but nowadays this Council does not function properly. The official web page of the Polish MFA only lists the organizations which “participate” in its activity.

The established cooperation between the first and third sectors in Poland often depends on subjective factors (good or bad personal contacts, the bureaucratic character of official contacts, pure formal consultative meetings within which there is no feedback from the side of the Polish MFA, etc.).

The dialogue between the Polish MFA and Polish NGOs demonstrate that this cooperation is accepted at low and medium levels. The cooperation at the high level often depends on the personality of the Minister. A clear contrast can be made between the welcoming attitude of Włodzimierz Cimoszewicz, who backed the strong and liberal cooperation between the MFA and NGOs,¹ and Minister Anna Fotyga, who was distanced from this idea and no meetings of the Council were held after 2005. We believe that the Polish experience of high-level cooperation needs to be studied in order to avoid some possible negative aspects in the Moldova case.

3. The Polish NGOs' Experience in the Dialogue with the MFA

The Polish NGOs in general are more experienced than those from Moldova. The non-governmental organizations in Poland are defined as legal persons or units without a legal entity, created on the basis of legal regulations, but not units of the public sector as defined by the public finance regulations. They are non-profit-making and include foundations and associations. Here are some facts about the Polish NGOs as of 2002 (the period of establishing good stable relations with the MFA). In 2002 there were over 36,500 associations and over 5,000 foundations registered in Poland. At least 58% of the total number of NGOs registered in 2002 were active; 10% of the registered NGOs were not engaged in any activities. As regard the year of their establishment and their location, 91% of the NGOs were founded after 1989, whereas 30% of the NGOs were less than three years old, and 49% of the total registered NGOs had their seat in large towns (current and former regional capitals).

In the 1990s the Polish non-governmental organizations gained significant experience in maintaining contacts with neighboring countries and the idea of social diplomacy became popular within the Polish NGO sector. In 1999 the Stefan Batory Foundation organized a conference "NGOs in Poland's Foreign Policy" and the group "Polish NGOs Abroad" ("Zagranica Group" in Polish) was established. The "Zagranica Group" is an association of 46 non-governmental organizations and is one of the present-day examples in Poland able to explain the situation in relationship of both state and non-state actors in this country. All the members of the "Zagranica Group" are joined by the will of acting together in order to create better conditions in Poland and Europe for developing supportive activities for the countries in need.

The aims of the association include: exchanging information among Polish NGOs working abroad; participating in shaping and accomplishing Polish development assistance; cooperating with authorities; cooperating with similar national and international platforms; disseminating information concerning international activities of Polish NGOs; and sensitizing Polish public opinion to the issues of international aid.

On July 11, 2001 more than 70 non-governmental Polish organizations adopted a document entitled "Code of Conduct" or "Guiding Principles of Polish Non-Governmental Organizations Working Abroad". The principles of democracy and honesty are the main ones in the Group's activity and cooperation with the foreign partners, at the same time having the will to build understandings across borders, to create a good image of Poland and whenever possible to maintain contacts with Polish diplomatic posts.

¹ Włodzimierz Cimoszewicz in his Statement at the "Social Diplomacy" conference mentioned: "I reconfirm my earlier support for the idea of a consultative board advising the Minister of Foreign Affairs. Let's do it. All I need is a dozen or so names and the board will be appointed. It may meet for its first session as early as September." // Social Diplomacy. The Case of Poland. International Activity of Polish NGOs and their dialogue with government. Ed. by Grazyna Czubek. Stefan Batory Foundation Polish NGOs Abroad. Warsaw, 2002. – p. 20-21.

In 2001 this NGO group continued its work on developing standards for NGOs working abroad and a set of proposals for the Ministry of Foreign Affairs dealing with the facilitations of cooperation in the field of foreign policy and international aid was proposed. The working group produced a draft document for the conference “Social Diplomacy” intended to be held in June 2002 in Warsaw. The title of the document was “Partnership for Foreign Policy”.

The Conference “Social Diplomacy” was appreciated by the civil society as an important event, marking an opportunity to achieve a real dialogue between the civil society organizations and the Ministry of Foreign Affairs of Poland. The goal of the NGOs was to discuss possible cooperation with the public sector in order to support democratic institutions in Poland, democratic transition in other countries, to provide various types of assistance and to build the positive image of Poland. The conference was attended by NGO representatives and government officials. The proposals contained in the “Partnership for Foreign Policy” were discussed, and the updated document, representing the position of nearly 70 organizations, was presented to the Minister of Foreign Affairs Włodzimierz Cimoszewicz.

One of the main stipulations of this document deals with the creation of a consultative body NGO Council within the MFA.

The Council on Issues of Cooperation with Non-Governmental Organizations was established in November 2002 by the Minister of Foreign Affairs of the RP. The first responsibility of this organ is to promote the Polish civil society initiatives in the sphere of foreign policy.

In accordance with the Ordinance nr. 9 issued by the Minister of Foreign Affairs of the Republic of Poland on 19 November 2002, the main tasks of these organs are the following:

- 1) Considering and analysing the main directions of cooperation with NGOs in the sphere of external relations, including the experience and activities of Polish NGOs abroad as well of the initiatives of the MFA in the sphere of the NGO actions;
- 2) Providing consultations on Polish foreign policy (in regard of relations with the states within which international and Polish non-governmental organizations are acting) as well the elaborations of a strategy of assistance from the side of Poland;
- 3) Supporting and promoting the possible participation of Polish NGOs in different international events;
- 4) Presenting estimations, results, reports and expertise in the process of the Council’s activity;
- 5) Cooperating with the suitable departments of the Ministry of Foreign Affairs in the process of the Council’s activity¹.

The Council is composed of representatives of NGOs as well as ministerial officials. It comprises 16 members: 7 are the representatives of the Ministry of Foreign Affairs, 1 person is the representative of the Foundation “Wiedzieć Jak” (Know How) and 8 persons are representatives of other Polish NGOs which act in the sphere of international relations. The members of the Council who represent the Ministry of Foreign Affairs are the Directors of the following departments: Political Cabinet of the Minister; Department of Information System; Development Cooperation

¹ Zarządzenie nr. 9 Ministra Spraw Zagranicznych z dnia 19 listopada 2002 r. w sprawie powołania Rady do spraw współpracy z organizacjami pozarządowymi przy Ministrze Spraw Zagranicznych. // Dziennik Urzędowy Ministra Spraw Zagranicznych [Ordinance nr. 9 in regard with the Council on Issues of Cooperation with Non-Governmental Organizations, issued by the Minister of Foreign Affairs of the Republic of Poland on 19th of November 2002. // The Law Register of the Minister of Foreign Affairs (in Polish)]

Department; Department of the UN System and Global Issues; Department of Consular and the Polish Diaspora Affairs; Department of the European Integration and Accession Negotiation Assistance (now called as Department of the European Union); and Department of Europe¹.

The Council is headed by the President (Presiding Officer) who is appointed by the Minister of Foreign Affairs of the Republic of Poland and has to present reports on activity and expertise. The Council members elect the Vice-President from the representatives of the NGOs. The technical and organizational assistance is fulfilled by the Minister's Secretariat. The meetings of the Council are not held often, depending on the necessity, but at least once every three months².

The financial issues of the Council are regulated by the same document. The budget of the Council's activity has to be presented by the Director of the Secretariat to the respective co-worker of the Ministry who deals with the budget planning. The articles of expenses could also include expenses on business trips of the Councils' members and of other persons who participate in the work of this body³.

In reality this organ does not function. The meetings of this joint body took place only in 2002-2003, and later they were transformed into another format. Since then, the representatives of the Polish society have been invited to assist different meetings, to comment on various documents or to be present at various conferences. At the same time the representatives of the Polish NGOs were treated not as partners in the process of foreign policy making, but merely as partners of the MFA Development Cooperation Department. They were treated as an element of the assistance policy of Poland to the developing countries, including Ukraine, Belarus and Moldova.

Another problem in the functioning of this body concerned the personalized approach to the dialogue. The idea was alive and was in the process of being fulfilled only thanks to the initiative and enthusiasm of the Minister W. Cimoszewicz; later others did not manifest this kind of enthusiasm. The responsible persons from the MFA, according to the personalized approach established a list of organizations that would be included in the Council. When the persons from these organizations changed their place of work or occupation, these organizations, still remaining on the list, were not invited to participate in the cooperation.

Starting with 2003-2004 both partners of this cooperation started to search for a new formula for their relations. If at the initial stage of cooperation the common issue was the European integration, later the subject of cooperation has been enlarged – consular affairs, migration policy, assistance to third countries, etc. Thus, the formula of dialogue was transformed from a high level to low and medium levels and the forms varied – consultations, working meetings, legal expertise, etc.

This formula is considered more efficient and useful, especially for and by the civil society organizations. The MFA representatives support these kinds of contacts and regard them as more acceptable and appropriate. They consider that this is the right formula that allows maintaining the balance between the first sector and the third one.

4. Lessons from Poland for Moldova: How to Improve the Dialogue between the MFAEI and Civil Society Organizations

4.1. An Overview of the Moldovan NGO Sector

¹ Ibid., § 2, p. 2.

² Ibid., §4, 5, 6.

³ Ibid., § 7.

When estimating the civil society sector in the Republic of Moldova, we will use both qualitative and quantitative parameters. Moldova reveals components of a brisk and active NGO community, which has embraced almost 3,000 non-governmental organizations. According to other sources, the number of NGOs in Moldova is about 2,500 organizations. The Ministry of Justice of the Republic of Moldova stipulates that in Moldova there are 3,649 domestic, foreign and international organizations registered. Approximately 3,000 of these organizations are considered active. A study conducted by the CONTACT Centre¹ in 2006 points out that about half of the non-governmental organizations (excluding the Transnistrian ones) are not active, existing only on paper.

The majority of organizations are based in the capital of Moldova as well in large towns and reyon centres such as Balti, Comrat, etc. A few of the active organizations are based in small towns and rural areas.

All the organizations in Moldova could be divided into three large groups. The first group consists of a few well-known and advanced NGOs primarily based in Chisinau. These organizations are characterized by strong organizational capacities, a sound financial management system, diverse sources of funding, strong membership, a good image and an ability to interact with international donors. The second group consists of those organizations, which mostly depend on donor support and are considered organizations with limited organizational capacities. The third one is represented by the organizations situated in the Transnistria region where civil society operates in a hostile and authoritarian environment.

4.2. Cooperation between NGOs and the MFAEI

Mainly the organizations representing the first group cooperate with the MFAEI. The greatest weakness of the NGO sector in Moldova is poor internal management and the lack of resources. The divide between the well organized and advanced organizations, which are small in number, and the poor, so-called rest of the NGO community is growing.

The Moldovan government has recently realized the necessity of such kinds of contacts and cooperation. In this context, in June 2007 the Moldovan Government has proposed to form a legal cooperation mechanism of the governments with the civil society organizations. This mechanism is based on the following forms of cooperation: 1) the creation of a special consultative body under the Prime-Minister of the RM, entitled the Civil Society College, 2) annual conferences, 3) ad hoc meetings, and 4) public meetings.

Although meetings between the MFA of the Republic of Moldova and Moldovan NGOs have taken place, the sphere of cooperation is limited to European integration issues. The Ministry has not been willing to respond to the requests of the NGOs in other cases.

Another problem is the character of the contacts with the Ministry. Of course, the Ministry maintains relations with the NGOs, communicates with them through formalized letters and some of the Ministry's officials have good personal contacts and invite the representatives of the NGOs to different conferences and local events. All these contacts have an ad hoc, spontaneous, disorganized character. At the same time, this process is not fully transparent and the information presented within

¹ "CONTACT Centre" is an independent, non-profit, unpolitical organization, with the mission to support democratic processes in the Republic of Moldova by promoting and implementing both the idea of the open society and encouraging civic initiatives. It was established in 1995 by Soros Foundation Moldova in collaboration with the International Foundation on Electoral Systems and Centres – Romania to consolidate the non-governmental sector in Moldova. For more details, please visit: www.contact.md

this process of cooperation is unsystematic.

5. Recommendations:

1. Not to create a high level consultative organ similar to the Ministry of Foreign Affairs and European Integration. To maintain working contacts and establish permanent meetings two times per year. All other contacts should be made in a working manner.
2. To develop new domains of cooperation: consular affairs, legal expertise and multilateral diplomacy.
3. To enable NGOs to have contacts with the Ministry's officials responsible for the above-mentioned fields (see point 2 above). For this purpose a working group within the MFAEI responsible for the contacts with NGOs should be made.
4. To make the process of cooperating with NGOs transparent through the mass media, as well posting all the information about this process on the official website of the Ministry.
5. NGOs from Moldova need to create a coalition and to elaborate their own plan of action on the forms and methods of cooperation with the MFAEI in the fields mentioned in point 2 of these Recommendations. Then they need to present these proposals to the representatives of the Ministry and to negotiate what is acceptable in their relations.
6. NGOs need to develop relations with foreign partners, which will allow them to have the right to permanent contacts and relations with the MFAEI.