



MAPPING STUDY



BELARUS CIVIL SOCIETY ORGANISATIONS IN CROSS-SECTORAL DIALOGUE: SUMMARY OF LEGAL ENVIRONMENT RESEARCH AND EXPERT SURVEY

Minsk, 2014



This publication does not represent the official view of the EC or the EU institutions.
The EC accepts no responsibility or liability whatsoever with regard to its content.

TABLE OF CONTENTS

Abbreviations	3
Introduction and Main Findings	4
Research Methodology	8
PART I. Legal Environment for Civil Society Organisations and Their Influence on Policy-Making	10
1. Political and Legal Context of Formation of National Legal System Regulation for Belarus CSOs	10
2. Legislative Framework for CSO Establishment	14
3. CSO Establishment and Registration Procedure	21
4. Legal Status of Unregistered CSOs	25
5. Financial Conditions for CSO's Activities	27
6. Opportunities and Restrictions of CSO's Participation in Public Dialogue	33
PART II. Activities of Civil Society Organisations and Their Influence on Political Decision-Making	36
1. Main Characteristics of CSO Activities	36
2. Methods and Forms Used by CSOs to Influence Politics	41
3. CSO Cooperation among Each Other and with Other Institutions ..	43
4. CSO Problems and Achievements	56
5. Applying to the EU for Grants/Funding	57
6. EU Advice and Training	57
7. Factors Affecting Civil Society in Belarus	58
APPENDIX. Form for field sociological surveys	60
Questionnaire	60



ABBREVIATIONS

CSO – Civil Society Organisation

EIDHR – European Initiative for Democracy and Human Rights

EU – European Union

Media – Mass Media

MFA – Ministry of Foreign Affairs

MIA – Ministry of Internal Affairs

NGO – Non-Governmental Organisation

NPO – Non-Profit Organisation

OSCE – Organisation for Security and Cooperation in Europe

PA – Public Association

UN – United Nations

UNDP – United Nations Development Programme

UPR – Universal Periodic Review

USA – United States of America

USAID – United States Agency for International Development

INTRODUCTION AND MAIN FINDINGS

The aim of this research is to present the current state of interaction between civil society organisations (CSOs) and government agencies with regard to political decision-making in Belarus. The research reflects the existing legal and institutional framework for cross-sectoral dialogue, as well as an assessment of current cross-sectoral dialogue practices by CSOs themselves.

It should be noted that there are only a limited number of public sector research studies carried out in Belarus, and that only the CSO Sustainability Index is determined regularly¹, on an annual basis. This Index is determined according to a method developed by USAID in cooperation with local organisations. The Index assesses the factors that contribute to the development of civil society in Central and Eastern European countries and is established by an expert assessment rating of the legal environment for NGOs, their organisational development, financial stability, infrastructure, quality of services, advocacy and public image. Research studies with a more narrow focus are conducted periodically by NGOs, related to their impact on society in certain sectors and usually conducted by expert assessments and analyses, using sociological tools to a small extent.

This analytical material is aimed at identifying key problems in the establishment of cross-sectoral dialogue and the course for potentially improving its effectiveness.

On the basis of a legal analysis, we emphasise the following as the basic provisions in the legal environment for cross-sectoral dialogue:

- a) The procedure for state registration of public associations, their organisational framework and foundation is complex and burdensome, leaving room for arbitrary refusal to register any organisation being created;

¹ You can find a complete version of the CSO Sustainability Index for 2013 at <http://www.usaid.gov/sites/default/files/documents/1863/E&E%202013%20CSOSI%20Final%2010-29-14.pdf>

- b) Over the past 16 years, the number of registered PAs in Belarus has risen by only 15%. In recent years, more and more Belarusian CSOs practice the registration of Belarusian CSOs abroad (in the Czech Republic, Slovakia, Germany, Sweden, the United Kingdom, Belgium, Latvia, Ukraine, Russia, Poland, Lithuania);
- c) There is a ban on the activities of various CSOs with no state registration, the breach of which provides for criminal penalties of up to two years' imprisonment;
- d) The legislation sets forth significant restrictions for CSOs' funding from both foreign and domestic sources, including the discouragement of national charity. It also limits the purpose of charitable aid and prohibits PAs from receiving income from their economic (commercial) activity. The right for CSOs to receive funding from the state and municipal budgets is limited to youth and social entities;
- e) The rights of CSOs to peaceful assembly and freedom of expression are significantly restricted;
- f) Cross-sectoral dialogue mechanisms are not defined by legal acts;
- g) There are a large number of public councils in Belarus, created as advisory structures at various state authorities. These public councils may include CSOs as their members. It is often the case that the lion's share of these advisory councils is quasi 'public', as their members mainly include officials from various government agencies, while the councils are used for inter-agency coordination on decision-making. The problem is that there are no uniform standards for the establishment or functioning of the councils at their various levels or within the various government agencies, and information about the councils' activities is often impossible to find in the public sphere. Therefore, CSOs often do not in fact know where or how they can participate;²

² <http://belarusinfocus.info/p/6582>



- h) The Belarusian legislation provides for public participation in policy dialogue through taking part in public hearings on certain issues, particularly in the field of environmental protection, decision-making on urban development and deployment of new enterprises. Public hearings in other sectors are not yet widespread;
- i) The legislation does not encourage public participation in the development or discussion of draft legal acts. The legislative initiative bodies, Parliament or ministries involved rarely initiate procedures for public discussion of bills;
- j) The international obligations of Belarus provide Belarusian CSOs with mechanisms that allow them to engage in dialogue with the State (e.g. Aarhus Convention rules, the Universal Periodic Review of Human Rights in the United Nations for Belarus, etc.).

Within the practical establishment of cross-sectoral dialogue and based on the review of interviews with expert CSO representatives, the following conclusions may be made:

- a) Unregistered CSOs have significantly fewer opportunities for cooperation with government agencies and other public institutions;
- b) National regulatory bodies are much less open to dialogue than local authorities;
- c) The activities of a great number of CSOs depend on funding from abroad, which keeps them at a distance from the needs of the target groups; this is particularly true for unregistered CSOs;
- d) Registered CSOs have a higher level of organisational development, are more likely to have professional staff and generally are aimed at dealing with more diverse and well-defined target groups;
- e) The principal sources of Belarusian CSO financing are foreign aid voluntary donations from citizens and via membership fees – business activities and public financing are negligible;
- f) The main activities of Belarusian CSOs are as follows: social services (36.7%), education (34.7%), culture (34.7%), human rights (22.7%), youth and youth policy (20.0%) civil society support (20.0%);³

³ Table 6. Main Activities of CSO

- g) The citizens' initiatives aimed at human rights protection and civil society support are less likely to be registered in Belarus as legal entities, and therefore such activities are 2–3 times more likely for unregistered organisations;
- h) Belarusian CSOs use a variety of tools to influence policy and decision-making. Every fifth organisation participates in the drafting of regulations. Almost one organisation in two monitors and evaluates the situation and implementation of the authorities' decisions, problem analysis and drafting of analytical documents, as well as participating in community, advisory and expert councils;
- i) In their activities, CSOs most closely cooperate with the media, other Belarusian CSOs and international organisations.
- j) A fairly high number of Belarusian CSOs interact with local authorities and Republican executive authorities (59.2% and 41.2% of CSOs, respectively, participate in joint activities, 43.2% and 28.1% advise on various matters and about 30% are involved in decision-making to a certain extent)⁴. At the same time, there is a low level of interaction of CSOs with the Parliament and the Presidential Administration (fewer than 20% of CSOs are involved in joint activities and fewer than 15% advise);⁵
- k) The main obstacles to CSOs' fruitful cooperation with authorities are the authorities identifying CSOs with the opposition, and related concerns (38% of the surveyed experts noted this) as well as CSOs' lack of access to information about the activities of government bodies (20% of the surveyed experts note this);
- l) According to the experts, only a limited number of CSOs have a significant impact on decisions taken by the authorities. 46% of CSOs indicated at least some influence on the decisions of the authorities at the local level, 31.3% indicated an influence on the decisions of the Republican executive bodies, and 13.3% at the level of the Parliament and the Presidential Administration;
- m) CSOs with more than 100 members and over 10 years of experience are more influential.⁶ Also, participation in any forms of cooperation with

⁴ Table 9. CSO Cooperation with Authorities

⁵ Table 19. Forms of CSOs Interaction with their Significant Environment.

⁶ Table 11. Impact of CSOs on Authorities Decisions Depending on the Age of the Organisation, Table 12. Impact of CSOs on Authorities Decisions Depending on their Membership

other CSOs adds no weight to the degree of CSO influence on the decisions of the authorities;⁷

- n) About 10% of the surveyed experts noted specific achievements in the influence CSOs exert on decision-making at different levels;
- o) Over half of Belarusian CSOs (52.7%) are involved in some form of cooperation with other civil society organisations (networks, unions, associations, coalitions, platforms, etc.);
- p) Belarusian CSOs more often interact with non-state media rather than with state-owned media (51%⁸ and 33.3% of CSOs respectively provide the necessary information and expertise, and 41.6%⁹ and 24.7%¹⁰ of CSOs respectively are involved in joint projects);
- q) The experts estimate the level of cooperation of Belarusian CSOs with the business sector to be the lowest among the significant sectors (institutions/organisations/agencies participating in public policy formation – 23.3% of CSOs are involved in joint projects with business entities, 19.3% of CSOs provide the necessary information and expertise, 19.3% receive material and financial support);¹¹
- r) In the opinion of the experts from Belarusian CSOs, the following factors have the greatest impact on civil society in the country: the political situation (81.4%), government policies towards CSOs (69.4%) and the status of democracy (68.6%).¹² At the same time, factors related to integration in the post-Soviet and European environments have the least impact on civil society in Belarus (about 75% of the experts shared this point of view). Moreover, about 60% of experts believe that the donor community policy in respect of civil society organisations in Belarus has little influence on civil society development;¹³

- s) 60.7% of the experts surveyed agree with the presence of significant legislative restrictions for the activities of CSOs in Belarus;¹⁴
- t) The following trends in reforming the legislation governing CSOs are the most popular among the experts: declarative principle of registration for all CSOs; removing prohibition on the activities of unregistered organisations; the possibility of having a legal address (registered office) in a residential area of the founder's residence; simplification of registration or declarative procedure for registration of foreign donations; reform of the legislation on domestic sponsorship;

Thus, we can say that CSOs in Belarus must contend with constant challenges threatening their existence. This is especially true for CSOs not registered in the Republic of Belarus – their activities are not only illegal, but politically charged to a greater extent. We can also say that more politicised organisations¹⁵ have little chance of being registered in Belarus and are accordingly outside the law in terms of the Belarusian legislation. The political situation in the country – which is unfavourable for social activities, financial difficulties (such as permanent rent increases and a lack of benefits), the shortcomings of the judicial system, pressure on members of unregistered non-governmental organisations and, as a consequence, a lack of personnel – greatly complicates NGO activity in the country.¹⁶ The current political and socio-economic situation in Belarus coupled with the negative attitude of the authorities towards CSOs means they are forced to work in adverse conditions, which further affects their results. This is why CSO activity in itself is often already considered an achievement, even though there is frequently a lack of concrete or clear results.

Legal complexities can lead to the marginalisation of many CSOs. This is especially true for those unregistered in Belarus, as CSO membership is associated with a number of risks (job loss, expulsion from university, etc.), thus reducing the attractiveness of CSOs for many people.

7 Section 3, Part II of this Report

8 Table 15. Assessment of Cooperation with Other Organisations

9 Table 19. Forms of CSOs Interaction with their Significant Environment

10 Table 19. Forms of CSOs Interaction with their Significant Environment

11 Table 19. Forms of CSO Interaction with their Significant Environment

12 Figure 21 Influence of Factors on the Civil Society of Belarus

13 Figure 21 Influence of Factors on the Civil Society of Belarus

14 Figure 3. Legislative Restrictions for NPO activities in Belarus

15 For Belarus, we do not refer to organisations having political objectives but rather to those organisations which for example openly criticise the government or demand the fulfilment of the government's obligations to ensure the rights and freedoms of Belarusian citizens.

16 An NGO is the most widespread form of CSO and the two are used interchangeably in Belarusian society.



In general, it is impossible to speak of an improvement in the status of CSOs, as the state intentionally drives many of them to the periphery of public life. This is facilitated by relevant law-making, which causes a deterioration in the legal status and financial position of CSOs, as well as in the general economic situation in the country. This subsequently puts pressure on the activists as well as engendering negative and stereotypical attitudes of civil servants towards CSOs.

Despite this hostile environment, Belarusian CSOs demonstrate a high degree of application of different tools for influencing policies, seeking to initiate a cross-sectoral dialogue and managing co-operation with the authorities to achieve their goals.

RESEARCH METHODOLOGY

The research concept is based on a combination of quantitative and qualitative methods, such as semi-structured interviews and focus groups. The study includes theoretical and empirical parts.

The theoretical part provides information on the legal environment for CSO activities, including opportunities to create associations and other forms of CSOs, conditions for obtaining legal entity status and opportunities for unregistered CSOs' activities, legal regulation for CSOs' financing (private and corporate donations from domestic sources, foreign funding, government support, etc.) as well as legal rules outlining the opportunities for CSOs' participation in various forms of cross-sector dialogue. This part of the research is based on a review of analytical documents of Belarusian and international NGOs, including monitoring of changes in law and practice¹⁷, the CSO Sustainability Index (assessed in Belarus since 2000), as well as considering the data of the current advisory activity on CSOs' establishment and operation in Belarus.

The empirical part of the research study includes focus groups and a standardised expert survey conducted by the Belarusian Analytical Workshop. The experts were leaders (managers or members of regulatory bodies) from registered and unregistered CSOs in Belarus. Each CSO was represented by one expert.

Focus groups were conducted in two stages: pilot focus groups to develop and adapt research tools to Belarusian conditions, and final focus groups to confirm the validity of the conclusions made on the basis of field studies. Given the peculiarities of the public sector in Belarus, focus groups were conducted separately for registered and unregistered Belarusian organisations in Belarus. In addition, a separate focus group was held for the representatives of

socially oriented CSOs, since the latter generally have more opportunities to develop in Belarus due to the authorities' loyal attitude toward them. It was therefore decided to have socially-oriented CSOs in a separate focus group, in order to acquire the most accurate data on conditions of operation for various types of CSOs in Belarus – for those regarded favourably by the authorities and for those who are not.

The expert respondents were chosen through a multi-stage, random, stratified sampling. The registered and unregistered Belarusian CSOs for research were selected separately from different lists. The stratification criteria were as follows: type of inhabited locality (capital, regional centres and others), legal status of the CSO (NGO, foundation, institution, union / association) and the level of activities (international, national, regional and city/district organisations). In selecting the CSOs, their areas of activity were also taken into consideration. The sampling structure is proportional to the number of organisations in each of the subgroups.

The research took place from March to August 2014, including the theoretical part – from March to June 2014 and the empirical part – from April to August 2014.

We should note the difficulties that arose during the standardised survey of CSOs' representatives, which significantly extended it. The main issue was a lack of publicly available information about registered entities in Belarus, including those related to CSOs. There is no single register of economic entities in Belarus, and the website of the Ministry of Justice publishes only the number of registered organisations¹⁸. Information on the names of the organisa-

¹⁷ Monitoring "Freedom of Association and Legal Status of Non-Profit Organisations in Belarus" for the 2nd quarter of 2014; <http://belngo.info/2014.monitoring-freedom-of-association-and-the-status-of-non-profit-organisations-in-belarus-for-the-second-quarter-2014.html>

¹⁸ According to the Ministry of Justice, as of July 1, 2014, 15 political parties and 1066 party organisations, 37 trade unions (33 republican trade unions, 1 territorial union and 3 trade union in organisations) and 22,875 labour organisations, 2,567 public associations including 230 international, 704 national and 1633 local ones have been registered in Belarus. 33 unions (as-



tions and their contact details are private. The last most comprehensive guide of NGOs in Belarus was published in 2002¹⁹ and has lost most of its relevance.

Another problem was that difficulties in registering organisations by traditional means (e.g. public association, foundations and associations) forced many to legalise their activities in Belarus by registering as an institution. This does not allow us to refer the organisation to the public sector, however, nor consequently to accurately assess the number of these organisations.

Unfortunately, Belarus possesses neither a database nor an approximate estimate of the number of unregistered public associations. Their number, according to various estimates, ranges from a few hundred to a few thousand, i.e. their share in the public sector may range from 20% to 50%, which of course affects the final results. Given the PA's finding in an unregistered field can itself lead to repression against activists, the collection of information about these is complicated.

Yet another problem is that not all organisations registered in the form of public associations are in fact public associations, as they do not regard themselves as CSOs – this primarily refers to numerous sports federations and clubs²⁰.

Moreover, a number of public organisations' leaders refused to participate in the research. The reasons for this differed: from an unwillingness to cooperate with independent social institutions to a lack of interest in the research results, not enough time or a fear of responding to thorny (in their opinion) questions in the survey.

Due to the small number of experts surveyed, quantitative analysis of the outcome is approximate and allows for the documentation of only the most obvious trends, to a greater or lesser degree of certainty. The scope of selection precludes it from being a strictly representative analysis, and the conclusions are not statistically significant. The research analysis is based on emphasising the most significant issues and, primarily, on comparing the responses of experts representing registered and unregistered Belarusian CSOs.

sociations) of public associations and 148 foundations have been registered.

19 BRPA "United Way", Guide of Belarusian Public Associations, 4th edition, 2002.

20 Among 2,567 organisations registered in Belarus 670 (26.1%) are public associations for physical culture and sports.

A total of 150 experts participated in the research: 123 CSO heads and 27 members of managerial bodies. 110 respondents (i.e. 73.3%) represented CSOs registered in Belarus and 40 (i.e. 26.7%) were from CSOs unregistered in Belarus.

The questionnaires for the semi-structured interviews were drafted in two official languages: Belarusian and Russian. The experts could select their preferred language during the survey – 36 (24.0%) chose Belarusian and 114 (76.0%) chose Russian.

Among 110 interviewed respondents representing CSOs registered in the Republic of Belarus²¹, 94 were heads and 16 members of the managerial bodies of these organisations (85.5 % and 14.5 %, respectively). The legal status of these organisations is as follows:

- Non-governmental organisations: 81 (i.e. 73.6%);
- Institutions: 12 (i.e. 10.9%);
- Foundations: 9 (i.e. 8.2%);
- Unions: 8 (i.e. 7.3%).

Among the 40 respondents representing organisations not registered in the Republic of Belarus²², there were 29 heads and 11 members of the organisations' managerial bodies (72.5% and 27.5%, respectively).

Among 150 surveyed civil society organisations 69 are located in Minsk (46.0%), 38 in regional centres (25.3%) and 43 in the district centres and other inhabited localities of Belarus (28.7%).

Civil society organisations included both member organisations and those for which membership is optional. The number of members in the organisations ranged from 0 to 50,000.

On average, the surveyed civil society membership organisations included:

- Around 782 people²³ as members;
- 12 full-time (remunerated) employees;
- 67 volunteers.

21 10 of these organisations are also registered abroad (i.e. 9.1%).

22 8 of these organisations are also registered abroad (i.e. 20%).

23 Responses to questions about the number of members, staff and volunteers of CSOs differ significantly, which is why the average value of these parameters may not be a reliable characteristic of the civil sector and serves rather to compare. You can find more information in Part II hereof (CSO Activity).

PART I.

LEGAL ENVIRONMENT FOR CIVIL SOCIETY ORGANISATIONS AND THEIR INFLUENCE ON POLICY-MAKING

1. Political and Legal Context of Formation of National Legal System Regulation for Belarus CSOs

Following independence for Belarus in 1991, the development of legal guarantees for freedom of association was unsteady. The conditions for CSO activities evolved over several stages, influenced by the political regime's peculiarities:

- 1) The **period from 1988 to 1991** is characterised by the late Soviet regime's legacy of mass and state-controlled associations, the underdeveloped general regulation of CSO activities and a relatively low involvement of the population in the activities of structured non-governmental organisations. During the collapse of the Soviet Union 'informal associations' appeared (at first clandestine associations and later legal ones), which in the 1990s formed the basis of civil society institutions in an independent Belarus. If at the beginning of this period the independent members of civil society were tightly integrated into a nationwide movement for democracy and independence of Belarus, over time they have undergone a certain degree of depoliticisation and begun functioning according to the classical model of civil society in a pluralistic society.²⁴ By the end of this period even pseudo-public and state-controlled unions established in the Soviet era (e.g. creative unions of writers, filmmakers, artists, the Society for the Protection of Monuments of History and Culture) started functioning as state-independent structures, or simply lost their members and disappeared as living social institutions.
- 2) In the short **period of the democracy movement of 1991–1996**, the state policy was aimed at creating a national system for legal regulation

of civil society and enacted legislation governing the activities of CSOs. In the early and mid-1990s, civil society developed rapidly and created multiple new organisations and initiatives. According to the registration authorities, the number of registered NGOs increased from 24 in 1990 to almost 1,000 in late 1995. This was encouraged by a relatively democratic and free atmosphere in the country when – reputedly – Belarus experienced the transition from totalitarianism to democracy.

- 3) **The formation and consolidation of an authoritarian regime starting in 1996** resulted in a refusal to follow international standards of freedom of association and the European principles of cooperation between the state and civil society. Thus, the former functioning of CSOs according to the classical partnership model²⁵ (whereby they could function independently and not be politicised) proved impossible. The strengthening of the President's authoritarian regime demanded the new politicisation of the civil sector and its active involvement in opposition to authoritarianism. The 1996 autumn constitutional referendum²⁶ may be deemed the starting point for this new period in the evolution of the Belarusian civil society – after which the majority of CSOs could not remain depoliticised. The beginning of this period is characterised by the creation of nu-

²⁵ In Europe, this classical partnership model is described in the Fundamental Principles on the Status of NGOs in Europe. These Principles are based on the fact that CSOs contribute to social development through an extremely diverse range of activities, from being an information liaison for different segments of society and public authorities, promoting changes in legislation and public policy and providing assistance to needy groups, to developing technical and professional standards, checking the fulfilment of commitments made pursuant to national and international legislation, providing opportunities for self-realisation, as well as pursuance, promotion and protection of common interests <http://www.coe.int/t/dghl/standardsetting/cdcj/ONG/Fundamental%20Principles%20E.pdf>

²⁶ <http://www.hrw.org/legacy/russian/reports/belarus/1998/july/intro.html>

²⁴ <http://review.w-europe.org/14/2.html>



merous new CSOs, whose mission was to promote democratic reforms and affect the socio-political processes aimed at creating the conditions for the return of Belarus to the democratic path. In this period, a more active cooperation with foreign civil society donors began and resource centres whose mission was to promote the development of a democratic society started to have a significant impact.²⁷ The organisational and specialisation improvement of CSOs was accompanied by an increase in their number: as of April 1, 1998, there were already 2191 CSOs in the country (1061 national and international associations and 1130 local associations). The field of non-governmental initiatives – which legally operate without state registration – has also been expanding.

These CSOs are seeking to strongly influence social and political processes. Close cooperation with political parties was achieved and CSOs are beginning to act as distinct political actors and participate in political life as an agent of country democratisation. Nationwide umbrella CSO structures are being established: the Assembly of Pro-Democratic Non-Governmental Organisations of Belarus,²⁸ the Belarusian Think Tanks Association²⁹ and the Belarusian Association of Resource Centres committed to democracy, a market economy and respect for human rights and independence of Belarus. The Belarusian civil sector at this time has a clear political look and bases its activities on a sound democratic platform.³⁰

Such politicisation could not escape the attention of the emerging authoritarian government. Thus began the process of confrontation between civil society and the government. A reaction to the strengthening of the Belarusian “third sector” was the re-registration of CSOs in 1999, when only 1326 retained their registration and some well-known and reputable organisations lost the status of a legal entity (at the same time the legislation introduced a ban on the activities of NGOs without state registration). The regime also took steps to limit financial support for CSOs by foreign donors: Presidential Decree No.8 of 2001 established the obligation to obtain prior permission from the authorities to use foreign grants.³¹ In 2003 the government made another step

27 <http://review.w-europe.org/14/2.html>

28 Consolidation of Democracy and Implementation of Democratic Reforms: the Role of NGOs, p. 41, http://parlament.org.ua/docs/files/8/1214486508_ans.pdf

29 <https://ru.wikipedia.org/wiki/%D0%9D%D0%98%D0%A1%D0%AD%D0%9F%D0%98>

30 <http://review.w-europe.org/14/2.html>

31 <http://www.legislationline.org/ru/documents/action/popup/id/14094>

aimed at eliminating independent and democratic CSOs – namely, it started a massive campaign to liquidate democratic CSOs.³² The same process continued in 2004 and 2005 (see Table 1). New legal and practical barriers to CSO registration were created, and the introduction of criminal liability for activities in the capacity of a member of an unregistered CSO in late 2005 appeared to be the logical continuation of the legislative restriction process.

Table 1: **NGOs Liquidation in 2003–2005**

Year	Liquidated Public Associations	
	by court	by their own decision
2003	51	-
2004	38	69
2005	68	43

According to the reputable Freedom House rating, the political regime in Belarus is currently characterised by a persistently low level of civil and political liberties, including freedom of association. This puts Belarus on the list of not free countries with the worst indicators in Eastern Europe and some of the worst in the world.³³

Table 2: **Freedom Index in Freedom House Rating for Belarus³⁴**

Ten-Year Ratings Timeline for Year under Review (Political Rights, Civil Liberties, Status)										
Year under review	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Rating	6,6,NF	6,6,NF	6,6,NF	7,6,NF						

Note: assessments of political rights and civil liberties are based on a scale of 1–to–7, with 1 representing the most free and 7 the least free; based on the combined average rating (of the

32 <http://spring96.org/ru/news/7598>

33 <https://www.freedomhouse.org/sites/default/files/MapofFreedom2014.pdf>

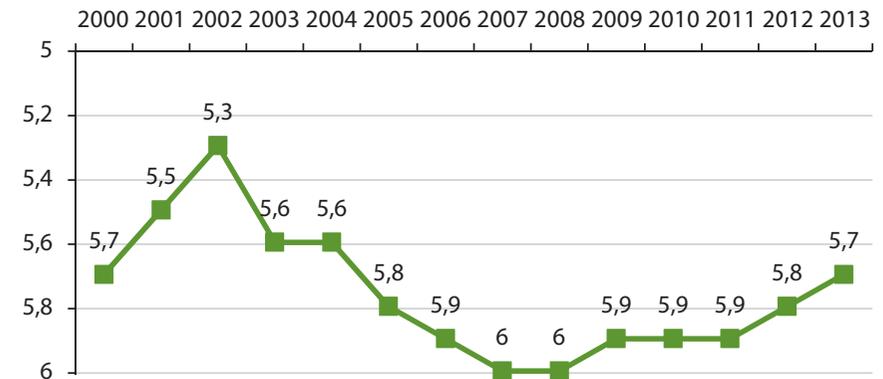
34 Worst of the Worst 2011: the world’s most repressive societies – selected data from *Freedom in the World*, Freedom House’s annual global survey of political rights and civil liberties Belarus – Burma – Chad – China – Côte d’Ivoire – Cuba – Equatorial Guinea – Eritrea – Laos – Libya – North Korea – Saudi Arabia – Somalia – Sudan – Syria – Turkmenistan – Uzbekistan – Tibet – South Ossetia – Western Sahara. This rating considers the indexes of civil and political freedoms. <http://www.freedomhouse.org/sites/default/files/WorstOfTheWorst2011.pdf>

two assessments), the freedom status (or, Status, as used in Table 2 above) is determined to be Free (F), Partly Free (PF), or Not Free (NF). Thus, “6,6, NF” for the year of 2001 means that political rights were rated 6, as were civil liberties and the freedom status was determined as Not Free for the country, based on the combined average rating of the above 2 criteria.

The Government of Belarus in general – and in particular the agencies responsible for the registration of CSOs – possess a very wide range of powers in terms of CSO monitoring and suspending of their operations, for both domestic and foreign CSOs³⁵. Such powers are often used with respect to CSOs engaged in advocacy and protection of human rights. Severe sanctions are imposed on those who do not comply with the legislation.³⁶

Thus, in 2003–2006 a new model of the civil sector developed in Belarus, characterised by the almost clandestine existence of some CSOs, the adaptation of others to exist in the context of a stable authoritarian regime³⁷ and the subordination of others to direct governance.

Figure 1: CSO Sustainability Index in Belarus³⁸ (2013)



According to the survey, the experts of Belarusian CSOs evaluate the situation mostly negatively taking into account the aspects related to activities of CSOs. Firstly, such an assessment concerns basic freedoms (freedom of speech, freedom of assembly, freedom of association) but also it concerns the conditions of CSO funding and tax benefits for charity (see Figure 2).

As regards the situation in the country, the opinions of experts from the registered and unregistered Belarusian CSOs differ dramatically: in general, representatives from unregistered CSOs assess the situation in the country more negatively in all aspects covered by the survey, and in some aspects their assessment is at times the lowest possible (see Table 3 below, which shows the answers of experts who negatively assess the situation in the country (“*very poor*” + “*poor*”).

None of the aspects that characterise the situation in the country got the highest possible rating with any of the experts representing unregistered Belarusian CSOs. Moreover, few experts from unregistered Belarusian CSOs assess the situation in the country as “*good*”. Only the right to private property was rated as “*good*” by 15% of experts, with other aspects receiving positive ratings by 2,5% of experts or even less (see Table 3 below). In general, the experts tended to assess the situation in the country as “*bad*” or “*very bad*”.

35 Assessment of NGO Laws in Belarus (ICNL) http://www.icnl.org/programs/eurasia/Belarus_Assessment%20of%20NGO%20Legislation.pdf

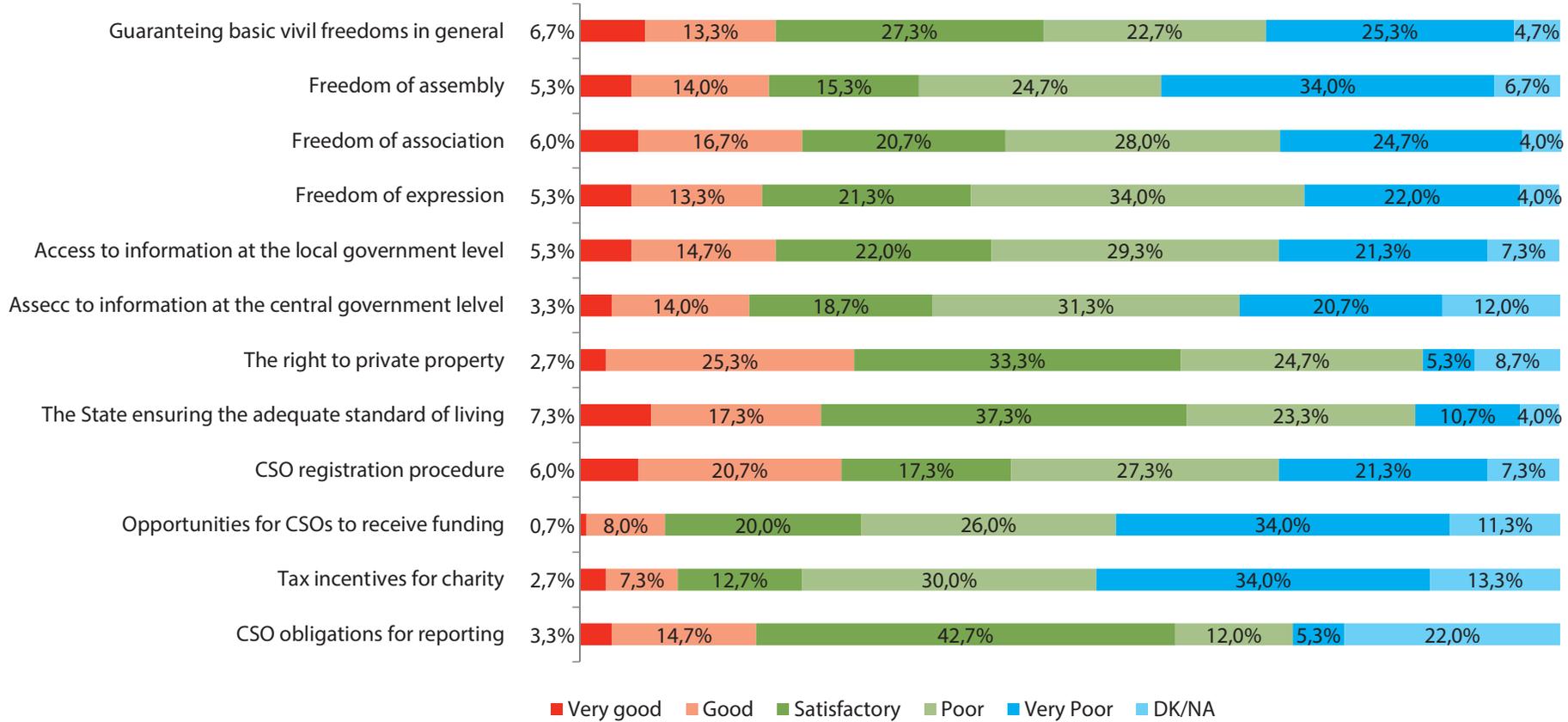
36 Assessment of the Legal Framework for Non-Governmental Organisations in the Republic of Belarus, page 5 http://www.icnl.org/programs/eurasia/Belarus_Assessment%20of%20NGO%20Legislation.pdf; <http://www.lawtrend.org/wp-content/uploads/2014/02/Belarus-Assessment-NGO-Rus1.doc.pdf>

37 The stability of an authoritarian regime is determined by its ability to effectively neutralise the threat posed by internal and external actors who contribute to democratisation. In the case of Belarus, this characteristic of the political system was developed by Vitali Silitski in his concept of «preventive authoritarianism» – see Preempting Democracy: The Case of Belarus, Journal of Democracy Volume 16, Number 4, October 2005 pp. 83–97, and Vitali Silitski, Contagion Deterred: Preemptive Authoritarianism in the Former Soviet Union (the Case of Belarus). CD-DRL working papers, 2006 (http://iis-db.stanford.edu/pubs/21152/Silitski_No_66.pdf) Also, the ability to create quasi-democratic institutions (so-called “democratic mimicry”) is another important characteristic of an authoritarian regime in the 21st century, along with the degree of suppression of instability sources (see Kendall-Taylor, Andrea Frantz, Erica. Mimicking democracy to prolong autocracies / Washington quarterly. – 37(2014), no 4, p. 71–84 (<http://www.tandfonline.com/doi/abs/10.1080/0163660X.2014.1002155?journalCode=rwaq208>))

38 The index takes into account the general legal environment, organisational capacity, CSO financial viability, CSO infrastructure and public image as well as the opportunity to protect public interests. <http://www.usaid.gov/sites/default/files/documents/1863/BLR.pdf>



Figure 2: Evaluation of Situation in Belarus by the Aspects Related to CSOs' Activity.



It should be noted that the views of the experts representing CSOs registered in Belarus are not so negative (due to the increase in the number of experts assessing the situation as “satisfactory”), though their assessments tended to have a negative inclination. Exceptions are the estimates obtained on two aspects describing the situation in the country, i.e. “the right to private property” and “the State is taking steps to ensure that everyone’s standard of living ensured the health and well-being of him / her and his / her family”. Only these cases show a few predominant positive estimates.

Table 3: Experts Assessing the Situation in the Country Negatively for Various Aspects

Aspects Characterising Situation in Belarus / CSOs	Answer	CSOs, total	CSOs Registered in Belarus	CSOs Unregistered in Belarus
Guaranteeing basic civil freedoms in general	positive	20,0%	26,4%	2,5%
	negative	48,0%	33,6%	87,5%
	rating	-28,0%	-7,3%	-85,0%
Freedom of assembly	positive	19,3%	26,4%	0,0%
	negative	58,7%	46,4%	92,5%
	rating	-39,3%	-20,0%	-92,5%
Freedom of association	positive	22,7%	30,9%	0,0%
	negative	52,7%	37,3%	95,0%
	rating	-30,0%	-6,4%	-95,0%
Freedom of expression	positive	18,7%	25,5%	0,0%
	negative	56,0%	41,8%	95,0%
	rating	-37,3%	-16,4%	-95,0%
Access to any information of public interest at the local government level	positive	20,0%	26,4%	2,5%
	negative	50,7%	40,9%	77,5%
	rating	-30,7%	-14,5%	-75,0%
Access to any information of public interest at the central government level	positive	17,3%	23,6%	0,0%
	negative	52,0%	42,7%	77,5%
	rating	-34,7%	-19,1%	-77,5%
The right to private property	positive	28,0%	32,7%	15,0%
	negative	30,0%	26,4%	40,0%
	rating	-2,0%	6,4%	-25,0%
The State is taking steps to ensure that everyone's standard of living ensured the health and well-being of him / her and his / her family	positive	24,7%	33,6%	0,0%
	negative	34,0%	26,4%	55,0%
	rating	-9,3%	7,3%	-55,0%

CSO registration procedure	positive	26,7%	36,4%	0,0%
	negative	48,7%	32,7%	92,5%
	rating	-22,0%	3,6%	-92,5%
Opportunities for CSOs to receive funding for their activities	positive	8,7%	10,9%	2,5%
	negative	60,0%	49,1%	90,0%
	rating	-51,3%	-38,2%	-87,5%
Tax-breaks and incentives to encourage charity	positive	10,0%	13,6%	0,0%
	negative	64,0%	59,1%	77,5%
	rating	-54,0%	-45,5%	-77,5%
CSO obligations for completing the annual financial statements and reports on their activities	positive	18,0%	23,6%	2,5%
	negative	17,3%	15,5%	22,5%
	rating	0,7%	8,2%	-20,0%

2. Legislative Framework for CSO Establishment

Article 36 of the Belarus Constitution guarantees everyone the freedom of association.³⁹ Belarus has signed the International Covenant on Civil and Political Rights. However, Belarus is not party to the Council of Europe and therefore does not accept the European standards of freedom of association and their limits as defined by the European Convention on Human Rights and developed by the judgments of the Strasbourg Court.

2.1. Legal and Organisational Forms of CSOs

The main regulation governing the establishment and activities of CSOs in Belarus is the Civil Code of the Republic of Belarus (enacted in 1999), which contains a special section for “Non-profit organisation”. According to Article 46 of the Civil Code, non-profit legal entities may be organisations that do not have profit as their main purpose and do not distribute profits among their participants. The non-profit organisations can be established for social, nature conservation, charitable, cultural, educational, scientific and management purposes, health care, development of physical culture and sport, satisfaction of spiritual and other non-material needs of citizens, protection of

³⁹ <http://law.by/main.aspx?guid=3871&p0=V19402875e>



the rights and legal interests of citizens and legal entities, dispute and conflict resolution, rendering legal assistance in accordance with legislation and other purposes aimed at the common good. Non-profit organisations can also be created to meet the material (property) needs of citizens and legal entities in cases provided for by law.

According to the Civil Code, non-profit organisations in the Republic of Belarus may have the following legal status:

- **social and religious organisation (association)** – a voluntary association of citizens united in the manner prescribed by law on the basis of their common interests to meet the spiritual and non-material needs (e.g., Public Association “Frantsishak Skaryna Belarusian Language Society” and Republican Religious Association “Belarusian Orthodox Church”);
- **republican state and public association** – a membership-based, non-profit organisation, the purpose of which is to carry out its assigned tasks of national importance (e.g., Republican State and Public Association “Voluntary Society of Assistance to the Army”, Air Force and Navy of the Republic of Belarus”, Republican State and Public Association “President’s Sport Club”);
- **association of legal entities (associations and unions)** – a non-profit organisation created by business organisations to coordinate their business activities as well as to represent and protect their common property interests or interests of commercial organisations and/or individual entrepreneurs, or associations of commercial and/or non-profit organisations (e.g. the Association of Public Unions, “Belarusian Confederacy of Creative Unions” and the Republican Union of Public Associations, “Belarusian Committee of Youth Organisations”);
- **foundation** – a non-membership, non-profit organisation established by a citizen/citizens and/or a legal entity/legal entities on the basis of voluntary property contributions, pursuing social, charitable, cultural, educational ends, development of physical culture and sports, scientific or other useful public services specified in the Charter of the relevant foundation (e.g. Brest Local Foundation of Regional Development, International Foundation of Wild Nature Protection “Red Pine Forest”);

- **institution** – an organisation created by the owner to perform administrative, socio-cultural or other non-commercial functions and funded by the owner in whole or in part (e.g. the Human Rights Institution “Office for the Rights of Persons with Disabilities” and the Educational Institution “Legal Transformation Centre “);
- **consumer cooperative** – a membership-based voluntary association of citizens or citizens and legal entities in order to meet the material (property) and other needs of the participants by integrating the asset contributions of participants (e.g. the Housing and Construction Consumer Cooperative “Borovlyanskiy” and Consumer Cooperative on Gas Supply and Municipal Improvement “Malinovka-Dobrobyt”).

The legal statuses of non-profit organisations specified in the Civil Code are not exhaustive: for example, in accordance with the Law “On Local Government and Self-Government in the Republic of Belarus”, a collegial territorial public self-government body established as a legal entity is a non-profit organisation, and self-government bodies of the advocacy community also represent a separate category of non-profit organisations. In addition, Article 117 of the Civil Code states that the establishment and functioning of certain types of public associations are governed by special legislation.

2.2. CSO Legal Regulation Sources

The most common form of CSOs in the Republic of Belarus is public association. Unlike other forms, public associations were regulated by the legislation of Soviet Belarus prior to 1991.

The source of the regulation for establishment and running of public associations is the Law “On Public Associations” of October 4, 1994 (with numerous amendments). Special laws regulating certain forms of public association include special acts of legislation, such as the Law “On Political Parties” of October 5, 1994, the Law “On Freedom of Conscience and Religious Organisations” of December 17, 1992, the Law “On Trade Unions” of April 22, 1992 (all of them are often amended).

The Law “On Public Associations” defines a public association as a voluntary association of citizens associated, in the manner prescribed by the law, on the basis of common interests to meet non-material needs and achieve statutory goals.

The Law “On Freedom of Conscience and Religious Organisations” stipulates that religious organisations are voluntary associations of citizens of the Republic of Belarus (religious communities) or of religious communities (religious associations), associated on the basis of fellow interests to satisfy religious needs, as well as monasteries and monastic communities, religious brotherhoods and sisterhoods, religious educational establishments and missions.

According to the Law “On Political Parties”, a political party is a voluntary public association that pursues political aims, assists in revealing and expressing citizens’ political will and participates in elections.

The Law “On Trade Unions” defines a trade union as a voluntary public organisation that associates citizens, including students of higher, special, secondary and vocational educational institutions that have common interests by their line of business, both in production and commercial spheres in order to protect the labour, social and economic rights and interests based on the generally accepted principles of international law and established by the General Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, conventions of International Labour Organisation and other duly ratified international treaties of the Republic of Belarus.

Rating the political parties and trade unions as public associations in the presence of a separate form of legal entity in the legislation – i.e. “public association” – raises a number of problems in practice. This is due to the fact that legal regulations use the term “public association” both in the broad sense (within the meaning of the Civil Code) and in the more narrow one (within the meaning of the Law “On Public Associations”). As a result, there are questions as to whether each rule addressed to public associations deals with political parties and trade unions.

The foundations in Belarus are regulated by Presidential Decree No. 302 of July 1, 2005, “On Certain Measures to Regulate Foundations”. Prior to the enactment of the Decree, foundations were the most convenient form of non-profit organisation through 2002–2005 in the context of Belarusian refusals to register public associations, their mass liquidation and control over their activities. It is through the creation of foundations that public associations, forcibly liquidated by court orders, legalised their activities (e.g. the Public

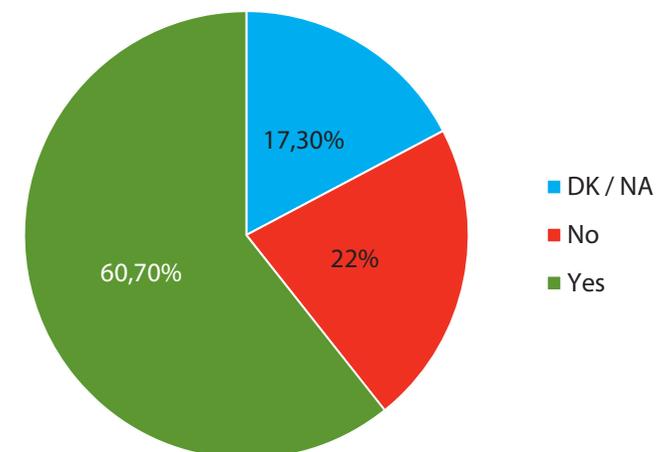
Association “Independent Society for Legal Research”, the Brest Regional Public Association “Vezha”, the Grodno Public Association “Ratusha”, etc.). After approval of Decree No 302, the requirement arose to bring the foundation charters into line with the new legislation, causing the number of registered foundations to drop dramatically. The number of those wishing to register this form of legal entity also reduced. So, upon the initiative of the departments of justice, such foundations as the Innovation Foundation for Legal Technologies and the “Nasha Vezha” Foundation were liquidated by court decree.

General provisions relating to the features of such non-profit organisations as institutions are determined by Articles 120 and 279 of the Civil Code. To date, the institutions are becoming more and more popular among Belarusian citizens as a form of legalisation of activities, due partly to the absence of a special restrictive law.

More than 60% of the experts surveyed believe that there are significant legislative restrictions on the activities of civil society organisations in Belarus (see Figure 3). Moreover, among experts representing unregistered organisations, none could confirm the absence of such restrictions, and 90% of the experts stated their presence.

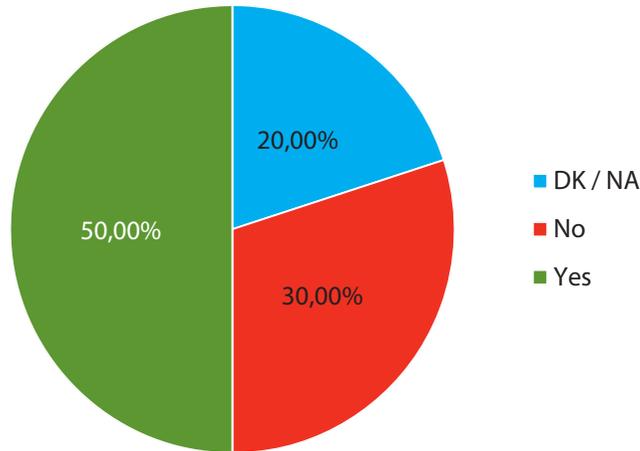
Figure 3: **Legislative Restrictions for NPO activities in Belarus.**

Are there significant legal restrictions for NG activities in Belarus?

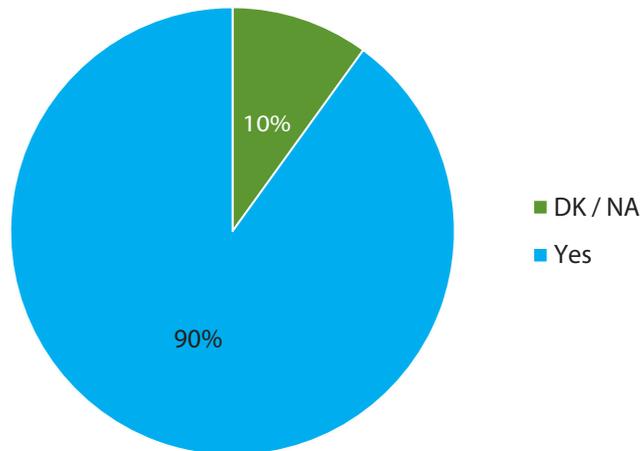




Experts representing registered CSOs



Experts representing unregistered CSOs



2.3. State and Public Associations

The specific feature of the Belarusian public sector (referring to citizens organised in associations, organisations etc.) is the presence of state public associations, which are non-profit organisations but can hardly be classified as CSOs.

The term “state and public association” was introduced in 2003, followed by the Law “On Republican State and Public Associations” of July 9, 2006, which paid particular attention to the relationship of government agencies and state and public associations, being built on two main principles⁴⁰. On the one hand, “government agencies within their jurisdiction shall be entitled to coordinate the activity of state and public associations in accordance with the law, on the basis of the objectives of the republican state and public associations having national importance, and shall be entitled to make decisions binding for such associations”.⁴¹ On the other hand, state and public associations may be given powers to carry out organisational and procedural management of government agencies in their exercise of functions and powers in the field of public administration.⁴²

CSOs created or financed by the state are known around the world, defined using the terms “GONGO” (Government-Organised (or Operated) Non-Governmental Organisation) or “Quasi-CSO”. However, in contrast to the Belarusian analogues,⁴³ despite “belonging” to the state these organisations are usually independent of the political establishment in terms of management.

At the moment, the number of republican state and public organisations in Belarus is relatively low: fewer than 10 organisations working in the field of sports and/or being the successors of Soviet mass organisations (the Life Saving Society, the “Znanie” Society, the “Dinamo” Physical Culture and Sports Society, the President’s Sports Club, the Voluntary Association for Assistance to the Army, Aviation and Navy of the Republic of Belarus, the Belarusian Hunting and Fishing Society and the Belarusian Voluntary Fire-Fighting Society).

A number of public associations having good relations with the public authorities and also *de facto* controlled by the state (the Belarusian Republican

40 Smolyanko Olga: “Establishment of Non-Profit Organisations in Belarus” – Minsk, 2012.

41 Article 10 of the Law “On Republican State and Public Associations”, <http://pravo.newsby.org/belarus/zakon0/z813.htm>

42 Article 10 of the Law “On Republican State and Public Associations”, <http://pravo.newsby.org/belarus/zakon0/z813.htm>

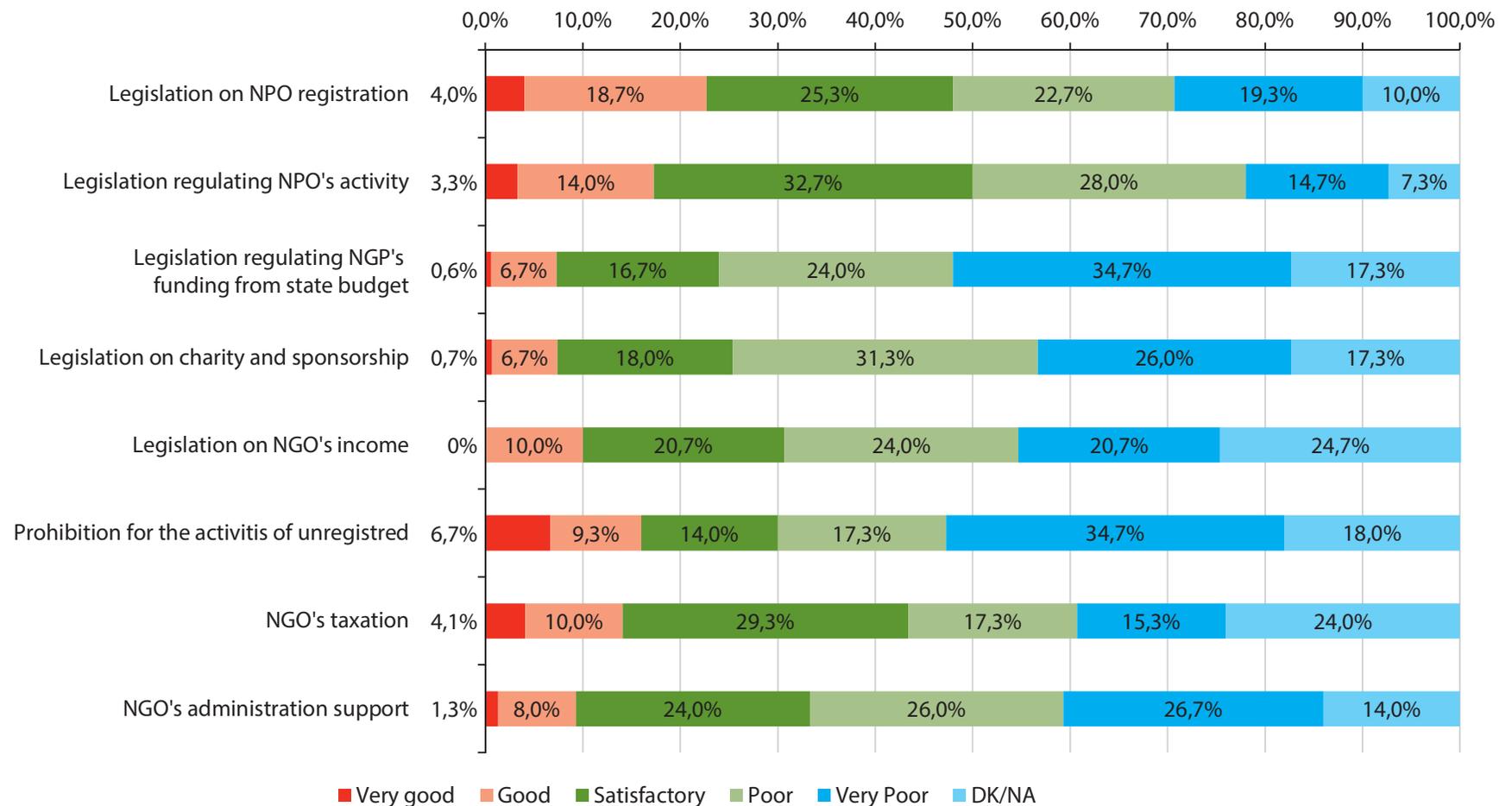
43 The Charters of all republican state and public associations shall be approved by a special law – e.g. Republican State and Public Association “Belarusian Republican Society of Saving in Waters”, Republican State and Public Association “Belarusian Society of Hunters and Fishers”, Republican State and Public Association “Belarusian Voluntary Firefighting Society”, Republican State and Public Association “Belarusian Society “Knowledge”.

Youth Union, the Public Association “Belaya Rus”, the Belarusian Fund for Peace, the Belarusian Union of Women) have the customary status of public associations rather than state or public associations.

2.4. Expert Evaluation of the Legislation Relating to CSOs

The experts interviewed were quite critical about the legislation regulating CSO activities (see Figure 4).

Figure 4: **Assessment of Legislation and its Application in Belarus.**





In general, the following aspects that characterise legislation and practices in Belarus received the lowest evaluations from the experts (“poor” + “very poor”)⁴⁴:

- Legislation governing CSO funding from the state budget;
- Legislation on charity and sponsorship;
- Administrative support to CSOs by the authorities;

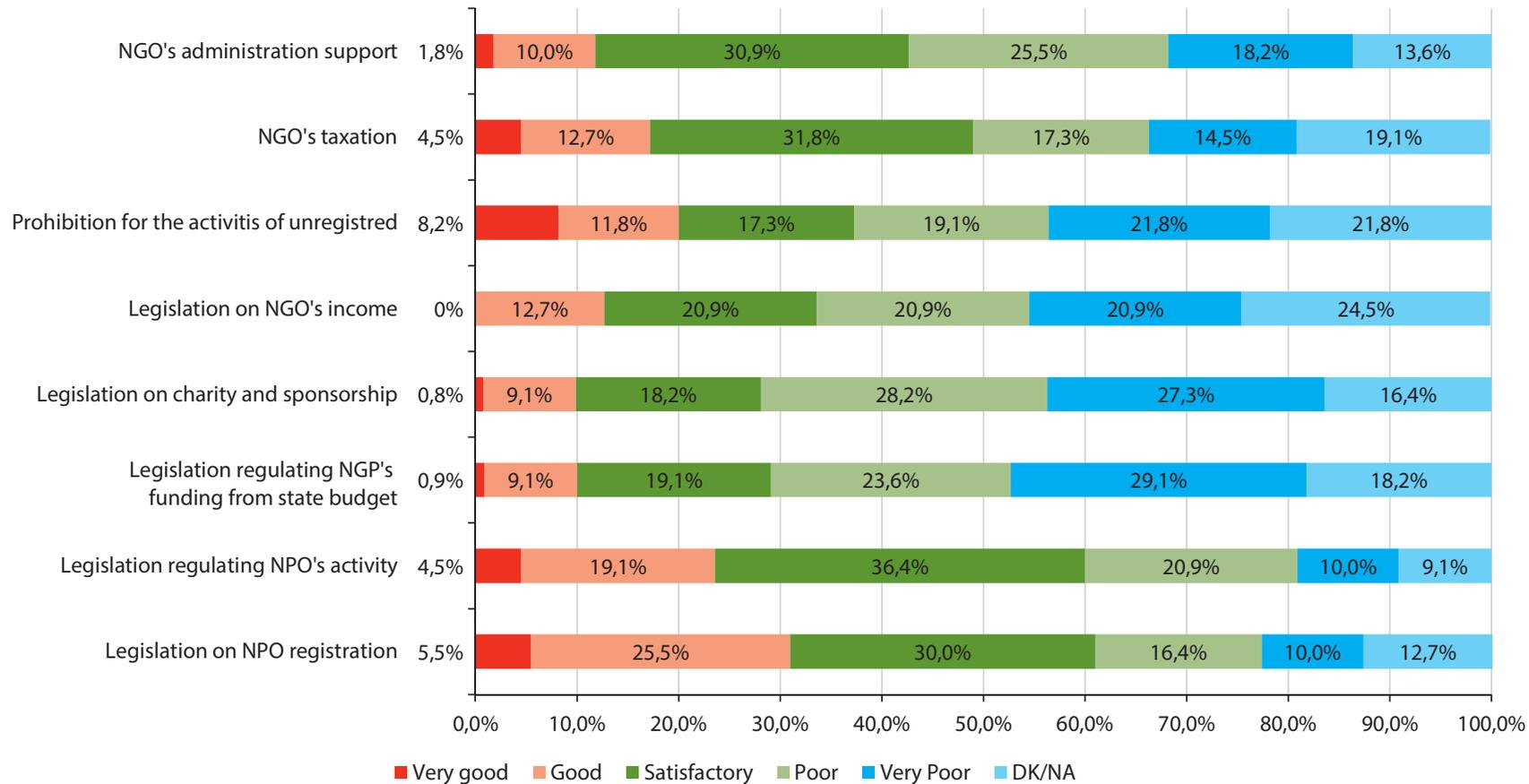
44 Chosen by more than half of interviewed experts.

- Ban on the activities of unregistered associations, religious organisations and foundations.

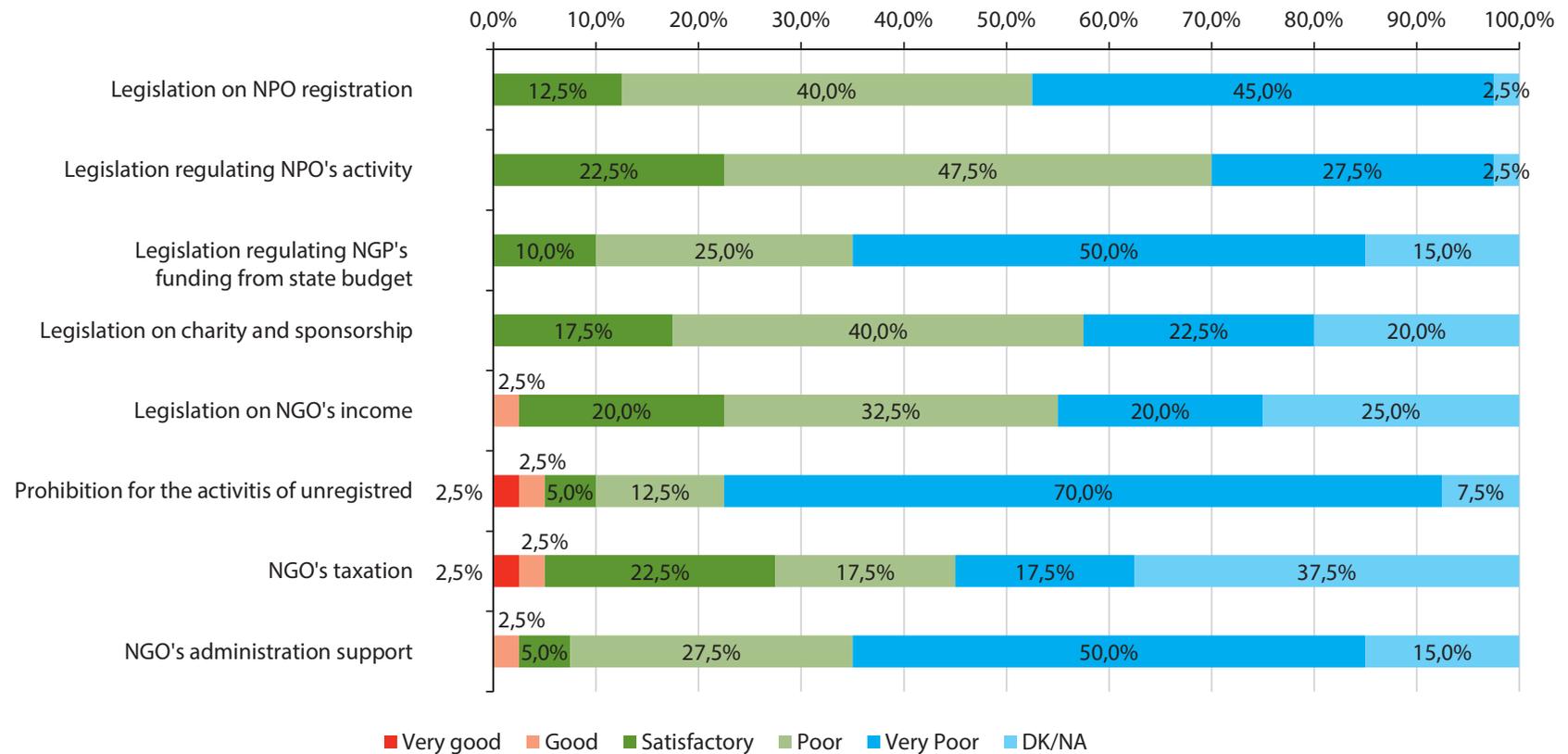
However, as in the case with the assessment of the current situation in Belarus, experts representing unregistered CSOs evaluate the legislation and practices substantially more negatively than those experts representing organisations registered in Belarus (see Figure 5).

Figure 5: **Assessment of Legislation and its Application in Belarus (according to the experts of registered and unregistered CSOs).**

Assesment of Legislation and its Application in Belarus (According to the experts representing registred CSOs)



Assesment of Legislation and its Application in Belarus (According to the experts representing unregistered CSOs)



An evaluation by experts representing unregistered Belarusian CSOs assessed all cases as extremely negative (a positive evaluation is rare). Nonetheless, not all aspects of registered CSOs in Belarus can be considered as positively evaluated by experts either. Only the “Legislation on NPO registration” received positive, satisfactory and negative evaluations relatively evenly.

In general it can be noted that, according to the criteria proposed for consideration, experts tend to negatively evaluate the legislation of the Republic of Belarus and its application⁴⁵.

⁴⁵ It should be emphasised that this wording – which includes two logically non-identical concepts – reduces the heuristic opportunities of sociological tools. Legislation and its applica-

From the perspective of improving Belarusian legislation governing the activities of CSOs, experts determined the following reforms as being most popular:

For organisations registered in Belarus:

- The possibility for a legal entity to have its legal address (registered office) in residential buildings where the founder resides (39.1% of the experts mentioned this as a desirable reform);

tion are two different concepts, and deeper research on each of them would have been more beneficial for obtaining more information about their influence on civil society. However, in Belarus these two concepts are usually discussed jointly and considered inextricable, which is why they were assessed together.



- The simplification of registration or declarative procedures for registration of foreign donations (38.2% of experts mentioned this as a desirable reform);
- Reform of legislation on domestic sponsorship (85% of experts mentioned this as a desirable reform).

For organisations unregistered in Belarus:

- The declarative principle of registration for all CSOs (85% of experts mentioned this as a desirable reform);
- Removing prohibition on the activities of unregistered organisations (72.5% of experts mentioned this as a desirable reform);
- The possibility of having a legal address (registered office) in a residential area (42.5% of experts mentioned this as a desirable reform).

3. CSO Establishment and Registration Procedure

3.1. General Conditions for State Registration of CSOs

State registration of political parties, trade unions, associations and foundations shall be as prescribed by the relevant laws, regulations of the President and subordinate regulations of the Ministry of Justice.

The most common legal and organisational structures of CSOs are: public associations (in the form of a non-profit association based on membership of individuals – the most common for Belarusians); foundations (quite a new form, which appeared in the legislation at the end of the 1990s and based on the association of asset contributions of the founders); and institutions (for a long time this type of CSO was used only to formalise the activity of museums, theatres, libraries and schools, but in recent years more and more private institutions for various activities have been created). The form of union (association) of legal entities is used in instances when there is a need to create umbrella CSO associations.

The experts surveyed were quite critical about the legislation governing the registration of NPOs in Belarus (see Figures 4 and 5 above).

However, the responses of experts representing unregistered organisations (see Figure 5) paint an even more negative picture, with none of them provid-

ing a positive assessment of the legislation governing NPO registration in Belarus. 85% of them rated it as *poor* or *very poor*. The organisations represented by these experts in practice likely faced problems during their registration, in contrast with those organisations that were able to obtain registration in Belarus, whose experts tended to assess the legislation in more moderately (31% as *good* or *very good*, 30% as *satisfactory*, 26.3% as *poor* or *very poor*).

3.2. Practice of CSOs State Registration

In practice, not every initiative of the citizens wishing to obtain the status of a registered legal entity can be implemented.

Legislative provisions allow the judicial authorities responsible for the registration of public associations to refuse to register almost any new initiative. This is achieved by setting out strict criteria that must be fulfilled in order to register a public association: at least 50 founders residing in most oblasts (administrative divisions) and the city of Minsk are required to register a national public association (very strict requirements in comparison with other European countries); all organisations must obtain a legal address (registered office) in a non-residential building prior to registration; foreign citizens cannot be founders of public associations, except for international ones, and so on. On the other hand, the wording set out by the legislation with regard to the potential grounds for registration refusal are very vague and open to arbitrary interpretation. In fact, they create the conditions for the arbitrary behaviour of the registration authorities as well as arbitrary denials of registration.⁴⁶ Moreover, the courts never reverse denials of public association registration due to the total dependence of the judiciary system on the executives.⁴⁷

⁴⁶ <http://www.lawtrend.org/freedom-of-association/sudebnaya-praktika/kratkij-analiz-sudebnoy-praktiki-po-delam-ob-otkaze-v-registratsii-pereregistratsii-obshhestvennyh-obedinenij>

⁴⁷ <http://spring96.org/ru/news/10980>

Table 4: **Comparative Study of Four Legal and Organisational Forms of CSOs**

	Public association	Foundation	Institution	Association / union (of legal entities)
Registering authority	Departments of Justice in the regions and Minsk (local); the Ministry of Justice (national and international)	Departments of Justice in regions and Minsk (local); the Ministry of Justice (national and international)	Regional executive committees. In some cases: city executive committees and district administrations in cities	Regional executive committees. In some cases: city executive committees and district administrations in cities
Founders	Individuals, Belarusian nationals (50 for national; 10 for local; 10 Belarusian nationals and 3 foreign nationals for international CSOs)	Individual(s) and/or legal entity(ies). Mandatory contribution of 100 basic units for local, 1000 basic units for national and international	One individual or legal entity is a founder / owner	Two or more legal entities
Membership	Individuals only	No membership. Individuals can be members of foundation bodies (e.g. the board)	No membership. Individuals can be members of foundation bodies (e.g. the board)	Legal entities only (for associations of non-profit organisations)
Participation of foreigners	Membership of foreign nationals possible as well as their participation in establishing international associations	Possible, but limited by a need to register an asset contribution as a grant assistance with the Department of Foreign Aid	Possible. Limitation: Founder's obligation to (co-)fund the institution entails a need to register funds with the Department of Foreign Aid	Possible
Registration procedure	Authorisation procedure, refusals possible. Deadline for processing documents is 1 month with the possibility of prolonging it by 1 month more	Authorisation	Notification – takes 1 day. To create obstacles for registration, justice authorities can use the procedure for an advance approval of the title	Notification, analogous to that of institution.
Territorial limitations	Local CSOs are authorised to act only within the territory specified in their Charters	No	No	No
Founder's responsibility / liability	Founders and members of a CSO not liable for NGO activities	Founders not liable for foundation activities	Subsidiary (joint)	Subsidiary (joint) in amount and order stipulated by the statutes
Income-generating activities	Prohibited; only possible through CSO participation in for-profit organisations	Possible	Possible	Impossible
Reporting	Annual report on activities to justice authorities; ordinary taxation reporting	Annual report on activities to justice authorities; published in media (including financial report); ordinary taxation reporting	Ordinary taxation reporting	Ordinary taxation reporting



“The phone number of one of the founders is not specified”⁴⁸, “The room where the foundation meeting was held was too small”, “The activities of the organisations are not clear from the Charter”, “The founders were previously brought to administrative responsibility, and therefore will use the organisation to breach the law”, “The font of one of the documents differs from the prescribed size of the font by 1 point”, “One of the founder’s date of birth is incorrect”, etc. – these are real examples of the reasons that the judicial authorities have used as the basis for their refusal of registration. Probably the most absurd example of this kind is the refusal to register a CSO due to the fact that its founders were previously held criminally liable for the activities of non-registered organisations.⁴⁹

By consistently blocking the opportunity to legalise CSO activities, the authorities force them to seek other forms of registration which do not always correspond to the character of the organisation. For example, following a wave of liquidation of public associations in 2003, some of the public associations liquidated by the court registered as foundations (the registration procedure at that time was poorly regulated and quite liberal). Subsequently, in 2005 the President issued a decree to regulate the activities of the foundations, with the majority of newly registered foundations not able to renew their registration. An institution is now the easiest legal and organisational form for CSOs to take in terms of registration, since these are not governed by a specific regulation and can be registered under the procedures established for commercial organisations (in the second half of the 2000s the government liberalised the registration of business entities, thereby creating opportunities for a simplified registration procedure, including for CSO registration in the form of an institution).

The practice of non-profit organisations’ liquidation by courts of law is not as widespread as in the early 2000s, but is still common. Moreover, it is now being used not only on public associations but also with respect to other forms, including institutions (as they now say “*it is easy to register an institution but it is also easy to liquidate it*”).

In general, almost half of the experts (48.7%) assess the CSO registration procedure as *poor* or *very poor*, 17.3% as satisfactory and 26.7% as good or very good (see Figure 2).

⁴⁸ http://civicus.org/csw_files/Belarus_Freedom_of_Assoc.2009.pdf

⁴⁹ <http://nmbnby.eu/news/analytics/4196.html>

3.3. Statistics of Civil Sector

According to the Ministry of Justice, as of July 1, 2014, 15 political parties, 1066 party organisations, 37 trade unions (33 republican trade unions, 1 territorial union and 3 trade unions in organisations), 22,875 labour organisations, 2567 public associations including 230 international, 704 national and 1633 local, were registered in Belarus. 40,066 organisational structures of public associations were registered and records on them were kept. Furthermore, 33 unions (associations) of public associations, 148 foundations (14 international, 5 national and 129 local) and 7 republican state and public associations were registered.

Moreover, according to the official data of the Ministry of Justice, in 2013 the judicial authorities registered 70 new public associations (2 international, 11 national and 57 local), 1 association of public associations and 11 foundations (1 international and 10 local). The number of public associations and foundations registered within one year decreased in 2013 compared with 2011 and 2012 saw the lowest rate since 2005⁵⁰. Half of the registered associations in 2013 have sport as their main purpose of activity, which corresponds to the trends of previous years.

In the 1st half of 2014, 43 new public associations (1 international, 8 national and 34 local), 1 international association of non-governmental organisations and 4 new local foundations were registered.

Before April 1, 1998, Belarus had 2191 registered public associations. Thus, over the past 16 years the number of CSOs has been growing very slowly, due to periodic re-registration campaigns (1999) or the mass liquidation of organisations by the court (2003–2004) and, above all, a complex registration procedure fraught with unreasonable and legally questionable refusals to register an organisation.

⁵⁰ Freedom of association and the legal status of non-profit organisations in Belarus in 2013 (Assembly of Democratic NGOs of Belarus and the Legal Transformation Centre): <http://www.lawtrend.org/freedom-of-association/zakonodatelstvo-ob-nko-analitika/monitoring-pravo-vogo-polozheniya-nko-i-svobody-assotsiatsij-v-belarusi>

Table 5: History of Changes in the Number of Public Associations in Belarus

	October 20, 2003	January 1, 2004	January 1, 2005	January 1, 2006	January 1, 2007	January 1, 2008	January 1, 2009	January 1, 2010	January 1, 2011	January 1, 2012	January 1, 2013	January 1, 2014
Newly Registered Public Associations (as of the previous year)	94	155	61	85	100	94	-	94	134	118	111	70
Total Number of Registered Public Associations in the Country as of the Date Specified	2248	2214	2259	2247	2248	2255	2221	2225	2325	2402	2477	2521

Regardless of the reduction in newly registered foundations in 2013, the registration forms themselves remain attractive for new CSOs, due in part to the fact that it is relatively rare for foundations to be refused the right to register (such cases are sporadic). Most foundations carry out charitable activities.

Within the overall framework of civil society there has been a steady increase in the number of CSOs registered in the form of institutions (i.e. not based on membership and established by a sole owner). Social work is the most popular activity for newly registered institutions.

As a result of this state policy, public activity is concentrated in ways that do not involve institutionalisation, i.e. informal groups, initiatives, campaigns and projects. Once new initiatives have achieved some success, they often do not seek any organisational growth, since they realise the obstacles that commonly present themselves in the process of becoming full-scale CSOs.

3.4. Establishing Representative Offices of Foreign Organisations

The representative office of an organisation is a separate unit, located in Belarus, protecting and representing the organisation and performing other functions consistent with the legislation. Representative offices do not have the status of a legal entity, their property is vested by the legal entity that has created them and they do not act on their own behalf but for the benefit of their parent entity while implementing its programmes and projects in Belarus. Representative offices may perform business activities on the territory of Belarus only for and on behalf of their parent entity.

Although the representative office of a foreign organisation is not a legal entity, the accreditation procedure provided by the Foreign Ministry is, by nature, similar to the registration procedure. In most cases, representative offices in Belarus are established by business entities or large international CSOs and foundations. A prerequisite for accreditation is the existence of a registered foreign or international organisation. This form is notable for substantial initial costs (20 basic units for each year of the representative office's operation, which amounts to EUR 225 at the exchange rate as of September 2014) and a large list of required documents.

Representative offices are established and operate on the basis of permits issued by the Ministry of Foreign Affairs. Foreign organisations in Belarus cannot operate without a representative office. The period for a representative office's operation is determined by the parent entity during its application to establish the representative office. The Ministry of Foreign Affairs extends the term of operation of a representative office within ten days after receiving the relevant application and payment of the fee.

Resolution of the Government of Belarus of July 22, 1997 No.929 "On Procedure for Establishment and Operation of Representations of Foreign Organisations in the Republic of Belarus" specifies the purpose for which a representative office of a foreign organisation can be established. In practice, the registration of representative offices of organisations pursuing other purposes than those specified on this list is highly complex. A permit to open representative offices for other socially useful purposes is issued by the Ministry of Foreign Affairs in coordination with the government authorities concerned.



A CSO's representative office operates for the goals provided for during accreditation, based on the programmes and projects that meet the priorities of the organisation and that are approved by its supreme management body. These documents should contain information on activities aimed at solving specific problems – consistent with the purposes of establishing the representative office – as well as information about the terms and resources provided for the implementation of programmes and projects. As part of the programmes' and projects' implementation, representative offices of organisations may provide public associations (organisations) and citizens with financial, material and other resources (grants) on a competitive basis. The provision of grants outside the ongoing programmes and projects is prohibited.

4. Legal Status of Unregistered CSOs

4.1. Prohibition and Criminal Liability for Unregistered CSO's Activity

As noted above, the first prohibition for the activities of unregistered public associations was established in 1999. In those days, the administrative responsibility for such an offence was not used widely: usually it was applied to activists of unregistered political movements and youth CSOs (the number of cases: fewer than 10 prosecuted in 1999–2005).

The situation changed pending the presidential elections in 2006, when the authorities traditionally begin preparations for the election campaign through the introduction of new restrictions for CSOs. The most important event was the introduction of amendments to the Criminal Code, which established criminal liability for a number of manifestations of political and social activism. On December 2, 2005, the Parliament adopted amendments to the Criminal Code that increased the liability for “acts against the person and public security”.⁵¹ This bill was submitted to Parliament on November 23, 2005, on behalf of the President and was marked “urgent”.⁵² The bill was considered expeditiously and was highly publicised in Belarus and abroad.

51 http://www1.umn.edu/humanrts/russian/hr-council/Rsprapporteur_hrtsbelarus.html

52 <http://www.sb.by/obshchestvo/article/deputaty-i-kodeks.html>

The Criminal Code was therefore amended by Article 193-1 “Illegal Organisation of Public Association, Religious Organisation or Foundation. Involvement in their Activities”. The Article stipulates that the organisation of activities or involvement in the activities of organisations and foundations – regarding which the decision on their liquidation came into force – is punishable by a fine or imprisonment for up to six months, or by imprisonment for a term up to two years. At a time when the various and numerous civic initiatives in Belarus can be interpreted as unregistered CSOs and it is extremely difficult to get state registration for a public structure independently from the authorities, this rule automatically labelled thousands of Belarusian citizens as criminals.⁵³ A person who has ceased to participate in such an organisation and has reported this to relevant governmental authorities will be exempt from criminal liability if his / her actions do not constitute another criminal offence.⁵⁴

52% of the surveyed experts evaluated prohibition for the activities of unregistered organisations negatively (see Figure 4, answers “poor” and “very poor”). For registered organisations, negative evaluation is observed in 40.9% of the answers and 82.5% for unregistered ones (see Figure 5).

One expert's opinion as expressed during the focus group: “We are in the situation where we have to live and work with caution. We feel like we are in an occupied country; I have been feeling this way for the past two decades”.

4.2. Current Restrictions for Unregistered CSO's Activities

The practice of applying newly introduced amendments did not take long to appear. The first victims were activists from the “Partnyorstvo” (Partnership)⁵⁵ civil initiative, which monitored the elections. A national system of obtaining alternative voting results was destroyed, and later several other criminal cases were initiated under Article 193-1 against youth civil organisations.

53 <http://belhelcom.org/ru/node/13067>

54 Note to Art. 193-1 of the Criminal Code of Belarus, http://etalonline.by/?type=text®num=HK9900275#load_text_none_1_

55 <http://afn.by/news/i/77231>

It has been almost 9 years since the introduction of Article 193-1 in the Criminal Code (15.12.2005). Eighteen people were sentenced under the Article.⁵⁶ The majority of cases under the Article were tried in 2006 (9 people) and 2007 (6 people), which can be explained by the pre-and post-election period. The success of Belarusian civil society was in politicising Article 193-1: under pressure from the global public gaze, since 2008 the authorities have waived criminal sentencing under this Article (sometimes criminal cases are initiated but do not end in court decisions).

However, Article 193-1 continues to be used as a preventive measure: prosecutors and the Committee for State Security (aka the KGB) periodically warn the leaders and activists of unregistered associations by threatening criminal prosecution if they continue their activities within unregistered organisations.⁵⁷

This practice contributes to the latency of formations of civil society: many try to avoid advertising their work or the identification of any public activity with unregistered organisations.

Another expert's opinion expressed during the focus group is as follows: *"The state pushes public organisations beyond the legal environment. The root causes may be different, but in my opinion it is simply a restriction of civil activity"*.

4.3. Registration of Belarusian NGOs Abroad

In recent years, when introducing themselves more and more Belarusian CSOs use the following wording: "the organisation is not registered in Belarus but is registered in Lithuania". This phenomenon has been observed since the mid-2000s, but in recent years has become very widespread. It is enough to refer to the PADOR⁵⁸ database of the European Commission to see the large scale of practice of registering Belarusian CSOs abroad. The number of Belarusian CSOs and CSOs associated with Belarus registered abroad and ap-

56 http://www.lawtrend.org/wp-content/uploads/2014/09/UPR_Belarus_II_2015-03.09.2014-RU1.pdf, <http://belngo.info/2013.new-wave-of-warnings-under-article-193-1.html>

57 <http://belngo.info/2013.new-wave-of-warnings-under-article-193-1.html>

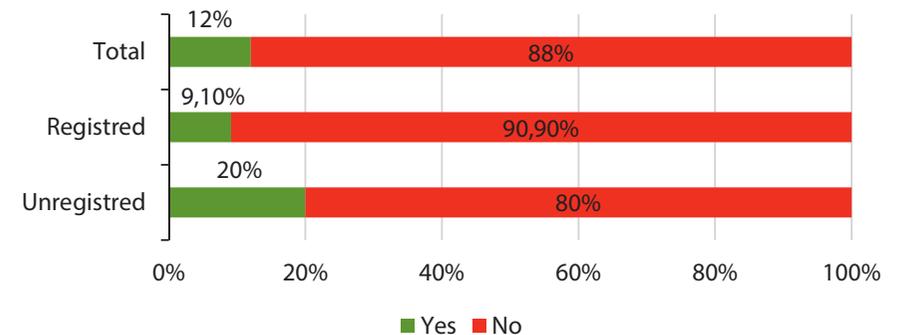
58 PADOR (Potential Applicant Data Online Registration) – database administered by EuropeAid and containing information on organisations applying for European Commission foreign assistance grants.

plying for European grants is comparable to the number of CSOs that apply for EU grants while registered in Belarus. Belarusian CSOs are registered in a great number of countries: the Czech Republic, Slovakia, Germany, Sweden, Ukraine, the United Kingdom, Belgium, Latvia, Ukraine and Russia. But the greatest number of CSOs chooses to register in neighbouring Poland⁵⁹ and Lithuania⁶⁰.

Figure 6 shows the number of CSOs registered abroad, according to the survey.

Among the Belarusian CSOs registered outside Belarus we can name "Molodoy Front", the Belarusian Institute for Strategic Studies (BISS), the Independent Institute of Socio-Economic and Political Studies (IISEPS), the Human Rights Alliance, the Institute of Belarusian History and Culture, the Belarusian Schumann Society and dozens of other reputable CSOs. The Ministry of Justice of Belarus refused to register the Assembly of Non-Governmental Democratic Organisations (NGDO) three times (in 2003, 2009 and 2010). Since 1997, the Assembly has been working as the largest association of CSOs in the country, and is now registered in Lithuania.

Figure 6: **CSOs Registered Abroad**⁶¹



59 In Poland a special manual was issued entitled: "I am Establishing an Organisation in Poland. Guide for Belarusians" (Warsaw, Grupa Zagranica and Partnershp "Klyon", 2012).

60 There is a special website in Lithuania – <http://ngoin.lt/>, providing legal assistance in registration and administration of Belarusian CSOs in Lithuania.

61 CSOs registered in Belarus are often registered abroad. De jure a separate organisation is established once a registered Belarusian CSO registers abroad but de facto such an organisation acts as an auxiliary to the CSO registered in Belarus – for example, it helps find foreign donors for the registered Belarusian CSO.



When choosing a location of registration, Belarusian CSOs are guided both by technical aspects (availability of infrastructure for activities in the country, presence of regular partners, political support of the state, convenient transportation) and by legal aspects (ability to be registered without the constant residing of the founders in the territory of a foreign state, registration simplicity and cheapness, taxation, the opportunity for foreign citizens to participate in the management of the organisation).

It should be especially noted that such initiatives found political support from the EU. The European Parliament in its resolution of 20 January 2011⁶² called the European Commission to develop a mechanism for registration of CSOs rejected in Belarus for political reasons, in order to enable them to take advantage of EU programmes.

Registration abroad gives CSOs three main opportunities: to avoid criminal prosecution for operating without registration; to gain simple access to foreign funding independent of the Belarusian authorities, including EU funding; to be empowered to perform activities outside Belarus that cannot be carried out within the country or that are associated with the risk of interference from the authorities (seminars, conferences, schools, maintaining websites and publications).

These three opportunities – depending on the needs of a particular CSO – allow for all Belarusian CSOs registered abroad to be divided into four main categories. Proper understanding of these functional categories by foreign partners (including donors) is crucial to understanding the phenomenon of “Belarusian CSOs registered abroad”.

First Category – CSOs that require registration abroad simply to obtain the status of a registered organisation. Meanwhile, the CSO is 100% effective in Belarus. In addition, by virtue of its registration abroad, independent Belarusian media outlets can write about the statements and activities of these CSOs: there is a ban on the publication of information about the activities of unregistered CSOs, but writing about foreign CSOs is allowed.

Second Category – CSOs for which registration abroad is a way to avoid tough Belarusian law on foreign donations and receive funding from foreign public

62 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0022+0+DOC+XML+V0//EN>

and private foundations. The relevance of this solution to the problem became obvious after the sensational case of the Belarusian human rights activist Ales Bialiatski, who received grants for the Human Rights Centre “Viasna”, which had been deprived of registration, into his private account and was prosecuted for tax evasion. Now many Belarusian CSOs, even those registered in the country, seek to register in Lithuania and Poland as well. Thus European grants are awarded to Polish and Lithuanian organisations, so called “avatars”. A foreign CSO can then hire employees from Belarus, pay them, and the employees pay taxes in Belarus out of their income as employees of foreign organisations. A foreign CSO can also pay the costs of its activities from abroad (including rent of premises), the publication of books and/or the purchase of equipment. This category of Belarusian CSOs abroad is the most numerous.

Third Category – CSOs specially created abroad for the implementation of activities that cannot be implemented within Belarus. For example, the Belarusian Human Rights House in Vilnius was founded by a consortium of Belarusian human rights activists for the annual Belarusian human rights schools, seminars and conferences, providing assistance to political refugees from Belarus and carrying out a number of other tasks.

Fourth Category – probably the least numerous but the most covered in the media. This category is represented by various civil initiatives and offices created by a new wave of Belarusian emigration. The activities of these CSOs are carried out entirely abroad, and their leaders and the vast majority of their employees reside abroad.

5. Financial Conditions for CSO’s Activities

The satisfactory performance of a CSO’s activities is impossible without a satisfactory financial basis. In a favourable legal environment, CSOs are able to attract additional resources, strengthen their capacity in the areas they deal with and contribute to the implementation of socially significant tasks.

You can find estimates of the importance of different financial sources for CSOs made by Belarusian organisations themselves in paragraph 5.7 below. Regarding the overall assessment of the CSOs’ chance of receiving funding, 60% of the experts evaluate this aspect negatively and only 8.7% think that CSOs have good opportunities to receive funding (see Figure 2).

14.0% of experts evaluate taxation of non-profit organisations as “good” and “very good”, 29.4% of experts evaluate it as “satisfactory” and 32.6% as “poor” (24% did not answer this question or were unable to answer, see Figure 4).

Unfortunately, Belarusian practice is far from international standards⁶³ of relations between the state and civil society, which shows, *inter alia*, in the creation of unfavourable conditions for financing non-governmental organisations. There are several restrictions in this area.

5.1. State Funding

Unfortunately, the system of state support for non-governmental organisations in Belarus is extremely undeveloped. On the one hand, financial support for CSOs is regulated by the rules on grants to any organisation (the Belarusian state has not waived state support for unprofitable business entities). On the other hand, a significant part of the business is owned by the state,⁶⁴ as Belarus failed to implement mass privatisation. In addition, simple budgetary funding from national and local budgets is the primary means of finance allocation for public associations and is provided to a select few organisations loyal to the state (and in fact fully controlled and directed by public authorities): the Belarusian Republican Youth Union, the Women’s Union and Veterans’ Union.⁶⁵ Special legislation in a directive manner defines sports organisations that receive funding from state-owned enterprises.

Until recently, no mechanisms (competitive and open to a wide range of organisations) for obtaining state financial support existed in the country. Belarusian governmental support was distributed in a non-competitive manner⁶⁶,

63 European practices in public funding of non-governmental organisations (policy paper prepared by European Centre for Not-for-Profit Law (ECNL) on demand of the Legal Transformation Centre and Assembly of Pro-Democratic NGOs of Belarus) <https://docs.google.com/file/d/0B0Zdv-X3s4ASMnpVOW9nOF9yYm5WTG1FYTdeXZQUFVqQWRr/edit>

64 Page 3, <http://www.research.by/webroot/delivery/files/pdp2011r04.pdf>

65 http://www.lawtrend.org/wp-content/uploads/2014/09/UPR_Belarus_II_2015-03.09.2014-RU1.pdf

66 Pursuant to the Law of the Republic of Belarus of November 9, 1999, “On State Support to Youth and Children’s Organisations in the Republic of Belarus”, state agencies may (or may not) hold tenders on state order for project (programme) implementation in the social field. However, even in this case the tender cannot be called an open one as there is a register of youth CSOs which may be supported by the state; moreover, in practice the lion’s share of funds goes to the Belarusian Republican Youth Union, which is a state and public association.

but since the beginning of 2013 changes to social security legislation have taken effect, which allowed non-profit organisations to compete for state funding on a competitive basis for the provision of social services to the population and for the implementation of social projects. This mechanism is only just beginning to work, and there are still many pitfalls related to the practical implementation of state social service procurement. However, the fact that competitive distribution of public funds among CSOs was introduced to the legislation itself constitutes a positive change.

State support in the form of benefits applies in Belarus only in the form of granting preferences to certain categories of CSOs or organisations included in the lists of beneficiaries. For example, newly created youth, children’s associations and associations of war veterans are exempt from state registration fees. Preferential rates for the rent of public premises are stipulated for 195 organisations, the list of which is determined by the government.

The surveyed experts mostly negatively evaluated the legislation governing the financing of non-profit organisations from the state budget: 58.7% consider it *poor* or *very poor*, 16.6% – *satisfactory* and only 7.4% – *good* or *very good* (see Figure 4).

5.2. Foreign Funding

Shortly before the 2001 presidential election, the registration procedure for obtaining foreign gratuitous donations was introduced in Belarus, which greatly hampered the possibility for Belarusian CSOs to obtain foreign grants. At the moment this procedure is regulated by Presidential Decree No.24 “On Obtaining and Use of Foreign Gratuitous Aid”⁶⁷.

The legislation establishes severe restrictions on the receipt and use of foreign donations. Foreign gratuitous aid is subject to mandatory pre-registration by the Department of Humanitarian Affairs at the Department of Presidential

67 According to Decree No.24, foreign gratuitous donations are cash – including foreign currency – interest-free loans, contributions by foreign founders (members) of Belarusian non-profit organisations, as well as funds transferred within the approved budgets, goods (property) provided free of charge to organisations and individuals of the Republic of Belarus to use/possess/dispose of by foreign states, international organisations, foreign organisations and individuals, as well as stateless persons and anonymous donors.



Affairs of the Republic of Belarus upon the applications of recipients. The procedure for registering for foreign aid is an authorisation-based one and constitutes a form of political control. There is a limited list of objectives for which a CSO can receive foreign donations, and the Department *de facto* may refuse to give permission for the use of any foreign donations on strained grounds⁶⁸ (for example, due to inexpediency). Unregistered donations should be returned to the foreign donor; in practice, not every organisation can register a foreign grant or donation in kind, and for such areas as advocacy the chance or receiving the registration is null. In autumn 2011, criminal liability for violation of the procedure of receiving and using foreign gratuitous aid was introduced⁶⁹.

Even once permission has been granted to use foreign donations, they are not exempt from taxes; a registered foreign donation is exempt from taxes in virtue of a separate procedure. In this case, the state authorities may deny tax exemption without explanation. In practice, this forces many CSOs receiving foreign grants to pay various taxes out of these funds.

A separate form of foreign funding includes funds received within international technical assistance. Such funds are governed by special legislation (Presidential Decree No.460 “On International Technical Assistance Provided to the Republic of Belarus”); receiving state consent to use them is obligatory, and numerous restrictions apply regarding the purposes of use.⁷⁰

68 The procedure for foreign aid registration starts only after the arrival of funds in the organisation’s account. That is, a Belarusian CSO signing a contract with a donor on project implementation cannot know in advance whether it may or may not be able to fulfil its contractual obligations to the donor, as at any time the registration of funds may be refused. Moreover, if the funds come in tranches, it is necessary to register each tranche (each instance of receipt of funds) separately. There were cases when the first tranche was registered and the second (within the same project, purpose, contract and with the same donor) was not registered.

69 The criminal liability for violation of the procedure for foreign aid receipt has not been applied in practice, but the application of administrative responsibility in the form of fines for such violations is known.

70 International technical support is one of the forms of assistance granted to the Republic of Belarus with no fee by the donors of international technical support in order to support social and economic reforms, environmental protection, Chernobyl disaster mitigation, infrastructure development through research, training, exchange of experts, students and graduate students, transfer of expertise and technology, funds, supply of equipment and other goods (property) for approved international technical support projects (programmes), as well as in the form of organisation and /or holding seminars, conferences and other public discussions.

Each international technical assistance project should be approved by the government’s decision, taken on the basis of a proposal by a special state committee on international technical cooperation at the Council of Ministers of the Republic of Belarus. There is a plan to attract international technical assistance, which determines specific programmes and projects which the Government of Belarus would like to finance through international technical assistance (the participation of CSOs is extremely rare in such proposals).

5.3. Domestic Corporate Donations

Domestic donations from corporate donors (companies and businesses) are also restricted by the purpose of their use. Decree No.300 “On the Provision and Use of Gratuitous (Sponsor) Aid” regulates the provision of such donations by businesses. The Decree provides for an exhaustive list of possible purposes for which a donation may be granted. Such purposes do not include human rights activities, environmental protection or many other activities of civil society organisations (funds for purposes not included in this list may be given donations only with the President’s consent). In addition, the Decree loads corporate donations down with numerous requirements regarding the content of the agreement on donation and reporting (for example, when there is a donation in the form of cash, the contract should contain a list of specific goods and services to be purchased with this money). Belarusian legislation stipulates no tax benefits (except for aid in favour of state budget organisations, religious organisations, culture and information organisations, organisations for physical culture and sports and nine public associations listed in the Tax Code).

Due to the procedure described above, Belarusian businesses are reluctant to donate money to Belarusian public associations or organisations. It is significantly easier for a businessman to donate money as an individual from the wages.

The experts’ opinions confirm the above-stated theses: tax breaks and incentives to encourage charity in Belarus received negative assessments from 64% (“poor” or “very poor”), 12.7% as satisfactory and 10% positive (“good” or “very good”) (see Figure 2).

5.4. Individual Donations

Donations from citizens of Belarus as individuals currently constitute the least restrictive and the main source of funding for non-profit organisations. This is the most common source of funding for civil society organisations in Belarus (however, Belarusian legislation does not provide for any progressive ways of providing such donations, such as for example European interest deductions from tax payments).

At the same time, this sector also faces serious legislative problems. Decree No.24 establishes that funds transferred by anonymous donors also constitute foreign donations. Legislation on donations from domestic sources, introduced in 2005, avoided the problem of anonymous donations. Thus, by default, Belarusian legislation deals with anonymous donations by using authorisation-based procedures established for foreign gratuitous aid, regardless of the fact that the donor may be an anonymous Belarusian donor. At the same time, anonymous donations are in practice a very common way of raising funds by public associations, charitable foundations and institutions, religious organisations and private philanthropy initiatives. Although in most cases we are talking about small amounts of donations, the number of non-profit and other organisations that use such a mechanism is around several thousand. Fundraising through specially installed donation boxes is often allowed by the public authorities, which can also be interpreted as a direct violation of Decree No.24. The problem became particularly serious after the introduction, in late 2011, of administrative and criminal liability for violations related to foreign aid.

5.5. Entrance and Membership Fees

According to the Tax Code, membership and entrance fees for members of public associations are exempt from tax only if the amount of membership and entrance fees is specified in the charter of the organisation, and exemption is possible only for the amount determined by the charter. In practice, however, the latter restriction on the amount does not apply and the contributions are exempt from taxes if charters of associations specify that those types of payment can be made. Membership fees collected on a constant basis constitute an important source of funding only for a few organisations.

5.6. Business Opportunities

Business activities of public associations are prohibited: they are therefore unable to receive funds on an ongoing basis through the sale of their products or from the proceeds from services they offer. If a public association wishes to engage in a business activity, it must register as a commercial legal entity. On the other hand, business activity is permitted for institutions and foundations.

Only 10% of experts evaluate legislation on income-generation by non-profit organisations through provision of services and doing business as “good” (no “very good” responses), 20.7% evaluate the above-mentioned legislation as satisfactory and 44.7% as “poor” or “very poor” (see Figure 4).

5.7. Significance of Various CSOs Funding Sources

Information relating to CSO funding is the most restricted aspect of civil society sector activities, which is why the survey did not touch on quantitative indicators such as the size of financing, the level of payment, income from operations, etc. Nevertheless, despite the anonymity of the survey, 15% of unregistered organisations refused to answer questions about the sources of their funding (Figure 7), which to some extent characterises the atmosphere in which they operate. All registered organisations responded to this question.

During the survey, experts could choose from among 3 main funding sources of their CSOs, rating the sources in order of importance for their organisation and giving them 1st, 2nd and 3rd places.

As regards the principal source of funding (see Figure 7), 33.3% of experts indicated foreign gratuitous aid and international technical assistance, 21.3% indicated membership fees and 16.7% voluntary donations of citizens, after which they placed sponsorship by business entities (6%), business activities and services provision (4%) and state funding (0.7%).

The same pattern can be observed in the responses of experts representing registered CSOs. For unregistered organisations the primary source of funding (45%) is foreign gratuitous aid and international technical assistance, while other sources do not exceed 10%.



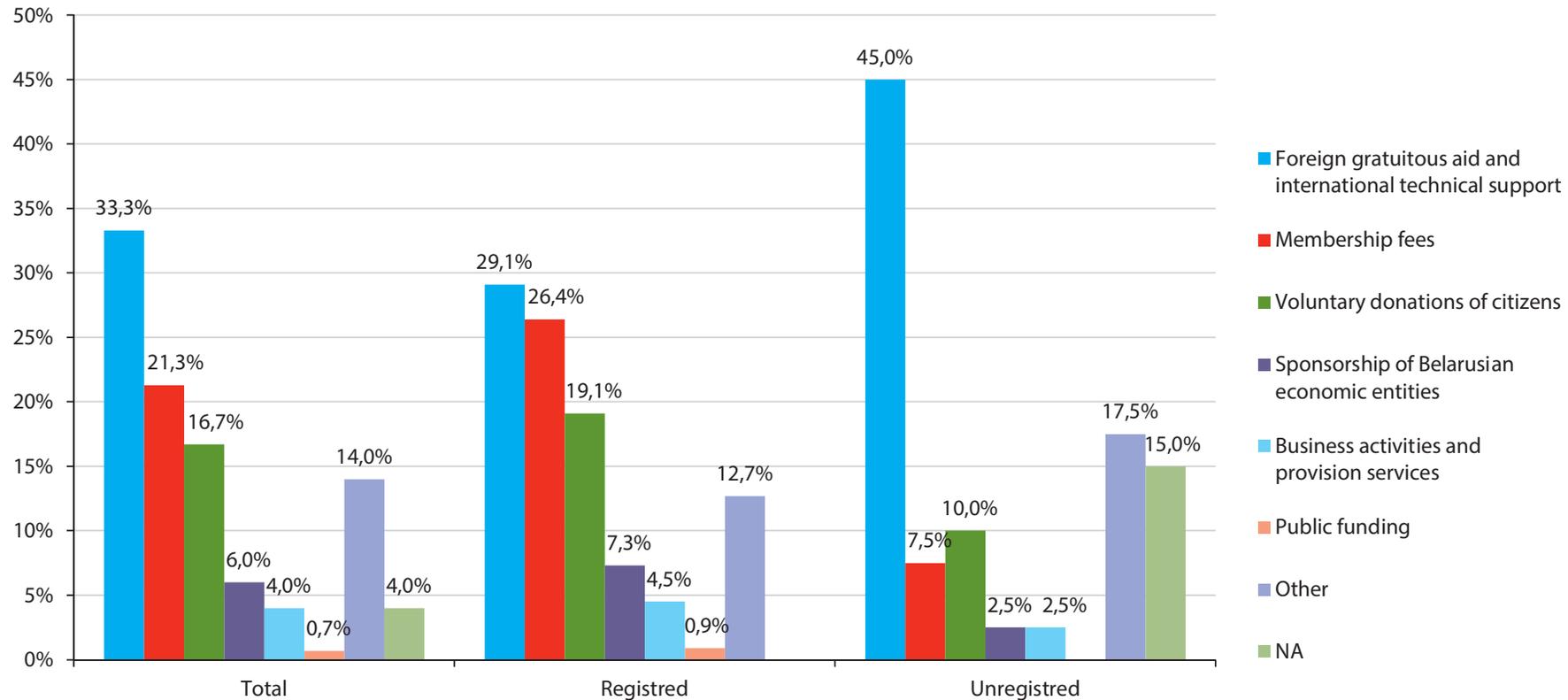
To assess the overall structure of funding sources, the scheme of standard accounting has been applied. Expert responses corresponding to 1st, 2nd and 3rd places were assigned with 1, 0.75 and 0.5 coefficients respectively. Further, an overall rating of significance⁷¹ of possible funding sources for Belarusian CSOs was created (see Figure 8).

71 This rating is rather conditional, since the weighting was chosen subjectively (experts in their responses do not designate a share of a funding source but only rank them in order of importance).

According to the interviewed experts, the significance of each of possible funding source is as follows:

- Foreign gratuitous aid, international technical assistance (40.3%);
- Membership fees (35.3%);
- Voluntary donations of citizens (34.2%);
- Sponsorship of Belarusian business entities (20.0%);
- Business activities, provision of services (8%);
- State funding (2.3%).

Figure 7: Principal CSO Funding Sources

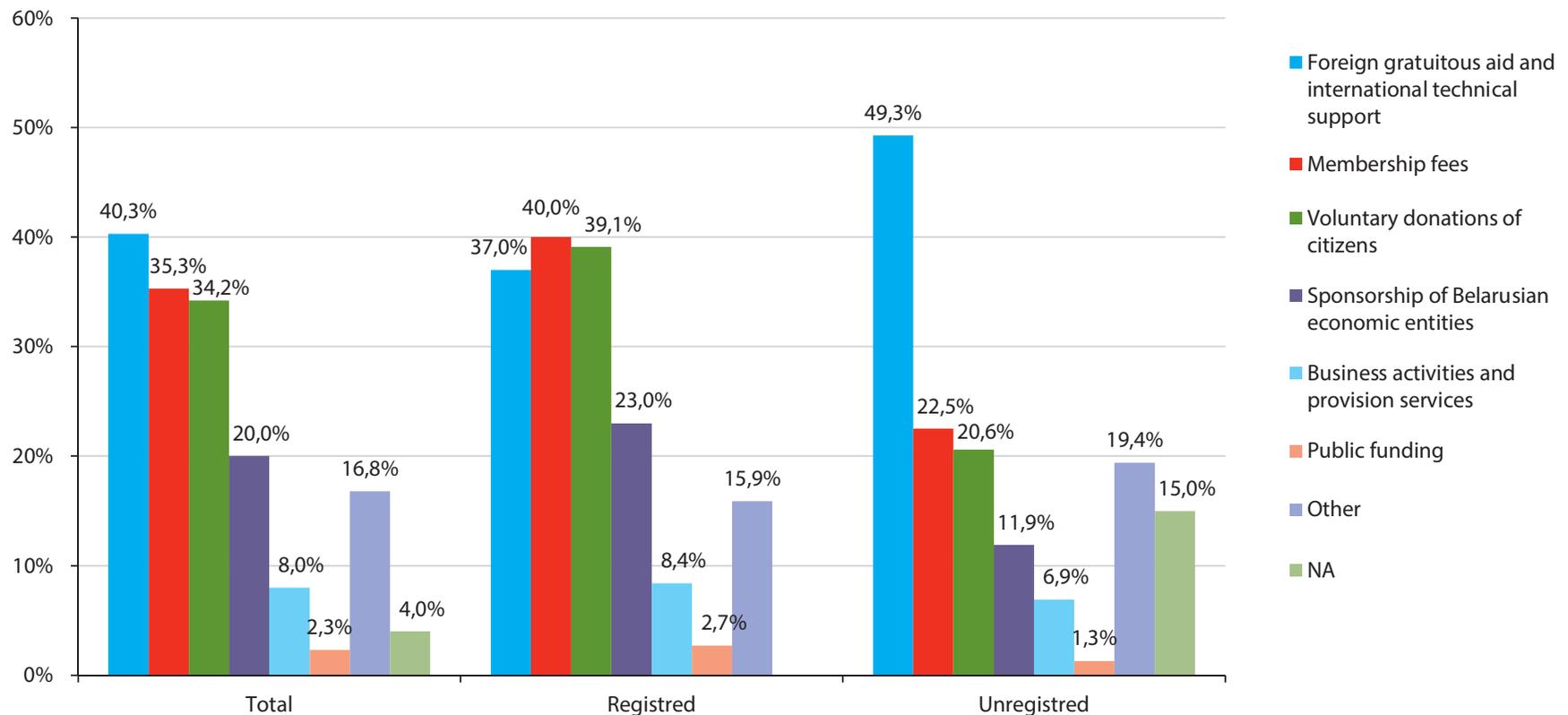


Applying the same calculation method to the responses received from experts representing registered and unregistered CSOs separately, we could see that the structure of the main sources of funding is somewhat different for them (see Figure 7), i.e. foreign gratuitous aid and international technical assistance are much more significant for unregistered Belarusian CSOs than for registered ones.

34.2% of the surveyed experts chose donations of citizens as one of the sources of funding for their organisations (with varying degrees of significance). However, in most cases, this was not selected as the main source.

It should be noted that non-governmental organizations that have full-time employees tend to have significantly higher shares of income from business activities and provision of services, shares of foreign gratuitous aid, international technical assistance and shares of membership fees in their total income. Thus, experts representing non-governmental organisations with full-time employees chose about four times as frequently “business activities and provision of services” as one of their three main sources of income, twice as often they referred to “foreign gratuitous aid, international technical assistance”, and 1.4 times more often they mentioned “membership fees”.

Figure 8: CSO Funding Sources





6. Opportunities and Restrictions of CSO's Participation in Public Dialogue

Belarusian legislation provides for a number of restrictions on the advocacy and political activities of CSOs. In particular, foundations cannot have statutory purposes related to the disclosure and expression of the political will of citizens. Activities of public associations (unions) aimed at facilitating the provision by foreign states of benefits and advantages to the citizens of the Republic of Belarus due to their political or religious beliefs or national origin in violation of the law are prohibited.

6.1. Public Councils

There are currently a large number of public councils in Belarus, created as advisory structures and affiliated with various state authorities. However, there is no uniformity or systematisation of legal regulation⁷²: in almost every case the legal regulation of a specific council's operation is newly developed by the relevant public authority, disregarding previous work by these kinds of structures. There are no uniform standards for the establishment and functioning of the councils at various levels or at different government agencies. More than 70 acts of legislation regulate the mechanisms of public consultations on state policy issues.

An almost complete lack of documents regulating the activities of the councils (for example, the rules and documents determining such issues as forming and changing agendas, notifying council members of the next meeting, etc.) is yet another flaw in the regulation of Belarusian public councils. Membership in public councils in Belarus is usually approved by the bodies or officials of the bodies that decided to establish the respective council. As a rule, a proportion of the representatives of state and public institutions in the council is not regulated (with the exception of councils consisting solely of representatives from public organisations). There are also no criteria for de-

⁷² Public Councils in Belarus. Legal Regulation Review. Author: Olga Smolyanko, Yuri Chausov (in Russian). The Appendix herewith contains the list of the acts of legislation governing the mechanisms of advice in Belarus. <http://www.lawtrend.org/freedom-of-association/obshhestvennye-sovety-v-belarusi-pravovoe-regulirovanie-i-praktika-avt-issled-o-smolyanko-yu-chausov-minsk-medison-2011-64-s>

termining who may participate in the activities of these councils: procedures of public council formation, other than direct appointment, are extremely rare in Belarusian legislation. The procedure of nominating any registered public associations to the council, followed by a decision by state authorities on the proposed candidates, is stipulated by the regulations governing the formation of certain Belarusian councils that are in charge of social control. The gaps in Belarusian legislation on public councils include, among others, the issue of selecting new members in case of dismissal, for example.

The vast majority of public councils (especially at the lower level, e.g. created at the local departments of the Ministry of Interior) exists only formally and in practice does not implement the function of cooperation between CSOs and government agencies. They often only include representatives from mass public associations, which are loyal to the authorities and are state controlled.⁷³

However, in some areas the public councils are highly efficient: in particular public councils for the development of business, agritourism, protection of historical and cultural heritage and certain other issues function as a true platform for dialogue.

The experts noted participation in advisory councils as a form of interaction with authorities only at the level of local (20%) and national (20.7%) authorities. Only one expert stated his participation in advisory councils involved with the Presidential Administration and none with the Parliament of the Republic of Belarus.

6.2. Public Hearings

Belarusian legislation provides for public involvement in policy dialogue through participation in public hearings on certain issues.

This institution underwent its greatest development in the field of environmental protection and decision-making on urban development and deployment of new enterprises. The Laws "On Environmental Protection" and "On State Ecological Expertise" entitle the public concerned to participate in the preparation and discussions in the form of public hearings. This right is secured by the respective responsibilities of the customers to provide interested

⁷³ <http://www.lawtrend.org/freedom-of-association/obshhestvennye-sovety/obshhestvennye-sovety-v-respublike-belarus>

citizens and CSOs with the necessary information and ensure their participation in the preparation and discussion of material related to the environmental assessment of planned economic and other activities.

The Guidelines for assessment of the planned economic and other activities in the Republic of Belarus endeavoured to determine detailed procedures for public participation in environmental decision-making for specific activities that are potentially most dangerous to the environment and human health. The first such Guidelines were developed in 2001, and in 2005 new Guidelines were adopted that regulated procedures for public hearings in assessing the impact on the environment. The Belarusian public increasingly insists on extending the list of activities subject to the public hearings procedure: implementation of the Aarhus Convention⁷⁴ by Belarus contributed to the development of public participation institutions in this sphere.

6.3. CSO Participation in International Mechanisms as a Tool for Dialogue

The application of the Aarhus Convention⁷⁵ provisions in Belarus shows how the use of international mechanisms allows Belarusian CSOs to engage in dialogue with the government. It often allows for discussions with the authorities on important issues related to, for instance, sensitive topics, such as human rights. In particular, Belarusian CSOs regularly participate in the OSCE meetings on the Human Dimension and to submit alternative reports to various international organisations. In 2011, with Belarus' engagement in the Universal Periodic Review of Human Rights, around 10 CSOs provided alternative reports on the observance of human rights in Belarus⁷⁶. Moreover, the public authorities responsible for preparing the national report consulted with CSOs.

15.3% of the experts marked the preparation of alternative reports to international organisations as a tool to influence the decision of the authorities, constantly or frequently used by CSOs, yet 19.3% use this tool occasionally.

74 <http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>

75 <http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>

76 Universal Periodic Review – Belarus – Reference Documents: Contributions for the Summary of Stakeholder's information <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRBYStakeholdersInfoS8.aspx>

Attempts to use the mechanisms of the Eastern Partnership (including the EU Civil Society Forum established thereunder) for dialogue between CSOs and the government did not succeed due to a lack of political will on the part of the Belarusian authorities to engage in dialogue and to the limited participation of Belarus in the programme.

6.4. CSO Participation in Lawmaking

The legislation does not encourage public participation in the development and discussion of draft regulations and bills. Although the procedure for preparation of legislative activities provides for the proposals of public associations (but not other forms of CSOs) to initiate the adoption of laws, the procedure is generally closed and in practice does not work due to a lack of access to information and the general non-democratic political system. Legislative initiatives, Parliament or the ministries concerned rarely initiate the procedure for public discussion of draft laws.

However, more than a half of surveyed organisations participated in the development of regulations at least once (6.7% constantly, 14.7% often and 29.3% occasionally).

It should be noted that in certain cases the ministries publish bills on their websites in the course of drafting laws concerning the sectors of their authority and suggest leaving comments thereto, but CSOs do not always take advantage of this opportunity. This is because CSO representatives are aware that state authorities do not actually want to consider the opinions of CSO experts. They publish bills and invite comments on them simply to use it later as proof that they actually do co-operate with civil society. The timeframe for submitting comments and proposals is usually very short, discussions of the submitted suggestions never take place and even if CSOs manage to submit their proposals within the extremely short terms, state authorities barely consider their comments when drafting final documents.

Additional opportunities to participate in the rule-making process are stipulated for certain categories of public associations. In particular, the Law “On Protection of Consumers' Rights” entitles consumer associations to participate in the drafting of regulations establishing requirements for the quality of goods (works, services), bills and other regulations governing relations in the field of consumer protection, and also to submit proposals to the Republican



bodies of state administration, as well as to local executive and administrative bodies regarding the measures aimed at improving the quality of goods (works, services), compliance with the rules of pricing, etc.

Despite constitutionally guaranteed access to information and participation in public policy development, numerous regulations regarding consultations with the public and even the existence of public councils, not all CSOs have access to the decision-making process. Even in cases where CSOs are involved in the legislative process, in practice very few are invited to participate in discussions by the relevant state agencies. Furthermore, CSOs are not informed about whether their recommendations are taken into account. The majority of CSOs learn about a bill under consideration by the Parliament from the statements of the deputies made for the media, and the bill itself either is not made public via the Internet or only the initial version is available. For instance, such a situation occurred in November 2011 involving a package of amendments to the laws on public associations, political parties and the Electoral Code, with the bill “On Non-Profit Organisations” prepared by the Ministry of Justice in 2011 or with amendments to the Law “On Mass Events” in November 2011⁷⁷.

6.5. Freedom of Assembly as a Factor Affecting CSO Capacity

The Constitution guarantees freedom of assemblies that do not violate public order or the rights of other citizens. The procedure of assemblies is governed by the Law “On Mass Events in the Republic of Belarus” as well as by the decisions of local executive authorities. Some of these rules significantly restrict the freedom of peaceful assembly in Belarus.

Belarusian legislation provides that organising and holding meetings is subject to authorisation. The complexity and duration of the authorisation procedure and the possibility of arbitrary denial severely restrict the freedom of peaceful assembly. One such restriction deals with the venues for public events: in practice, local authorities choose remote parks, squares, stadiums and other less-frequented places for public events, which often renders them senseless. The law provides for the organisers’ payment of costs related to the meeting (protection of public order, healthcare, cleaning). Applicants are fi-

⁷⁷ Assessment of NGO Laws in Belarus (ICNL) http://www.icnl.org/programs/eurasia/Belarus_Assessment%20of%20NGO%20Legislation.pdf

nancially liable in case of damage to the state, citizens or organisations participating in a mass event.

These provisions are often misused as a basis for prohibiting public events or for inadequate civil claims for alleged damage caused to the companies responsible for cleaning the streets. Almost every peaceful assembly held without the permission of the authorities was stopped by law enforcement agencies, ending with mass arrests of participants and use of physical force and special means by the police. In some cases, participants and organisers were prosecuted for organising or actively participating in group activities that severely violated public order⁷⁸.

⁷⁸ Materials of Belarusian CSOs prepared for the Universal Periodic Review for Belarus at the UNHRC, October 2009. (International Federation for Human Rights (FIDH), Belarusian Helsinki Committee (BHC), Belarusian Association of Journalists (BAJ), “Viasna” Human Rights Centre, Assembly of Democratic Non-Governmental Organisations of Belarus and Congress of Independent Unions (Belarus)) http://lib.ohchr.org/HRBodies/UPR/Documents/Session8/BY/JS2_UPR_BLR_S08_2010_JointSubmission2.pdf

PART II.

ACTIVITIES OF CIVIL SOCIETY ORGANISATIONS AND THEIR INFLUENCE ON POLITICAL DECISION-MAKING

1. Main Characteristics of CSO Activities

The main activities of non-governmental organisations most often⁷⁹ chosen by the respondent experts were the following (see Table 6):

- Social services (36.7% of all surveyed experts);
- Culture (34.7% of experts);
- Education (34.7% of experts);
- Human rights (22.7% of experts);
- Youth and youth policy (20% of experts);
- Civil society support (20% of experts).

However, if we consider the responses to this question separately for registered and unregistered CSOs in Belarus, we come to the understanding that some of the activities are more visible for the latter.

Thus, 42.7% of experts representing registered CSOs and only 20% of those representing unregistered CSOs chose social services as one of their main activities; while 40% and 35% of experts from unregistered Belarus CSOs – compared to 16.4% and 14.5% of registered CSOs – chose human rights and support for civil society respectively. This difference in the activities of registered and unregistered CSOs can be explained by the fact that the citizens' initiatives aimed at protecting human rights and support for civil society are less likely to be registered in Belarus as a legal entity and are less likely to find financing for their activities from domestic sources.

Of special note is the fact that none of the experts representing unregistered Belarusian CSOs chose “healthcare” or “economy, business” as their main areas / activities (with 14.5% and 13.6% of the experts of the registered CSOs choosing these options, respectively, among the key ones).

Table 6: **Main Activities of CSO**⁸⁰

Areas of Activities	total	% survey	
		registered	unregistered
Social services	36.7%	42.7%	20.0%
Culture	34.7%	31.8%	42.5%
Education	34.7%	32.7%	40.0%
Human rights	22.7%	16.4%	40.0%
Civil society support	20.0%	14.5%	35.0%
Youth and youth policy	20.0%	17.3%	27.5%
Community development	12.0%	8.2%	22.5%
Healthcare	10.7%	14.5%	
Environment and animal protection	10.0%	8.2%	15.0%
Economy and entrepreneurship	10.0%	13.6%	
Physical culture, sport, tourism	8.0%	10.0%	2.5%
Research and analytical centres	8.0%	8.2%	7.5%
Philanthropy and charity	7.3%	9.1%	2.5%
Good governance	5.3%	3.6%	10.0%
Religion	3.3%	4.5%	
Protection of minorities	2.7%	1.8%	5.0%
European Integration and foreign policy	2.0%	1.8%	2.5%
Farming / agriculture	0.7%	0.9%	
Other	10.7%	11.8%	7.5%

⁷⁹ Here we show the positions chosen by 20% of surveyed experts and more.

⁸⁰ The experts could choose up to 3 areas of activities..



Below are the main target groups/clients/beneficiaries of CSOs (i.e. these groups were selected by more than 20% of the surveyed experts, see Figure 9):

- Youth (chosen by 48% of respondents);
- Society/population in general (chosen by 45.3% of respondents);
- Children, family (chosen by 30.7% of respondents);
- CSOs (chosen by 24.0% of respondents).

Here, however, there are also significant differences between registered and unregistered Belarusian CSOs in the responses regarding some target groups. Thus, according to the surveyed experts representing registered CSOs, the main target groups for their organisations are as follows:

- Youth (chosen by 45.5% of respondents surveyed);
- Society/population in general (chosen by 38.2% of respondents surveyed);
- Children, family (chosen by 36.4% of respondents surveyed);
- The elderly, disabled people, people facing difficult life circumstances (chosen by 20% of respondents surveyed).

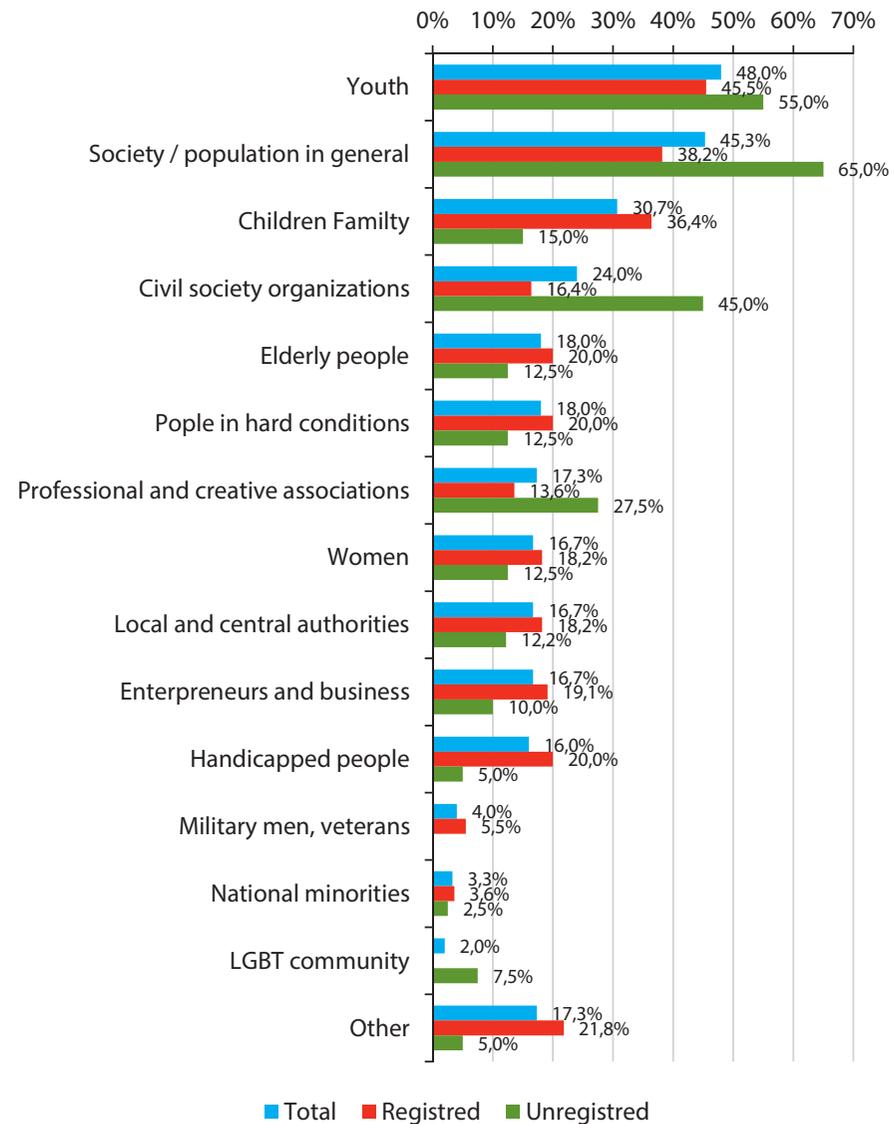
The following are target groups for unregistered CSOs:

- Society/population in general (chosen by 65% of respondents surveyed);
- Youth (chosen by 55% of respondents surveyed);
- CSOs (chosen by 45% of respondents surveyed).
- Professional and creative associations (chosen by 27.5% of respondents surveyed).

Thus, we can note that the spectrum of significant interests of registered Belarusian CSOs is somewhat broader.

However, this is not the only difference between registered and unregistered CSOs: registered organisations are more focused on working with vulnerable groups, which may be explained by their greater focus on social activities. In this case, the loss of interest in children and families on the part of unregistered Belarusian CSOs occurs along with a strong increase in the importance of such target groups as “society/population in general” and “CSOs”. Speaking generally about the surveyed unregistered CSOs, we can say that they have increased the interest in certain target groups and in the prejudice of others.

Figure 9: **Target Groups / Clients / Beneficiaries of CSOs**



In this case, according to the experts (see Figure 10) CSO activity is primarily determined by the needs of a target group (90.7%) and the strategy of the organisation (90%). At the same time, the priorities of donors/sponsors hold the least weight in determining the activity of organisations (23.4%).

As seen in Figure 11, surveyed CSOs operate at the local/regional (74%), national (62%) and international level (34%).

At the same time, the surveyed registered CSOs operate approximately equally at the local/regional and national levels (70% and 66.4% respectively), while unregistered CSOs are more often represented at local/regional level, rather than at the national one (85% and 50% respectively). 36.4% of surveyed registered CSOs and 27.5% of unregistered ones operate at the international level.

Figure 11: Level of Belarusian CSOs Operation

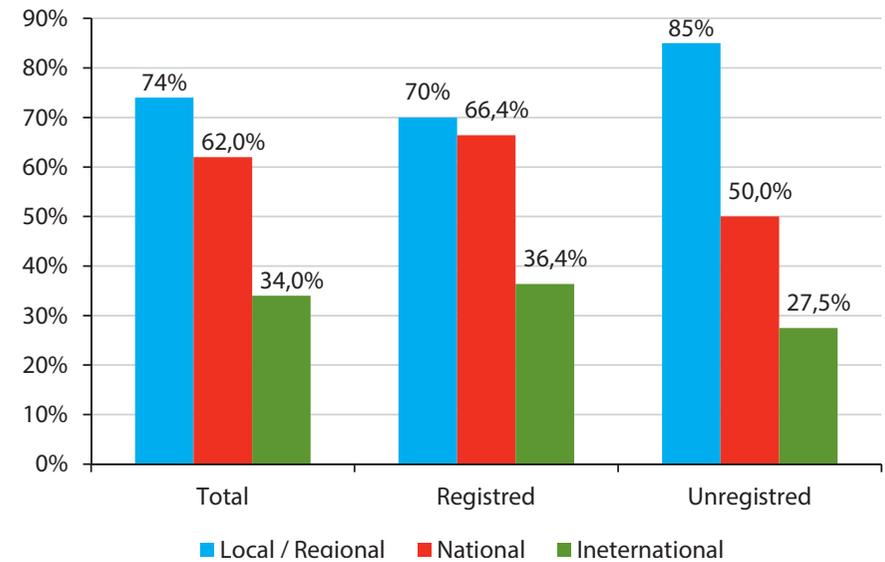
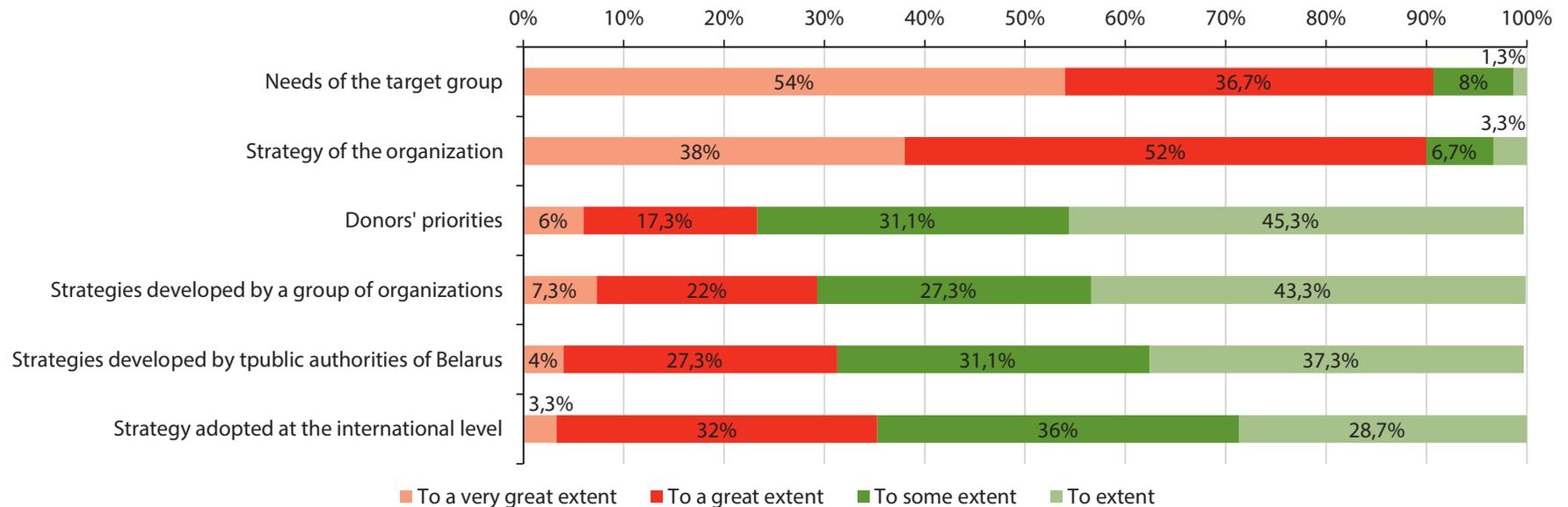


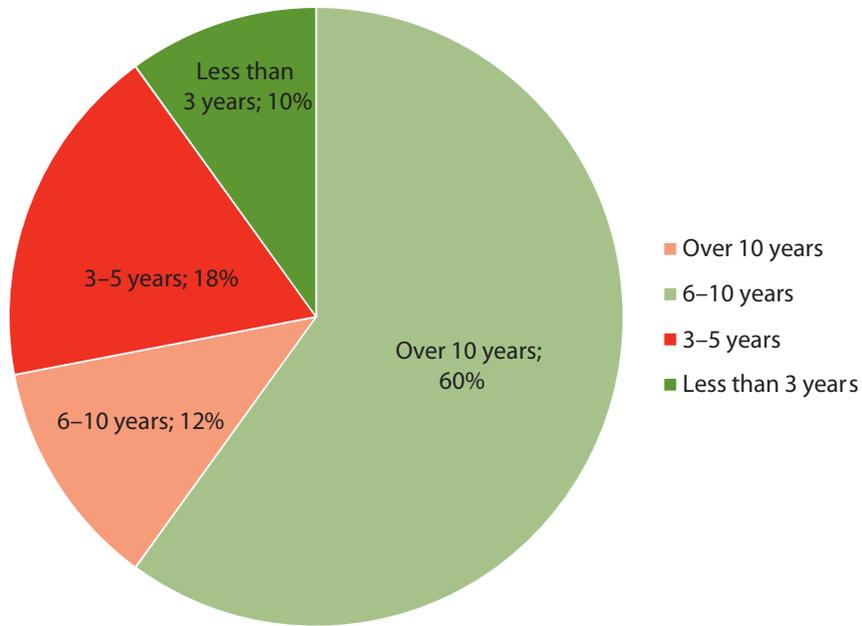
Figure 10: Factors and Their Degrees of Influence on CSOs Activity





The research included organisations with different levels of experience. As seen in Figure 12, only 28% of the surveyed organisations are relatively young (existing for less than 5 years) and 60% of organisations have more than 10 years' experience in the public sphere.

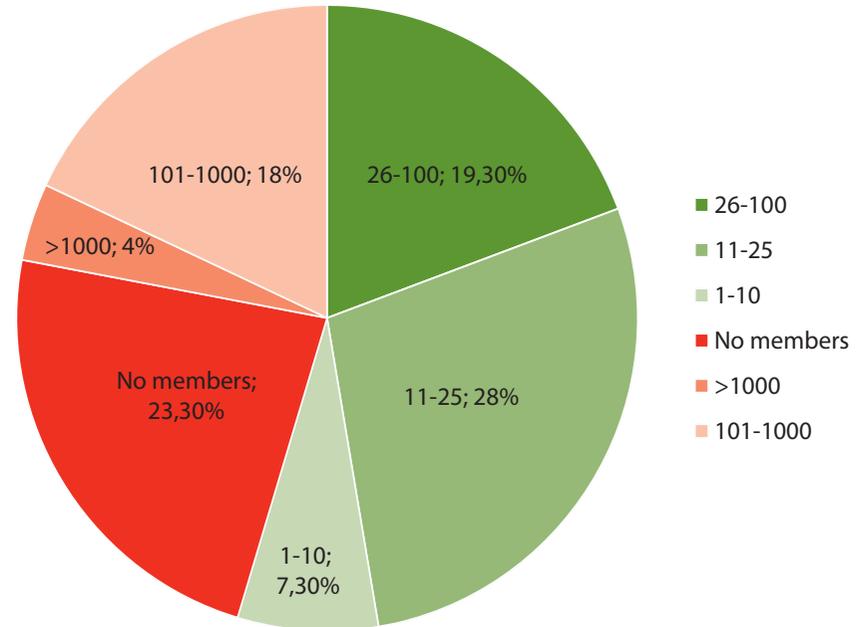
Figure 12: CSOs Age



Civil society organisations included both membership organisations as well as those for which membership was optional. The number of members in organisations ranged from 0 to 50,000.

Figure 13 shows the chart of CSOs depending on the number of members.

Figure 13: CSOs Members

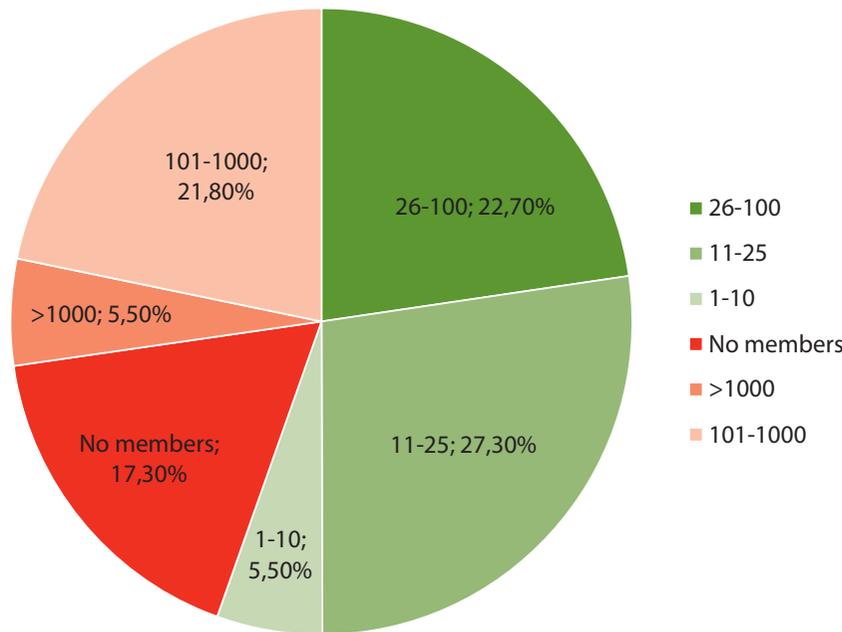


Differentiation of organisations by the number of their members varies significantly depending on their legal status in Belarus (see Figure 14).

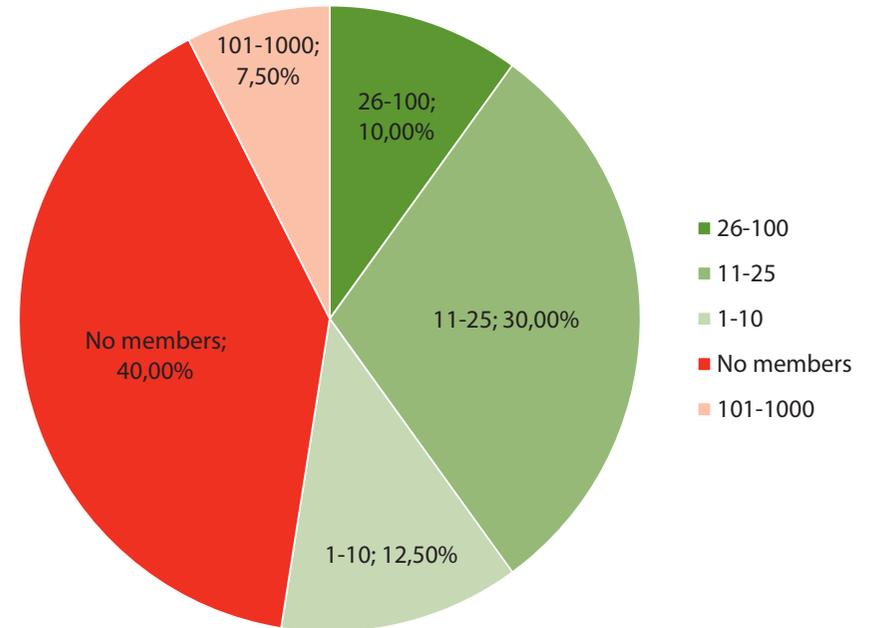
Only 7.5% of unregistered organisations have more than 100 members, while 21.8% of registered ones have this amount and 5.5% have more than 1000 members. 17.3% of registered and 40% of unregistered organisations do not have a fixed number of members.

Figure 14: **Members of Registered and Unregistered CSOs**

Members of Registered CSOs



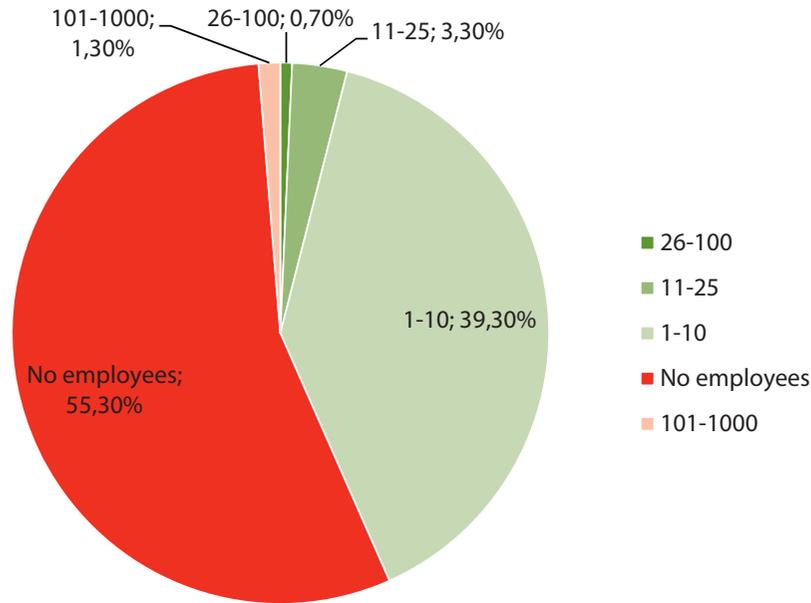
Members of Unregistered CSOs





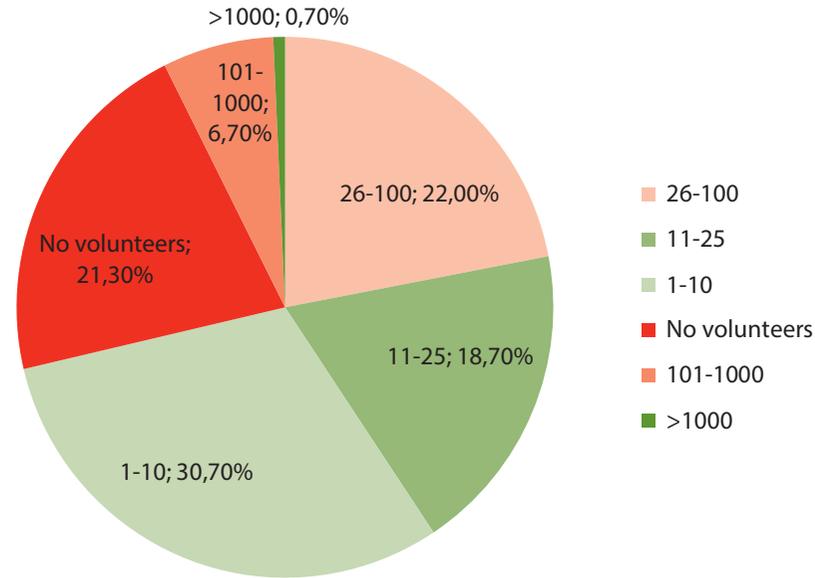
55.3% of respondents from civil society organisations do not have full-time employees⁸¹ (51.8% of registered organisations and 65% of unregistered ones). 39.3% of organisations have 1–10 full-time employees (42.7% for registered and 30% for the non-registered). Thus, the vast majority of CSOs (94.6%) have up to 10 full-time employees.

Figure 15: Full-time Employees



78.7% of organisations engage volunteers in their activities. The number of volunteers is shown in the diagram in Figure 16.

Figure 16: CSOs Volunteers



2. Methods and Forms Used by CSOs to Influence Politics

Belarusian CSOs use a variety of tools to influence policy and decision-making. Every fifth organisation participates in the drafting of regulations; nearly one in two organisations monitors and evaluates the situation and implementation of authorities' decisions, carries out problem analysis and drafting of analytical documents and participates in community, advisory and expert councils (see Table 7).

81 The number of staff (paid) employees of an organisation (working half-time or more).

Table 7: Use of Various Tools by CSOs to Influence Policy

Tool	Always	Frequently	Rarely	Not Used	DK/NA
Problem analysis and drafting of analytical documents, studies and reports	26.0%	26.7%	28.7%	16.7%	2.0%
Dissemination of information, including through the media and the Internet	51.3%	30.7%	13.3%	2.7%	2.0%
Training and education of citizens	30.7%	43.3%	20.0%	4.7%	1.3%
Public events, campaigns	28.0%	39.3%	24.0%	7.3%	1.3%
National campaigns and participation therein	12.0%	24.7%	37.3%	23.3%	2.7%
Local/regional campaigns or participation therein	18.7%	30.7%	34.0%	15.3%	1.3%
Participation in community, advisory and expert councils	15.3%	24.7%	40.0%	16.0%	4.0%
Monitoring and evaluation of the situation and/or of the implementation of the decisions of authorities	20.0%	19.3%	24.7%	29.3%	6.7%
Protection of interests in court	5.3%	10.0%	20.7%	57.3%	6.7%
Development of draft regulations	6.7%	14.7%	29.3%	42.0%	7.3%
Provision of services, social entrepreneurship	7.3%	10.0%	21.3%	54.7%	6.7%
Organisation of round tables and meetings	17.3%	42.7%	31.3%	6.7%	2.0%
Work with deputies	3.3%	10.0%	34.0%	46.0%	6.7%
Preparation of alternative reports for international organisations	8.0%	7.3%	19.3%	58.7%	6.7%

The experts pointed out that non-governmental organisations often (“*always*” + “*frequently*”) apply the following tools to achieve their goals: “*dissemination of information, including through the media and the Internet*” (chosen by 82% of experts) and “*training and education of citizens*” (chosen by 74% of experts). In actual fact, the media and the Internet are the main instruments of CSO activities, both for registered (chosen by 80% of respondents) and unregistered (chosen by 87.5% of respondents) ones. Holding regular public events (71.8%) is more typical for registered CSOs.

In addition, registered organisations are twice as likely to participate in social, advisory and advisory councils, twice as likely to participate in the drafting of regulations and four times more likely to provide services or be involved in social entrepreneurship. Unregistered CSOs can compensate for such a discrepancy to some extent only by the fact that they are almost twice as likely to prepare alternative reports for international organisations. Nevertheless, it should be recognised that CSOs registered in Belarus more consistently use most of the available tools to achieve their goals (perhaps they simply have more opportunities for this).

Table 8 below shows the proportion of experts’ responses, reflecting a high use of tools directly related to influencing politics (“positive answers”: i.e. “*always*” + “*often*”), including disaggregated data for registered and unregistered CSOs. These data are reflective of the high degree of CSO participation in cross-sectoral dialogue and their influence on politics (more than half of CSOs). Judging by the tools used, CSOs are more likely to focus public authorities and the public on the emerging social problems and to influence the formation of the agenda (see lines 1–5 and 8). Nevertheless, about a quarter of CSOs are actively involved in the processes of decision-drafting (see lines 6 and 7).



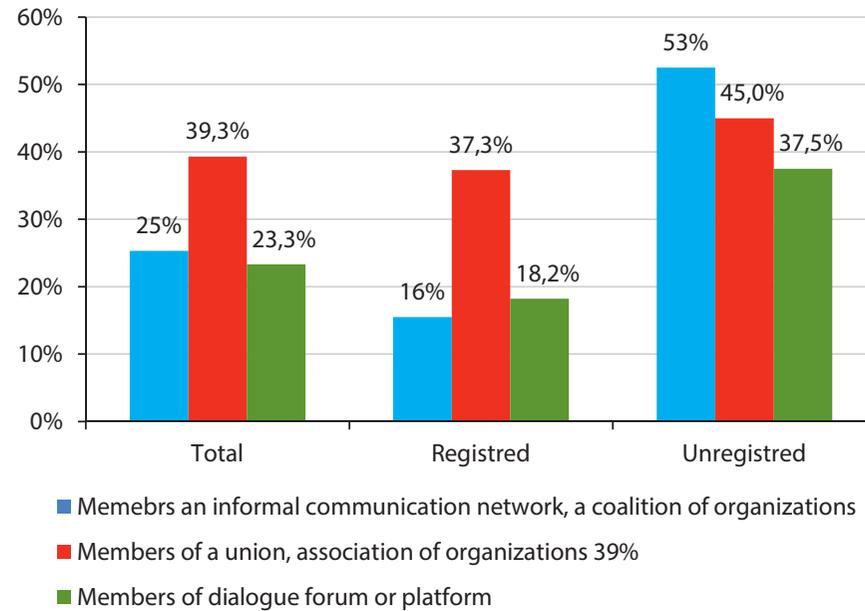
Table 8: **Use of Various Tools to Influence Policy by CSOs**

Tool	Positive Answers (always+frequently), %			Tool is Not Used, %
	Total	Registered CSOs	Unregistered CSOs	
1. Problem analysis and drafting of analytical documents, studies and reports	52.7%	53.6%	50.0%	16.7%
2. Conduct national campaigns and participation therein	36.7%	34.5%	42.5%	23.3%
3. Conduct local/regional campaigns and participation therein	49.3%	49.1%	50.0%	15.3%
4. Participation in community, advisory and expert councils	40.0%	46.4%	22.5%	16.0%
5. Monitoring and evaluation of the situation and/or of implementation of the decisions of the authorities	39.3%	38.2%	42.5%	29.3%
6. Development of draft regulations	21.3%	24.5%	12.5%	42.0%
7. Work with deputies	13.3%	13.6%	12.5%	46.0%
8. Preparation of alternative reports for international organisations	15.3%	12.7%	22.5%	58.7%

3. CSO Cooperation among Each Other and with Other Institutions

39.3% of the CSOs that participated in the survey are members of a union, association or association of organisations; 25.3% are members of an informal communication network or a coalition of organisations; 23.3% are members of a dialogue forum or platform; 47.3% of the surveyed CSOs were not involved in any of the described forms of cooperation. It should be noted that the share of unregistered organisations in such structures is much higher (see Figure 17).

Figure 17: **Involvement of CSOs in Unions, Networks and Coalitions**



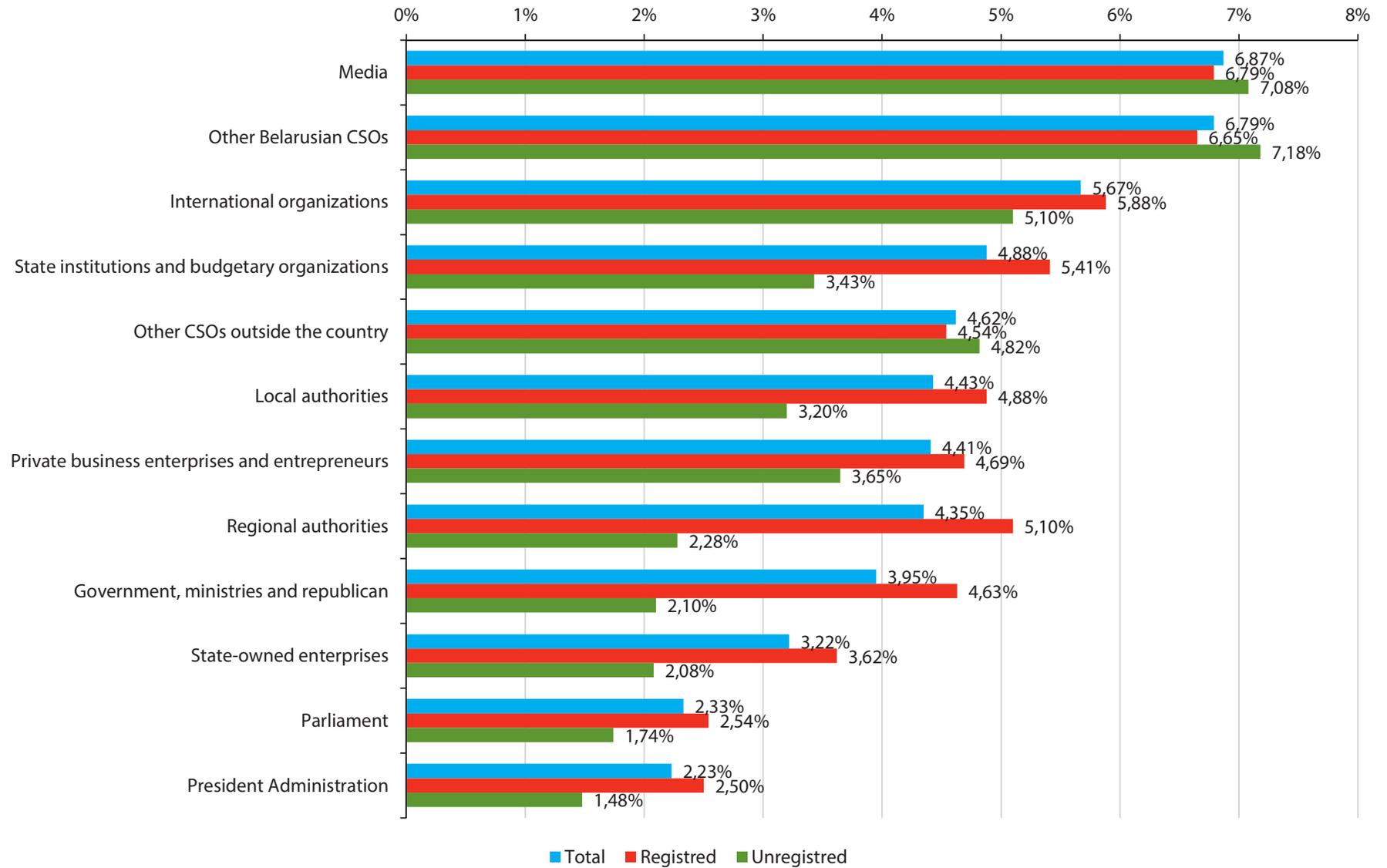
Among the registered organisations, more than half (52.7%) do not take part in either formal or informal associations of CSOs, while among the registered organisations less than a third (32.5%) takes part in such associations. The motivation for such cooperation, *inter alia*, is the vulnerability of unregistered NPOs due to the repressive actions of the authorities and NPOs' attempts to jointly seek solutions to existing problems.

In general, in their activities CSOs most closely cooperate with the following organisations, institutions and agencies (see Figure 18)⁸²:

- Media (6.87);
- Other Belarusian CSOs (6.79);
- International organisations (5.67)..

⁸² Organisations, agencies and institutions are specified in descending order of the closeness of cooperation with them. We specified the organisations, agencies and institutions and the degree of cooperation which was estimated by experts by more than 5 points on a scale of 1 to 10, where 1 means "does not cooperate" and 10 means "cooperates very closely".

Figure 18: Degree of CSOs' Cooperation





The least cooperation is noted with the Presidential Administration (2.23), the Parliament (2.33), state-owned enterprises (3.22) as well as with the Government, ministries and Republican departments (3.95).

Considering the data separately for registered and unregistered Belarusian CSOs allows for the revelation of differences primarily in the degree of cooperation with other organisations, agencies and institutions.

Thus, unregistered CSOs in Belarus cooperate with the media and other CSOs both in Belarus and abroad more closely than registered ones. On the contrary, the registered CSOs cooperate more closely with other organisations, institutions and agencies.

The most significant difference in the level of cooperation among registered and unregistered Belarusian CSOs is observed for local and regional authorities (5.10 and 2.28 respectively), Government, ministries, Republican departments (4.63 and 2.10) as well as with government institutions and budgetary enterprises (5.41 and 3.43).

The experts noted the extremely low degree of cooperation of unregistered organisations with the Presidential Administration (1.48), the Parliament (1.74), state-owned enterprises (2.08) as well as with the Government, ministries and republican departments (2.10).

Thus, cooperation of the majority of unregistered Belarusian CSOs with many government agencies and institutions as well as with the authorities above local level is minimal.

It is noteworthy that none of the experts representing unregistered Belarusian CSOs are talking about “*very good*” relationships with any of the authorities. Even a simple “*good*” relationship of unregistered organisations with the authorities is extremely rare: often there is no cooperation or relation at all.

CSOs registered in Belarus have “*very good*” or “*good*” relations firstly with local authorities and governments (53.6% of relevant experts noted this), and to a lesser extent with Republican executive bodies (41.8% of relevant experts noted this). Such relationships include, first of all, participation in joint projects, in public authorities seeking advice of registered social organisations and in the participation of the latter in decision-development and decision-making.

One of the experts said: “If we take the ministry level here [the interaction of NGOs with the state can be characterised as] “between alienation and cooperation”. If we take the local authorities, I would choose “cooperation”

The extent of the participation of unregistered Belarusian CSOs in the above forms of interaction is much lower than that of registered CSOs. The absence of any cooperation with local authorities or government was noted by 35% of experts representing unregistered Belarusian CSOs, and only by 10.9% of registered ones; the absence of any cooperation with Republican executive bodies was noted by 42.5% and 17.3% of respondents, with the Parliament by 75.0% and by 59.1% of respondents and with the Presidential Administration 80.0% and 60.6% of unregistered and registered respondents, respectively.

Thus, most obvious is the gap between the degree of cooperation of registered and unregistered CSOs with local authorities and governments as well as with Republican executive bodies.

If we consider all CSOs involved in the survey, 59.2% of them (the share is calculated based on the number of organisations cooperating with public authorities in any way) are involved in projects and activities in conjunction with local authorities; 43.2% provide advice to local authorities on specific issues / matters and 29.6% are involved in decision-development and decision-making with the local authorities. 41.2% of cooperating organisations are involved in projects and activities with Republican executive bodies; 28.9% of organisations are involved in joint development and decision-making and 28.1% provide advice to republican executive bodies on specific issues/matters. None of these forms of relations with the Parliament or the President involve more than 20% of CSOs cooperating with them.

There are significant differences in the forms of relationships with local authorities and governments and republican executive bodies for registered and unregistered non-governmental organisations in Belarus (see Table 9)⁸³.

⁸³ The table contains the responses provided by more than 30% of experts representing registered and unregistered non-governmental organisations.

In general, the state does not seek to establish partnership relations with CSOs. According to the experts' opinion provided during focus groups, this position is commonplace for the vast majority of officials.

One expert said: "We are trying to engage the authorities in dialogue, because without them there will be no positive changes. However, we are not overestimating [the positive] effect of such contacts".

Another expert stated: "The state does not need partners, especially independent ones, that can criticise the state".

However, more than a third of CSOs are involved in the information and advisory interaction with the authorities, especially at the local level.

Table 9: **CSO Cooperation with Authorities**

Authority	Form of Cooperation/CSO	CSOs Total (survey %)	CSOs Registered in Belarus (survey %)	CSOs Unregistered in Belarus (survey %)
with Local Authorities	Participation in joint projects and events	59.2%	65.7%	34.6%
	Advice on certain problems/issues	43.2%	45.5%	34.6%
	Participation in decision-development and decision-making	29.6%	34.3%	11.5%
	Participation in advisory or public councils permanently operating at state authorities	24.0%	28.3%	7.7%
	Participation in budget discussions	4.8%	6.1%	0.0%
	Provision of certain services	27.2%	27.3%	26.9%
	State authorities' financial support to implement certain programmes	12.0%	14.1%	3.8%

Authority	Form of Cooperation/CSO	CSOs Total (survey %)	CSOs Registered in Belarus (survey %)	CSOs Unregistered in Belarus (survey %)
with Republican Executive Bodies	Participation in joint projects and events	41.2%	48.4%	13.0%
	Advice on certain problems/issues	28.1%	31.9%	13.0%
	Participation in decision-development and decision-making	28.9%	34.1%	8.7%
	Participation in advisory or public councils permanently operating at state authorities	27.2%	30.8%	13.0%
	Participation in budget discussions	5.3%	5.5%	4.3%
	Provision of certain services	10.5%	12.1%	4.3%
	State authorities' financial support to implement certain programmes	11.4%	14.3%	0.0%

We cannot say that CSOs significantly influence the decisions taken by the authorities (only 6.6% of the experts noted an influence on the decisions of local authorities to a "great" or "very great" extent, 7.3% said they influenced decisions of republican authorities to a "great" or "very great" extent and only 2% had "some" influence on the decisions of the Presidential Administration and Parliament. However, 46% of the experts surveyed mentioned a certain influence on the decisions of local authorities and, to a lesser extent, Republican executive bodies (31.3% of the experts surveyed mentioned such an influence). Similar indicators describing the influence of CSOs on the Parliament and the President remain low, amounting to just 13.3% (see Table 10).

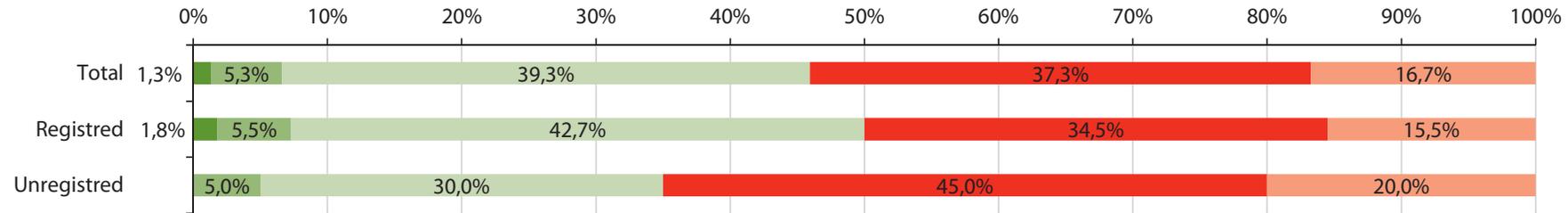
Table 10: **Influence of CSO on Decisions of State Authorities**

Authority	Influence on the Authorities Decisions Noted, %		
	total	registered	unregistered
Local Authorities	46.0	50.0	35.0
Republican Executive Bodies	31.3	38.2	12.5
Parliament	13.3	14.5	10.0
Presidential Administration	13.3	16.4	5.0

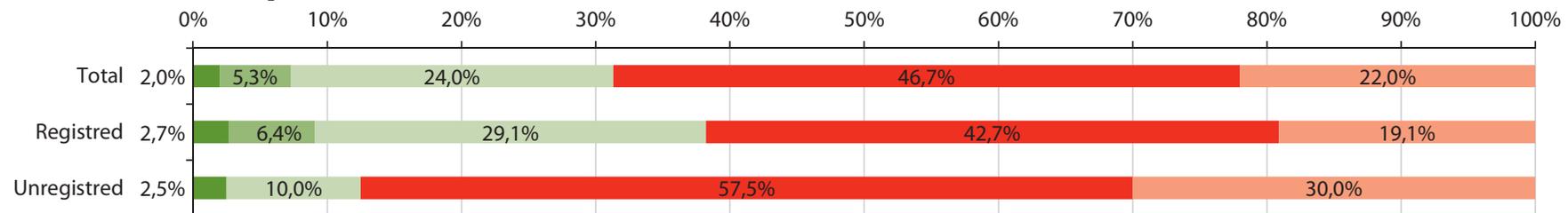


Figure 19: Influence of CSOs on Decisions of State Authorities

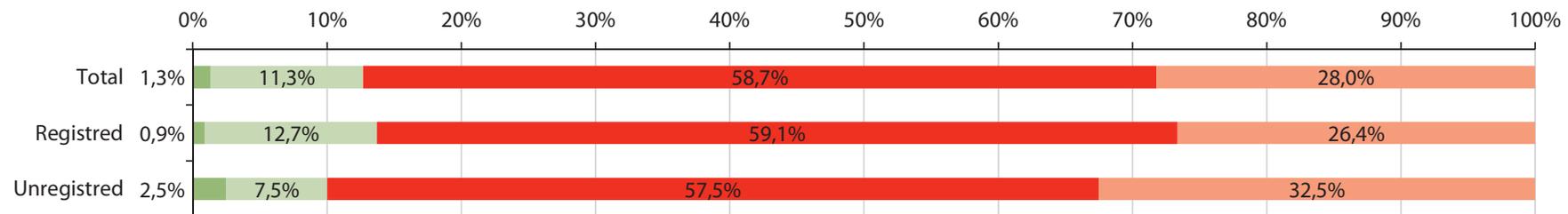
Influence of CSOs on Decisions of Local Authorities



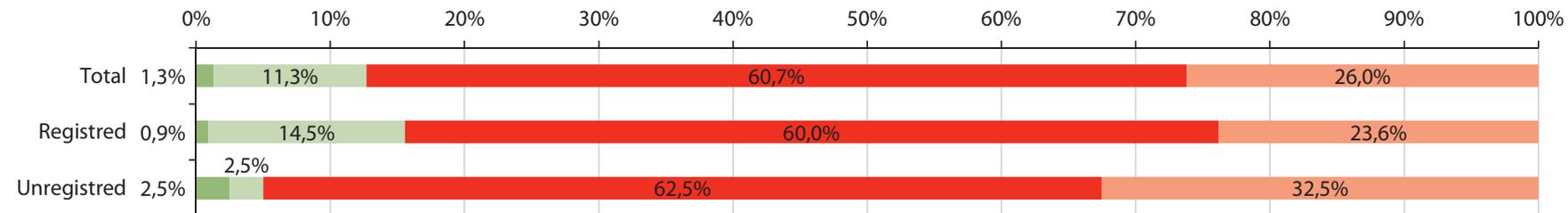
Influence of CSOs on Republican Executive Bodies



Influence of CSOs on Decisions of the Parliament



Influence of CSOs on Decisions of the President Administration



■ To a very great extent ■ To a great extent ■ To some extent ■ No extent ■ DK/NA

CSOs registered in Belarus estimate their influence on public authorities as being higher than that of unregistered CSOs. Although this influence is unlikely to be that strong or obvious, a similar effect of unregistered Belarusian CSOs is even weaker, according to their own opinion.

None of the experts of unregistered Belarusian CSOs reported a significant degree of influence on the decisions made by any of the authorities. In general, the influence in the vast majority of cases is described as “to some extent” (but not “to a very great extent” or “to a great extent”).

The study attempted to determine whether experts’ estimates of the degree of influence of their organisation on decisions taken by the authorities depended somehow on such factors as the age of the organisation, the number of its members, its activity or participation in networking with other organisations.

Based on the data in Table 11, the age of the organisation does not matter much for its influence on the decisions of the authorities, with just one exception: 57.8% of organisations with over 10 years of experience note the presence of a certain influence (mostly minor) on the decisions of local authorities, which is 2–3 times higher than the data for younger organisations. However, a higher number of younger organisations believe that they have more significant influence on the state authorities than organisations with over 10 years of experience. This can be explained by the high level of enthusiasm that young CSOs have regarding possible co-operation with authorities. As time goes by, this enthusiasm fades while experienced CSOs find ways to truly influence the decisions of the authorities.

Table 11: **Impact of CSOs on Authorities’ Decisions Depending on the Age of the Organisation**⁸⁴

CSO Age / Influence on Decisions	% CSOs	Local Authorities		Republican Executive Bodies		Parliament		Presidential Administration	
		significant	any	significant	any	significant	any	significant	any
Less than 3 years	10.0%	13.3%	20.0%	6.7%	20.0%	6.7%	20.0%	6.7%	13.3%
3–5 years	18.0%	0.0%	33.3%	3.7%	37.0%	0.0%	14.8%	0.0%	7.4%
6–10 years	12.0%	0.0%	27.8%	5.6%	22.2%	0.0%	5.6%	0.0%	5.6%
Over 10 years	60.0%	8.9%	57.8%	8.9%	33.3%	2.2%	13.3%	2.2%	16.7%
All CSOs	100.0%	6.7%	46.0%	7.3%	31.3%	2.0%	13.3%	2.0%	13.3%

The quantitative structure of organisations is more important for the degree of influence of CSOs (see Table 12). Organisations with fewer than 10 members or with non-fixed membership noted less influence on the decisions of the authorities. It is telling that the authorities also displayed a tendency to pay attention to the number of members in the organisation when considering whether to take their suggestions into account or not (according to the surveyed CSO experts). For local authorities and self-governments it is the level starting with small organisations (over 10 members), for Republican executive bodies – this already starts on the level of organisation having over 25 members, and for the Parliament and the Presidential Administration more than 100 members.

⁸⁴ The Tables 11–13 in “significant” columns show the organisations that noted “to a very great extent” and “to a great extent” and columns “any” show the organisations that noted “to a very great extent”, “to a great extent” or “to some extent”, summarised.



Table 12: **Impact of CSOs on Authorities Decisions Depending on their Membership**

CSOs Members/ Influence on Decisions	% CSOs	Local Authorities		Republican Executive Bodies		Parliament		Presidential Administration	
		significant	any	significant	any	significant	any	significant	any
None	23.3%	2.9%	25.7%	2.9%	22.9%	2.9%	11.4%	2.9%	8.6%
1-10	7.3%	9.1%	36.4%	0.0%	18.2%	0.0%	9.1%	0.0%	0.0%
11-25	28.0%	7.1%	54.8%	4.8%	21.4%	2.4%	9.5%	2.4%	7.1%
26-100	19.3%	6.9%	48.3%	6.9%	34.5%	0.0%	3.4%	0.0%	3.4%
101-1000	18.0%	3.7%	48.1%	11.1%	44.4%	0.0%	25.9%	0.0%	33.3%
>1000	4.0%	33.3%	100.0%	50.0%	100.0%	16.7%	50.0%	16.7%	66.7%
All SCOs	100%	6.7%	46.0%	7.3%	31.3%	2.0%	13.3%	2.0%	13.3%

Table 13 shows the data on the degree of CSO influence on the decisions of the authorities, depending on the sector of activities of the organisation (the data shown covers activities that have been chosen by at least 10% of CSOs). It is significant that at different authority levels, different sector activities of organisations have a greater impact. Thus, the organisations that are engaged in the development of local communities, culture, health and civil society support (more than half of these organisations noted some effect) have the greatest impact at the local level, while youth organisations have the least. A significant impact on the decisions of local authorities can be observed with 12.5% of CSOs operating in the health sector and 11.1% of CSOs aimed at the development of local communities. These data are almost twice as high as the level of significant influence of all CSOs (6.7%).

At the level of the Republican executive bodies the organisations associated with the economy and business (46.7% of CSOs have noted some effect), environmental protection (40%) and organisations involved in the protection of human rights (38.2%) have the highest impact and CSOs working in the areas of community development (11.1%), youth (20%), culture (25%) and, surprisingly enough, social services (25.5%) have the least.

As noted earlier, Belarusian civil society organisations have almost no significant influence on the decisions taken by the Parliament or the Presidential Administration. CSOs operating in economic areas (20%) and healthcare (18.8%) do not have a significant influence on the Parliament. The third part of CSOs operating in the field of economics and business marked a certain influence on the decisions taken by the Presidential Administration.

Table 13: **Impact of CSOs on Authorities' Decisions Depending on the Sector of Activity**

Activity \ Influence on Decisions	% CSOs	Local Authorities		Republican Executive Bodies		Parliament		Presidential Administration	
		significant	any	significant	any	significant	any	significant	any
Social services	36.7%	5.5%	47.3%	9.1%	25.5%	1.8%	10.9%	1.8%	10.9%
Culture	34.7%	3.8%	51.9%	9.6%	25.0%	0.0%	11.5%	0.0%	11.5%
Education	34.7%	3.8%	46.2%	7.7%	26.9%	0.0%	11.5%	0.0%	9.6%
Human rights	22.7%	5.9%	47.1%	5.9%	38.2%	2.9%	14.7%	2.9%	8.8%
Civil society support	20.0%	6.7%	50.0%	6.7%	30.0%	3.3%	10.0%	3.3%	16.7%
Youth and youth policy	20.0%	3.3%	30.0%	3.3%	20.0%	0.0%	6.7%	0.0%	3.3%
Local community development	12.0%	11.1%	66.7%	0.0%	11.1%	0.0%	0.0%	0.0%	0.0%
Healthcare	10.7%	12.5%	50.0%	0.0%	31.3%	0.0%	18.8%	0.0%	6.3%
Environment and animal protection	10.0%	6.7%	46.7%	0.0%	40.0%	0.0%	13.3%	0.0%	13.3%
Economy and entrepreneurship	10.0%	6.7%	40.0%	13.3%	46.7%	0.0%	20.0%	0.0%	33.3%
All SCOs	100%	6.7%	46.0%	7.3%	31.3%	2.0%	13.3%	2.0%	13.3%

Ironically, studies have shown that the degree of influence of CSOs on the decisions of authorities does not depend on the CSO participating in any form of networking with other CSOs. This leads to the conclusion that Belarusian CSOs do not enter into associations, coalitions, networks or platforms to influence political decisions nor are they organized enough to have that kind of influence.

However, it should be kept in mind that the survey presents a personal assessment of the experts. Consequently, these opinions are essentially subjective and we cannot guarantee the accuracy of such information: when experts speak about influence, this does not mean that it actually exists. Moreover, each of the experts only evaluated the role of his/her organisation in the political life of the country. We cannot exclude the possibility that representatives from registered CSOs may tend to exaggerate their own importance and that the representatives of unregistered Belarusian CSOs might in turn tend to understate their influence. Thus, the possibilities for sociological analysis in this case are very limited, as research tools do not provide for a simultaneous evaluation of the role of registered and unregistered Belarusian CSOs in the political life of the country by each expert.

The main obstacles to fruitful cooperation of CSOs with authorities are as follows:

- Authorities' viewing CSOs as the opposition and the concerns resulting from this (38% of the experts surveyed mention this fact);
- The lack of CSO access to information about the activities of public authorities (20% of the experts surveyed mention this fact).

The remaining obstacles were noted by less than 20% of the experts.

We can assume that CSOs registered in Belarus are the ones who suffer the most from the current "opposition" reputation of CSOs – this is the only obstacle that arises in cooperation with the authorities according to more than 20% of experts representing registered CSOs. However, the range of significant obstacles arising from the interaction of unregistered CSOs with the authorities is much broader:

- 75% of experts from unregistered Belarusian CSOs mentioned authorities' identification of CSOs with the opposition (and related concerns);
- The lack of authorities' trust of unregistered CSOs (mentioned by 32.5% of experts);

- The lack of information about the activities of public authorities (mentioned by 30% of experts).

Other obstacles are significantly less important, i.e. none were mentioned by more than 15% of the surveyed experts representing unregistered Belarusian CSOs.

It should be also noted that according to the experts surveyed, government officials regard CSOs primarily as political opposition (mentioned by 39.3% of the experts) and as secondary organisations that can be ignored (mentioned by 38.7% of the experts).

As one expert reported: *"The State shows that such organisations [as ours] are secondary. And we ourselves confirm this when we can not finish [our work] to the end".*

However, in the context of "registered/not registered Belarusian organisations" some differences in the experts' assessment of the officials' recognition of non-governmental organisations become apparent (see Table 14 below).

Table 14: **Assessment of CSO's Recognition by State Officials**

Authority	(survey %)		
	total	registered	unregistered
As political opposition	39.3%	24.5%	80.0%
As a secondary organisation that can be ignored	38.7%	33.6%	52.5%
As partners (even if not always equal)	26.0%	34.5%	2.5%
As experts in certain issues	25.3%	30.0%	12.5%
As authorised representatives of a certain social group	18.0%	20.0%	12.5%
As the channel for raising international funds (as a profitable investment project)	17.3%	18.2%	15.0%
As petitioners	17.3%	19.1%	12.5%
As amateurs	15.3%	10.9%	27.5%



It is of interest to consider the factors that, according to the experts, contribute to the successful cooperation of CSOs with local authorities and self-governments as well as Republican executive bodies. Thus, in the opinion of the experts surveyed, the major factor of successful cooperation with local authorities and governments as well as Republican executive bodies is addressing the urgent problems of society, reflecting the interests of important social groups (mentioned by 51.3% and 35.3% of the experts, respectively). In addition, the ideas/concepts promoted by CSOs registered in Belarus meet government priorities, according to 49.1% of the representing experts (however, only 15% of the experts from unregistered CSOs agree with this hypothesis). Relatively good relationships with the authorities also contribute to the CSOs' success, compared to unregistered CSOs. In general, it can be noted that CSOs registered in Belarus often mention various success factors in relation with public authorities (which is quite logical, since these organisations can display a fruitful relationship with public authorities to a greater extent).

It is noteworthy that “political pressure through public campaigns” was mentioned two or three times more often by experts from unregistered organisations as a factor contributing to the success of their relations with the authorities.

The results of the survey of experts representing Belarusian CSOs are evidence of an active interaction between them firstly; civil society organisations cooperate with each other in various ways. The variety of methods of interaction with non-state media is significantly less common, and interaction with CSOs outside the country and with international and foreign donors is even less common. The lowest level recorded is cooperation with economic entities (businesses) and state-run media.

Let us consider the forms of relationship between CSOs and the two most important actors in their environment. Cooperation with Belarusian CSOs is primarily⁸⁵ in the form of participation in joint projects and activities (mentioned by 68% of respondents) as well as the exchange of information and implementation of mutual peer support (mentioned by 54.7% of the respondents). Cooperation with the media means CSOs provide the media with information. The most significant differences in relations of registered and unregistered CSOs with Belarusian CSOs and non-state media are shown in Table 15 below.

⁸⁵ We give the responses chosen by more than 50% of the experts surveyed.

Thus we can see that in all forms of relationship with their surrounding ‘significant environment’, deemed as essential by the researchers, unregistered Belarusian CSOs are more active.

Table 15: **Assessment of Cooperation with Other Organisations**

Sig- nificant Envi- ron- ment	Cooperation Form / CSOs	Survey %		
		CSOs, total	Regis- tered CSOs	Unreg- istered CSOs
Belarusian CSOs	Participation in joint projects and activities	68.0%	62.7%	82.5%
	Advice of non-governmental organisation on specific issues / matters	48.7%	41.8%	67.5%
	Required information, expertise provided by a non-governmental organisation	44.0%	39.1%	57.5%
	Joint involvement in the development of strategic documents	45.3%	40.9%	57.5%
	Information provision and expert support to a non-governmental organisation	54.7%	50.0%	67.5%
	Joint participation in the same networks, coalitions and / or associations	44.0%	36.5%	65.0%
Non-State Media	Participation in joint projects and activities	41.6%	33.9%	62.5%
	Required information, expertise provided by a non-governmental organisation	51.0%	44.0%	70.0%
	Information provision and expert support to a non-governmental organisation	28.2%	20.0%	50.0%

Table 16 shows the rating of the so-called “significant environment” according to CSO experts, which represents the difference between the share of positive responses (“good” and “very good”) and negative (“poor” or “very poor”).

It is therefore not surprising that, in the opinion of the experts surveyed, CSOs have the best relations with other CSOs (rating +72% with minimum negative evaluations) and with non-state media (rating +52.6%). The worst relations rating was recorded for the Parliament (+0.7%) and

the Presidential Administration (+4%). Moreover, as noted above, most organisations simply have no relations with these two authorities. Another situation is witnessed for business structures as well as for international and foreign donors. Their low rating (+5.3% and 6.7%, respectively) is due to a significant number of CSOs negatively evaluating their relations with them. 20% of Belarusian CSOs assessed relations with business entities as such and 28% (maximum value) did so for their relations with foreign donors.

Table 16: **Rating of CSO Cooperation with their 'Significant Environment'**

Significant Environment / Relation Evaluation	CSOs, total		Rating
	Positive	Negative	
Belarusian civil society organisations	74.0%	2.0%	72.0%
Non-state media	65.3%	12.7%	52.6%
Local authorities and self-governments	41.3%	12.0%	29.3%
State media	35.3%	10.7%	24.6%
Civil society organisations abroad	43.3%	22.7%	20.6%
Republican Executive Bodies	30.7%	14.7%	16.0%
International and foreign donors	34.7%	28.0%	6.7%
Economic entities (business)	25.3%	20.0%	5.3%
President Administration	12.1%	8.1%	4.0%
Parliament	10.0%	9.3%	0.7%

Within the significant environment not related to state authorities, CSOs have the worst relations with business entities. A positive evaluation of the relationship was made by only a quarter of organisations surveyed (25.3%). There are many reasons for such a low cooperation level, starting with the lack of necessary legislation and ending with the atmosphere of mistrust between the industries, which is supported by the authorities.

Expert: "NGOs would be very interested in [cooperation with businesses]. But businessmen are not stupid: if they launch contacts with organisations undesirable for the state, their business will be under pressure".

At the same time, the civil society sector is also partially responsible for this state of affairs.

Expert: "We underestimate the participation of businesses as a local source of funding of our social programmes. The problem is not the businesses, but ourselves. We do not know how to properly work with them. If one does not agree, it does not mean that others will disagree as well".

Unregistered Belarusian CSOs give more contrasting assessments of their relationships. They evaluate good relations with other CSOs and independent media more positively and poor relations with the Parliament and the President more negatively. However, there are several stakeholders for whom the evaluations of experts representing registered and unregistered CSOs differs dramatically. This refers to Republican executive bodies (+32.7% rating according to the experts of registered CSOs and -30% according to the experts of unregistered CSOs), local authorities and government (ratings: +44.5% and -12.5%, respectively) and the state media (+34.8% and -3.2%).

It is noteworthy that the share of organisations that negatively evaluate their relations with state media is the same for registered and unregistered organisations (10.7%), and a significant difference in the rating was due to a large number of registered CSOs having sufficiently good relations with state media (45.5% of the experts surveyed considered them as such), although this share is worse than that related to non-state media (60.9% of the experts). See Table 17 for more details.



Table 17: **Relationship Rating of Registered and Unregistered CSOs with their Significant Environment**

Significant Environment \ Relation Evaluation	Registered CSOs			Unregistered CSOs		
	Posi- tive	Neg- ative	Rat- ing	Posi- tive	Neg- ative	Rat- ing
Belarusian civil society organisations	68.2%	1.8%	66.4%	90.0%	2.5%	87.5%
Non-state media	60.9%	12.7%	48.2%	77.5%	12.7%	64.8%
Local authorities and governments	53.6%	9.1%	44.5%	7.5%	20.0%	-12.5%
State media	45.5%	10.7%	34.8%	7.5%	10.7%	-3.2%
Civil society organisations abroad	40.9%	22.7%	18.2%	50.0%	22.7%	27.3%
Republican Executive Bodies	41.8%	9.1%	32.7%	0.0%	30.0%	-30.0%
International and foreign donors	34.5%	28.0%	6.5%	35.0%	28.0%	7.0%
Economic entities (business)	30.0%	20.0%	10.0%	12.5%	20.0%	-7.5%
President Administration	16.5%	7.3%	9.2%	0.0%	10.0%	-10.0%
Parliament	13.6%	9.1%	4.5%	0.0%	10.0%	-10.0%

Relations with the significant environment depend largely on the activities of CSOs. The data on the relations of CSOs working in various sectors with stakeholders are presented in Table 18. For each of the stakeholders there is a considerable variation in the relationship ratings relative to the average value for the sector (see Table 17), and for some thematic groups of CSOs there are even diametrically opposed assessments.

The relationship rating amplitude for the significant environment is as follows:

- Civil society organisations in Belarus: +50% to +100%;
- Non-state media: +46.7% to +88.9%;
- State media: -40.0% to +43.8%;
- Economic entities (business): -35.3% to +73.3%;
- Civil society organisations abroad: -6.3% to +53.3%;
- International and foreign donors: 0% to +50%;
- Local authorities: -3.4% to +81.3%;
- Republican executive bodies: -13.3% to +46.6%;

- Parliament: -16.7% to +13.4%;
- President Administration: -26.7% to +14.3%.

The last two measures are less informative, as about two thirds of civil society organisations in Belarus does not have any relations with the Parliament or the Presidential Administration.

Table18: **Significant Environment Rating⁸⁶ Depending on Organisation's Sector of Activity⁸⁷**

Relations with Stakeholders \ CSOs Activity		Social Services	Culture	Education	Human Rights	Civil Society Support	Youth and Youth Policy	Community Development	Healthcare	Environment and Animal Protection	Economy and Entrepreneurship
% CSOs		36.7%	34.7%	34.7%	22.7%	20.0%	20.0%	12.0%	10.7%	10.0%	10.0%
Belarusian civil society organisations	positive	69.1%	75.0%	84.6%	82.4%	80.0%	96.7%	100%	56.3%	66.7%	66.7%
	negative	1.8%	0.0%	0.0%	2.9%	0.0%	0.0%	0.0%	6.3%	13.3%	0.0%
	rating	67.3%	75.0%	84.6%	79.4%	80.0%	96.7%	100%	50.0%	53.3%	66.7%
Non-state media	positive	58.2%	71.2%	71.2%	70.6%	83.3%	83.3%	88.9%	62.5%	60.0%	46.7%
	negative	10.9%	1.9%	3.8%	2.9%	3.3%	3.3%	0.0%	6.3%	0.0%	0.0%
	rating	47.3%	69.2%	67.3%	67.6%	80.0%	80.0%	88.9%	56.3%	60.0%	46.7%
State media	positive	36.4%	44.2%	32.7%	20.6%	10.0%	36.7%	16.7%	62.5%	40.0%	26.7%
	negative	27.3%	25.0%	26.9%	47.1%	50.0%	33.3%	33.3%	18.8%	20.0%	20.0%
	rating	9.1%	19.2%	5.8%	-26.5%	-40.0%	3.3%	-16.7%	43.8%	20.0%	6.7%
Economic entities (business)	positive	18.2%	23.1%	19.2%	11.8%	20.0%	20.0%	11.1%	25.0%	26.7%	80.0%
	negative	34.5%	19.2%	13.5%	47.1%	13.3%	23.3%	16.7%	37.5%	26.7%	6.7%
	rating	-16.4%	3.8%	5.8%	-35.3%	6.7%	-3.3%	-5.6%	-12.5%	0.0%	73.3%
Civil society organisations abroad	positive	38.2%	44.2%	50.0%	50.0%	56.7%	56.7%	55.6%	18.8%	40.0%	26.7%
	negative	18.2%	9.6%	7.7%	11.8%	6.7%	3.3%	11.1%	25.0%	20.0%	26.7%
	rating	20.0%	34.6%	42.3%	38.2%	50.0%	53.3%	44.4%	-6.3%	20.0%	0.0%
International and foreign donors	positive	38.2%	17.3%	38.5%	52.9%	46.7%	50.0%	55.6%	37.5%	20.0%	26.7%
	negative	18.2%	17.3%	15.4%	5.9%	10.0%	6.7%	5.6%	18.8%	20.0%	26.7%
	rating	20.0%	0.0%	23.1%	47.1%	36.7%	43.3%	50.0%	18.8%	0.0%	0.0%
Local authorities	positive	47.3%	42.3%	44.2%	14.7%	13.3%	40.0%	44.4%	81.3%	33.3%	60.0%
	negative	9.1%	19.2%	13.5%	14.7%	16.7%	20.0%	11.1%	0.0%	20.0%	6.7%
	rating	38.2%	23.1%	30.7%	0.0%	-3.4%	20.0%	33.3%	81.3%	13.3%	53.3%

86 The rating shows the difference between the share of positive answers ("good" and "very good") and the share of negative answers ("poor" and "very poor").

87 The Table shows the data for the activities chosen by at least 10% of CSOs.



Republican Executive Bodies	positive	34.5%	28.8%	28.8%	20.6%	20.0%	23.3%	11.1%	25.0%	6.7%	53.3%
	negative	9.1%	11.5%	13.5%	29.4%	26.7%	13.3%	11.1%	0.0%	20.0%	6.7%
	rating	25.4%	17.3%	15.3%	-8.8%	-6.7%	10.0%	0.0%	25.0%	-13.3%	46.6%
Parliament	positive	9.1%	11.5%	11.5%	8.8%	3.3%	3.3%	5.6%	6.3%	6.7%	26.7%
	negative	5.5%	3.8%	9.6%	23.5%	20.0%	3.3%	5.6%	0.0%	13.3%	13.3%
	rating	3.6%	7.7%	1.9%	-14.7%	-16.7%	0.0%	0.0%	6.3%	-6.6%	13.4%
President Administration	positive	14.5%	11.8%	11.8%	11.8%	0.0%	6.7%	5.6%	12.5%	6.7%	14.3%
	negative	5.5%	0.0%	5.9%	17.6%	26.7%	3.3%	5.6%	0.0%	20.0%	0.0%
	rating	9.0%	11.8%	5.9%	-5.8%	-26.7%	3.4%	0.0%	12.5%	-13.3%	14.3%

Summarizing the data of Table 18, we can say that the authorities have the best relations with CSOs representing the economic and social sphere as well as healthcare, the latter being extremely favourably perceived at the local level. The relations of the authorities with CSOs operating in the field of education and culture are less favourable, but still positive. These activities probably mainly correspond to the priorities and interests of the state, and it is the state that is ready to develop them in the first place. Accordingly, human rights, support for civil society and ecology are at the other end of the state's interests.

A similar picture is observed in relations with the state media (with the exception of environmental CSOs that were probably able to achieve a more or less adequate attitude to environmental issues). Non-state media have established better relations with CSOs that are engaged in the development of local communities and support for civil society, as well as with youth CSOs. Organisations dealing with the social and economic sphere are less positive about their relations with independent media, but as in all other areas of CSOs, relations with non-state media are much better than with state ones.

Relations with business entities can only satisfy organisations working in the economic and business spheres; the most problematic relationships are those between economic entities and human rights organisations, and, surprisingly, with organisations dealing with social issues and health care, which is probably based on unrealised expectations about businesses' participation and aid to socially-oriented organisations.

Relations with international and foreign donor organisations did not receive a positive evaluation from CSOs in economic, cultural and environmental areas. On the contrary, youth, human rights and local development organisations have the best relations with the international donor community.

When correlating the data on forms of cooperation with authorities with similar data for other related environments (see Table 19), we can see that although the highest degree of interaction between CSOs is observed for other civil society organisations, about the same is recorded for CSO participation in joint projects and activities conducted with local authorities and governments, as well as advising them. To a lesser but still significant extent (almost 30%), CSOs are involved in decision-making at the level of local authorities and governments as well as Republican executive bodies.

At the same time, a little over 10% of organisations are financially or materially supported by such authorities. This is at the same level as that of a similar support from other civil society organisations, both within the country and abroad. Less than 20% of civil society organisations are materially supported by Belarusian economic entities. The largest number of experts (36.7%) reported financial support from international organisations and foreign donors.

Table 19: **Forms of CSO Interaction with their Significant Environment**

Authorities and Stakeholders \ Forms of Interaction	Participation in joint projects and events	Advice on certain problems / issues	Participation in decision development and decision- making	Material and financial sup- port of stakeholders
Local authorities and self-governments	59.2%	43.2%	29.6%	12.0%
Republican Executive Bodies	41.2%	28.1%	28.9%	11.4%
Parliament	20.0%	14.5%	16.4%	3.6%
President Administration	15.4%	11.5%	13.5%	3.8%
Belarusian Civil Society Organisations	68.0%	48.7%	45.3%	14.7%
Non-State Media	41.6%	38.9%	7.4%	2.0%
State Media	24.7%	25.3%	4.7%	0.7%
Economic Entities (Business)	23.3%	22.7%	6.0%	19.3%
Civil Society Organisations Abroad	36.7%	26.7%	17.3%	12.0%
International and Foreign Donors	30.7%	21.3%	15.3%	36.7%

4. CSO Problems and Achievements

The following problems can be mentioned among those common for CSOs:

- Lack of funds and equipment;
- Staffing problems;
- Lack of understanding with the state authorities;
- Legal problems;
- Lack of information support.

CSOs unregistered in Belarus also face the problems related, in fact, to the absence of registration. Consequently, problems in relations with supervisors, the police and the government as a whole occur for such CSOs.

As a rule, the main achievements of the organisations that participated in the survey relate to a large number of theme-based events, which are usually the organisations' main activity. Thus, generally, the organisation's activity itself is considered as a positive result.

An expert representing CSO registered in Belarus says, *"We are still alive"*.

An expert representing CSO unregistered in Belarus says, *"We arranged our internal work"*.

The survey allows us to cite many more such examples. However, there are few real achievements that result from the work of non-governmental organisations: for instance, we can name such achievements as publishing books and achieving self-sufficiency.

However, about 10% of the surveyed experts noted significant achievements in the sphere of influence on decisions taken at different levels, i.e. "an organisation's proposals are introduced into the legislation", "acceptance of orders on rare diseases", "retained the existing procedure for unified tax", "public hearings on issues of urban development", "our achievement was that bedridden children went to school", "an interdepartmental working group is created in Minsk", etc..

Another 10% of respondents reported the following changes as the results achieved for their target groups: "recovery of capacity of young people in boarding houses (for people with psychological and physical difficulties)", "opening of a new service – nationwide hotline for victims of domestic violence", "reduction of HIV infection spreading among injecting drug users", "rescue of 100 children", "employment of more than 20 people with mental disabilities", etc..

In general, it should be recognized that the experts are often unable to articulate specific goals achieved, which would reflect the civic mission of the organisation and not its internal dynamics, where in fact this should be regarded only as a means for effective achievement of the goals.



5. Applying to the EU for Grants/Funding

Only 20.7% of CSOs surveyed had applied to the EU for grants/funding as the principal applicant (31.3% applied as a partner and 55.3% did not apply at all). 51.8% of CSOs registered in Belarus never applied to the EU for grants/funding for various reasons. CSOs not registered in Belarus have even less experience: 65% of the experts surveyed reported that their organisation did not apply to the EU to obtain any grants or funding. Complicated application procedures, a lack of information about opportunities to apply for EU grants/funding, a lack of knowledge or experience to implement EU-funded projects and other factors cause CSOs to abandon such initiatives.

When applying to the EU for this purpose, CSOs usually act as a partner of the principal applicant, rather than a principal applicant.

It should be noted that the answers to these questions are highly sensitive for all organisations (but mostly for unregistered CSOs) and thus when it comes to positive responses, they can be latent. This is due to the fact that some forms of EU funding may be associated with violations of the law (see Part I, paragraph 5.2) or attempts to circumvent it (for example, through fee-based services of Belarusian CSOs provided to foreign partners in joint projects funded by the EU).

Based on the experts' survey, we can assume that the absence of CSO staff/full-time members reduces its ability to apply for the EU grants/funding either as a principal applicant or as a partner. Thus, 28.4% of non-governmental organisations with full-time employees applied for EU grants/funding as the principal applicant, while only 14.5% of organisations with no full-time employees applied. 47.8% of non-governmental organisations with full-time employees applied for EU grants/funding as a partner, while only 18.1% of organisations with no full-time employees did so.

These figures confirm one simple argument: a complex application procedure itself requires a lot of attention, and organisations with no staff simply do not have enough chances to give these procedures due consideration. As we have already noted, CSOs unregistered in Belarus have on average half the staff, and their capabilities for applying for the EU grants/funding are therefore significantly restricted.

6. EU Advice and Training

EU Delegations have never invited most CSOs to participate in consultations: 61.3% of the surveyed experts from CSOs confirmed this (65.5% from registered and 50% from unregistered Belarusian CSOs). Thus, according to the experts' survey, unregistered Belarusian CSOs are more often invited by EU Delegations for consultations. At the same time, experts representing organisations who have received such advice usually evaluate them highly (68.6% of experts surveyed describe them as "useful" or "very useful").

The results of the survey allow us to identify the topics in which CSO experts are most⁸⁸ interested (see Table 20 below). Considering the data in the table, it can be concluded that experts from unregistered CSOs are interested in learning a variety of topics.

Table 20: **Most Interesting Topics for CSOs Training**

CSOs Registered in Belarus		CSOs Unregistered in Belarus	
Topic	(survey %)	Topic	(survey %)
PR	64.5	Advocacy and lobbying	70.0
Working with the media and the Internet	60.9	Organisation of public campaigns	67.5
Fundraising	60.9	Working with the media and the Internet	65.0
Development of strategic partnerships	59.1	Needs assessment and problem analysis	62.5
Project development and implementation	57.3	Fundraising	60.0
Effective management of the organisation	50.9	PR	60.0
Management of volunteers, planning programs for volunteers	50.9	Project development and implementation	57.5

⁸⁸ Topics are given in order of descending importance. We consider those topics to be interesting for the experts.

Civic participation and community mobilization	57.5
Effective management of the organisation	52.5
Management of volunteers, planning programs for volunteers	52.5
Strategic planning	52.5
Negotiations – cross-sectoral dialogue	52.5

As a rule, the form of the training does not matter for the majority of experts surveyed. However, if asked to choose between class hours and distance learning, in all cases the experts gave priority to class hours.

7. Factors Affecting Civil Society in Belarus

Research materials allow us to describe the most significant aspects of civil society from the point of view of the experts surveyed. In the opinion of the overwhelming majority of experts, all factors provided in the research affect civil society in Belarus to a certain extent. Based on the experts' responses, we can estimate this effect but it is impossible to talk about its character (positive or negative).

According to the experts, the following factors have the greatest impact on civil society in the country:⁸⁹

- population income level (chosen by 58% of experts);
- economic situation (chosen by 63.4% of experts);
- political situation (chosen by 81.4% of experts);
- level of bureaucracy (chosen by 56% of experts);
- limited access to information (chosen by 50.7% of experts);
- The authorities' policy in relation to CSOs (chosen by 69.4% of experts);

- The state of democracy (chosen by 68.6% of the experts);
- Soviet traditions of civic engagement and cooperation between the state, society and the individual (chosen by 60% of experts).

At the same time, integration factors in the post-Soviet and European environment have the least impact on civil society in Belarus, a view that around 75% of experts adhere to. Another 60% of experts believe that the donor community policy in respect of SCOs in Belarus has little influence on the development of civil society.

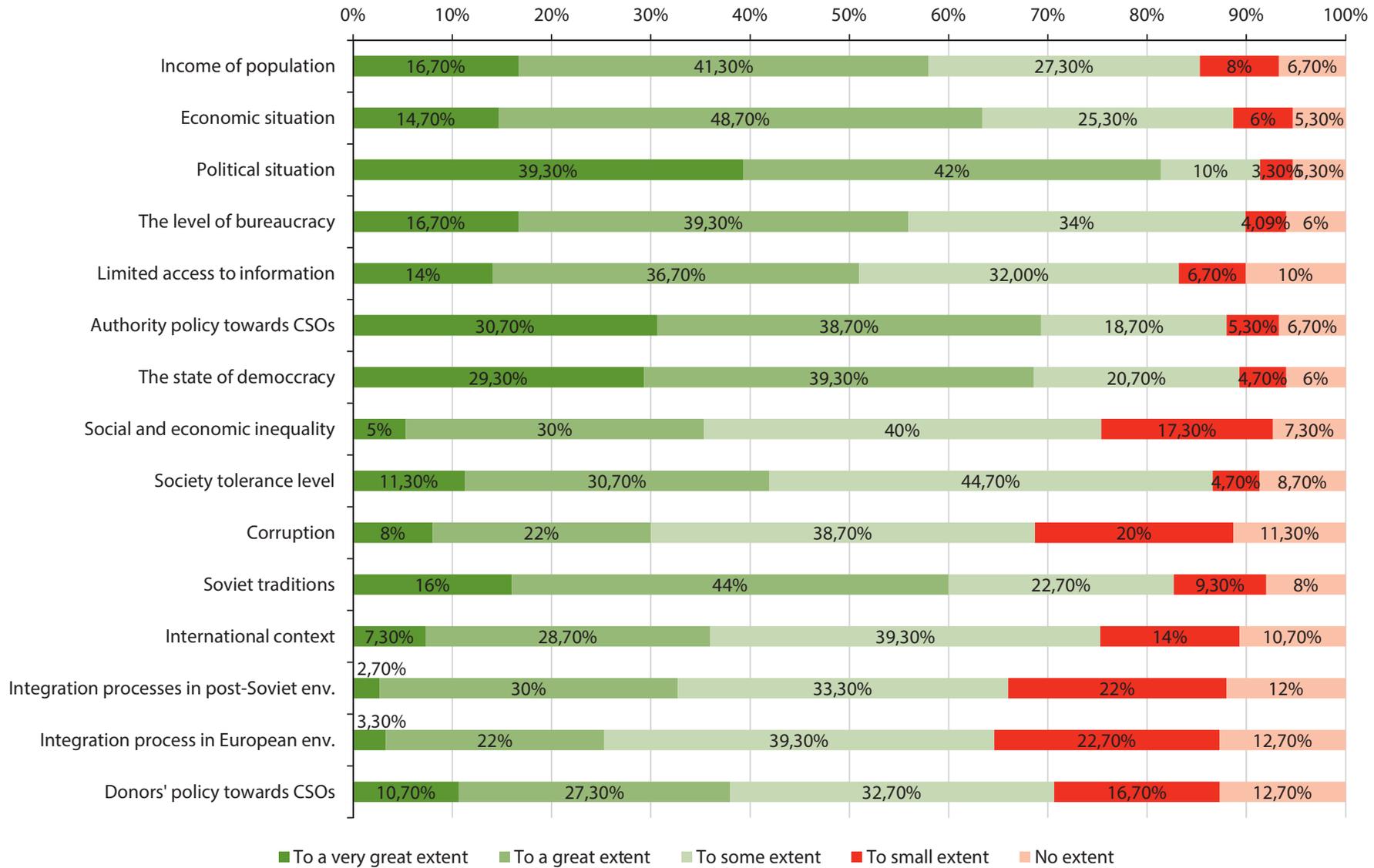
It should be noted that many of the factors highlighted in the research logically intersect with each other, which prevents us from forming an adequate assessment of the separate impact of each of these factors. However, it may be noted that the existing structure of factors affecting civil society in Belarus are somewhat different, according to the experts representing registered and unregistered CSOs.

In particular, experts from registered CSOs tend to give a higher assessment to the role of the economic situation in the country (71.8% of experts), while the same factor was mentioned as important by only 40% of the experts representing unregistered CSOs. The same can be said about the level of income of the population (45% of the experts of unregistered public CSOs and 62.7% of experts from registered CSOs chose this as an important factor). We can see that experts representing unregistered CSOs are more likely to attach importance to the factors of influence on Belarusian civil society that are somehow connected with the existing system of government. In addition, their evaluation of the influence of the above factors is significantly higher (in the estimates of experts representing unregistered organisations the first four factors scored more than 80% of responses, while none of the factors has reached that point in the estimates of the experts representing registered CSOs).

⁸⁹ The factors affecting civil society in Belarus to a large or extra-large extent have significant impact, which catches our attention. We are describing those factors, which were chosen by more than 50% of all the experts surveyed.



Figure 20: **Influence of Factors on the Civil Society of Belarus**



APPENDIX: FORM FOR FIELD SOCIOLOGICAL SURVEYS

Region/City: _____

Full name of interviewer: _____

Code of interviewer: |_|_|_|_|_|_|_|_|

Form number: |_|_|_|_|_|_|_|_|

Day: |_|_|_|_| Month: |_|_|_|_| 2014

Interview start time: |_|_|_|_|:|_|_|_|_|

Interview end time: |_|_|_|_|:|_|_|_|_|

Questionnaire

The “Participation of civil society in development and monitoring of realisation of government policy” study is financially supported by the EU. The study includes a survey of public opinion among the civil society of Belarus. Please answer a few questions about the activity of the organisation you represent. Note that you were chosen by a selection procedure based on the quota of regional references and fields of activity of organisations in Belarus. Your opinion is guaranteed to remain confidential and used for statistical purposes only.

Q1. What position do you occupy in your civil society organisation?

1. Head of an organisation → CONTINUE
2. Member of a steering body → CONTINUE
3. Member of an organisation/Employee of an organisation → FINISH
4. Volunteer in an organisation → FINISH

I. General information

A1. Name of an organisation: _____

A2. Web-site: _____

A3. Contact person: _____

A4. Phone number: _____

A5. Address (including e-mail): _____

A6. Is your organisation registered in the Republic of Belarus?

1. Yes → ASK QUESTION A7.1
2. No → PASS TO QUESTION A7.2



A7.1. What institutional form does your organisation have?

1. Public Association
2. Foundation
3. Institution
4. Union, Association
5. Other _____

A7.2. Is your organisation registered abroad?

1. Yes
2. No

A8. Which of the 4 categories below does your organisation belong to?

1. Informal, initiative group or support group
2. Non-profit organisation
3. Umbrella organisation, Union of organisations
4. Platform and/or Dialogue forum

A9. How long has your organisation been in existence?

1. Less than 3 years
2. 3–5 years
3. 6–10 years
4. More than 10 years

A10. Is your organisation?

	Yes	No
1. Structural department (affiliate) of regional / republic / international organisation	1	2
2. Member of informal communication network, coalition of organisations	1	2
3. Member of union, association, alliance of organisations	1	2
4. Participant of dialogue forum, platform	1	2
5. Other	1	2

A11. At what level does your organisation act: (ONE ANSWER PER LINE)

	Yes	No
1. Local / regional	1	2
2. National	1	2
3. International	1	2

A12. What are the three main fields of your organisation's activities? (CHOOSE UP TO 3 VARIANTS)

Fields of activity	Variants (no more than 3 answers eligible)
1. Culture	1
2. Education	2
3. Health care	3
4. Social	4
5. Environment and protection of animals	5
6. Sports, tourism	6
7. Development of local societies	7
8. Human rights	8
9. Support for civil society	9
10. Protection of minorities	10
11. Sustainable public administration	11
12. Philanthropy and charity	12
13. European integration and foreign policy	13
14. Religion	14
15. Economics, entrepreneurship	15
16. Farming / agriculture	16
17. Youth and youth policy	17
18. Research and analytical centres	18
19. Other – write down _____	19

A13. If your organisation is membership-based, how many members do you have at the moment? (WRITE DOWN NUMBER)

A14. How many employees work in your organisation at the moment (working half days or more)? (WRITE DOWN NUMBER)

A15. How many people volunteer in your organisation at the moment?(WRITE DOWN NUMBER)



A16. What have the 3 main sources of funding of your organisation been over the past three years? (please rate according to the importance for your organisation)

	I place	II place	III place
1. Foreign gratis support, international technical support	1	1	1
2. Membership fees	2	2	2
3. State funding	3	3	3
4. Sponsor support from Belarusian economic entities	4	4	4
5. Individual donations	5	5	5
6. Entrepreneurship, services provision	6	6	6
7. Other – write down _____	7	7	7

A17. Who are the main target groups / clients / beneficiaries of your organisation? (Select the fewest answers as possible)

1. Children, family
2. Youth
3. Seniors
4. Women
5. Society / people in general
6. Civil society organisations
7. Local and central administrations
8. Entrepreneurs and business
9. Disabled people
10. People in tough life circumstances
11. National minorities
12. LGBT-societies
13. Professional and creative societies
14. Military, veterans of military forces and law enforcement bodies, veterans of wars, fascism prisoners
15. Other _____

A18. To what extent are the activities/projects of your organisation based on the following: (ONE ANSWER PER LINE)

	To a very great extent	To a great extent	To a small extent	No extent
1. Needs of a target group	1	2	3	4
2. Strategy of an organisation	1	2	3	4
3. Donors' / sponsors' priorities	1	2	3	4
4. Strategies created by a group of organisations, a coalition or an umbrella structure	1	2	3	4
5. Strategies created by the state authorities of Belarus	1	2	3	4
6. Strategies applied at the international level	1	2	3	4
7. Other (write down) _____	1	2	3	4

A19. How often do you use the following instruments to achieve your goals? (ONE ANSWER PER LINE)

	Always	Frequently	Rarely	Not used	Don't know
1. Problematic analysis and preparation of analytical papers, studies, reports	1	2	3	4	99
2. Information distribution, including mass media, the Internet	1	2	3	4	99
3. Education and citizens' enlightenment	1	2	3	4	99
4. Holding public events, actions	1	2	3	4	99
5. Holding national campaigns or participation in them	1	2	3	4	99
6. Holding local/regional campaigns or participation in them	1	2	3	4	99
7. Participation in public, consulting and expert councils	1	2	3	4	99
8. Monitoring and evaluation of situations and/or implementation of authorities' decisions	1	2	3	4	99
9. Legal defence in court	1	2	3	4	99
10. Development of drafts of norms and regulatory documents	1	2	3	4	99
11. Services provision, social entrepreneurship	1	2	3	4	99
12. Arrangement of round-tables, meetings	1	2	3	4	99
13. Work with deputies	1	2	3	4	99
14. Preparation of alternative reports for international organisations	1	2	3	4	99
15. Other _____	1	2	3	4	99



A20. To what extent does your organisation cooperate with following institutions/organisations? Estimate the level of cooperation on a scale of 1 to 10, whereby 1 means “no cooperation at all” and 10 means “very close cooperation”. (ONE ANSWER PER LINE)

	No cooperation at all									Very close cooperation
1. Government, Ministries, Republican institutions	1	2	3	4	5	6	7	8	9	10
2. Presidential Administration	1	2	3	4	5	6	7	8	9	10
3. Parliament	1	2	3	4	5	6	7	8	9	10
4. Regional and Minsk local public and self-government authorities	1	2	3	4	5	6	7	8	9	10
5. Rural, district and city local public and self-government authorities	1	2	3	4	5	6	7	8	9	10
6. International organisations	1	2	3	4	5	6	7	8	9	10
7. Other civil society organisations of Belarus	1	2	3	4	5	6	7	8	9	10
8. Other civil society organisations abroad	1	2	3	4	5	6	7	8	9	10
9. Mass media	1	2	3	4	5	6	7	8	9	10
10. State institutions and budgetary organisations	1	2	3	4	5	6	7	8	9	10
11. State enterprises	1	2	3	4	5	6	7	8	9	10
12. Private commercial enterprises and entrepreneurs	1	2	3	4	5	6	7	8	9	10

A21. Please list 3 key problems your organisation is facing.

1. _____
2. _____
3. _____

A22. Please list 3 key achievements made by your organisation over the past 3 years.

1. _____
2. _____
3. _____

A23. Please list 3 key achievements made by CSOs of Belarus in the past 3 years.

1. _____
2. _____
3. _____

II. RELATIONS WITH AUTHORITIES

A24. How do you assess the relations of your organisation with the following authorities? (ONE ANSWER PER LINE)

	Local public and self-government authorities	Republican executive authorities	Parliament	President Administration
1. Very good	1	1	1	1
2. Good	2	2	2	2
3. Average	3	3	3	3
4. Poor	4	4	4	4
5. Very poor / tense	5	5	5	5
6. No assessment / No relations	99	99	99	99

A25. What kind of relations does your organisation have with the following authorities? (READ STATEMENTS FOR EACH AUTHORITY AND MARK THOSE TO WHICH RESPONDENT ANSWERS “YES”)

	Local public and self-government authorities	Republican executive authorities	Parliament	President Administration
1. Participates in joint projects and events	1	1	1	1
2. You consult them on certain problems/issues	2	2	2	2
3. You participate in their decision-making process	3	3	3	3
4. Representatives of your organisation participate in consulting or public council work regularly within the authority's institution	4	4	4	4
5. You participate in budget discussions	5	5	5	5
6. You are involved/employed for provision of certain services, realisation of certain activities	6	6	6	6
7. You are supported financially in realising certain programmes/events	7	7	7	7
8. Other _____	8	8	8	8

A26. To which extent can your organisation influence decisions made by ... ? (ONE ANSWER PER COLUMN)

	Local public and self-government authorities	Republican executive authorities	Parliament	President Administration
1. To a very great extent	1	1	1	1
2. To a great extent	2	2	2	2
3. To some extent	3	3	3	3
4. No extent	4	4	4	4
5. Don't know	99	99	99	99



A27. What are the main obstructions you face in your communications with authorities? (UP TO 3 VARIANTS POSSIBLE)

1. We don't know how to start communicating with authorities or how to participate in decision-making processes
2. Authorities don't trust our organisation
3. Our organisation doesn't trust authorities
4. Authorities are wary of cooperation with such organisations because consider those connected to political opposition
5. Authorities do not consider us qualified enough
6. Corruption is an obstruction to communicating with authorities
7. We don't have access to information about authorities' activities
8. We don't have enough human resources or time to communicate with authorities
9. Our employees don't have the necessary experience or knowledge in the field
10. We consider communicating with authorities useless because nothing can be changed
11. Other (write down) _____

A28. In your opinion how do the Belarusian authorities treat non-governmental non-profit organisations (such as yours)

1. As amateurs
2. As a means to raise international funds (a profitable investment project)
3. As a political opposition
4. As experts in the field
5. As "beggars"
6. As partners (may not always be equal)
7. As second-rate organisations to be avoided
8. As competent representatives of a certain social group
9. Other (write down) _____

A29. In your opinion, which factors contribute to the success of your organisation in cooperation with ... ? (READ STATEMENTS FOR EACH AUTHORITY; ANY NUMBER OF ANSWERS POSSIBLE)

	Local public and self-government authorities	Republican executive authorities	Parliament	President Administration
1. We have good relations with authorities	1	1	1	1
2. We hold political influence through public campaigns	2	2	2	2
3. Our idea/concept corresponds to state priorities	3	3	3	3
4. Our idea/concept corresponds to international norms and practices	4	4	4	4
5. Members/former members of our organisation work in authority institutions	5	5	5	5
6. We have experience in raising funds for joint projects	6	6	6	6
7. We have experts (knowledge about discussing issues)	7	7	7	7
8. We address problems, we are the most up-to-date actors in society, we represent the interests of significant social groups	8	8	8	8
9. We know how to promote interests successfully	9	9	9	9
10. Our idea/concept has international support	10	10	10	10

III. COOPERATION WITH STAKEHOLDERS

A30. How do you assess your relations with the following stakeholders? (ONE ANSWER PER LINE)

	Very good	Good	Average	Poor	Very poor	Don't know
1. Civil society organisations of Belarus	1	2	3	4	5	99
2. Non-governmental mass media	1	2	3	4	5	99
3. Governmental mass media	1	2	3	4	5	99
4. Economic entities (business)	1	2	3	4	5	99
5. Civil society organisations abroad	1	2	3	4	5	99
6. International and foreign donor organisations	1	2	3	4	5	99



A31. Does your organisation have relations with stakeholders? (READ STATEMENTS FOR EACH TYPE OF STAKEHOLDER; ANY NUMBER OF ANSWERS POSSIBLE)

	Civil society organisations of Belarus	Governmental mass media	Non-governmental mass media	Economic entities (business)	Civil society organisations abroad	International and foreign donor organisations
1. You participate in joint projects and events	1	1	1	1	1	1
2. You consult with them on certain issues	2	2	2	2	2	2
3. You provide necessary information and expertise	3	3	3	3	3	3
4. You collaborate on developing strategic documents, recommendations	4	4	4	4	4	4
5. You receive material and financial support from them	5	5	5	5	5	5
6. You receive informational and expert support from them	6	6	6	6	6	6
7. You are members of the same networks, coalitions, associations	7	7	7	7	7	7
8. Other _____	8	8	8	8	8	8

A32. Has your organisation appealed to the EU for grants/financial support?

1. Yes, as a main applicant
2. Yes, as a partner
3. No
4. Don't know

IF YOUR ANSWER TO QUESTION A32 IS P.3 (NO) THEN GO TO QUESTION A33. OTHERWISE SKIP TO QUESTION A34.

A33. If the answer is "No", please specify the reason:

1. We didn't receive information about opportunities for applying to the EU for grants/financial support
2. We don't have partners for participation in tenders to receive grants/financial support from the EU
3. The application for receiving a grant/financial support from the EU is too complicated for our organisation
4. We don't have enough experience or knowledge to implement projects financed by the EU
5. The priorities of EU competitions do not correspond with the priorities of our organisation's activities
6. Other (write down) _____

A34. Has the EU delegation ever invited you to participate in consultations?

1. Yes, one time
2. Yes, few times
3. No
4. Don't know

A35. How do you assess the practical benefits for your organisation of the information received during these consultations?

1. Very useful
2. Useful
3. Not very useful
4. Not useful at all
5. Don't know / not applicable

IV. EDUCATION AND TRAININGS

A36. Please indicate the education topics your organisation is involved in (READ THEMATICS REGARDING ROTATION)

QUESTION A37 IS ASKED ONLY ABOUT THE TOPICS YOUR ORGANISATION IS INVOLVED IN

A37. Please indicate preferable forms of education on each topic your organisation is involved in.

Subjects	A36. Interest		A37. Forms of education		
	Yes	No	Lectures in auditoriums	Online/distance education	Form doesn't matter
1. Estimation of needs and problematic analysis	1	2	1	2	3
2. Preparation of public thematic/analytical documents	1	2	1	2	3
3. Advocacy and lobbying	1	2	1	2	3
4. Working with mass media and the Internet	1	2	1	2	3
5. PR / public relations	1	2	1	2	3
6. Legal issues of NPO activity	1	2	1	2	3
7. Organisation of public campaigns	1	2	1	2	3
8. Monitoring and estimation of realisation of state programmes and decisions, quality of provision of state services	1	2	1	2	3
9. Control over budget processes and state budget realisation	1	2	1	2	3
10. Writing propositions, justifications to authorities	1	2	1	2	3
11. Development of strategic partnerships	1	2	1	2	3
12. Basic activity of a non-profit organisation	1	2	1	2	3



13. Strategic planning	1	2	1	2	3
14. Effective management of an organisation	1	2	1	2	3
15. Managing volunteers, planning volunteer programmes	1	2	1	2	3
16. Financial management	1	2	1	2	3
17. Fundraising	1	2	1	2	3
18. Public accountability of non-profit organisations	1	2	1	2	3
19. Development and realisation of projects	1	2	1	2	3
20. Quality management	1	2	1	2	3
21. State social order	1	2	1	2	3
22. Social entrepreneurship	1	2	1	2	3
23. Civil participation and mobilisation of societies	1	2	1	2	3
24. Negotiations/ intersectoral dialogue	1	2	1	2	3
25. Other _____	1	2	1	2	3

V. ESTIMATION OF THE ENVIRONMENT CSOs OPERATE IN

A38. How do you assess the following factors in Belarus? (ONE ANSWER PER LINE)

	Very good	Good	Average	Poor	Very poor	Don't know
1. Guarantee of basic civil freedoms in general	1	2	3	4	5	99
2. Freedom of assembly	1	2	3	4	5	99
3. Freedom of association	1	2	3	4	5	99
4. Freedom of speech	1	2	3	4	5	99
5. Access to any information of public interest at local authorities level	1	2	3	4	5	99
6. Access to any information of public interest at central authorities level	1	2	3	4	5	99
7. Right to private property	1	2	3	4	5	99
8. State efforts to provide each person with a quality of life that guarantees health and prosperity for him/her and his/her family	1	2	3	4	5	99
9. Procedure of registration of non-profit organisations	1	2	3	4	5	99
10. Opportunity for non-profit organisations to receive financing for their activities	1	2	3	4	5	99
11. Tax exemption and benefits for stimulation of charity	1	2	3	4	5	99
12. Obligations of civil society organisations to fill in annual financial reports and reports on activity	1	2	3	4	5	99

A39. In your opinion, are there any legislative restrictions regarding the activity of non-profit organisations in Belarus?

1. Yes
2. No
3. Don't know / not applicable

A40. In your opinion, to what extent do the following aspects affect civil society in Belarus? (ONE ANSWER PER LINE)

	To a very great extent	To a great extent	To some extent	To a small extent	No extent
1. Level of personal income	1	2	3	4	5
2. Economic situation	1	2	3	4	5
3. Political situation	1	2	3	4	5
4. Level of bureaucracy	1	2	3	4	5
5. Limited access to information	1	2	3	4	5
6. Policy of authorities towards civil society organisations	1	2	3	4	5
7. Condition of democracy	1	2	3	4	5
8. Social and economic inequality	1	2	3	4	5
9. Level of tolerance of society	1	2	3	4	5
10. Corruption	1	2	3	4	5
11. Soviet traditions of civil participation and cooperation of state, society and civilians	1	2	3	4	5
12. International context	1	2	3	4	5
13. Integration processes in the post-soviet region	1	2	3	4	5
14. Integration processes in the European region	1	2	3	4	5
15. Policy of donor society regarding civil society organisations in Belarus	1	2	3	4	5

A41. How do you assess legislation and practice of its usage in Belarus according to the following aspects? (ONE ANSWER PER LINE)

	Very good	Good	Average	Poor	Very poor	Don't know
1. Legislation on registration of non-profit organisations	1	2	3	4	5	99
2. Legislation which regulates activity of non-profit organisations	1	2	3	4	5	99
3. Legislation which regulates financing of non-governmental and non-profit organisations by means of state budget	1	2	3	4	5	99
4. Legislation on charity and sponsorship	1	2	3	4	5	99
5. Legislation on income of non-profit organisations received by provision of services and entrepreneurship	1	2	3	4	5	99
6. Ban on activity of non-registered associations, religious organisations and foundations	1	2	3	4	5	99



7. Taxation of non-profit organisations	1	2	3	4	5	99
8. Administrative support of non-governmental non-profit organisations from authorities	1	2	3	4	5	99

A42. Which of the following possible reforms in the Belarusian legislation do you consider to be the most useful for an organisation such as yours? (NAME UP TO THREE REFORMS)

	Useful
1. Declarative principle of registration for all non-profit organisations	1
2. Possibility of having legal address in accommodation at place of residence of founder	2
3. Admission for entrepreneurship activity for public associations	3
4. Withdrawal of ban on activity of non-registered associations	4
5. Simplification of registration or declarative procedure of registration of foreign gratis support	5
6. Reform of legislation on internal sponsor support	6
7. Withdrawal of restrictions on raising and usage of anonymous donations	7
8. Mechanism of 1% tax contribution for non-profit organisations	8
9. Development of system of state financing of non-profit organisations by provision of grants on basis of tender	9
10. Introduction of tax benefits for corporate donors	10
11. Adoption of law on charity	11
12. Adoption of law on volunteering	12
13. Other	13

A43. Please name up to ten CSOs your organisation cooperates with (ACCURATELY WRITE DOWN EVERY ORGANISATION AS RESPONDENT MENTIONS THEM)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

OUR INTERVIEW IS FINISHED, THANK YOU FOR YOUR CONTRIBUTION.

