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## **COOPERATION BETWEEN PUBLIC AUTHORITIES AND CIVIL SOCIETY INSTITUTES IN EUROPEAN UNION**

***Annotation.** Principles of civil society and its organizations' participation in public life of the European Union countries and their influence on political and integration processes within the union are considered.*

*European documents aimed at spreading and efficiency of cooperation between public authorities and civil society institutes are analyzed.*

*It is emphasized that civil society in the EU operates within the framework of a multi-level ramified system of supranational representative bodies' governance.*

*It is determined that there is a large number of institutions in the European Union playing a crucial role in building a democratic system and contributing to the unification of government and civil society.*

*It is proven that the European Union is a system of advanced democracy, using favorable conditions for civil society development and its involvement in the management of public affairs.*

*It is stated that the active participation of public organizations in the public life of the EU countries is an integral for stable democracy.*

***Key words:** cooperation, government, public organizations, public, civil society, public authority, EU, law, principles, transparency, decision, values, participation.*

**Scientific purpose of the article** is to study theoretical and practical instruments in the European Union countries as to the effective cooperation between public authorities and civil society institutes.

**Analysis of recent research.** Development of cooperation between public authorities and public organizations is a research subject in works by the following scholars: Ya. Bohiv, L. Voronko, S. Hladkova, T. Husachenko, S. Zahorodniuk, P. Krainyk, A. Kuiuimdzhyieva, S. Matiazh, O. Obolenskyi, O. Orzhel, O. Palii, Yu. Polianskyi, O. Prykhodko, V. Roman, S. Sokolyk, V. Sukhenko, S. Somin, I. Tkachenko, R. Holzacker, A. Chemerys, etc.

**Statement of research objectives.** While researching the issue of effective cooperation between public authorities and civil society institutes in the EU countries, the following objectives were formulated:

- consider European documents aimed at spreading and efficiency of public involvement;
- define advanced European practices for promoting active public participation;
- identify basic values and principles of cooperation between the EU authorities and public institutions;
- investigate essence and content of the “governance” concept in the European Union countries;
- study experience of the leading European countries on the economic effect of cooperation between public authorities and civil society institutes.

**Results.** Today, it is an indisputable fact that civil society is an integral part of the EU’s public, socio-political and cultural life. It is worth noting that importance of developing the cooperation between civil society organizations (CSOs) and the European Union governing institutions was recognized and identified in the mid-twentieth century: in 1951 the Council of Europe recognized the importance of public organizations, and a number of conventions guaranteed the right of citizens to assemble and unite.

The next important step in recognizing the role of civil society was the Council of Europe adopting the Recommendations for Development and Strengthening of Public Organizations in Europe in 1998 and the Fundamental Principles for Public Organizations Status in Europe in 2002.

Content of the “civil society” concept is most fully, in our opinion, formulated by the Center for Civil Society based on the London School of Economics and Political Science. It is defined as follows: “Civil society means an arena of voluntary collective activity centered on common interests, goals and values. Theoretically, its institutional forms are different from those of state, family and market, but practically, the boundaries between state, civil society, family and market are often confusing, complex, and contractual. Civil society, as a rule,

covers a wide range of activity areas, actors and institutional forms with different levels of formalization, autonomy and power” [6, p. 14].

Recognition of the civil society importance has been enshrined in a number of fundamental EU treaties. The Treaty of Rome dated 1957 initiated:

- the European Economic and Social Committee (EESC) aiming at involving economic and social interest groups in the process of common market formation;
- the Single European Act (1986);
- the Maastricht Treaty (1992);
- the Treaty of Amsterdam (1997);
- the Treaty of Nice (2000).

The aforementioned treaties have significantly strengthened the role of the EESC as a consultative and advisory body in decision-making by the EU’s governing institutions. It is important to emphasize that the Committee interacts directly with representative bodies and networks of civil society organizations in the European Union member states [8].

In many EU countries, sectoral legislation provides for the establishment of permanent advisory bodies with the involvement of corresponding civil society institutes (consumer and environmental protection, health care, etc.), which play a crucial role in governmental decision-making processes in corresponding sectors/spheres. In some areas, such bodies (bringing together officials of both governmental structures and civil society institutes) are legally empowered to participate in governance and to monitor policy implementation in a particular area (for instance, social or pension policy management). If certain provisions and requirements for public consultation are violated, such a regulatory instrument shall be annulled via the court. As a rule, in such cases, only the corresponding civil society institutes (and not individual citizens) have the right to sue for abolishment of such policy mechanisms on behalf of individuals and legal entities whose rights and interests they have or may have influence on.

As it is proven by a scholar Ya. Bohiv, the developed civil society is based on intense activity of CSOs. The creation of civil society institutions is an integral attribute of a truly democratic state, a clear indicator for its citizens' freedom. Civil society subjects (public associations, political parties, interest groups, etc.) formulate and represent public interests before the state, and seek to ensure effective dialogue with the state to protect these interests or to resolve potential conflicts [1, p.515].

The role of civil society in ensuring democratic governance is significant. Depending on a level and form of democratic development, as well as political, economic and social environment, different global countries apply different methods of involving CSOs in their political process. The Code of Good Practice for Public Participation in Decision-Making adopted by the Council of Europe contains a clear explanation for various stages of civil society involvement: information, consultation, dialogue and partnership [6, p. 14].

It can be stated that nowadays in Europe, non-governmental organizations are developing quite rapidly, their number is growing, they are gaining new economic and political functions.

An important direction of cooperation between CSOs and governmental bodies of the union is activity in the area of human rights protection. The complex and multifaceted issue of human rights protection is not solved by the European Union alone. The EU cooperation with civil society in this area is carried out through regular consultations with civil society structures such as:

- the European NGO Confederation for Relief and Development (CONCORD);
- the European Network of Foundations for Democracy;
- the European Network of Independent Political Foundations for Democracy and Cooperation Development;
- the European Liaison Office;
- the Network of Institutions for Human Rights and Democracy [8].

The above extensive system of regular consultations is one of the instruments to legitimize decisions made by European structures, as they are perceived by civil society. For example, the EU meets annually with non-governmental organizations' assets on human rights, the environment and social development.

Therefore, the European Union, which is a system of advanced democracy, uses favorable conditions for the civil society development and its involvement in the union governance. There is a great amount of institutions that unite society and government and play a crucial role in the democracy development. The role of civil society as a feedback instrument between the EU bodies and citizens of its member states should be considered important [8].

Using a notion of "participation steps", A. Kuiumdzhyyeva proves that they reveal width (degree of public involvement or withdrawal) and may contain some indications of depth (superficial or intense nature) within the public participation process. They also serve as indicators for the process of social and state evolution over time and for the development level of participatory management practice [6, p. 15].

Analyzing transformation of the "civil society" phenomenon over the last decades, A. Kuiumdzhyyeva proves that the civil society idea is gradually evolving, changing the views of citizens and government officials on its role and additional value. The scholar emphasizes: "For many years, global governments have seen in civil society organizations an obstacle that hindered the authorities' activity rather than had any positive influence hereon" [6, p. 14].

The gradual change of perspective towards realization that CSOs are, in fact, integral and valuable partners to authorities, has resulted from a necessity to stop the decline of trust in state institutions and to bridge a widening gap between citizens and their authorities. The need to initiate a constructive dialogue between citizens and government institutes, and to ensure a more transparent, open and accountable governance that would be responsive to its citizens' needs, has shaped modern global awareness of the role public dialogue plays in decision-making. A

need to develop participatory democracy and responsible governance that would reinforce and support one another has become the core of this new concept [6, p. 15].

Recognizing the growing lack of trust in European and national authorities and the alienation of Europeans from the political process, the European Commission launched a European governance reform in early 2000, making it one of its strategic objectives. The new reform was aimed at recognizing that democratic institutes at European and national level must make every effort to “reconnect” with their citizens and thereby increase the effectiveness of public administration. In the White Paper on European Governance, the Commission continued to develop this concept, claiming that their goal could only be achieved by enhancing public participation in the political process and introducing open and transparent decision-making procedures. In practice, the European Commission has obliged itself to:

- provide relevant online information on the preparation of program events at all decision-making stages;
- establish and publish minimum standards for consultation;
- strengthen communication with general public on issues of pan-European importance, thereby enabling people to control decision-making at all stages;
- establish partnerships in certain areas of activity that go beyond the minimum standards and oblige the Commission to hold additional consultations for greater guarantees of openness and representation from those organizations which such consultations are held with [6, p. 16].

The EU views the development of relations between public officials and citizens as a solid basis for improving the processes of public policy and good governance development. Involving citizens in public decision-making processes enables authorities to find new sources of ideas for their policy directions and to obtain new information and resources for decision-making. It is also an important contribution to building public trust in government, which enhances the quality of

democracy and strengthens civil society opportunities. It has been proven that in democratic countries, the strengthening of relations between public service and citizens enables to:

- use additional sources of information, promising and potential decisions for authorities to meet the urgent needs of public policy within a limited time span;
- provide for information society requests, prepare for accelerated and wider communication with citizens and ensuring the aware governance;
- integrate information and suggestions from citizens into the public decision-making, thereby justifying citizens' expectations that their voice will be heard and their opinions taken into account;
- respond to the demands for greater transparency and responsibility of public authorities;
- increase public trust in authorities [3, pp. 50-51].

The basic values and principles of public participation have been formulated by the International Association for Public Participation and identified in the Code of Good Practice for Public Participation in Decision-Making, as well as declared by the CSO Forum participants.

The International Association for Public Participation has identified the core values that public participation is promoting. These include:

- participation in the decision-making of persons concerned or interested in the corresponding decision;
- involvement of participants in presenting their vision of their participation format;
- providing participants with information required to participate effectively;
- recognizing and discussing needs and interests of all participants, including decision-makers;
- empowering public to influence decisions;
- informing participants how their contribution has influenced the decision.

The Code of Good Practice for Public Participation in Decision-Making contains the following important principles:

- participation through collection and transmission of interested citizens' opinions via CSOs in order to influence the political decision-making;
- trust as a fair cooperation between political forces and society;
- responsibility and transparency both from CSOs and from state bodies at all activity stages;
- independence of CSOs as free structures with their own goals, decisions and methods.

Recommendations by the CSO Forum participants organized by the OSCE to improve the participation of associations in the public decision-making include the following principles:

- transparency – timely public access to all documents, projects, decisions and conclusions relevant to the participation process;
- impartiality for the part of CSOs, as they have the right to act independently and to defend different opinions before authorities;
- openness and accessibility, as participation processes must be open and accessible to all on the basis of agreed participation boundaries;
- responsibility – authorities must be responsible to public for the constructiveness of consultations and report on the results;
- efficiency – participation must be result-oriented in order to have a real impact on the content of decisions;
- non-discrimination – equal treatment and equal access to all, including meeting the needs of minorities, disadvantaged persons, vulnerable or socially alienated persons or groups wishing to participate;
- independence of associations – refusal to impose obligations on CSOs to participate in decision-making or defending certain opinions [9, pp. 7-8].

According to V. Roman, in the EU countries, governance is defined as a set of rules, processes and codes of conduct relating to a way of power implementation,



especially as to issues of ensuring their openness, public participation, accountability, efficiency and activity coordination. A fundamental aspect of the reforms undertaken by the EU institutions to improve their governance system is a better involvement of civil society into the processes of rules and policy formation at the EU level [7, p. 2].

Thus, governance in the EU countries is based on the following principles: openness, participation, accountability, efficiency and coherence. Compliance with the following requirements and principles provides for:

- openness – active communication with public regarding the tasks and obligations of the various authorities and state institutions, as well as the decisions made by them;

- participation – the perception of citizens and their organizations not as passive objects (or subjects) of policy and administrative decisions, but as direct, active and interested parties, who have the right to participate widely in the administrative decision-making at all stages of policy – from the initial stages and throughout the whole policy and governance cycle;

- accountability – it is based on the fundamental right of Europeans to have “good governance”, along with the traditional types of responsibility (political and administrative), it also implies authorities’ duty to respond to the citizens’ needs. It also implies a higher level of mutual responsibility;

- efficiency – public policy, legislative and regulatory systems meet real social needs, have clear goals and are adopted considering the evaluation of their expected influence and previous experience;

- coherence – it requires not only political leadership but also greater consistency between different instruments, policy mechanisms and various strategies for influencing the same reality [7, pp. 2-3].

A research by S. Matiazh provides information on economic impact of the state policy implementation to promote civil society development. Therefore:

- it is non-governmental organizations which make up 3-9% of the GDP in developed countries, for example: Belgium – 5%, Canada – 7.9%;
- 4 to 14 percent of the working-age population are employed in the public sector of the EU countries;
- the amount of people working in the public sector of the EU countries is 10 times bigger than in light industry and 5 times bigger than in food industry;
- in the countries of Central and Eastern Europe, public organizations attract three times more internal and external investments into the social sphere than socially-oriented state and municipal institutions;
- the contribution of non-governmental organizations to the GDP of the European Union countries is increasing twice as fast as that of light industry;
- civil society has created more than 25 million paid jobs worldwide;
- 60% of civil society representatives are engaged in providing services, 40% of them are focused on social, medical and educational services [5].

Thus, recognizing the role of civil society, European countries systematically involve citizens and their associations in the formation and implementation of public policy in all spheres. This allows to:

- release state from the implementation of certain overly burdensome social tasks while maintaining high social standards;
- improve the quality of political and public-law decisions by taking into account the needs of population, alternatives and possible consequences of the decisions;
- provide effective implementation of public-law decisions by population [5].

**Conclusions and prospects of further researches.** Civil society has a significant impact on the European Union development. This happens largely due to the EU, through its history until today, having considerable openness towards the participation of civil society organizations in ensuring its functioning. A reason for this is a large size of the public sector in European countries and its historical collaboration with national authorities.

The system of relations between the EU and civil society, properly provided at the legal level, gives bright opportunities for increasing the impact of civil society on the EU and its further transformation.

Functionally, the European system of cooperation between authorities and civil society is flexible, as it uses such ways of cooperation as special consultations on various social and political issues, regular special meetings and public online consultations with the publication of corresponding widely available materials on the Internet, enabling civil society and its representatives to be involved in the public decision-making on issues raised for pan-European consideration.

Due to the system of relations between civil society and governing supranational structures established in the EU, there are now numerous representative civil bodies, civil platforms and forums of interest to the EU member states in various fields of activity.

The completed analysis of the European experience on building civil society institutes leads to the conclusion that a composing element of democratic society is public activity, initiative cooperation between public authorities and civil society institutes in policy making at different levels and in different segments of social activity.

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#### АНОТАЦІЯ:

**Лізаковська Світлана Володимирівна.** Викладач Військово-морської академії імені Героїв Вестерплатте в Гдині, Республіка Польща, кандидат наук з державного управління, доцент

#### **ВЗАЄМОДІЯ ОРГАНІВ ДЕРЖАВНОЇ ВЛАДИ З ІНСТИТУТАМИ ГРОМАДЯНСЬКОГО СУСПІЛЬСТВА В ЄВРОПЕЙСЬКОМУ СОЮЗІ**

У статті присвячено увагу засадам і стандартам участі інститутів громадянського суспільства у соціально-економічному та публічному житті держав-членів Європейського Союзу. Визначається вплив громадян на політичні й інтеграційні процеси усередині об'єднання.

Досліджуються європейські документи, спрямовані на активізацію та ефективність взаємодії органів публічної влади з інститутами громадянського суспільства.

Автор акцентує увагу на тому, що громадянське суспільство в ЄС діє в межах широкої розгалуженої системи управління представницьких органів на регіональному (європейському рівні).

Установлено, що в Європейському Союзі існує багатовекторна система інституцій, які відіграють вагомую роль у розбудові демократичного устрою, сприяють об'єднанню органів виконавчої та законодавчої влади і громадянського суспільства.

Доведено, що така організація, як Європейський Союз, становить собою систему розвиненої демократії, створює сприятливі умови для розвитку громадянського суспільства й залучення громадян до управління державними справами. Окрім того органи публічної влади, використовуючи різноманітні ресурси (економічні, правові), працюють на благо громадян.

Підкреслюється такий принцип: активна діяльність громадських організацій у публічному житті країн Євросоюзу є невід'ємним елементом демократичних основ в Співтоваристві.

**Ключові слова:** взаємодія, влада, громадські організації, громадськість, громадянське суспільство, державна влада, ЄС, закон, принципи, прозорість, рішення, цінності, участь.

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