



**SITUATION OF NGOs
DEALING WITH ANTI-DISCRIMINATION
IN THE NEW MEMBER STATES, ROMANIA, BULGARIA AND TURKEY**

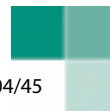
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Introduction

In the context of the European Commission funded project “Capacity Building Civil Society dealing with Anti-Discrimination in new member states countries and Romania, Bulgaria and Turkey”, a stakeholder/needs analysis has been carried out in all 13 countries.

The aim of the analysis was to specify a training programme and identify target audiences for such training in each of the participating countries.

The analyses were carried out by a national expert in each of the countries on the basis of a common template with questions. The questions referred to the situation of NGOs in that country, their work, their knowledge, their potential work on anti-discrimination (discrimination based on racial and ethnic origin, religion or belief, age, disability and sexual orientation), their funding and human resource situation, etc. Most of the experts consulted with other NGOs (working with the same or with other grounds of discrimination) through meetings, telephone interviews or by asking them to also answer the questionnaire.

Once drafted, the analyses were shared with the Social Platform and its members in the relevant countries, in order to check whether the answers given by the experts reflected the views of other organisations. This was generally found to be the case.



Comparative overview

The mapping exercise generated a wealth of information and this chapter aims to provide an overall picture of the situation of NGOs in the countries concerned, based on the information available in the separate country reports.

The comparative overview highlights the situation faced by NGOs in performing their work. Where differences between countries arise from the separate country analyses, a specific country (or group of countries) is explicitly mentioned. The problems listed are not exhaustive and reflect the experience of the NGOs alone. Mentioning only one country in relation to a specific situation or problem does not mean that other countries do not face a similar situation but could be explained by the fact that more emphasis was placed on the issue by the expert in the country mentioned.

I Profile of NGO's working to combat discrimination

1. What kinds of NGOs working on anti-discrimination exist on the national level?

It is difficult to assess the kind of NGOs working on anti-discrimination at national level. Anti-discrimination in itself does not seem to be an area of particular interest or a specific field of activity in most of the countries involved in the project. There are practically no organisations working solely on anti-discrimination. A rare number declare anti-discrimination to be their main task but the majority only devote part of their activities to this issue. There are various reasons for this finding: lack of financial means, staff, information, training, etc., which will be dealt with later in this comparative analysis. It seems that in some countries, anti-discrimination is a relatively new issue (the Baltic states, Malta, Cyprus and Turkey) and NGO involvement is in fact weak as they NGOs are still unaware of the role they can play and of the added value of working together (Cyprus, Estonia, Lithuania). Except in a few countries where cross-grounds networks have started to emerge, NGOs are ground specific and do work on discrimination in specific areas. They act very subjectively and independently of each other.

In most of the countries (Bulgaria, Czech Republic, Estonia, Latvia, Poland, Romania, Turkey), NGOs dealing with anti-discrimination are either Human rights organisations or organisations affiliated with specific, vulnerable groups (for example in Poland and Romania, among others). The NGOs that work most actively on anti-discrimination as such tend to have a focus on race and ethnic origin (it also appears that NGOs dealing with Roma issues are among the most significant). This is the case in Bulgaria, Cyprus and Hungary. In the Czech Republic, smaller NGOs tend to be more involved in anti-discrimination issues than larger NGOs.

However, NGOs dealing with age (specially those dealing with the elderly) and disability have been quite effective and successful and enjoy greater visibility in terms of raising awareness concerning their grounds, working on welfare issues, and preparing documents such as national plans. Nevertheless anti-discrimination is still not their strongest point. In both Hungary and Cyprus, age organisations have been extremely pro-active networks and top lobby organisations. In Hungary, they are felt to be the best organised networks. In Cyprus for example, the Board of Elderly Issues is a consultative partner of the central government: it prepares opinion papers and proposals concerning any draft bills or programmes of the central government concerning the elderly. However, in other countries



such as Bulgaria or Romania there are no organisations dealing specifically with age discrimination. Regarding religion, religious discrimination has very often been dealt with through Human Rights organisations. The role played by religious organisations seems to be fairly recent. In Cyprus, the Jehovah's witnesses and Evangelical Church have begun to be active and in Hungary, Jewish organisations (such as the B'Nai B'Rith Jewish Documentary Centre) deal with anti-Semitic discourse. Despite the fact that organisations defending the rights of Gays and Lesbians do exist, sexual orientation remains taboo and can be a difficult issue to deal with, notably in Cyprus, Estonia, Latvia, Malta and Turkey.

Malta represents a unique case among the 13 countries as there is still no legislation regulating NGOs even though they have been active for many years. A draft bill to correct the situation is currently pending. Although in most of the countries, organisations dealing with anti-discrimination are non-profit organisation, in Slovakia and Slovenia organisations working on anti-discrimination often have the statute of a foundation.

Anti-discrimination, even if touched upon by NGOs, is therefore not being dealt with as it could be. Most of the NGOs working on specific grounds (especially age and disability) work on ensuring better social and sometimes legal services to their target groups. Even though the issue of anti-discrimination is frequently at least one the causes of social problems, it is not addressed directly or appropriately because it is not recognised, or not given suitable and adequate importance or because organisations do not have the means to deal with the issue.

2. What ground (s) of discrimination are they concerned with?

NGOs dealing with gender (which is not in the remit of this project) are recognised as being predominant in terms of the kind of organisation or the activities they perform. As written above, NGOs rarely consider anti-discrimination as an integral part of their work.

However, among the different grounds, NGOs working on race and ethnic origin have been more pro-active in dealing with anti-discrimination (Cyprus, Czech Republic, Estonia, Latvia, Poland, Romania, Slovakia, and Turkey). NGOs working on Roma have been particularly effective in the Czech Republic, Hungary and Romania (it should be noted that Roma organisations in Romania are very strong in terms of expertise and financing but only one of them focuses its work on anti-discrimination). In Estonia, these NGOs work on Russian-speaking minorities. In Lithuania, there are very few organisations working on race and ethnicity.

Age and disability organisations are felt to be the best organised NGOs in Cyprus, Hungary, Latvia and Lithuania. Sexual orientation remains difficult, even though NGOs concerned with this ground have a strong lobby and advocacy component, as the issue does stigmatise individuals who prefer to remain silent. Although there are religious organisations or organisations dealing with religious minorities, most of them do not address the issue of anti-discrimination in their work and do not focus on combating discrimination based on religion or belief. For example, there are no organisation working specifically on religious discrimination in Estonia, Hungary, Latvia, Lithuania and Malta.

In the Czech Republic, the Trade Unions Confederation does provide some legal counselling to victims of discrimination on all grounds, but only to their members.



Accession to the European Union has helped. Some of the specific ground NGOs have now started to articulate their concerns and demands in terms of HR and fight against discrimination.

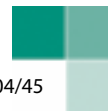
3. Is anti-discrimination their main area of work or only a small part of what they do?

Apart from the Czech Republic, where anti-discrimination represents one of the main areas of work for Human Rights NGOs (whilst for trade unions and other networks it represents a smaller part of their work), and Hungary and Malta, where fighting discrimination represents a significant area of the NGOs' work in terms of awareness raising and providing assistance to victims, very few NGOs deal with anti-discrimination or do it only partially as part of a broader aim and mission. These NGOs come across the issue of discrimination, and occasionally tackle it, when they are campaigning for their target group's rights (Cyprus, Estonia, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia and Turkey). In Cyprus for example, NGOs have a broad agenda and only started focusing on anti-discrimination recently, after the adoption of the new legislation in May 2004. Most of the time, NGOs lack expertise and experience in the field, have difficulties defining their role, are overworked and lack funding. In Estonia, only two or three NGOs systematically collect information on anti-discrimination cases. In Latvia and Romania, anti-discrimination tends to be a component of Human rights or of an advocacy department.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

It does not seem to be problematic to establish an NGO in any of the countries except Malta, where no legislation regulating NGOs is yet in force (NGOs have been appealing the government to enact the necessary legislation providing for their registration). The procedure is sometimes felt to be bureaucratic and slow, as in Cyprus where one group complained of a delay in examining their application and of unjustified police checks. In Lithuania and Romania, it was felt that although registration was easy, it was a lengthy and costly procedure. In Hungary, some NGOs complained that since the transition there had been numerous restrictions in this field, especially restrictions concerning the taxation of foundations and associations, e.g. in-kind donations could no longer be deducted. In other countries, different types of organisations may exist. In the Czech Republic, establishing a "civil assembly" is easy (most of the NGOs are civil assemblies) but becoming a "commonly beneficial assembly" requires a more formal procedure and is more complicated. In Romania, the "public utility status" is also more difficult to obtain and affords access to available public funding (only one NGO working on anti-discrimination has the public utility status). In Poland, some NGOs are not required to register. This category includes the following organisations: "ordinary associations" (less than 15 members and not eligible to receive grants), social organisations operating on the basis of specific acts and international agreements, churches, religious associations and organisations, electoral committees and political parties.

Generally, it is much more difficult to establish a foundation or an institute than an organisation or association (Slovakia, Slovenia and Turkey).



5. Generally, how large are these NGOs?

Generally speaking, organisations based in the capitals or main cities are larger and institutionally more developed than local ones (in Bulgaria and Slovakia, for example) and NGOs are usually very small (under or around ten activists/employees), as is the case in Cyprus, Estonia, the Czech Republic, Latvia, Lithuania, Slovakia and Slovenia. Most of the smaller NGOs do not have paid staff but work with activists/volunteers and hardly have any office space (Bulgaria, the Czech Republic and Romania). The few organisations that have more than 20 employees are considered to be big organisations. Organisations dealing with disability (as a nationwide lobby) are felt to be the largest organisations, in Hungary for instance, followed by age organisations. Poland seems to be the only country where most of the NGOs, even small ones, have paid staff. In contrast, NGOs in Turkey hardly have any paid staff. Organisations work with volunteers and as most of these organisations are membership organisations, work is done by the active members. There is a clear difference between staff members (paid employees) and members of an organisation and, very often (in Cyprus, Hungary and Latvia, among others), the number of members/volunteers can be vast whilst the number of paid staff remains minimal (for example the Latvian organisation APEIRONS has 6 staff members, 63 members and over 100 volunteers). It should be noted that many of the NGOs in the 13 countries are membership organisations that require the participation of active members in the work of the organisation. On the whole, organisations dealing with sexual orientation hardly have any paid staff, nor office space. The same applies for religious organisations in some countries.

A distinction must be made between NGOs and foundations. The latter are usually much larger than NGOs and have a larger number of paid staff.

The situation in Malta is unique as there is no legislation regulating NGOs (most of the Maltese organisations work with their members/volunteers/activists).

6. Are they part of larger national networks? Or are they working on their own?

It seems that in most of the countries, such as Cyprus, Hungary, Lithuania, Malta, Romania, and Slovenia, disability NGOs are the best organised and belong to wider national or international networks. Age and Roma NGOs in Hungary and NGOs dealing with racial and ethnic origin in Slovenia also belong to well organised and functioning networks. NGOs in the field of sexual orientation and religion, in Hungary for instance, do not belong to permanent networks but do cooperate on an ad hoc basis. In Bulgaria, Poland, Romania and Turkey, NGOs are well connected to each other, informal relations are function effectively and there is collaboration on specific issues. Although in Turkey there have been attempts to create networks on various issues they appear to exist for a limited period of time to deal with a specific issue.

Generally speaking, most of the NGOs work on their own even if they are part of a wider network (Cyprus, Latvia, Lithuania, Malta, Slovakia, Slovenia and Turkey).

In the Czech Republic, as in Estonia, there are no networks that function well. They are still at the fledgling stage in the Czech Republic, though some informal networks do exist and, in Estonia, several umbrella organisations dealing with disability and ethnic origin are functioning.



7. Are they mainly based in the Capital or spread out in the country?

Most of the anti-discrimination NGOs are based in the Capital or largest cities of the country (In Sofia for Bulgaria; Lefkosia and Lemesos for Cyprus; Prague and Brno for the Czech Republic, Brno being the second largest city and the seat of important judicial institutions such as the Constitutional and High courts; Tallinn, Tartu and Narva for Estonia; Warsaw and other big cities for Poland; Ljubljana in Slovenia, although it depends on the ground of discrimination; Istanbul, Ankara and Izmir for Turkey).

In Hungary, Latvia, Lithuania, Romania, Slovakia and Slovenia (only with regard to NGOs doing advocacy), national NGOs are mainly based in the capital even if their activities are not restricted to the capital only.

The size and the configuration of the country play a crucial role. In Cyprus, distances are so small that they do not prevent NGOs from working together. In Turkey, it is much more problematic for NGOs from different regions to meet. Finally, in Malta, NGOs are spread around the Maltese islands (particularly due to the small size of the country, 27 x 14, 5 kms).

8. Are NGOs from the capital and the rest of the country doing the same type of work?

It appears that activities such as lobbying, advocacy, monitoring, reporting, training or awareness raising, are undertaken by NGOs based in the capital. NGOs based on the local level tend to work on specific issues or projects and receive complaints from victims and possibly refer them to larger NGOs based in the capital. Local NGOs also work on intensifying their relations with local governments (this is the case in Bulgaria, Hungary, Latvia, Romania and Slovenia; in Cyprus the trend only applies for lobbying and campaigning activities - awareness raising and information also take place throughout the country; in Poland, bigger cities also engage in the first set of activities, as does Istanbul in the case of Turkey.).

In the Czech Republic, Estonia, Lithuania and Slovakia, NGOs do the same type of work whether they are based in the capital or not, only the beneficiaries might vary.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (e.g. exchange of expertise, collaboration on case work or campaigns, organising events jointly)

In Bulgaria, the Czech Republic, Hungary, Romania, Slovakia and Turkey, NGOs cooperate mainly on an informal basis to exchange information and expertise, collaborate on case work, organise joint events, and create ad hoc coalitions on specific issues (individual cases, proposals to government or specialised bodies).

Cooperation does take place on campaigns and awareness raising in Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia, Slovenia and Turkey. The only cooperation in Lithuania, Poland, Slovakia, Slovenia and Turkey concerns the organisation of joint events.

In Latvia, cooperation is limited to participation in each other's seminars (for time and financial reasons), and in Estonia to the organisation of training conducted by national NGOs for smaller local NGOs. In Lithuania it appears that NGOs tend not to work together because they mainly see each other as competitors for funds.

As in the case of Cyprus and Turkey, NGOs do seem to work together when a third party involves them, for instance in a European or international project. The Mapping Civil Society project, for example, revealed to NGOs how crucial it is to work together and in various countries they have decided to intensify their cooperation or even to create networks. In



Malta, it appears that NGOs mainly working together when there is a real or perceived threat related to a specific matter or when they are trying to create awareness.

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

It appears that disability groups are the NGOs that collaborate best with each other, followed by age groups (Cyprus, Estonia, Hungary, Lithuania). NGOs working on racial and ethnic origin (Estonia, Latvia occasionally, Slovakia and Slovenia) and Roma (Bulgaria, Hungary occasionally and Romania) also collaborate. Regarding sexual orientation, NGOs in this field work together in Slovenia as well as in the Czech Republic, where they even cooperate with NGOs working on gender issues. In Poland, cooperation among NGOs depends heavily on the government's political agenda and in Malta and Turkey there is very little, if any, cooperation among NGOs.

10. How are these NGOs funded?

- a. Do they receive state funding?

State funding is hardly accessible to most of the NGOs. It mainly exists in the form of small grants (Poland and Slovenia) or based on specific projects or calls for tender (in Bulgaria, two Roma NGOs have twice been subcontracted for a specific project; in Cyprus; in Estonia this only applies for disability and age groups; Hungary; Latvia; Lithuania and Slovakia). However, the funds made available for projects are very small. In Bulgaria, Romania and Turkey, NGOs do not receive state funding. In the Czech Republic, only NGOs dealing with disability, age and ethnic minorities have so far received state funding.

It is made clear that most of the funding comes from foreign donors, whether they are foreign governments, as in Bulgaria where NGOs receive funding from the Dutch, British and American governments, foreign private foundations, programmes from foreign embassies, as in Estonia, or EU funded projects

In Malta, because of the particular situation regarding the lack of statutes for NGOs, public funding is not made available and foreign funding is therefore made very difficult.

- b. What are the conditions in order to receive public funding?

Generally speaking, disability organisations seem to have better access to public funding. For the other NGOs, funding is generally available through tenders or for specific projects. Core funding does not seem to be an option. In most of the countries, public funding is normally offered through tenders and general criteria regarding tenders are therefore applicable (Estonia, Latvia, Lithuania, Poland, Slovakia and Slovenia).

In some countries, specific criteria for receiving public funding are provided for in the law. In Bulgaria, concerning disability organisations, only national representative organisations of and for disabled people can apply and criteria for recognition are defined in the Regulations on the Organisation and Activities of the National Council for Disabled People's Integration. Some NGOs like the Red Cross or War Veterans organisations are entitled to state subsidies under special laws. In Hungary, the Government Decree 160/2003 regulates the formal criteria which have to be met by the organisations. The first condition is to have been registered for at least one year and to be operational; furthermore specific activities from the

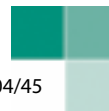
National Civic Basic Programme are reserved for organisations having the status of “public benefit”. In Lithuania, specific criteria can be provided by Resolution of the government through a ministry, municipality or other state institution. In both Cyprus and the Czech Republic the usual conditions refer to organisational form, financial accountability and visibility of the funder. In Bulgaria there are no generally applicable criteria for public funding for NGOs. In Romania, the only NGOs that have received state funding are NGOs dealing with Aids/HIV. Furthermore, access to EU funding is difficult for Romanian NGOs as Romania is not yet part of the EU. Accessing state funding is made quite difficult for Slovenian NGOs, as the process requires expertise that the grassroots NGOs do not have. It is particularly difficult for newly established NGOs as they have to provide references of their past work and financial reports covering 3 years.

Malta is in the unique situation of not yet having regulations for NGOs, which makes their position very difficult regarding funding (even EU funding), and there is no public funding available in Turkey.

c. Do they also receive/apply for private funding?

NGOs could not survive without private funding, yet most of the funding comes from abroad. The Soros Foundation and its Open Society Institutes have been mentioned as a source of funding in these countries but contributions are steadily falling and the Foundation plans to close down operations by the end of 2007. A distinction is made on the national level regarding the area of activity. NGOs dealing with children or culture for example seem to attract more national private funding than NGOs working on anti-discrimination or more generally on Human Rights. Therefore, all anti-discrimination NGOs survive mainly or exclusively on private foreign funding (private foundations, governmental agencies, foreign embassies programmes, individuals) or occasionally national funding (a very small number of foundations, individuals, businesses etc). Although the system of private foundations is undeveloped in Estonia or Latvia for example, they do support NGO work. NGOs also receive “funding” through members’ registration fees and donations. Private companies were once a source of funding in Latvia, but they have been directing their donations to charity-type activities rather than organisations working on public issues and Human Rights. Moreover, the grant rules for this system were never clear and appeared to be based more on personal connections than on the merit of a project. In Cyprus, some organisations receive small private funds but these are not considered to be a significant source of income. In Malta (see above), the funding situation of NGOs is catastrophic due to their lack of statutes. Private donors are increasingly likely to impose conditions, which could hinder NGOs in properly carrying out their activities. The situation is also difficult in Romania. Some Romanian NGOs have manifested their intention to use the “1% Law” regarding private funding from individuals, but the methodology for implementing the provisions of this legislation is relatively rigid, involves a lot of bureaucracy and also depends on the will of employers to pay this 1% to employees.

NGOs can also receive a percentage of the yearly individual taxes that individuals specifically indicate to be allocated to specific organisations (in Hungary and Poland 1%, in Latvia and Slovakia 2% and in Slovenia).



d. Do private funders impose any restrictions or conditions?

All funders provide grants according to specific terms and conventional conditions such as legal status, financial status, financial accountability, type of activity, duration of project, reporting of activities, financial reporting, etc. Some also impose conditions on the visibility and/or acknowledgement of the source of funding. Lithuanian and Slovenian NGOs declare that funders do not impose any conditions or restrictions on them.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

In all of the countries, NGOs have expressed concern regarding NGO funding. Funding for anti-discrimination NGOs (and more generally Human Rights NGOs) is scarce and therefore severely limits organisations and their activities. Lack of funding is the main and most significant factor affecting the work of anti-discrimination NGOs; it determines the efficiency of their work. It also affects their “professionalism” as they are not able to have paid staff, or only to a very limited extent, and are dependent on volunteers’ assistance. With more financial support, NGOs could broaden their activities, employ more permanent staff, undertake training, and develop their legal aid and litigation activities, for example. Lack of funding has also contributed to lack of capacity in civil society in some countries and has proven to be a crucial factor that determines whether or not anti-discrimination NGOs are able to continue working on this issue.

12. Do they work (or are they in contact) with similar NGOs in other countries?

a. Neighbouring countries?

It appears that there is a difference between large NGOs, NGOs belonging to a wider network and based in the capital or main cities and small, grassroots NGOs at the local level. The former find it easier to work with similar NGOs in neighbouring countries.

NGOs belonging to networks or umbrella organisations have greater ease in maintaining and using these links (Bulgaria, Estonia, Malta, Romania, Slovakia and Turkey). Roma NGOs tend to have contacts across borders. In Bulgaria, Hungary and Slovenia, anti-discrimination NGOs appear to be well connected with other NGOs in the region, maintaining long-term operative partnerships, sharing expertise and experience. In Estonia, Lithuania, Poland and Romania, very few NGOs have established contacts in the region. In Poland, links tend to be established more with western neighbouring countries than with eastern ones. In Latvia, cooperation with neighbouring countries (Lithuania and Estonia) is surprisingly underdeveloped.

b. Other new EU Member States?

Most contacts have been developed through existing NGO networks or EU funded projects. The situation depends very much on the size, activities and location of the NGO (In Turkey, for example, there are no ties with NGOs in new Member States apart from Cypriot NGOs. Strong links also exist with Greek NGOs).

c. Others?

Again, most of the contacts and working relationship are developed through existing networks or EU funded projects. Some contact does exist as a result of a more international or broader type of cooperation (at the Mediterranean level, for instance). Religious organisations, such as Jewish organisations, are more likely to have strong links with sister organisations within and outside the EU.

13. Do they work on the international level (campaigning, case work, other)

Most of the countries work on the international level in exceptional situations, or very specific situations (targeted campaign or specific project) or in a very limited way (the Czech Republic, Estonia, Latvia, Lithuania, Slovakia, Slovenia and Turkey). As the Cypriot NGO mentions, it all depends on the ground of discrimination and existing relations with sister organisations. In Malta and Romania there are no activities on the international level. In Bulgaria, Hungary and Poland (but only in the case of a few NGOs) there are activities on the international level such as campaigning, lobbying and reporting to the Council of Europe, UN bodies, the European institutions and the OSCE. In Bulgaria and Hungary, NGOs also often (successfully) bring cases to the European Court of Human Rights and the Cypriot NGO is acting as the RAXEN focal point for the EUMC.

14. Can they work in English?

Working in English is a problem for small or grassroots organisations (especially Roma organisations) based throughout the country. These organisations would find it difficult or impossible to work in English (Bulgaria, the Czech Republic, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia, especially for Roma and Elderly). In the Czech Republic, Estonia (where Russian is considered indispensable and not English), Hungary, Latvia, Lithuania and Poland, some NGOs based in the capital can work in English.

In Bulgaria, Romania and Slovakia it appears that NGOs based in the capitals are able to conduct their operations in English. Only in Cyprus and Malta do NGOs commonly work in English without any problem. In Turkey, only two organisations have done some work in English

However, it should be noted that NGOs are doing their best to work in English, mainly in order to gain access to foreign funding such as EU funding.

II Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

The portfolio of activities is quite diverse: monitoring, reporting, research, consultation and assistance to victims, litigation, education, advocacy, lobbying, training, organisation of seminars, multicultural activities, campaigns and awareness raising. In the following countries, one or more of these activities are undertaken by NGOs: Bulgaria, Cyprus, the Czech Republic, Hungary, Lithuania, Romania, Slovakia and Slovenia. In the other countries, NGO activities mainly relate to awareness raising: Estonia (some legal counselling also), Latvia (where work on anti-discrimination only started recently), Malta (plus lobbying the authorities), Poland (plus some educational activities) and Turkey (with some information activities and lobbying, mostly on reforming laws on cultural rights).



16. Do they take up complaints of discrimination?

The vast majority of the human rights organisations do work directly with victims: they receive complaints and they provide for legal advice and assistance including legal representation before the courts and other authorities. This is the case in Bulgaria, Hungary (if the victim goes to a smaller NGO, he/she is redirected towards a bigger one that offers this form of assistance) and Romania. In Cyprus, the Czech Republic, Estonia, Latvia, Lithuania (mainly women's organisations), Poland, Slovakia and Turkey, only very few organisations take up complaints of discrimination.

In general, Slovenian NGOs do not take up complaints of discrimination; they deal with instances of discrimination as support groups. In Malta, there is no organisation that deals with complaints.

17. Do they focus on their own community?

Generally speaking, NGOs do focus on their own community (even though some joint actions such as campaigns or awareness raising may take place). This is the case in the 13 countries involved in this project. In some countries, namely Bulgaria, Latvia, Poland, Romania and Turkey, Human Rights groups deal with all grounds of discrimination, though for some the issue of Roma appears to be a priority.

18. Do they work with victims directly?

The vast majority of the Human Rights groups work directly with victims (Bulgaria, Estonia, Hungary and Slovenia). Most of the NGOs working on specific grounds of discrimination in Hungary, Poland, Romania and Slovenia work with victims. In Malta, only the main NGOs and in Cyprus only organisations taking up complaints do so. Some of the target groups undertake this activity in Bulgaria, Latvia and Lithuania and very few of them in Slovakia. In Turkey it is not the practice for NGOs to work directly with victims.

19. Do they do 'case work'?

In Hungary and Latvia, only NGOs that have a legal service do "case work". In Bulgaria and Estonia, Human Rights organisations do engage in this activity, as do some target groups in Bulgaria. Very few organisations do so in the Czech Republic, Lithuania, Malta, Slovakia and Slovenia. In Cyprus, it depends on the organisation and in Poland; some NGOs have done "case work" but never in relation to anti-discrimination. In Turkey, almost none of the NGOs have performed this task. Romania and Bulgaria appear to be the only countries where most of the NGOs do "case work".

20. Does this include legal representation?

Legal representation requires the NGOs to have enough capacity, expertise and solid legal knowledge and financial resources to work with lawyers. This is lacking in most of the countries. The Human rights groups and Roma rights groups have included legal representation in their work in Bulgaria. In Lithuania, under current legislation, legal representation by NGOs is hardly possible and in Malta it is impossible.

For the reasons mentioned above, only some NGOs in Hungary represent victims, very few do so in Cyprus (only one), the Czech Republic (only two), Estonia, Latvia, Poland, Romania, Slovakia and Slovenia and none do in Turkey.



21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

The newly enacted anti-discrimination legislation does include such provisions in Bulgaria, Cyprus (where NGOs nevertheless lack the expertise to do so), the Czech Republic (the possibility is hardly used), Hungary, Slovakia, Slovenia (however, NGOs do not use the opportunity due to lack of funding and/or expertise).

Such provisions have existed in Poland, although very few NGOs use them, and in Romania, and in Turkey, they are used indirectly in civil courts. It is not yet possible for NGOs in Estonia and Latvia to engage in judicial procedures on behalf or in support of victims. In Malta, as NGOs do not have any legal status, it is impossible for them to engage in legal procedures.

22. Do they do other practical work? (e.g. assistance to victims or potential victims, social assistance, etc)

Most of the organisations do provide assistance to victims in Cyprus and Romania (including medical assistance, etc). Only the bigger organisations do so in Estonia, and only for their members. This role is limited to Human Rights organisations in the Czech Republic and Romania (concerning legal assistance only). Only a number of NGOs provide social assistance and support work (including information) in Bulgaria, Latvia, Lithuania, Poland, Slovakia and Slovenia. In Malta, the assistance is limited to counselling and in Latvia to “free of charge consultations”. In Hungary, some Roma NGOs offer scholarships for university students and elderly/pensioners NGOs offer social assistance for domestic holidays. The Roman Women organisation is specialised in supporting business development for its clients and Lesbian and Gay organisations offer psychological assistance and AIDS/HIV information. There is no capacity in Turkey to provide social assistance.

23. Do they advocate changes in legislation and policies?

The majority of the NGOs do advocate changes in legislation and policies but mostly regarding their communities (Bulgaria, Cyprus, Estonia, Hungary regarding disability and age in particular, Lithuania where it is limited to disability groups and Romania). In the Czech Republic, Latvia, Poland, Slovakia, Slovenia and Turkey (especially disability and Human Rights groups) only few organisations do so. In Malta, advocacy is undertaken occasionally.

However, many NGOs deplore the fact that they are not consulted automatically or to a satisfactory degree by governmental bodies regarding law or policy making. Active participation in advocacy also depends on the size and the location of the NGOs; smaller grassroots NGOs located in the regions may be less or not at all active.

24. What are their relations with the central government?

In most of the countries (especially mentioned in Bulgaria and Slovakia), relations vary significantly across the institutions and across the NGOs themselves.

In Bulgaria, working relations and cooperation are established with various ministries and civil servants but the Gay and Lesbian movement feels that their attempts to initiate contacts and cooperation with officials have met with indifference and passivity. In Cyprus, relations are good but not influential from the NGO side. In the Czech Republic, relations are good with the Ombudsman and the Human Rights Deputy office but difficulties occur for establishing communication with ministries and other central state administrative bodies. Access to the higher political level is difficult for Estonian NGOs (disability and women's

organisations have nevertheless established good contacts with the social affairs ministry and minority NGOs with the Ministry for Population Affairs). Otherwise, there is not much collaboration. Hungarian NGOs are very active but feel that they are not treated as equal partners by the authorities. Disability and age groups have been more successful in establishing cooperation with the government in Latvia but more controversial or sensitive groups (ethnicity and sexual orientation) have more difficulties. In Lithuania, NGOs that have close relations with the central government are those which are funded by the municipalities/state or county governor's administration. In Malta, relations with the government are cordial. In Poland, relations depend very much on the nature of the NGO and the government's political orientation. At the level of consultation, relations are relatively good but the more controversial the issue, the more difficult it is to develop contacts with the government. Romanian NGOs are trying to collaborate with the state and the few that receive state funding (disability and AIDS/HIV organisations) struggle to remain independent. In Slovenia, the Centre for Non-Governmental Organisations of Slovenia was established in 2001 with the aim of encouraging and developing NGO capacity to lobby the government concerning funding and sustainability. The previous centre-left government appeared to be very ready for cooperation with civil society but recommendations were hardly ever taken into consideration. Finally, in Turkey, relations between NGOs and government had been very bad for a number of years, hostile even. Things started changing after the EU candidacy of Turkey. The climate has improved but both sides are still reluctant to develop relations. The disabled organisation, however, does have relations with the central government.

25. With regional governments or municipalities?

Generally speaking, relations between NGOs and local government are better than with central government. One of the reasons might be the fact that local NGOs receive subsidies from the local level or are included in committees or consultative bodies at this level. It should be noted in any case that in most of the countries, relations with local government depend very much on individual and personal connections and relations.

In Bulgaria, relations vary significantly across both local governments and NGOs. Relations might be termed workable albeit limited. However, NGO-local government cooperation rated among municipalities is most developed and successful in Sofia. In Cyprus, some NGOs collaborate with municipal authorities but, as the country is small and centralised, the local administration's role in this area is minimal. The same applies in Malta, also due to the size of the country. Relations for NGOs representing the Roma minority can be very difficult in the Czech Republic, mostly because Roma are perceived as a "potential source of trouble" by regional governments. Concerning the other grounds of discrimination, the quality of the relations depends heavily on the personal relations. In opposition with the regional level that has less importance when it comes to relations with the third sector, the role of municipalities is crucial.

Several self-governments are even pro-active in their relations with local NGOs. In Hungary, relations between regional governments and municipalities and NGOs with legal aid services are unfortunately often based on conflicts, as most Roma NGOs come into contact with local government when defending their clients in housing cases or other social matters. There is however strong cooperation between Roma NGOs and Roma minority self-governments. Equally, in Slovenia, when the issue is linked to Roma, relations with local governments are much worse than with the central government. Relations between local governments and NGOs in Latvia depend on the location and the organisations. Local NGOs, though less developed, are better placed for cooperation with local governments, but this collaboration



generally depends very much on personal relations. The same applies in Poland, where the mechanism for cooperation differs from one city to the other and is strongly dependent on the character of the organisation and the administration representatives' willingness to cooperate (it is noteworthy that according to the Act on social and volunteer work, public administration is obliged to cooperate with NGOs, in particular with "public service organisations"). In Lithuania and Romania, relations with local governments are much better than with the central one. In Slovakia, cooperation usually takes place through projects. In Turkey, it is mainly disability groups that have relations with provincial administrations and municipalities (according to the law, one of the municipalities' priority is the disabled). Human rights organisations have very few contacts with local government apart from the Diyarbakir municipality, which constitutes an exception and has well-established relations with NGOs.

26. Do they have relations with the specialised bodies/ombudsman?

At the time the reports were written, there was no specialised body or ombudsman in Bulgaria, Malta or Turkey. There are well-established relations with these bodies in the Czech Republic, Cyprus, Hungary and Poland. In Estonia, Latvia, Lithuania and Slovenia, the specialised bodies are very newly created and have only just started their work. Nevertheless, most of them have already been in contact with the NGO community. There appear to be hardly any relations between NGOs and the Slovak Ombudsman. In Romania, it appears that there is no effective consultation with the NCCD (National Alliance Against Discrimination) and the role of the ombudsman is very limited by law.

27. What are the qualifications of the staff?

Qualifications of the staff hired by the NGOs also depends on the size of the organisation, its financial sustainability and its location. In Lithuania for example, NGOs in the regions that run activities on a voluntary basis have limited opportunities for staff selection and training. In Malta, only larger NGOs engage the services of professionals (however, most of the NGOs are run by volunteers on a part-time basis). In Slovenia, the situation varies according to the status and funding of the NGO (qualified people will prefer to work for an NGO with secure funding) and in Poland it is felt that the bigger the city and the NGO, the more competent the staff. In Bulgaria, as in many other countries, the staff of local grassroots organisations' is generally unqualified. In most of the countries and particularly in Cyprus (where an abundance of university graduates with specialised degrees work for NGOs), in Estonia, Latvia and Turkey, staff lack experience and expertise on anti-discrimination and there are very few people specialised in that issue. Most of the people working for NGOs have university degrees, usually in liberal arts or social sciences (as in Romania or Slovakia, but this is the case in most of the countries) but there are generally few lawyers, even though most of the Human Rights groups in Bulgaria and the Czech Republic have lawyers among their staff. This is generally the case when the NGO is providing legal counselling. In Estonia, only NGOs dealing with legal counselling have qualified staff. A large proportion of Hungarian staff members has college or university degrees (and is lawyers in the case of NGOs that provide legal services) and members of the administrative staff generally have at least a secondary school diploma. In Latvia, NGO staff usually has higher education but little training on the specific issues. In the Czech Republic, organisations representing different grounds employ activists with various professional backgrounds, except disability organisations who usually employ social workers as well as medical personnel. Staff in Turkey generally has very low qualifications and no experience.



28. What training has the staff had in relation to anti-discrimination work?

Central NGOs (including all Human Rights groups and the majority of Roma rights groups, Disability and Gays and Lesbians organisations) have been following anti-discrimination training provided by other NGOs including international experts in Bulgaria. Equally, in the Czech Republic and Hungary, Human rights and Roma NGOs have followed specific training on anti-discrimination. In general, Disability and Elderly organisations did not mention any specific anti-discrimination training. As mentioned earlier in the report, if these organisations are very well organised, they often focus on the welfare of their community and anti-discrimination is not a priority. In Cyprus, all NGOs seem to have been through basic training although anti-discrimination seminars/training is not easily available in the country. Those taking place abroad are hardly accessible because of the costs involved. In Estonia, Poland, Romania, Slovakia and Slovenia, few people have been trained (mainly through international or European NGOs) but they have tried to disseminate the training on the national level. Anti-discrimination training is severely lacking in Lithuania and Latvia (the training on anti-discrimination is often inadequate and only few persons are trained). Such training has not occurred so far in Malta and Turkey.

29. Are they trained in writing funding proposals and reporting?

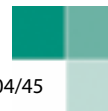
Again, generally speaking, there is a major difference between larger NGOs and those based in the capital or bigger cities and the others. Staff in the first category has are likely to have participated in EU or international projects and are more accustomed to writing funding proposals and reports. This does not necessarily mean that they have been trained: the capacity tends to be acquired by experience. Generally speaking, training on these issues would be more than welcome. In some countries (Estonia, Hungary, Lithuania), training has taken place, but not enough.

The Czech Republic is an exception as courses in writing funding proposals and reports are numerous. Similarly, in Romania, people working on projects are generally trained in writing funding proposals. In Malta and Turkey, such training has never taken place and it does seem that NGOs lack experience in this area.

30. How do they evaluate their “success” and the quality of their anti-discrimination work?

Self-evaluation is quite rare for most of the NGOs in most of the countries; evaluation is done through reporting and project reporting (annual report, activity report for donors, etc). In most cases, evaluation is a case by case exercise at the end of an activity or a project. Only in a few countries are there criteria and mechanisms for or experience with systematic evaluation. In Cyprus, evaluation is done through comments from members and discussions within committees. In the Czech Republic, success is also measured by the number of cases won or lost and potential changes in the legislation. In Hungary, most of the NGOs have yearly strategic plans and can measure their achievement at the end of the year.

Most of the NGOs, due to circumstances, are fairly satisfied with the success and the quality of their work even though some agree that diversification of activities is necessary.



III Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

As mentioned earlier in the report, funding is “the” problem faced by NGOs. It prevents them from diversifying their activities, recruiting adequate staff, training their staff, working with other NGOs at both the national and the international level, etc. Furthermore, most of them have noticed that anti-discrimination is not a priority for donors and that there is hardly any domestic support for anti-discrimination activities, and are therefore worried because funding from private foundations is slowly slipping away from the region. NGOs also regret the fact that core funding is hardly available and that the sustainability of their organisation is linked to the projects they are carrying out.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

As a reflection of the scarcity of funding, anti-discrimination NGOs’ staff generally fails to meet the needs and ambitions of the NGO, both in terms of numbers and qualifications, despite the fact that many NGOs also work with volunteers. The lack of funding prevents them from working more professionally.

33. Is the fact that staff lacks necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

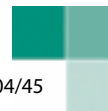
This is one of the main problems NGOs face and it is mainly due to lack of funding. Funding is crucial in order to train staff on anti-discrimination (as well as on other subjects such as reporting, writing budgets, writing applications, working in English), to enable the staff to travel abroad or on the national level, etc.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

Training is needed, especially for grassroots NGOs, on: the substance of anti-discrimination standards, available remedies, taking up complaints, monitoring legislation or the situation, lobbying, cooperation with government and media, exchange of experience and expertise with some Western countries, the role NGOs can play, language training, fundraising, participation in projects, campaigning, training of trainers, NGO management and governance.

35. Is their staff sufficiently trained in relation to national anti-discrimination legislation?

In general, few individual activists/lawyers are sufficiently trained and are tasked with informing and training other persons on the national level. Training in relation to national anti-discrimination legislation is therefore urgently needed, especially because legislation is very new in most of the countries (or still to be drafted) and despite the fact that in many of the countries, NGOs were involved in the legislation by participating in or commenting on the elaboration/drafting of the law. There is a great need for continuous training on legislation.

**36. Is their staff sufficiently trained in relation to European anti-discrimination legislation?**

The same applies regarding European anti-discrimination legislation. Most of the national legislation follows European law and NGOs had to look to European law on the subject in the past. But knowledge and expertise is not sufficient and therefore further training is very much needed.

37. Is their staff trained in relation to advising government: formulating policy proposals? Legislative proposals?

Comprehensive training of NGOs in relation to advising government and formulating policy or legislative proposals would be needed, especially as, as mentioned above, relations with governments are not always productive. Only in Bulgaria and Hungary is it felt that NGOs have the adequate skills (particularly lawyers from bigger NGOs). In Latvia and Poland, only few individuals have the necessary expertise to engage in this type of activity. In Romania, though there has been no specific training, NGOs have acquired practical experience in this area.

38. Do they need to do more to promote their anti-discrimination role?

More extended advocacy and awareness raising activities are needed from the NGOs to further the anti-discrimination cause. NGOs working on the different grounds of discrimination are not necessarily working on anti-discrimination and do not feel that anti-discrimination is part of their work. They mostly concentrate at ensuring the welfare of their community members. NGOs need to promote their anti-discrimination role and have a long-term strategy.

39. Do they need to “do more” with clients or potential clients?

As a rule, victims are not sufficiently informed of their rights and are not always aware of the fact that they have been discriminated against. Information about NGOs, their work and their role should also be made available much more widely. NGOs should publicise their work on anti-discrimination much more. Only Hungarian and Romanian NGOs do not necessarily perceive this as a need. As a Czech NGO reports: *“This is the second step. NGOs should learn first why it is important to work with their clients as victims of discrimination and only then how to do it”*. As a Hungarian NGO states: *“Efficiency would rise if NGOs had more permanent employees, a situation which is made difficult in relation with their funding problems”*.

40. Do they need to “do more” with government – to increase their credibility and status?

NGOs recognise that more should be done with governments in order to increase their credibility and status. They need to become more visible and to carry more weight with governments. More cooperation from both sides is needed. This is considered to be very important if not essential and would increase the effectiveness of the NGOs' work in the field of anti-discrimination.



41. Would they need to “do more” with public opinion and awareness raising?

NGOs would appreciate examples of good practices in this area. Awareness raising on all the grounds is crucial although the needs are different depending on the countries (in some countries, disability organisations have already done excellent work and the population is generally sympathetic to their cause, but when it comes to more controversial issues such as sexual orientation or even religious or ethnic minorities, the situation becomes much more hazardous and difficult). Again, the lack of funding has proven to be problematic. While they recognise that they definitely need to “do more” with public opinion and awareness raising, NGOs have expressed the fact that they would need the help of professionals, press officers or public relations persons in order to help them.

42. What would they need to develop?

- Awareness raising on anti-discrimination aimed at the general public
- Awareness raising among the NGOs themselves about their role in the field of anti-discrimination
- Deeper knowledge of both national and European anti-discrimination legislation
- Fundraising techniques
- Lobbying
- Anti-discrimination campaigns
- Various types of training (professional training for the staff but also training on different issues such as relations with governments, reporting and monitoring, etc.
- Project writing skills
- Relations with the media
- NGO management and governance
- Networking on the national and European/international level and capacity building



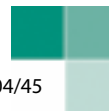
Bulgaria:

Profile of NGO's working to combat discrimination

1. **What kind of NGOs working on anti-discrimination exist on the national level?**
2. **What ground (s) of discrimination are they concerned with?**
3. **Is anti-discrimination their main area of work or only a small part of what they do?**

Less than 20 national NGOs are on record as doing antidiscrimination work (AD NGOs). Of these, 5 are human rights groups, 9 are Roma rights NGOs, 1 is an LGBT group, one is a disabled people's organisation, and 2 are general law reform NGOs. No NGOs are on record as doing work against age discrimination within the meaning of the Framework Directive. Currently, only general human rights groups do work on religious discrimination. The AD NGOs are the ones which are best developed and best functioning nationally in their respective fields. None of them work on antidiscrimination exclusively, but deal with it among a range of other issues. The human rights groups, including the Bulgarian Helsinki Committee (based in Sofia), the Bulgarian Lawyers for Human Rights (Sofia), the Interethnic Initiative for Human Rights (Sofia), the European Integration and Human Rights Association (Plovdiv), and the grassroots Human Rights Centre (Karlovo), work on antidiscrimination, among other human rights, dealing with more than one ground, most focusing on race/ethnicity primarily (in defense of Roma), but also religion, disability, and, less often, sexual orientation. For the Roma rights groups, including the Human Rights Project (based in Sofia), the Romani Baht Foundation (Sofia), the Equal Access Foundation (Sofia) and 6 local grassroots organisations (based in six different towns), antidiscrimination is a priority among a range of issues. These groups only deal with anti-Romani race discrimination. While the Human Rights Project and the Romani Baht Foundation in addition also deal with a range of other Roma rights issues, the Equal Access Foundation and the six local organisations are exclusively devoted to equal rights to education, and, specifically, to desegregation of Romani school education. Apart from school desegregation, they do no other antidiscrimination work. The disabled people's organisation, the Center for Independent Living (Sofia), deals with disability discrimination, which is a priority for them among other disability issues. The LGBT rights group (based in Sofia), the 'Gemini' Bulgarian Gay Organisation deals with discrimination based on sexual orientation, and it is their priority. In addition to "Gemini," there is a newly established association of LGBT persons by the name of "Queer Bulgaria," while not a proper NGO, lacking an institutionalized office or staff, which has taken a court action against discrimination on grounds of sexual orientation on behalf of members of theirs. This case, brought against the Sofia University, has been the first legal case against such discrimination nationally. The two law reform groups (based in Sofia) – the Institute for the Study of Integration and the European Institute – while not specifically concerned with human rights, or antidiscrimination, have carried out several seminars dealing with discrimination on a range of grounds, among their other activities.

Organisations of persons belonging to vulnerable communities, such as disabled persons, or religious communities, or Roma groups, which do not do antidiscrimination work, are excluded from the category of AD NGOs.



4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

All AD NGOs are registered with the courts. Registration presents no problem.

5. Generally how large are these NGOs?

The size of organisations varies significantly. The organisations based in Sofia and the main cities are larger and institutionally more developed than the local ones. The prime human rights group, the Bulgarian Helsinki Committee, has a permanent staff of ca 25 persons, as well as a certain number of external collaborators, including a network of independent attorneys. The Bulgarian Lawyers for Human Rights have a permanent staff of 4-5 people, and in addition ca 10 external collaborators and independent attorneys. The European Integration and Human Rights Association (Plovdiv), has a staff of 5, and a network of ca 15 collaborators, including independent attorneys. The Interethnic Initiative for Human Rights (Sofia) has a staff of 15, including staff at a small local office based in the town of Gotze Delchev. The local Centre for Human Rights (Karlovo) has one activist, no staff and no office. The size of the Roma rights groups differs as well – the Romani Baht Foundation has a staff of ca 25; the Human Rights Project – ca 10; the Equal Access Foundation – 4, the local desegregation groups – 3-4 each. The disabled people's NGO, the Center for Independent Living, has a permanent staff of 11. The 'Gemini' Bulgarian Gay Organisation has a staff of 2, plus volunteers.

6. Are they part of larger national networks? Or are they working on their own?

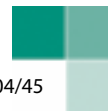
The AD NGOs are well-interconnected, maintaining well-functioning informal working relationships, exchanging information and expertise, collaborating on case work and campaigns, organising joint events, forming ad hoc coalitions on individual issues, and cooperating in other ways as well. Some of the human rights groups also form part of formal networks, though not necessarily along the lines of their antidiscrimination work, such as the Bulgarian Media Coalition, and the AntiStigma Coalition (on mental disability rights). Some of the Roma rights groups are members of the National Council on Ethnic and Demographic Issues, a consultative body within government.

7. Are they mainly based in the capital or spread out in the country?

Of the total of less than 20 AD NGOs, 10 are located outside of the capital, 7 of those being local grassroots Roma organisations. The rest are based in Sofia. See above, answer to Q1-3 on specific info about the location of each NGO.

8. Are NGOs from the capital and the rest of the country doing the same type of work?

The NGOs based in Sofia have varied portfolios of activities, including monitoring, reporting, providing consultations to victims, litigation, lobbying, advocacy, training and awareness-raising. Of those based in the country, one – the European Integration and Human Rights Association, Plovdiv, does similarly diverse work, excluding reporting. The majority of AD NGOs based in the country, which is formed by the Roma schools desegregation projects, do a type of work which is not done by central NGOs – actual desegregation, including busing. Their other antidiscrimination activities, which are also done by the other small local organisation – the Human Rights Centre (Karlovo), generally consist of receiving complaints and referring cases to the larger NGOs in Sofia to provide legal aid in, as well as limited local



advocacy and lobbying. Local AD NGOs do not do monitoring, reporting, training, awareness-raising, or litigation.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (eg exchange of expertise, collaboration on case work or campaigns, organising events jointly) See above, answer to Q 6.
- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

The larger part of the antidiscrimination effort nationally is expended on anti-Roma race discrimination, which is rightly seen as a foremost priority. Reflecting this, inter-NGO cooperation is more extended in this field as compared to the other grounds.

10. How are these NGOs funded?

- c. Do they receive state funding?

No AD NGO receives governmental subsidies. Two of the Roma rights groups, each on one occasion, have been awarded subcontracts for the implementation of particular projects or project items by the governmental National Council on Ethnic and Demographic Issues. In those cases, the funding was originally provided to the government under EU projects, such as PHARE.

AD NGOs do receive funding from other countries' governments, such as the Dutch, the U.S., and the British governments. They also receive funding from intergovernmental organisations, such as the European Commission.

- d. What are the conditions in order to receive public funding?

There are no generally applicable criteria for public funding of NGOs. Some NGOs, such as the Bulgarian Red Cross and organisations of war veterans, are entitled to state subsidies under the special laws, which govern them. The amounts of those subsidies are determined discretionary by the government and approved by Parliament each year under the State Budget Act.

Under the special law governing disability, the newly enacted Disabled Persons' Integration Act, some disabled people's organisations are entitled to state subsidies, for which specific criteria are provided for. Only nationally representative organisations of, and for disabled people are entitled to a state subsidy. Nationally representative organisations are defined under the law as organisations representing people with disabilities, which are recognised as such under terms and procedure determined by the government. The criteria for recognition, defined under the Regulations on the Organisation and Activities of the National Council for Disabled People's Integration, include having a court registration, a set of goals of national significance in the field of disabled people's integration laid down by bylaw, and territorial structures in more than 30 per cent of the municipalities. In addition, organisations must have a membership of no less than 1600 disabled people, of who no less than 50 % people with long-term disabilities. Organisations of deaf and blind people must have a membership of no less than 400, of who no less than 50 % people with long-term disabilities, regardless of the number of their territorial structures. Organisations of small people must have a membership of no less than 150, of who no less than 50 % people with long-term

disabilities, regardless of the number of their territorial structures. Organisations providing social services for disabled people must service no less than 4500 persons per annum, and have a specially qualified staff of no less than 50. Parents' organisations and professional organisations for disabled people must have a membership of no less than 400, while associations of such organisations must have a membership of no less than 1000. Organisations, which do not meet these requirements, may, under the Regulations, associate and apply for recognition jointly. Applications are to be filed with the government through the National Council for Disabled People's Integration. The Government's decision granting recognition is valid for a term of 3 years, upon expiry of which an organisation needs to re-apply. A refusal by the government to grant recognition is subject to judicial review. Under the Regulations for the Implementation of the Disabled Persons' Integration Act, in order to receive a budget subsidy, a nationally representative organisation must file a subsidy proposal accompanied by a budget with the Ministry of Finance. The granting of a subsidy and its amount would be discretionary.

- e. Do they also receive/apply for private funding?

All AD NGOs exist on private funding by foreign donors. No AD NGOs receive funding from domestic private donors. Mostly, foreign donors are organisations, rarely, private individuals.

- f. Do private funders impose any restrictions or conditions?

All funders provide grants under specific terms and conditions, including as to type of activity financed, duration, proposing and reporting requirements, etc., which differ across funders and projects

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Yes, funding for human rights NGOs generally, and especially for antidiscrimination work, is scarce and limits organisations', and their activities' growth. AD NGOs in particular, but also others, feel curtailed in their ambitions by the lack of funding opportunities, while they consider the existing opportunities fully exploited.

12. Do they work (or are in contact) with similar NGOs in other countries?

- g. Neighbouring countries?

The AD NGOs are well-connected with others in the region, maintaining long-term operative partnerships, sharing expertise and experience. Some are part of formal networks, such as the International Helsinki federation for Human Rights, the Balkan Roma Association or the Balkan Human Rights Network, which comprises ca 150 organisations. The Bulgarian Helsinki Committee, for one, has working relationships with ca 50 NGOs based in neighbouring countries.

- h. Other new EU Member States?
i. Others?

The AD NGOs, especially the human rights groups and the Roma rights groups, have partnerships with NGOs in new, as well as older EU member states, including along the lines of formal networks, such as the International Helsinki Federation, UNITED, ILGA, as well as

with others, including international organisations, such as the European Roma Rights Centre (Budapest), INTERIGHTS (London), Amnesty International, European Dialogue (London), etc.

13. Do they work on the international level (campaigning, case work, other)

All of the human rights AD NGOs, with the exception of the Interethnic Initiative for Human Rights, are active litigating before the European Court of Human Rights, with two of them, namely the Bulgarian Helsinki Committee and the Bulgarian Lawyers for Human Rights being notable for an impressive record of victories. The European Integration and Human Rights Association also have a relatively large number of cases, both pending and adjudicated, with the Strasbourg court. The larger of the Roma rights groups too have undertaken litigation before this court, albeit on a more limited scale. Some groups, in particular, the Bulgarian Helsinki Committee, are also active lobbying before international institutions, such as the various Council of Europe and UN bodies, the European Commission, and OSCE, including with regard to human rights situations in countries other than Bulgaria. Such activities include providing consultations to officials from those bodies, conducting joint missions, presenting shadow reports, etc.

14. Can they work in English?

All AD NGOs based in Sofia are able to conduct their operations in English. The overwhelming majority of the grassroots groups based in the country, i.e. the Roma schools desegregation projects, would find it difficult to work in English.

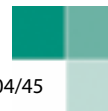
Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

See above, answer to Q 8.

16. Do they take up complaints of discrimination? Do they work with victims directly? Do they do 'case work'? Does this include legal representation?

All the human rights groups, with the exception of the Interethnic Initiative for Human Rights, which focuses on training, awareness raising and advocacy, work directly with victims, receiving complaints and providing legal advice and assistance, including legal representation before courts and other authorities, to victims. The three major human rights groups are very active litigating. The grassroots Centre for Human Rights (Karlovo), which lacks the capacity to provide legal consultations, or representation, refers complaints it receives to the central groups based. The Roma rights groups too, with the exception of the Equal Access Foundation, which does not deal with victims, receive complaints and either take up clients' cases (the Sofia based groups), including to court, or refer them to the larger NGOs in Sofia. The disability rights Centre for Independent Living until recently did deal with individual complaints, including litigation, but plans to do so no longer. The rule of law NGOs, which have only undertaken awareness raising activities, do not receive, or take up complaints. The "Gemini" LGBT group receives complaints, but currently lack the capacity to provide legal aid, so resort to referring cases to the litigating human rights AD NGOs.



17. Do they focus on their own community?

The human rights groups deal with discrimination complaints from various communities, most focusing on race discrimination against Roma, which is a priority, but also religious discrimination, and disability discrimination. The law reform groups doing awareness raising and training also deal with discrimination on a range of grounds. The Roma rights groups, the disability group, and the LGBT group all focus on discrimination against members of their own respective communities.

18. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

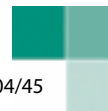
Under the newly enacted special antidiscrimination law, the Protection Against Discrimination Act, public interest groups are entitled to legal standing to initiate court proceedings on behalf of victims, as well as on their own behalf where the rights of many persons are violated. In addition, public interest NGOs have standing to join proceedings along with individual complainants, or along with other public interest NGO, both as co-claimants, and as amici curiae. These legal provisions have been successfully put to use by both domestic and international groups. The Bulgarian Helsinki Committee and the Romani Baht Foundation have jointly taken and won on their own behalf a court case of anti-Romani race discrimination in the provision of power supply. The European Roma Rights Centre, Budapest, too has brought several cases of discrimination on its own behalf, which are pending, and joined other proceedings in an amicus curiae capacity, including the ones brought and won by the two domestic groups mentioned.

19. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)

The Roma rights groups, with the exception of the Equal Access Foundation, and especially the Romani Baht Foundation, which is based in a Romani segregated residential area, do carry out social assistance activities of various sorts. The disability Centre for Independent Living used to do social assistance work, but does no longer. The other AD NGOs, which are the majority, do not.

20. Do they advocate changes in legislation and policies?

The majority of them do. The majority of the human rights groups do, especially the Bulgarian Helsinki Committee, which is very active, and on a large scale of human rights issues, and the Bulgarian Lawyers for Human Rights. The Sofia-based Roma rights groups also do, as well as the disability Centre for Independent Living and the LGBT "Gemini" group. The Equal Access and Romani Baht Foundations have been active advocating change to achieve school desegregation. The Centre for Independent Living too has consistently exerted advocacy to shape laws and policies affecting disabled people's rights. The AD NGOs have often done this jointly, campaigning together or acting in unison in mixed governmental-NGO working groups elaborating draft legislation and policies. All the AD NGOs, along with others, led by the Bulgarian Helsinki Committee, successfully worked in concert during the drafting of the special Protection Against Discrimination Act within the framework of the mixed expert drafting party commissioned by government, and later united in an active coalition to campaign for its adoption by Parliament, achieving, as a result of this joint effort, strong protections under the law. Several years earlier, in 1999, a coalition of human and Roma rights groups led by the Bulgarian Helsinki Committee and the Human



Rights Project elaborated the Framework Programme for the Equal Integration of Roma into Bulgarian Society and, through successful advocacy, had the Government adopt it as its official act. The European Commission has since consistently referred to the implementation of the Framework Programme as a necessary element of the political criteria for Bulgaria's membership.

21. What are their relations with the central government?

Those relations vary significantly across the institutions, as well as across the NGOs themselves. In general, the AD NGOs are afforded access by the institutions. Officials meet with them and listen to them, and often include them in decision-making processes at expert level. The prominent Sofia-based human rights groups, especially the Bulgarian Helsinki Committee, are recognised and influential with the institutions of all three branches of government. Most institutions, including 'difficult' ones, such as the Ministry of Interior, border police and prison administrations, cooperate extensively with them. In the process of the adoption of the Protection Against Discrimination Act, it was the government's initiative, and subsequently, that of bodies of Parliament, to provide the AD NGOs with participatory standing. The more active Sofia-based Roma rights groups are also accepted as partners by the various ministries, and so is the disability rights group, which has successfully accessed policy- and law-making processes affecting disability rights. This, however, is not to imply that the AD NGOs are satisfied in all cases with the actual results of their cooperation with the government. While in some cases the results have been governmental action to the satisfaction of the NGOs, in many others, the NGOs have been disappointed by governmental underachievement, or failure.

On a more negative note, the LGBT "Gemini" group feel their attempts to initiate contact and cooperation with officials have met indifferent passivity.

22. With regional governments or municipalities?

Again, relations vary significantly across both local governments, and NGOs. In general, relations might be termed workable, albeit limited. Local governments as a rule would give access, and listen to the NGOs. Still, they might not be as forthcoming as desirable on many occasions, and the results of NGO-local government cooperation are markedly on a lesser scale than those at central level. This has also to do with the fact that NGO activity at local level is far inferior to that at central national level, the local groups being far weaker and smaller than the national groups based in Sofia, the core of whose lobbying efforts goes to national authorities and issues. Accordingly, because the stronger groups are based in Sofia, NGO-local government cooperation, rated among the municipalities, is most developed and successful in Sofia.

23. Do they have relations with the specialised bodies/ombudsman?

Unfortunately, while under special laws both an independent antidiscrimination body and an ombudsman should have been set up a long time ago, they are still not in place, a serious national failure. Once those institutions become operative though, it may be expected that the AD NGOs, among others, will engage in, and, judging from the overall degree of governmental acceptance of NGO involvement and participation, successfully pursue extensive relations with them.



24. What are the qualifications of the staff?

Those vary greatly across the organisations. Most of the human rights groups have lawyers on staff, including practising attorneys. So do most of the Sofia-based Roma rights groups, as well as, to a lesser extent, the law reform groups, even though they don't litigate. Generally, all central AD NGOs' staff members are university graduates, with the exception sometimes, but not often, of the administrative staff. The "Romani Baht" Foundation's staff members include a larger proportion of individuals lacking secondary and tertiary education. Some organisations' staff members have higher academic degrees. Some among those activists teach human rights at universities. The local grassroots organisations' staff would generally be unqualified, lacking lawyers and other professionals.

25. What training has the staff had in relation to anti-discrimination work?

The central AD NGOs, including all the human rights groups, the majority of the Roma rights groups, the disability and LGBT groups, have been exposed to antidiscrimination training by other NGO activists, including by international experts with the cooperation of international NGOs, but also by other national experts. For instance, staff members of the disability Center for Independent Living trained staff members of the LGBT "Gemini;" Bulgarian Helsinki Committee staff also have trained other national activists. The Romani Baht Foundation has trained locally based Roma groups. The most prominent human rights and Roma rights groups have staff members who are competent in antidiscrimination. Other staff members of those organisations may not be sufficiently informed. The level of training and competence of staff members at the disability group, the LGBT group, and the law reform groups would be generally lower. The local grassroots groups have only been exposed to scarce sporadic training, if at all, done mostly by the central NGOs.

26. Are they trained in writing funding proposals and reporting?

All the central AD NGOs report adequate expertise on the part of their staff to administer projects. Still, some would judge additional training on the administration of EU projects very welcome. In contrast, the grassroots groups would be found wanting in terms of such expertise and are in need of training for it.

27. How do they evaluate their "success" and the quality of their anti-discrimination work?

Those of the groups, which are registered as associations of individuals, annually report on their overall activities to their members' general assemblies and their governing bodies, and some publish public reports. All of the NGOs report to their donors with respect to the implementation of particular projects, for which they were granted monies. In some cases, donors assign external auditors to assess the quality of work done by an NGO under a particular project.

Needs and problems of NGOs working to combat discrimination

28. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Yes, funding has uniformly been reported by all AD NGOs, both central and local, as the paramount obstacle to institutional growth and expansion of activities, both for human



rights work generally, and in particular, for antidiscrimination work. The overwhelming majority of NGOs feel antidiscrimination is not a priority for donors internationally. As mentioned, there are no domestic donors to support antidiscrimination NGO work.

29. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

30. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

Yes, reflecting the scarcity of funding, most of the AD NGOs' staff fails to meet their needs and ambitions, both in terms of numbers and of qualifications.

31. What training is needed by the NGOs in order to perform their work the way they would wish to?

Training would be welcome for all, and is needed by some, especially by the grass roots groups, on the substance of antidiscrimination standards, and on the remedies available; on the practical tools whereby to monitor and document instances of discrimination, and to process individual cases in order to enable their litigation; on how to lobby and advocate, how to engage officials into dialogue and cooperation, how to present to journalists.

32. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

Few individual activists, all of whom associated with the central groups, have sufficient expertise. In the majority of organisations the majority of staff members have insufficient training, and in some groups, in particular the grassroots groups, all staff members have insufficient, if any knowledge on antidiscrimination, or the skills to work against it.

33. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

The answer is the same as to the preceding question.

34. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

The majority of the central AD NGOs report adequate skills on the part of their staff to do this. Some, such as the prominent human rights groups, have extensive experience in this regard. However, all would welcome further training, for some, at least, if not all, of their staff members. The grassroots groups' staff would be insufficiently, if at all, trained in this respect.

35. Do they need to do more to promote their anti-discrimination role?

Above all, more extended advocacy and awareness-raising activities on the part of NGOs are needed to further the antidiscrimination cause. Any litigation results, or lobbying results need to be extensively publicised to mainstream the issue, and help change attitudes.



36. Do they need to “do more” with clients or potential clients?

In terms of individual case work, the weak link in the chain is the connection between the victims of discrimination and the NGO lawyers who are able to advise and represent them. Victims, lacking awareness of both discrimination and the remedies against it, hugely underreport violations. The competent lawyers are mostly based in Sofia, in isolation from the vulnerable communities, lacking immediate access to them. Grassroots groups, on the other hand, which have ties and visibility in the communities, often lack the necessary knowledge and skills to recognise discrimination, and to properly document it in order to enable its subsequent litigation. They are not efficient in referring cases to the more competent central NGOs. In most cases, especially in the Roma communities, proactivity on the part of grassroots NGOs is required to search out cases because victims' awareness and readiness to report are so low. This proactivity is mostly lacking. As a result, especially as concerns race discrimination against Roma, paradoxically, litigable discrimination cases are scarce rather than lawyers to take them. Grassroots activists need to be enabled, including resource wise, but especially in terms of knowledge and skill, to sensitise their communities to discrimination so as to provoke them to report instances; to efficiently receive and process complaints; to properly document cases; and to efficiently refer them to the competent lawyers available. Importantly, grassroots activists should be trained to conduct general monitoring of discrimination practices, and to carry out testing activities in order to document specific litigable instances so as to facilitate antidiscrimination litigation. Finally, grassroots groups should be taught to actively advertise any litigation results on the local level in order to achieve several ends – change practices by showing that discriminators are effectively liable, and stimulate victim reporting by showing that discrimination is effectively illegal and remediable.

37. Do they need to “do more” with government – to increase their credibility and status?

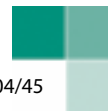
Yes, the antidiscrimination cause would be significantly advanced if NGOs adopt the approach of positively advising government at all levels, offering to contribute specific solutions, and expertise, time and effort to implement those, rather than negatively and passively criticise and confront officials. Activists need training to be shown that such a constructive approach is feasible and yielding, and what are the specific ways and means to put it into practice.

38. Would they need to “do more” with public opinion and awareness raising?

See answer to Q 35.

39. What would they need to develop?

See answers to preceding questions.



Cyprus:

Profile of NGO's working to combat discrimination

There is little tradition in Cyprus in the area of anti-discrimination and minimal public awareness of the main issues involved. In spite of the fact that Cyprus has been an independent republic since 1960, the existence of a protracted national-ethnic problem has tended to subsume all other issues. This has resulted in a weak role of NGO participation in the shaping of anti-discrimination policies and practices. In any case, the fact that a comprehensive anti-discrimination legislative system has come into effect with EU accession, has resulted in a growth in both awareness and participation of NGOs in the area of anti-discrimination.

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

Even though Cyprus has seen a number of NGO anti-discrimination initiatives emerging in the area in the last few months, this is still a recent phenomenon. Many NGOs interviewed seemed unaware of the existence of other NGOs with similar concerns and of the fact that they could benefit from networking with other NGOs working in the field but on different grounds of discrimination. The most active NGOs are those working on disability, race/ethnic discrimination, particularly on questions relating to migrants, and on sexual orientation. With regard to the latter ground, and although homosexuality is still very much a taboo subject, the few activists have succeeded in court actions as well as in out-of-court settlements reversing discriminatory decisions affecting them. As regards age, the organisations for the elderly have been quite active over general matters primarily on welfare issues that affect this significant group in society. They have been quite effective in general awareness-raising (e.g. via the Parliament for the Elderly in November 2004) and the preparation of the national action plan for the Elderly. However, the issue of anti-discrimination as such has not been one of their strong points i.e. since the new legislation has come into effect in May 2004, there has not been any complaints about age discrimination in laws, administrative decisions and practices, public and private advertisements by any of these groups. It was other groups with a more general anti-discrimination agenda that complained utilising the new procedures and powers available which led to changes in law and practices. As for religion, in the past very little NGO input can be noticed, but recently there has been some interest by minority religious groups such as the Church of the Jehovah's Witnesses and the Evangelical Church; we are unaware of any activity on the subject by religious organisations for the Muslim faith in area controlled by the Republic of Cyprus.

Many NGOs that one would assume that by their very nature would be interested in anti-discrimination seem quite unaware of the role they can play in the field. Some older organisations or groups of religious minorities consider themselves as providing 'representation' and mediation with the government but see no role in anti-discrimination action.

2. What ground (s) of discrimination are they concerned with?

Beyond gender/sex discrimination, the main grounds they are concerned with are 'race'/ethnicity, disability, sexual orientation. Some NGOs deal with the ground of national

origin, as this is recognised by the Cyprus Constitution and international instruments (e.g. Protocol 10 and others) ratified by the Republic.

3. Is anti-discrimination their main area of work or only a small part of what they do?

Very few NGOs deal exclusively or mainly with anti-discrimination, as they seem to have a more general agenda or they have started focusing on anti-discrimination very recently and specifically after the introduction of the new legislation in May 2004. Moreover, many NGOs either do not have the knowledge or expertise to define their role in this field or are overworked and under-funded; others simply consider that discrimination is not an issue for them.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

It is only possible to register an NGO at the national level under the Guilds and Institutes Law (N. 57/72), but may operate locally. Some NGOs are not registered at all, however these are restricted in their activities in that, lacking legal personality, they can neither receive funding nor appear in Court. Most organisations interviewed for the purposes of this study have expressed the view that registration is not difficult, all of which have been registered via the services of lawyers and accountants. However, the procedure of registration is rather bureaucratic and slow; moreover one group has complained that there was a delay in examining their application and they were facing problems with unjustified Police checks whilst their application was pending.

5. Generally how large are these NGOs?

Generally NGOs are very small. The national organisation for the blind claims 1000 ordinary members but only a handful are active; KISA, a migrant support group claims 150 members; others claim a few dozens.

The organisations for the elderly are large, some of them have thousands of members; however, generally the persons who are active on a daily basis are small. For the youth there are large organisations and small ones.

The actual number of active members is invariably small and is often under ten. One exception is probably KISA which enjoys a high participation to its general meetings, campaign work and other activities, mainly due to the participation of the migrants themselves who, being the very victims of discrimination, are generally more aware and mobilised. However, the day to day running is done by a small number of persons.

6. Are they part of larger national networks? Or are they working on their own?

Most NGOs generally work on their own, although they like to feel that they are part of a wider national and international network. Some NGOs work mostly on their own but at the same time they are part of wider national networks (e.g. the confederation of organisations for disabled persons) and international network (such as the European disability Forum). The possibility of obtaining funding through EU programs has recently resulted in more active networking between NGOs within Cyprus as well as between Cypriot and European NGOs.



7. Are they mainly based in the Capital or spread out in the country?

Most activities and organisations are naturally based in the largest city and capital, Lefkosia. However, most NGOs have branches and activities at least in Lemesos, the second largest city, and some activities in other smaller towns. The small distances between cities in Cyprus generally facilitate the spreading of activities in other cities but the lack of human resource and funding is an obstacle.

8. Are NGOs from the capital and the rest of the country doing the same type of work?

More or less they do the same work, even though the main lobbying and campaigning activities occur in the capital, whilst awareness raising and information takes place in other towns as well.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s)

The level of cooperation cannot be said to be particularly 'advanced' or widespread, the only exception probably being the disability organisations which belong to a national confederation and regularly convene to discuss common issues and decide on joint action, usually in the form of lobbying government bodies for policy or law reform. During the run up to the accession to the EU and following the transposition of the anti-discrimination acquis a number of activities, mainly as a result of third organisation initiatives have taken place which involved the participation of all anti-discrimination NGOs. Other than that, there are very few common anti-discrimination projects participated by NGOs working on different grounds of discrimination.

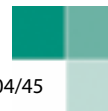
- b. Is there greater collaboration in relation to certain grounds of discrimination?

As indicated above, the disability groups are in closer collaboration than other NGOs. Also a number of organisations and voluntary charity groups working for the elderly (such as the Pancyprian Federation for the Welfare of the Elderly, POSEY, Pancyprian Welfare Organisation (PSE), Parliament of the Elderly) as well Pensioners Trade Union of PEO have been effective in organising and collaborating mostly on welfare issues. It should also be noted, however, that most other NGOs are alone in their particular field of action, whilst on the ground of disability there are a number of NGOs who have been in existence for a long time and have achieved a high degree of organisation and collaboration.

10. How are these NGOs funded?

- a. Do they receive state funding?

NGOS connected or affiliated to the Pancyprian Welfare Organisation (PSE) receive state funding. However, there is disagreement between NGOs as to who should qualify in the definition of NGOs. For example, the disability organisations object that voluntary and charity-based organisations and associations which are run by public servants that do not have significant input in decision-making by the discriminated target group be considered as an 'NGO'. The Pancyprian Welfare Organisation and other organisations disagree. There is no consensus on the matter.



Some NGOs receive small state funding as a result of specific projects they are engaged in or in the form small grants, but the amounts are usually very small. KISA, the migrant support group receives a small annual grant for its Migrant Support Centre from the state's *Community Welfare Programme* to volunteer social welfare organisations and from the Cyprus branch of UNHCR for its Refugee and Asylum Unit. Other regular funders include the *Cyprus Youth Board*, which is a semi-government organisation and a few other government and semi-government agencies and organisations. Research, information and advocacy based NGOs receive funding from various EU programmes such as *Leonardo*, *European Refugee Fund*, *EQUAL* etc. The Cyprus branch of UNOPS regularly funds anti-discrimination initiatives provided they are of a bi-communal nature (i.e. of equal benefit to the two large communities in Cyprus, Greek-Cypriots and Turkish-Cypriots) but the funding is exclusively for ad hoc activities and not for infrastructure. The disability NGOs receive a small state grant for infrastructure and for some activities and recently receive funding from European projects. However, some NGOs do not receive any funding whatsoever and operate solely on volunteer work and on members' or public donations.

- b. What are the conditions in order to receive public funding?

The usual conditions are financial accountability and visibility of the funder.

- c. Do they also receive/apply for private funding?

Some organisations also receive small private funds from individual donors, private foundations and charities, however this is not a significant source of income, nor can it be relied upon as it is ad hoc.

- d. Do private funders impose any restrictions or conditions?

Usually they require an acknowledgment of the source of funding and occasionally they may require financial accountability.

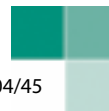
11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

For the majority of NGOs, lack of funds is a significant problem restricting the scope and scale of their activities. More funding would have meant less reliance on volunteer work and more professional activists, although this is no guarantee that public participation or support would automatically be increased in such a case.

12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighbouring countries?

Greek-Cypriot organisations often have contacts with Greek NGOs and Turkish-Cypriot NGOs with Turkish ones due to language accessibility; however there is very little actual 'working together'. There are very little contacts with the neighbouring Arab countries, where anti-discrimination work is even less developed than in Cyprus.



b. Other new EU Member States?

Through EU funded projects, many NGOs have developed contacts with their counterparts in other European countries, but again the level of cooperation is not high.

c. Others?

Some NGOs have contact at an inter-continental, Mediterranean and regional level but cooperation at this level is rather minimal.

13. Do they work on the international level (campaigning, case work, other)

KISA, the migrant support group cooperates with Cypriot, European and international NGOs and networks, such as *"UNITED for Intercultural Action"*, *"La Metropoli"* in Italy, the *"Social Network for Refugees and Migrants"* in Greece, Amnesty International, etc. The Pancyprian Federation for the Welfare of the Elderly (POSEI) is a member of AGE.

The Cyprus Labour Institute (INEK-PEO) is the National focal point for RAXEN and is part of a network of the national focal points across Europe; also it has networks with research, policy and information centres and trade union and labour centres across the EU and the region. In its role as the national focal point, it regularly submits reports to EUMC regarding the racism and xenophobia situation in Cyprus but undertakes no campaigning or case work.

The disability NGOs are connected with international and European organisations and networks such as the European disability Forum, mostly for exchange of information, seminars and conferences, co-operation on European projects, but not for campaigning or case work.

14. Can they work in English?

At the level of central committees, they all generally can work in English. However at the level of their members, Greek is more often used, with the exception of KISA whose membership are basically migrants in which case English is commonly used.

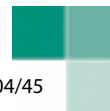
Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

Organisations of religious minorities (Armenians, Latins, and Maronites) offer practical assistance to members of their communities to reinforce their social integration within Cypriot society.

The Cyprus Labour Institute (INEK-PEO) which is also the RAXEN focal point, conducts research on discrimination, publishes regular reports and policy papers and organises seminars, roundtable discussions, conferences, training programs and awareness activities for trade unions and the public at large.

KISA, the only national migrant support organisation, focuses on running a network of protection, advice, social support and solidarity services for refugees and migrants in Cyprus, offering court representation and operating two Migrant Support Centres for the provision of free advice and support to migrants. Its activities may, however, include awareness raising



through campaigning; analysis of the legal framework regarding residence, work and living conditions of non-Cypriots in Cyprus and compiling law reform proposals; reporting to agencies in Cyprus and abroad (UNHCR, ECRI); lobbying of policy makers; newsletter publication; conferences.

Disability groups are mostly focused on issues of employment and accessibility and, through public seminars, advice to their members, publications, direct lobbying with governmental bodies and other activities, try to exert pressure on policy makers and legislators for policy and/ or law reform aimed at promoting equal opportunities for people with disabilities and their integration into society.

Organisations working around issues that affect the elderly have been active in various campaigns on welfare, pensions and medical care and met in Parliament under the chairmanship of the Speaker of the House and the Ministers of Labour and Health present to discuss the various problems facing this group. Youth organisations have been active on issues concerning education, cultural issues, unemployment, employment rights, crime, drugs and the treatment of young persons in general.

Sexual orientation groups carry out anti-discrimination campaigns (through the media but primarily through the internet), facilitate a network of support to homosexuals, handle discrimination complaints regarding labour issues, mostly unfair dismissal or refusal to hire based on sexual orientation and assist with court cases. However, due to the stigma attached to homosexuals in Cypriots very few activists are open about their sexuality and active for gay rights and sexual orientation discrimination.

Other NGOs concerned, inter alia, with discrimination carry out awareness raising campaigns and advocacy to public authorities.

16. Do they take up complaints of discrimination?

Some NGOs are quite active in taking up discrimination as a campaigning and advocacy issue in lobbying and complain to the Commissioner for racism and discrimination (ombudsman).

17. Do they focus on their own community?

Generally they focus on their own 'community' or in any case the groups on which these organisations focus. For instance, there is no organisation in the Greek-Cypriot controlled south of the island focusing on discrimination against Turkish-Cypriots living or working in the south.

18. Do they work with victims directly?

The NGOs that carry out case work offer support directly to victims; others are more involved in lobbying, debates, campaigns, research and information and thus do not deal directly with victims.



19. Do they do 'case work'?

Some do casework; others don't. There are hardly any organisations that are professionally competent and have the resources and expertise to properly deal with cases of discrimination.

20. Does this include legal representation?

The only NGO offering legal representation is KISA and only up to a certain level.

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

The newly enacted laws transposing the anti-discrimination acquis do include such provisions; however, most NGOs lack the expertise, funding and knowledge to do so.

22. Do they do other practical work? (e.g. assistance to victims or potential victims, social assistance, etc)

Most organisations provide some sort of social assistance to victims, mostly in the form of advising them of their rights, representing them in disputes against their employers, connecting them with legal firms, etc. No professional psychological support or counseling is offered by any NGO.

23. Do they advocate changes in legislation and policies?

Many NGOs are keen to advocate changes in legislation and on matters that affect them directly; however they complain that governmental bodies do not consult them to a satisfactory degree when it comes to law or policy making. Disability organisations, whose national confederation committee is headed by a prominent lawyer, do engage in advocating changes to the legislation. In addition, both KISA as well as the Cyprus Labour Institute have compiled policy and law reform recommendations. This however is an activity restricted to those NGOs which are staffed by professionals.

24. What are their relations with the central government?

Most NGOs claim to have generally 'good relations' with Government. Some NGOs stress the need to maintain political independence and autonomy in the pursuit of their aims and objectives and that they ought to remain critical to policies they disagree with, whilst at the same time maintaining that they are keen to cooperate in the interest of the cause and the groups they represent. Generally speaking, although Cypriot politics is largely based on consensus and tripartism (Government, employers associations and trade unions), when it comes to NGOs these are largely excluded from the consensus process, have very little influence on policy-making and are rather marginal.

25. With regional governments or municipalities?

Some NGOs have collaborated with municipal authorities. Cyprus being small and centralised country, there is little role of 'regional' administration on the subject.

**26. Do they have relations with the specialised bodies/ombudsman?**

Yes, especially with the Commissioner for Racism and Discrimination (ombudsman) as this institution has been instrumental in combating discrimination in Cyprus, even before it was empowered to act as the specialised body by the new legislation transposing the acquis.

27. What are the qualifications of the staff?

Some NGOs are staffed with persons having the necessary experience through their active participation over the years as well as persons with university qualifications such as legal and social counselors. There is an abundance of university graduates, with specialised degrees but none with a specialisation on discrimination.

28. What training has the staffs had in relation to anti-discrimination work?

The level of training of NGOs varies considerably. Nevertheless, they all seem to have been through basic seminar training over the newly enacted anti-discrimination legislation. Some NGOs carry out internal staff training by the Committee members themselves. Training programmes, conferences and seminars on anti-discrimination are not easily available in Cyprus and those abroad are not easily accessible because of lack of funding. The Human Resources Development Authority, a governmental body, does subsidise training of employees of companies or organisations, but not of volunteers or other interested persons.

29. Are they trained in writing funding proposals and reporting?

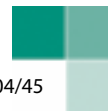
None of the advocacy groups interviewed have been trained in writing funding proposals and reporting. Some of the research and information NGOs, such as the Cyprus Labour Institute, do provide some basic training on such matters for their staff, but this is primarily part of their job training.

30. How do they evaluate their "success" and the quality of their anti-discrimination work?

All NGOs evaluate their success on the basis of comments of their members and from discussions in their committees. Each activity or function carried is said to be evaluated individually on several grounds, such as the number and other characteristics of participants (age, educational and social background), media coverage/exposure, responses from individuals and bodies, etc. In any case, anti-discrimination work and its effects are better seen as long-term processes, influenced by a number of parameters. Nevertheless, very few organisations place specific targets in their longer term strategy to evaluate the success and failure of strategy and tactics.

Needs and problems of NGOs working to combat discrimination**31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?**

Those NGOs which are long standing and institutionally established such as disability organisations in existence for several decades and organisations representing national minorities stated that funding is not one of the main problems they are facing. Some of these organisations also receive state funding. Other NGOs which were more recently established



and which deal with issues deemed to be more 'controversial' such as immigration, racism, nationalism and sexual orientation consider lack of funding to be a major problem. Those NGOs which devote the largest part of their resources to offering support or consultation to victims of discrimination and to dealing with discrimination complaints from disadvantaged groups such as migrants have increased needs in terms of funding because of the high demand for their services. Therefore although they do receive some funding from different sources, this is never sufficient to enable them to process the vast number of discrimination cases they deal with. By contrast, those NGOs which are more focused on policy change and awareness-raising, such as disability organisations, have replied that they do not consider funding as a main problem. Upon further discussing this issue with them, it emerged that the problems they are facing are of such nature that, in their opinion, cannot be solved through additional funding because the expertise they need is simply not available at any price.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

Lack of staff seems to be a major problem for those NGOs which consider lack of funding as a major problem. A connection may safely be made that, particularly those NGOs focused on processing discrimination complaints, consider lack of funding as a major problem because it prevents them from recruiting and keeping adequate numbers of employees to process the workload. On the other hand, those NGOs which do not consider funding as a major problem report that they do not suffer from lack of staff. These would generally be organisations which already employ a small number of full-time staff paid by state or other funding.

33. Is the fact that staff lacks necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

The answers to this question varied depending on the type of work carried out by each NGO. Disability organisations as well as other NGOs focused on policy change have replied that this is the most important problem they are facing. NGOs focused on examining cases and on activist work do not consider this to be a problem. One may safely deduce that where NGOs are focused on dealing with complaints particularly from migrant workers and asylum seekers, they face such an enormous volume of work, most of which is of critically urgent nature, that little attention is paid to other type of activities such as research, publications, administration, qualitative assessment of one's own work, participation in discourses and policy making. Under such circumstances, it is only natural that they would determine their needs as being additional staff to process more complaints rather than staff of different disciplines to carry out other duties. By contrast, NGOs focused on trying to effect policy and / or legislation change and awareness-raising, mostly disability organisations, feel that they lack the right human resource for effective implementation of these tasks as well as for applying for European projects which they have recently become interested in.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

Training in the new anti-discrimination legislation and particularly with regard to filing complaints under the new regulation; information on and participation in debates at European level; developing fund-raising skills; co-ordination and management techniques; networking with other NGOs, the media, policy makers and key players; and capacity building in general. A small number of NGOs stated that they did not have a clear idea of



what type of training they needed, possibly reflecting the fact that they were not clear on what type of activities would be most effective in meeting their goals.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

The basic body of national anti-discrimination legislation came into effect with Cyprus' accession to the EU. Before this date, save for the relevant constitutional provisions, anti-discrimination legislation was limited to gender and, to a lesser extent, disability. As a result, there are few persons in Cyprus sufficiently trained in the new anti-discrimination laws and this includes lawyers too. Within NGOs there are persons who are well conversed with the new legislation, but they seem to be the exception rather than the rule. Out of all NGOs interviewed, only one replied positively to this question, which is a small organisation specialising in EU projects from DG Employment and Social Affairs. Others feel that, although they have attended seminars about the new legislation, they are not adequately trained on how to use the new procedures available to them. These include the organisations of the religious minorities (Latins, Armenians, and Maronites) which are represented in the House of Parliament and which, generally speaking, could receive such training with a relative ease, compared to other NGOs.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

As pointed out in question 35 above, there is little difference between European and national anti-discrimination legislation. The new laws which came into force in Cyprus on 1st May 2004 are virtually a copy of the EC Directives 2000/43 and 2000/78. Therefore NGO staff are equally unaware of the European anti-discrimination legislation as they are of the national one.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

Most NGOs interviewed stated that their activities did not include consultation regarding policy or legal reform and therefore the question was inapplicable to them. Only some disability organisations stated that they would like to be involved in policy and law reform but lacked the necessary training and human resource. We would add that, generally speaking, state processes, party systems and policy-making in Cyprus are not based on the concept of NGO consultation, which are seen as marginal. On those rare occasions where governmental bodies, in the process of compiling national action plans, seek to consult NGOs, these are usually the large trade unions and even then their views are hardly ever taken into consideration. For the purpose of enacting the new anti-discrimination legislation of May 2004, a number of NGOs were contacted at short notice and were only given a few days' time to study the draft laws and offer their views. One case work and campaign NGO claims that it is already advising government on legislation and naturally this is the role of the research-orientated, policy and information NGOs.

38. Do they need to do more to promote their anti-discrimination role?

All NGOs interviewed replied positively to this question, with the exception of a couple of NGOs representing religious minorities, who felt that anti-discrimination is not part or is only a small part of their work. Generally speaking, anti-discrimination is a new field of activity in



Cyprus where public discourse was traditionally dominated by the 'national question' and civil society is rather weak, as the public sphere is dominated by the political parties. There are very few NGOs active in the field of discrimination and even those are not exclusively occupied with promoting non-discrimination.

39. Do they need to “do more” with clients or potential clients?

Those NGOs which employ experts, legal or other, to deal with cases of discrimination are already utilising all their human resource to this end, working long hours and assisted by volunteers. Therefore, although there is a need for additional personnel to process discrimination complaints, these NGOs are working to the full of their capacity. There are organisations, particularly the disability organisations, which do little case work and wished they did more but they lack the manpower for it. The religious minority organisations (Armenians, Latins, and Maronites) do not deal with cases and do not consider that they are being discriminated against.

40. Do they need to “do more” with government – to increase their credibility and status?

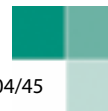
Once again the established religious minorities, who in fact do enjoy credibility and status with the government, stated that there is no scope of work in this area for them. All other organisations stated that they do need to do work in this area and to avoid marginalisation. Some organisations, such as NGOs supporting migrants are frequently in confrontation with the authorities and particularly the police who tend not to show that they recognise the NGOs' right to represent migrants in custody.

41. Would they need to “do more” with public opinion and awareness raising?

All NGOs interviewed replied positively to this question. Awareness-raising is part of the mainstream work performed by most NGOs and it is an area where admittedly there is always scope for improvement. Although public opinion is generally sympathetic with victims of disability discrimination and to a lesser degree age discrimination, it can be overtly suspicious of homosexuals and non-Cypriots. This is also reflected in the media, which proves that NGOs promoting anti-discrimination on the grounds of racial or ethnic origin or sexual orientation have still a lot of ground to cover in order to win over public opinion. Generally speaking, NGOs tend to be rather marginal in both size and influence and receive little media coverage in their anti-discrimination work.

42. What would they need to develop?

All NGOs interviewed stated that they needed to develop public awareness programs and campaigns so as, inter alia, to inform the public of their rights and obligations. Disability NGOs stated that they need to develop their services towards persons with disabilities; anti-racism NGOs that they need to develop their fund-raising skills so as to increase their manpower; others that a closer cooperation with discriminated groups is necessary. In our view, in order for NGOs to effectively exert pressure on policy makers they must on the one hand be well informed on their subject and, on the other hand, have public opinion on their side. In order for the latter to occur, NGOs must systematically promote a culture of anti-discrimination and attempt to engage policy makers and politicians in a public dialogue.



Czech Republic:

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

Mostly, NGO's labelling themselves as "Human Rights" NGO's (working on legal, educational and informational aspects of Human rights) are working on antidiscrimination issues. But also small local NGOs providing social services or implementing social projects, very often face problems with discrimination of their clients. These small NGOs are much more interested in the antidiscrimination training, while the "Human Rights" NGO usually believe that they have enough capacity and experience in this field. These small NGOs are mostly interested in practical issues involved with assistance to victims and/or casework. The same applies to the largest Czech Trade Unions – Czech Moravian Trade Unions Confederation and the NGO's working on gender issues (I assume that this project is not concerned with sex discrimination). The role of platforms of people representing rights of groups according to different grounds is rather small.

2. What ground (s) of discrimination are they concerned with?

Most often, these are NGO's working on problems of racial discrimination. It involves:

- discrimination of Roma community (for example Poradna <http://www.poradna-prava.cz/> League for Human Rights <http://www.llp.cz/> , People in Need <http://www.clovekvtisni.cz/>);
- discrimination of migrants and asylum seekers (for example Poradna, Counseling Centre for refugees <http://www.uprchlici.cz/>);

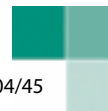
Czech- Moravian Trade Unions Confederation <http://www.cmkos.cz/> does provide counseling to victims on all grounds, but legal representation is provided only for Trade Union members.

From the platforms representing different grounds, some gay and lesbian initiatives (such as Gay and Lesbian League <http://www.gll.cz/>) do work on informational anti-discrimination activities as well as on legislative lobbying. The platforms where age plays a role are usually organisations representing the rights of elder people. Their representatives do recognize discrimination of elder people as a serious problem.

3. Is anti-discrimination their main area of work or only a small part of what they do?

What regards the Human Rights NGO's, antidiscrimination work represents one of main areas of work. (For example in Poradna, the programme involved with anti-discrimination represents more than one third of activities).

For the Trade Unions as well as for the platforms, it represents larger a smaller part of what they do. Some are not involved in antidiscrimination work at all, although they represent rights of disadvantaged group.



4. Are these NGOs registered on the national level?

Yes, they are. Is it easy or problematic to register as an NGO? There are two types of registration NGOs use. Most easy is to register as a "civil assembly", more formal and complicated procedure is required to become a "commonly beneficial assembly". The registration as civil assembly is quite easy, with respect both to costs and time (it takes some one to two months to register with Ministry of Interior of the Czech republic) and widely used by NGOs.

5. Generally how large are these NGOs?

They have some 5-15 employees (The exception being People in Need, quite a large organisation having some 60-80 persons and renting the whole building for its staff. People in Need implement humanitarian programmes through the world, and maintains many volunteers). The gay and lesbian organisations do function often on voluntary basis, they fund only activities and do not have resources to pay employees.

6. Are they part of larger national networks? Or are they working on their own?

There are not really functioning national networks in this country. They are still in the stage of forming, or existing as informal networks.

7. Are they mainly based in the Capital or spread out in the country?

There are some grass-root organisations spread through the country as well as those based in the capital. There is considerable number of important NGOs based not in capital, but in city Brno in Moravia. Brno is Czech second largest city and important judicial institutions are residing there (Constitutional Court, High Court).

8. Are NGOs from the capital and the rest of the country doing the same type of work?

Yes, they do generally the same type of work. Both are involved in counseling, litigation, educational activities, only the beneficiaries might vary considerably.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (eg exchange of expertise, collaboration on case work or campaigns, organising events jointly)

Cooperation is taking place mainly in the area of campaigns, organising events and collaboration on case work.

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

The platforms representing the interests of gay and lesbians do cooperate with organisations working on gender issues.



10. How are these NGOs funded?

- a. Do they receive state funding?

State funding is received by organisations representing disabled and elder people. Also organisations who do work on behalf of Roma, national minorities and asylum seekers and migrants do receive state funding, as well as registered churches and religious assemblies. Gay and Lesbian organisations do not receive state support related directly to the problems of groups they represent; this is mainly caused by rather still unstable character of their establishments, therefore they qualify only with difficulties for state funding. They often organize cultural events (such as film festival, etc.) and receive state funding for these activities.

- b. What are the conditions in order to receive public funding?

The general requirements include usually the organisational form (to be civil assembly, church or registered religious assembly, commonly beneficial assembly or a foundation, not to have debts on social security payments and taxes and not being required in the past to repay state funding due to failure to proper reporting or fraud.

- c. Do they also receive/apply for private funding?

The NGO's in Czech republic would not survive without private funding.

- d. Do private funders impose any restrictions or conditions?

The private funders funding this area are usually foreign foundations and foundations distributing sources from EU funding. Their conditions are similar to these imposed by the state. Such private donors as business companies do not usually fund the area of Human Rights, and prefer to donate to culture or public investments (such projects as for example a foster home library, concert for disabled etc.).

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Yes, certainly it is.

12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighbouring countries?

Yes. But usually these are the contacts with larger NGO's, who are doing networking.

- b. Other new EU Member States?

Yes. But usually these are the contacts with larger NGO's, who are doing networking or personal contacts.

c. Others?

In the old EU member states, that is because they are members of different partnerships developed within EU funded projects.

13. Do they work on the international level (campaigning, case work, other):

It does not seem to me that there are such activities taking place in international scope. When some occur, they are of rather exceptional character.

14. Can they work in English?

Some organisations based in Prague can work in English. English on the contrary might be a barrier for grass-root Roma organisations, which often do function on volunteer base, or organisations of elderly people who did not had any chance to use English as a language during their active-working life.

Expertise of NGOs working to combat discrimination**15. What kind of work do they do?**

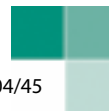
The general Human Rights organisations working on legal aspects of combating discrimination provide support to victims of discrimination (legal counseling, assistance, litigation). In fact, only Poradna and League for Human Rights do provide for all these three aspects of legal support for victims. Other organisations do work on campaigning against discrimination, they do a lot of work on awareness raising as well as educational activities (Multicultural Centre <http://www.mkc.cz/> , People in Need), mostly with respect to racial discrimination. The organisations representing the rights of gay and lesbian community do also a lot of public awareness raising and campaigning.

16. Do they take up complaints of discrimination ?

It depends on what is meant by "taking complaints". Here, the NGOs usually do not represent victims at courts, but hire attorneys to do it or the NGO activists represent victims directly. According to my knowledge, only Poradna and League for Human Rights do work on complaints. Poradna was so far involved with complaints on the grounds of race, age, sexual orientation and disability. (Only the cases involving racial discrimination arrived at courts, and one case involving ground of age.) League for Human Rights is occupied with complaints involving ground of race.

17. Do they focus on their own community?

There are no complaints on discrimination taken by organisations consisting of people who are members of disadvantaged groups (Sec. 26 of the Civil Procedure Code). There were two civil actions filled by the members of Roma community who acted independently on NGO sector in the past (1996-1998). One criminal action was taken in 1994 by the Roma NGO from Rokycany. Other organisations representing the rights of disadvantaged groups do not provide direct representation in cases of complaints against discrimination.

**18. Do they work with victims directly?**

The disability NGOs are providing to individuals psychological support, training, social services etc., but usually they do not provide specific assistance to their clients as victims of discrimination. The same could be said with regard to gay and lesbian platforms and organisations supporting the interests of elderly.

19. Do they do 'case work'?

The "case work" is done by Poradna and League for Human Rights only.

20. Does this include legal representation?

This includes legal representation, done by in-house lawyers or hired attorney (the attorneys cannot be regular employees in this country, but can work only on self-employed capacity).

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

The provision on the right of associations to represent victims were inserted into the Civil Procedure Code (2002), but the associations and Trade Unions do not use it. It does not disburden the victims of being faced by the discriminator and his attorney at the court, or pay the costs when they lose the case. Any insurance covering damages caused to the client in the course of litigation is not available for NGOs or Trade Unions. The litigation thus takes place without the right to representation would be explicitly invoked. The representation takes place on the base of powers given directly by victim to the attorney and the NGO is covering the court and attorney's fees.

22. Do they do other practical work? (e.g. assistance to victims or potential victims, social assistance, etc).

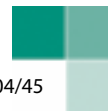
They do this work in the extent as explained above (see the Q 15 and 18).

23. Do they advocate changes in legislation and policies?

The changes in legislation and policies are advocated by Gay and Lesbian League, League for Human Rights and Poradna.

24. What are their relations with the central government?

The relations differ considerably from one organisation to the other, depending on how critical is the approach of the organisation and how helpful the approach of concrete governmental body. Generally said, the NGOs do usually co-operate closely with the Public Defender of Rights (Czech ombudsman) and with Human Rights Deputy office, but have difficulties to communicate with effect with ministries and other central state administrative bodies.



25. With regional governments or municipalities?

The relations of NGOs (both grass-root organisations and organisations from the capital) representing the rights of Roma minority can be really difficult. The reason is that both regional governments and municipalities do perceive the members of Roma community as potential source of troubles and their option would be to get rid of them if they knew how to do it. As regards other grounds the quality of relations depends heavily on personal relationships between NGO leaders and municipal or regional officials.

26. Do they have relations with the specialised bodies/ombudsman?

The general Human Rights organisations do maintain close contacts with ombudsman (Public Defender of Rights). Czech Republic did not implement the European directives properly and therefore it does not have specialised body yet. The powers of Public Defender of Rights apply to state administration only, not to private bodies and do not include explicitly assistance to discrimination victims.

27. What are the qualifications of the staff?

The Human Rights NGOs employ lawyers and social workers (League for Human Rights, Poradna, People in Need). The organisations representing different grounds do employ activists (or the activists do volunteer for them) with different professional background. The exception in this respect are the organisations representing people with disabilities, who usually employ social workers and also medical personnel.

28. What training has the staff had in relation to anti-discrimination work?

Besides the University degree in Law or social work, the staff at Human Rights NGOs and Roma organisations has also specific training in antidiscrimination litigation provided for by different initiatives funded from other EU countries resources. Such training was provided, for example by ERRC to organisations assisting members of Roma minority (2004), or by Poradna to lawyers and activists of organisations assisting disadvantaged groups (2003).

29. Are they trained in writing funding proposals and reporting?

Generally, the courses offered in writing funding proposals and reporting are numerous, both with regard to EU funding opportunities such as EQUAL or more general trainings in fundraising. Still, the organisations who work on volunteer basis, do not usually have enough opportunities to train their volunteer-staff in fundraising activities.

30. How do they evaluate their "success" and the quality of their anti-discrimination work?

Except the Human Rights NGOs, the other organisations do anti-discrimination work only occasionally. The success and quality of work is usually measured by whether the cases are win or lost and legislation changes done (in activities involving litigation and lobbying) and by evaluation made by the members of target groups (educational, awareness raising and campaigning activities)



Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Funding is one of the main problems faced by all NGOs in the Czech Republic, as the funding from the state is unstable and provided on rather minor scale. The EU funding focus on covering costs of specific personnel and project activities. The organisations do lack funding to secure their everyday functioning in the first place. With regard to antidiscrimination work, most problematic for funding are direct assistance to victims involving litigation, advocating legislative changes and casework. These activities were in the past funded by international foundations such as Soros or Ford Foundation, who currently transfer their funding opportunities eastwards. There are not enough funding possibilities to balance this transfer.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

No. It is on the contrary difficult for all who are interested to work in NGO sector to find a job there, as the NGOs usually have scarce resources to employ more personnel.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

No. But organisations lack knowledge and skills to become involved in anti-discrimination work. This concerns most of grass-root organisations that provide assistance to members of disadvantaged groups, typically organisations supporting Roma, elderly or disabled. They are not involved in antidiscrimination work because they do not trust they can be effective, and they cannot be effective because they do not know what sort of effect they can reach. The platforms of gay and lesbian community do face different problem; gay and lesbians usually do not openly admit their orientation in order to avoid "problems" - in other words, to avoid discrimination, most probable to happen at the workplace or in access to housing.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

It is not quite certain that the NGOs (these representing disadvantaged groups) wish to work on combating discrimination. This is mainly because they do not really believe that discrimination can be successfully challenged. (When we send the NGOs questionnaire asking them what kind of information on anti-discrimination they would appreciate, most of them left this question unanswered.) But they would appreciate (according to my estimation) practical training showing how they should act in order to be really successful in combating it. That means, according to my opinion, 1) what regards casework and litigation - how they should act in the situation familiar for them when discrimination occurs, how they should collect evidence, how they can evaluate the merits of the case, how they can pick up *prima facie* case; how they can use the shift of burden of proof 2) with regard to legislative lobbying, awareness-raising, education and public campaigning – what are the best ways to introduce the problems of the disadvantage to the public.

**35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?**

There is not any real antidiscrimination legislation in the Czech Republic at the moment, except in the area of labour relations and access to employment. But still except of Poradna lawyers, the other organisations lack any specific training in what in national legislation can be most effectively used for anti-discrimination litigation. According to my knowledge, there was one seminar organized by Poradna in 2002 and the other seminar, aiming at Roma organisations, organized by ERRC in 2003. However, none of them was real training.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

The same can be said to this question as to previous. Also, the possibilities to use in practice the knowledge about EU legislation are somewhat limited, as the directives are not directly applicable and their direct effect due to lack of transposition has also considerably serious limits. They all know the content of EU directives; but they do not know how this content can be of any use for them in practice.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

As far as I know, there was not any training taking place ever in formulating policy and legislative proposals. When Poradna considered to seek funding and provide such training in 2003, the position of NGOs was rather disapproving, as they considered their own skills as quite sufficient. According to my subjective opinion, the specific know-how in NGO sector is very low and in prevailing number of organisations, the personnel is quite unskilled in this respect.

38. Do they need to do more to promote their anti-discrimination role?

Yes, this is what they really need to, especially the organisations representing the disadvantaged groups.

39. Do they need to “do more” with clients or potential clients?

This is second step. They should first learn why it is important to work with their clients as victims of discrimination and then how to do it.

40. Do they need to “do more” with government – to increase their credibility and status?

This is what they definitely need, too, and the topics in which they would be interested. However, most of NGOs does really not know how to cooperate with government structures, especially how to draft and formulate proposals, how to keep pace with the development of issues and most important of all, how to become and stay a partner for discussion. NGOs often only present their complaints to governmental bodies and then get frustrated that nobody really deals with them.



41. Would they need to “do more” with public opinion and awareness raising?

According to my evaluation, there were quite successful projects of campaigns against racial discrimination (funded by the government). However, this cannot be said on awareness raising and campaigning with regard to other grounds. The NGOs would definitely appreciate the examples of good practices in this area.

42. What would they need to develop?

Most importantly, they need to develop trust that anti-discrimination activities can have an effect - that means to show them very practically how to do successful antidiscrimination work – advocacy, assistance, legislative lobbying, influencing of policies or campaigning.

43. Below, I am adding links and short characteristics of NGOs I wrote about:

Ground	Types of NGO's	Legal advice, assistance and lobby
Disability	Usually specialised NGO's representing the interests of group with one concrete type of disability. mental disability and mental illness http://www.rytmus.org/ http://www.dobromysl.cz/ http://www.spolecnostduha.cz/ http://www.vidacentrum.cz/ http://www.fokus-praha.cz/ http://www.nadacebona.cz/ physical disability http://www.invahelp.cz/ http://www.vlastnicestou.cz/ http://www.pohoda-help.cz/ http://www.prosaz.cz/ hearing disabilities http://www.neslyfici.cz/ sight defects http://www.kafira.cz/ http://www.tereza.fjfi.cvut.cz/tereza.htm http://www.sons.cz	The NGO's are providing direct assistance to individuals (i.e. psychological support, training, social services, direct assistance etc. Sometimes also general legal advice is provided, even when not focusing directly on discrimination.
Religion	Different situation for “traditional” churches and other religious groups. Groups from more recently founded or emerging religions might encounter problems amounting to discrimination; their members are more probably to be foreigners, some restrictions with respect to setting up associations could	“Traditional” churches set up organisations involved in charities, other kinds of humanitarian work, social, health and educational services. Organisations representing other religions are not – according to our knowledge -

	apply; discrimination might occur in recruitment, at the workplace, contracting goods or services etc., where the individuals dress differently in compliance with the religious requirements.	involved in activities as advocacy or lobbying, as they are afraid of xenophobic reactions.
Sexual orientation	The NGO's /platforms, mostly represented by activists-volunteers. http://www.004.cz/ http://www.lesba.cz/ http://www.bengales.cz/les-uvod/ http://www.stud.cz/ http://gales.wz.cz/ http://www.partnerstvi.cz/	Main efforts focus on the lobbying activities to enact legal framework to govern same-sex couples registration.
Age	Several senior organisations, as well as charities and organisations providing care and assistance for elderly people. http://www.zivot90.cz/	Mainly educational activities, social and healthcare services. Sometimes legal advising for elderly people, not specially focusing on discrimination. They are not usually involved in advocacy, lobbying nor litigation efforts.
Race/ethnicity	Existing NGO's assist Roma, migrants and refugees. http://www.llp.cz/cz/index.php http://www.poradna-prava.cz/ http://www.infoservis.net/ http://www.mkc.cz/ http://www.clovekvtisni.cz/english/ http://soze.hyperlink.cz/Web/index.htm http://www.uprchlici.cz/	Direct assistance to the victims of discrimination, information campaigns, networking at http://www.migraceonline.cz/ , where the research efforts play a key role, lobbying for the enactment of a new antidiscrimination law and litigation of discrimination cases at courts regarding access to housing, services and employment.
Citizens Advisory Centres	The network of CAC has currently 34 members. http://www.obcanske-poradny.cz/	Network extending over all regions of the Czech republic, providing free advice on most frequent administrative and legal issues. In more complicated cases, they refer the person to seek the help of an attorney or specialising NGO. They are not involved in the antidiscrimination litigation.

Some organisations on this list were networking in commenting on the draft antidiscrimination law and are supposed to co-ordinate lobbying for it in Parliament.



Estonia:

Background information

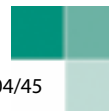
In Estonia there are certain important peculiarities of the situation as regards fight against discrimination. In 1990s the topic of human rights (in general) and discrimination (in particular) for both public authorities and for ethnic majority associated with the issue of the so-called Russian-speaking population and with concerns that international organisations and some foreign states (first of all the Russian Federation) raised in this regard. In the background there were rather rigid ethnic policies sued by official Tallinn in early 1990s. These policies were to promote repatriation and emigration of ethnic minority members settled in the country after the WWII.

Soon after Estonia regained independence in 1991, political leaders decided to ensure membership of the country in the European Union and NATO. Recognition and promotion of human and minority rights were among the main challenges for Estonia during the accession process. There were claims that situation of minorities is very vulnerable. Most of ethnic non-Estonians were not automatically entitled for local citizenship after 1991; additionally, very important (and often negative) changes took place regarding their cultural and linguistic rights. For many years all the discussions regarding minority rights were highly politicised. Regretfully, authorities tried to reject as ill-founded any criticism rather than to ensure changes in their own policies. There was also negative Soviet experience: Criticism regarding human and minority rights situation was perceived by many as an ostentatious demonstration of disloyalty towards the recently re-established Estonian State.

Positive trends in the situation were registered in late 1990s with the adoption of official ethnic non-Estonians' integration program. Furthermore, after the adoption of the Race Directive and Employment Equality Directive (hereinafter the Directives) anti-discrimination issues were discussed by local legal specialists in the context of harmonisation of Estonian legislation with the *acquis*.

The process of harmonisation has enriched the non-discrimination discourse: It was finally accepted by the society that the problem of unequal treatment may concern groups other than ethnic minorities (e.g. women, disabled persons, senior citizens etc). In the beginning of the economic reforms in early 1990s disabled and elderly persons faced numerous problems due to the fact that the system of social protection failed to meet their basic needs. The situation was further jeopardised by their shrinking opportunities on labour market. Only since late 1990s the Estonian authorities started to scrutinise their social policies regarding these categories of population. However, only quite recently the problems of disabled and elderly people were addressed in terms of unlawful discrimination.

During the Soviet period discrimination on the grounds of religion and sexual orientation was often based on valid legislation. There were drastic changes in this sphere after the collapse of the USSR when numerous restrictions were lifted (such as criminal liability for 'religious propaganda' or for homosexual intercourse). Very rapid improvements made it difficult for some religious people and representatives of sexual minorities to blame any types of discriminatory behaviour: Today any acts of discrimination might be perceived as very smooth as compared with Soviet-era persecution. Additionally, there are reasons to believe that Estonian society is much more tolerant towards religious and sexual minorities



as compared with a number of 'old' EU member states (one of the reasons is a relatively small number of religious people in the country).

Regretfully, for many members of Estonian society the recognition of the problem of discrimination on any grounds seems to be a taboo. This is also a case for 'politically neutral' types of discrimination (e.g. unequal treatment on the basis of sex). In general, in Estonian society the level of awareness regarding discrimination issues is very low.

Acknowledges and sources of information used in this report are listed in Appendix I.

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

Due to the reasons mentioned in the previous section, there are very few human rights NGOs in Estonia. Normally these NGOs deal with ethnic and national minorities and claim minority rights to be one of the fields of their activities. To the best of our knowledge only one Estonian NGO placed discrimination-related issues at the centre of its activities (Legal Information Centre for Human Rights - LICHR). Additionally, human rights NGOs that deal with legal counseling cannot ignore issues of discrimination on all other grounds.

In recent years organisations other than human rights NGOs started to work in the filed of non-discrimination.

2. What ground (s) of discrimination are they concerned with?

Again, mostly pro-minority NGOs deal with discrimination. They work with the so-called Russian-speaking population. As far as the number of 'visible' minorities members is very small, only 1-2 of these NGOs pay special attention to the problems of discrimination on the grounds of 'race' and colour.

Till recently, NGOs that were organised by disabled people, elderly (retired persons) and sexual minorities did not explicitly address in their work the issues of discrimination. The EU accession process resulted in significant changes of the situation. At the moment some of the above-mentioned NGOs started to articulate their concerns and demands in terms of human rights and fight against discrimination.

The issue of religious discrimination is definitely marginal in Estonia. Religious people constitute a minority in the local society. The number of Muslims and Judaists is very small. Under such circumstances there are few objective preconditions for foundation of strong NGOs that will deal with the issues of discrimination on the grounds of religion or belief.

The leading Estonian NGOs working on non-discrimination at the national level are listed in Annex II.

3. Is anti-discrimination their main area of work or only a small part of what they do?

Most of NGOs tackle anti-discrimination issues occasionally. To the best of our knowledge only 2-3 NGOs in Estonia collect information on discrimination cases in a more or less systematic way. They are NGOs that provide legal counseling and keep relevant statistics and cases-related information (e.g. LICHR). However, discrimination-related cases are extremely



rare in Estonian courts. Lack of equality as such was mentioned in 10-15 cases tried in the National (Supreme) Court. Only 2-5 of such cases were prepared by NGO community. Practically, none of these cases refer to the problems of discrimination within the scope of the Directives.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

In Estonia there is a unified procedure for registration of NGOs which seems to be very easy. The number of NGOs in Estonia amounts to several thousands. However, only few of them were engaged in non-discrimination related activities.

5. Generally how large are these NGOs?

Estonian NGOs that work on anti-discrimination are rather small. In some of them the work is done by members of the organisation. Others may employ staff to organise their everyday activities. The staff of an average NGO varies from 1 to 10 activists/employees.

6. Are they part of larger national networks? Or are they working on their own?

Estonian anti-discrimination NGOs are not united in a special national network.

In early 2000s there was an attempt to unite all human rights organisations in the Estonian Association of Human Rights. However, this attempt failed. The most active NGOs participate in the work of the Network of Estonian Non-profitable Organisations. Pro-minority NGOs leaders take part in the sessions of the Presidential Roundtable of National Minorities. There are several umbrella organisations of ethnic and national minorities in Estonia. However, they mostly deal with promotion of minority identity and culture as well as society integration projects. There are also several umbrella organisations of disabled people.

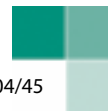
7. Are they mainly based in the Capital or spread out in the country?

NGOs work actively in all major urban centres of Estonia. However, the most efficient NGOs seem to be based mostly in Tallinn, Tartu and Narva (three largest Estonian cities).

The majority of ethnic non-Estonians basically reside in the capital city and in the Ida-Viru County near the Estonian-Russian border. There are plenty of pro-minority NGOs in both places. In Ida-Viru County the most active NGOs are united in an umbrella organisation called Roundtable of National Associations of Ida-Virumaa. However, most of these NGOs do not deal with discrimination-related issues.

8. Are NGOs from the capital and the rest of the country doing the same type of work?

There are no major differences between NGOs working in Tallinn and in the provinces. However, regional organisations are more interested in establishing contacts with local self-governments in order to receive support from local sources.



9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (e.g. exchange of expertise, collaboration on case work or campaigns, organising events jointly)

In recent years the most efficient national NGOs organised special trainings to share the expertise with smaller NGOs and with NGOs from the province. Such trainings were organised by LICHR for pro-minority and women NGOs and for organisations working with victims of trafficking in human beings; by Jaan Tõnission Institute for NGOs working in the sphere of education and youth work, etc. However, even more important were seminars and workshops specially conducted to discuss discrimination-related topics. These seminars (with the involvement of NGO activists, public officials, local and foreign experts) were important fora for exchange of information. However, in practical sense cooperation of different NGOs normally take place in the frame of different short-termed projects. As it was mentioned above no special national networks or umbrella organisation were founded to work in the field of anti-discrimination.

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

There was greater collaboration between different NGOs in relation to ethnic origin, disability and age. The problems of national and ethnic minorities, disabled persons and senior citizens were addressed by public authorities that adopted several policy documents. Adoption of these documents, consultations with relevant NGO activists and governmentally organised public debate created positive background for better collaboration in these spheres.

10. How are these NGOs funded?

- a. Do they receive state funding?

NGOs of ethnic minorities united in umbrella organisations enjoy modest state funding.

As for human rights NGOs, most of them receive their funding from foreign donors. However, very limited recourses may also be provided by national and local authorities for legal counseling (e.g. the project of the Estonian Institute of Human Rights funded by the Office of the Minister for Population Affairs).

Certain limited state funding is also available to organisations of people with disabilities, youth and elderly, especially for those that participate in state sponsored grass-root projects (e.g. projects aimed at better integration of vulnerable groups into labour market, etc).

In Estonia a very important source of funding are different programs of foreign embassies (such as MATRA-CAP program of the Netherlands Embassy).

- b. What are the conditions in order to receive public funding?

Public funding is normally offered during a special tender procedure. In practice, with the exception of umbrella organisations NGOs are working on the projects basis with no or very few core funding provided by Estonian authorities.



- c. Do they also receive/apply for private funding?

The system of private foundations is undeveloped in Estonia. The most important of them is the Open Estonia Foundation (member of the Soros network). This foundation supported different initiatives in the field of human rights. However, financial resources of this institution have been diminishing in recent years.

- d. Do private funders impose any restrictions or conditions?

We have no information about any restrictions and conditions imposed by private funders (other than deadlines and reasonable requirements regarding the form of an application).

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Lack of funding is the main factor that affects the work of Estonian NGOs. As a result smaller organisations heavily depend on volunteers' assistance. However, legal counseling has to be provided by professional jurists and there are few volunteers with legal educational background. The problem of fluctuation of trained personnel is one of the major problems of human rights NGOs as well.

12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighbouring countries?

Few NGOs in Estonia have established contacts with similar organisations in Russia, Latvia, and Finland. They are mostly organisations that deal with ethnic minorities, migrants and refugees. To the best of our knowledge, in contacts with neighbouring countries Estonian NGOs prioritised international umbrella organisations that deal with different aspects of refugee protection. For instance, LICHR is a member of CISCONF Working Group on Refugee Law and Protection.

- b. Other new EU Member States?

These will be mostly contacts with neighbouring countries that acceded EU (Latvia, Lithuania).

- c. Others?

It is worth mentioning that Estonian organisations cooperate with similar NGOs in 'old' EU Member states (e.g. the Netherlands, Denmark, Germany). Several Estonian NGOs have established contacts with CIS countries (e.g. Georgia, Ukraine, etc). In both cases, this cooperation is oriented at solution of the problems of 'clients' of Estonian NGOs.

13. Do they work on the international level (campaigning, case work, other)

Participation of Estonian NGOs in international level campaigning is rather limited. However, few of them took part in different EU initiatives (e.g. "For Diversity. Against discrimination"). A number of Estonian NGOs are included into mailing lists of UNITED ("I care"), MINELRES, etc. Few associations of disabled people, elderly, youth and sexual minorities are members of international or regional (European) umbrella organisations.



14. Can they work in English?

Basically, it depends on the location. In the capital few members of larger organisations are proficient in English. However, for any successful local initiatives use of Estonian and Russian (rather than English) is indispensable.

Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

Estonian NGOs mostly distribute information regarding new legal regulations concerning non-discrimination at seminars, workshops, etc. Several human rights NGOs deal with legal counseling. For Estonian NGOs it is extremely important to establish and maintain contacts with national and local authorities to make visible the concerns of groups they represent.

16. Do they take up complaints of discrimination?

To the date only few discrimination-related cases were prepared by Estonian NGOs.

17. Do they focus on their own community?

Activities of local NGOs are visible mostly to a social group/community they represent. For instance, the Estonian Chamber of Disabled People is well known among persons with disabilities, not in the society as a whole. In short, Estonian NGOs focus on their own communities.

Another characteristic of the Estonian third sector is a reflection of ethnic division of the society. Thus, there is a kind of division of all Estonian NGOs on the basis of the first language of their members and employees: some NGOs are working predominantly with Estonian-speakers and some are working only with Russian-speakers. This is true for almost all NGOs in the country regardless of the scope of their activities.

18. Do they work with victims directly?

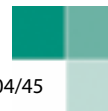
Mostly human rights NGOs that provide legal counseling are working directly with victims of discrimination. However, the number of these organisations and the number or registered cases of alleged discrimination is very small.

19. Do they do 'case work'?

Again, such work is mostly done by few human rights NGOs that provide legal counseling.

20. Does this include legal representation?

Few human rights organisations that provide legal counseling are interested in litigation. For instance, LICHR provides legal representation in cases that could become a precedent (e.g. there were cases of discrimination of employees on the basis of official language proficiency).



21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

For NGOs it is not possible to engage on behalf or in support of victims of discrimination in judicial procedures. However, any persons may represent a victim in a special pre-judicial procedure which was established at the Legal Chancellor's Office (cases of discrimination by private legal and natural persons).

22. Do they do other practical work? (e.g. assistance to victims or potential victims, social assistance, etc)

Bigger organisations of disabled and elderly people actively provide social assistance to their members or representatives of target groups. This practice is not so wide-spread in case of ethnic, sexual and religious minorities.

23. Do they advocate changes in legislation and policies?

All active Estonian NGOs are eager to influence political decision making process. The main form of such activities is participation in different consultative bodies. For instance, for years many pro-minority NGOs activists participated in the work of the Presidential Roundtable on National Minorities. This body advocated for introduction of comprehensive anti-discrimination protection system even before this problem was officially recognised by the authorities. Organisations of elderly and disabled are rather active as well.

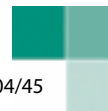
One may note that organisations of sexual minorities are not so engaged in the process of consultations. However, there are positive trends in this field. For instance, few lesbian organisations decided to participate actively in different fora that discussed women's rights and gender equality issues.

As for religious organisations, the Estonian Council of Churches (now only Christian churches) do participate in consultations with the authorities on different issues. However, they are mostly concentrated on technical issues rather than on human rights and discrimination related problems.

24. What are their relations with the central government?

Estonian NGOs are very interested to work with the central government and its institutions. However, in most cases access to the highest political level is not so easy for them. Organisations of women, disabled and elderly established good contacts with the Ministry of Social Affairs, while pro-minority NGOs are actively working with the Minister for Population Affairs (this institution is responsible for integration-related issues).

In general the relations between the central government and NGOs are 'vertical'. NGOs participated in different governmental programs being institutions that received funding for a concrete project. Only in recent 1-2 years some of such projects do have an anti-discrimination component. Thus, presentation of EQUAL program was of crucial importance for Estonia. However, the Estonian priorities for this program in the tender procedure 2004 did not pay any *special* attention to the discrimination within the scope of the Directives.



It is worth mentioning that in recent years police authorities have also established contacts with the third sector to make the fight against incitement of ethnic and racial hatred and violence more efficient.

25. With regional governments or municipalities?

The regional (county) level has no practical value in Estonia in the context of relations of the third sector and authorities. Just the opposite, the role of municipalities (self-governments) is very important. Several self-governments are very pro-active in their relations with local NGOs. Similar to the national level, these relations are encouraged by participation of NGOs in different consultative bodies. Additionally, several municipalities provide financial support for NGOs in the frame of various local programs. For instance, for many years the City of Tallinn funded legal counseling for people in need. The scope of such counseling may also include anti-discrimination issues. However, discrimination as such was rarely discussed at the local level in Estonia.

26. Do they have relations with the specialised bodies/ombudsman?

Estonian NGOs try to work with the local ombudsman institution (Legal Chancellor). Many NGOs use the right to file petitions with the Chancellor's Office if they have concerns regarding constitutionality of laws and other legislation (everybody has a right to file such requests with the Chancellor's Office in Estonia). However, before 2004 there were few occasional contacts of NGOs with the Chancellor.

Since 1 January 2004 the Legal Chancellor's Office became a body to promote equality in the meaning of the Race Directive. We regard it as a very positive sign that in early 2004 the Office held a special meeting with representatives of NGOs of ethnic and sexual minorities, disabled and elderly. The meeting was organised in order to discuss situation in Estonia as regards discrimination. During this meeting the Office established direct contacts with the leading Estonian NGOs.

27. What are the qualifications of the staff?

In general, only few NGOs that are dealing with legal counseling are equipped with qualified staff. Additionally, there are few persons in the Estonian third sector who are knowledgeable in the field of discrimination.

28. What training has the staff had in relation to anti-discrimination work?

Representatives of several organisations (LICHR, Estonian Institute of Human Rights) participated in trainings organised by the Migration Policy Group (in cooperation with Interights and European Roma Rights Centre). These persons held lectures on discrimination-related issues at workshops and seminars that were organised in Estonia in 2002-2004.

Fight against discrimination was a main topic of two international seminars organised by LICHR in 2001-2002. These seminars were an excellent opportunity for the local NGO community to listen to international experts in the field (e.g. a representative of the Netherlands Commission of Equal Treatment was invited to Tallinn by LICHR).



29. Are they trained in writing funding proposals and reporting?

Only few Estonian NGOs are sufficiently trained in writing proposals and reporting. Additionally there could be a problem concerning poor knowledge of English (for most of organisations) or Estonian (for pro-minority organisations). In recent years several trainings were organised to provide local NGOs with necessary information in this field. For instance, in 2003 LICHR has organised a training for human rights related NGOs and for local public officials in the Ida-Viru County. However, in general there are still significant differences between the capital city and provinces.

30. How do they evaluate their “success” and the quality of their anti-discrimination work?

Only few NGOs publish regularly annual reports or similar information. Only few of them have a website with *regularly updated* information. Evaluation of positive and negative trends in one’s activities was especially effective in those NGOs that had to do this work in the frame of different projects sponsored by foreign donors. However, most NGOs are rather inexperienced in this sphere.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Funding is the main problem of all Estonian NGOs, including those dealing with anti-discrimination work. Without core financing activities of such NGOs will remain rather limited.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

Estonian NGOs do not face the problem of lack of staff as such. However, there are many concerns regarding lack of professional and well-trained specialists. This is also a case for NGOs that provide legal counseling: Shortage in funds results in high level of fluctuation of trained personnel with legal educational background.

33. Is the fact that staff lacks necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

Again, lack of well-trained specialists is one of the main obstacles to the development of anti-discrimination work in Estonia.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

Generally speaking, NGOs need two types of training. First of all, there should be special study programs for lawyers to provide them with necessary knowledge of anti-discrimination legislation. As far as there are very few relevant legal norms in Estonia and they have only recently been adopted, the case-law and legal practice of Western countries will be of crucial



importance in order to give these lawyers some guidelines regarding possible development of the local system of protection against discrimination.

Secondly, there is very limited experience on how to organise social work for victims of discrimination in Estonia. The system has not been developed as yet. NGOs may play an important role in this field. However, their staff should be trained in order to be able to tackle with these issues.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

The national anti-discrimination legislation is valid only from January - May 2004. No sufficient training for NGOs was organised before the start of the project *Mapping civil society dealing with anti-discrimination*.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

As it was mentioned above, few representatives of Estonian NGOs participated in trainings organised by Migration Policy Group (in cooperation with Interights and European Roma Rights Centre). These persons held lectures on discrimination-related issues at workshops and seminars that were organised in Estonia in 2002-2004. However, the number of such persons is definitely too small to raise the average level of awareness of the local third sector as regards European anti-discrimination law.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

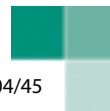
Normally, cooperation of Estonian NGOs with the authorities in formulating policy proposals and legislative proposals was a result of sporadic activities, not comprehensive training. Some information in this regard was provided for NGO community at seminars and workshops conducted by bigger organisations (such as LICHR). Several organisations (e.g. LICHR, Estonian Chamber of Disabled People etc) are rather experienced in providing assistance in formulating legislative proposals.

38. Do they need to do more to promote their anti-discrimination role?

Estonian NGOs are not ready to play a more important role in promotion of anti-discrimination principles in Estonian society: They face lack of training, shortage of necessary financial resources and, last but not least, lack of understanding as regards the importance of anti-discrimination legal mechanisms. In the very beginning Estonian NGOs should be convinced that anti-discrimination cases may be solved in judicial or pre-judicial procedure.

39. Do they need to “do more” with clients or potential clients?

Estonian NGOs should work much more with victims of discrimination. At the moment most of them neither collect relevant information nor provide victims with legal or psychological assistance.



40. Do they need to “do more” with government – to increase their credibility and status?

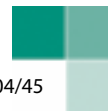
In Estonia non-governmental organisations might ensure that the problem of discrimination is prioritised by the authorities. NGOs shall make the government believe that problems of discrimination on any grounds should be solved in the frame of pro-active cooperation of public bodies and the third sector.

41. Would they need to “do more” with public opinion and awareness raising?

There are sociological evidences that the problem of discrimination (on any grounds) is invisible for the majority of the society. This is specially the case for ethnic Estonians: most of them claimed that they have never experienced discrimination on any grounds (including even such ground as sex).

42. What would they need to develop?

It is hardly possible that Estonian NGOs dealing with anti-discrimination work will develop without significant financial assistance. At the same time there are very few sources of financing in Estonia, as yet. Thus, the local tender of EQUAL programme did not specifically prioritise problems of discrimination within the scope of the Directive. Any developments of NGO community will be possible only on the solid financial basis. The next stage should be a situation when relevant staff members of such organisations are trained to deal with discrimination cases in terms of law or social work. As a background for this work there should be pro-active measures to promote dialog in the society in order to raise its awareness about the problems of discrimination and new mechanisms of protection against it.



Appendix 1.

Acknowledges and sources of information

During the preparation of this report several interviews were conducted in order to collect necessary information:

1. Interview with Ms. Jana Krimpe, Advisor of the Vice-Mayor of Tallinn, 5 January 2005, Tallinn
2. Interview with Ms. Klara Hallik, Senior Researcher, Institute of International and Social Studies, 11 January 2005, Tallinn
3. Interview with Ms. Julia Kovalenko, Estonian coordinator of the European Women Rights Lobby, 12 January 2005, Tallinn
4. Interview with Mr. Aleksei Semjonov, Director of the Legal Information Centre for Human Rights, Member of the Presidential Roundtable of National Minorities, 12 January 2005, Tallinn
5. Interview with Reverend Igor Prekup, Representative of the Estonian Orthodox Church of Moscow Patriarchate to the Estonian Council of Churches, 20 January 2005, Maardu.

Furthermore, the author used data of the following official written communications:

Institution	Letter signed on
Police Board	3 November 2004
Ministry of Education and Research	3 August 2004
Legal Chancellor	22 July 2004

Additionally, the author used the questionnaire that was answered by ethnic and national minority organisations in August-September 2004. This questionnaire was compiled by the author in order to receive details of NGOs activities in the field of fight against discrimination.



Appendix 2.

List of national level Estonian NGOs working actively on non-discrimination, by ground of discrimination

Name of organisation	Ground of discrimination
Estonian Union of Youth Associations	Age
Association of Pensioners of Estonia	Age
Estonian Mentally Disabled People Support Organisation	Disability
Estonian Multiple Sclerosis Society	Disability
Independent Living Estonia	Disability
Estonian Chamber of Disabled People	Disability
Legal Information Centre for Human Rights	Ethnic and racial origin / Religion
Estonian Institute of Human Rights	All
Jewish Community of Estonia	Ethnic origin / Religion
Estonian Council of Churches	Religion
Mea Culpa	Sexual orientation



Hungary:

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

Generally it can be stated that the ground of discrimination NGOs work with determines the characteristics of the organisations.

People living with mental or physical disabilities and the elderly have the most well organized NGO networks. These networks have top lobby organisations that promote their interests on the national level, mostly with representation in formalized legislation preparation committees ("Life for the years" Nationwide Alliance, Nationwide Representation of Pensioners, Nationwide Lobby Alliance of the Mentally Retarded and their Helpers, Nationwide Alliance of Associations of People Living with Disabilities). For instance, the Board of Elderly Issues (Idősügyi Tanács; established in 1996) is a consultative partner of the central government. It prepares opinion papers and proposals concerning any draft bills or programs of the central government regarding the elderly. The chairman of the Board is the Prime Minister; half of the members are delegated by nationwide representative organisations of the elderly.

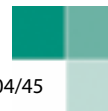
In the field of racial and ethnic discrimination, NGOs dealing with Roma issues are the most significant ones, since the Roma constitute the largest and most vulnerable ethnic minority in Hungary. Besides several legal aid offices (e.g. Legal Defence Bureau for National and Ethnic Minorities, Association of Roma Women in Public Life), there are a couple of central organisations (such as Roma Parliament of Hungary, Roma Civic Right Foundation) that hold regional NGOs together. The Roma Press Centre focuses on the representation and appearance of the Roma in the media.

In relation to discrimination based on religion and belief, Jewish associations have to be mentioned. They deal with anti-Semitic discourse (e.g. B'nai B'rith Jewish Documentary Centre). (It may be argued though that their activity is more related to racial and ethnic discrimination, as modern-time anti-Semitism is rather a racially than a religiously based ideology.)

The number of NGOs working to combat discrimination based on sexual orientation is minimal, there is one specific legal aid association (Háttér Support Society for Lesbian, Gay, Bisexual and Transsexual People), while the other ones deal with women's and children's rights as well (Habeas Corpus Workteam). Most associations could be rather defined as self-help groups (Labrisz Lesbian Association).

2. What grounds of discrimination are they concerned with?

As it was pointed out above, there is a certain distribution of work among NGOs, and it is based on the ground of discrimination. Four of the five grounds are covered, although NGOs working with the different grounds differ in their characteristics. NGOs dealing with issues concerning the disabled and the elderly are the well-organized. The degree of being organized and the number of Roma NGOs (and NGOs dealing with issues of racial and ethnic discrimination) have also been on the rise, while there are still only few NGOs promoting the rights of homosexuals.



Practically no NGOs work in the field of discrimination based on religion or belief. Apart from legislative attempts to favour the so-called “historical” churches vis a vis smaller denominations, religious discrimination is not an eminent issue in Hungary. Accounts of the discrimination of individuals based on their religion or belief are very rare. Consequently, NGOs are not organized around this issue. The Hungarian member of the expert network of the organisation Human Rights Without Frontiers raises his voice from time to time against the institutional discrimination of small churches, but this is an individual effort not accompanied by NGO activity. As it was pointed out above, Jewish NGOs also deal with analysing anti-Semitic public discourse (B’nai B’rith Jewish Documentary Centre), this discourse however is not based on religion but on an assumed racial affiliation, so this activity may as well fall under the category of “race or ethnic origin”. We however will refer to them as NGOs dealing with religious discrimination.

3. Is anti-discrimination their main area of work or only a small part of what they do?

Again, the ground of discrimination defines the activities of an NGO. Generally the main goal of these NGOs is to have their target group integrated into wider society as much as possible. For this aim, each NGO has different means, but it can be stated that generally anti-discrimination a very significant area of their work.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

Almost all NGOs questioned are registered on the national level, either as top lobby organisations of a network (“Life for the years” Nationwide Alliance, Nationwide Representation of Pensioners, Nationwide Lobby Alliance of Mentally Retarded and their Helpers, Nationwide Alliance of Associations of People Living with Disabilities) or as a single organisation (for instance B’nai B’rith Jewish Documentary Centre, Háttér Support Society)

It is relatively easy to register as an NGO in Hungary. Under Act II of 1989 on the Right to Association, an NGO may be founded for any activity that is in harmony with the Constitution and is not against the law. In order to found an NGO, at least ten members shall announce the foundation of the NGO, they shall establish the NGO’s statute and elect its central organ and representative(s). After the NGO is founded, its representative(s) shall request its registration by the competent Court. Under the law, the Court may not deny the registration of the NGO if the NGO meets the above requirements.

Despite this fact, some interviewed NGOs complained that since the time of the transition there have been numerous restrictions in this field, especially restrictions in taxation of foundations and associations (e.g. in 1991 in-kind donations lost their tax allowance).

5. Generally how large are these NGOs?

The size of these NGOs varies on a wide range. Generally besides a minimal number of paid employees working in the office, there are several association members and volunteers (from a dozen to a few hundred) in each NGO.

The largest organisations are the nationwide lobby NGOs of people living with disabilities and of the elderly. Although each NGO has at least a hundred of volunteers, the number of paid employees is minimal and usually they work as administrative staff. For example, both

pensioners' lobby organisations interviewed have one (!) full-time employee, while the number of volunteers is around 150.

All Roma legal aid offices have permanent lawyers and administrative staff. Top lobby organisations also operate with a large number of volunteers (Roma Civil Rights Foundation, Roma Parliament of Hungary).

NGOs working with sexual orientation and religion-based discrimination hardly have any paid employees; some do not even have an office (for example Labrisz Lesbian Association).

6. Are they part of larger national networks? Or are they working on their own?

As already mentioned above, people living with disabilities and the elderly have very well organized networks. Top lobby organisations hold together smaller local and regional NGOs (elderly organisations' networks consist of about 1,000 Pensioners' Clubs, and 19 county boards).

Central Roma NGOs also function as top organisations of wider networks. Legal aid organisations usually cooperate with similar associations or foundations.

NGOs in the field of sexual orientation and religion-based discrimination do not belong to permanent networks, but they have ad hoc cooperation.

7. Are they mainly based in the capital or spread out in the country?

All national NGOs are based in the capital. They are either top lobby organisations of regional NGOs (in the case of the Roma, the elderly and the disabled) or there are no regional organisations. In the case of Jewish associations and NGOs dealing with sexual orientation there are no permanent national networks.

8. Are NGOs from the capital and the rest of the country doing the same type of work?

Besides dealing with issues regarding the capital, some NGOs also function as top lobby organisations of domestic networks. These NGOs represent their community on a higher level ("Life for the years" Nationwide Alliance, Nationwide Representation of Pensioners, Nationwide Lobby Alliance of Mentally Retarded and their Helpers, Nationwide Alliance of Associations of People Living with Disabilities, Roma Parliament of Hungary, Roma Civil Rights Foundation).

In the case of smaller organisations, such as NGOs working to combat discrimination based on sexual orientation and religion/belief, they are the only national organisation (Háttér Support Society, Labrisz Lesbian Association, Habeas Corpus Workteam, B'nai B'rith Jewish Documentary Centre). Of course numerous NGOs exist throughout the country, but their activity is usually different – they focus on their local communities and mostly function as local "clubs".

9. Are NGOs working in the field cooperating together?

As already mentioned, there are several networks of NGOs that are organized hierarchically. This is typical of the lobby organisations of the disabled and the elderly, as well as some



Roma NGOs. Besides these permanent networks, ad hoc cooperation is significant amongst smaller NGOs (such as sexual orientation and religion based discrimination NGOs).

- a. For what purpose(s) (e.g. exchange of expertise, collaboration on case work or campaigns, organising events jointly)?

Cooperation concerning public awareness raising campaigns (e.g. between Háttér Support Society, Habeas Corpus Workteam and Labrisz Lesbian Association: campaign at the Sziget Festival, "Stop discrimination!" campaign of the European Union, Gay and Lesbian Festival) and cultural events (e. g. between B'nai B'rith Jewish Documentary Centre and Cultural Association of Hungarian Jews) is usual amongst medium and small size NGOs.

NGOs working in the same field of anti-discrimination also occasionally cooperate in sending petitions, proposals and motions to the central government and to specialised bodies. This is however not restricted to NGOs working with the same ground: for instance, the Hungarian Helsinki Committee and the gay organisation Háttér Support Society submitted to the Ministry of Justice joint opinions on the subsequent draft bills of the Hungarian anti-discrimination law throughout the legislative process.

We also find examples of joint reports addressed to international forums (e.g. the joint shadow report submitted in 2002 by the Hungarian Helsinki Committee and the Roma Press Centre submitted to the United Nations Committee on the Elimination of Racial Discrimination).

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

As the NGOs representing disabled and elderly persons are top organisations of national networks, we may say that cooperation in these areas is stronger. A greater degree of collaboration in issues concerning the Roma may also be observed occasionally, however, personal conflicts between leaders often hinder effective cooperation with regard to this ground.

10. How are these NGOs funded?

- a. Do they receive state funding?

Most NGOs receive state funding through tenders, but such funding is mostly sporadic. The National Civil Basic Program ("Nemzeti Civil Alapprogram") was created by Act L of 2003 in order to distribute appropriations from the central budget among actors of the third sector. Regional and professional boards invite tenders and make the final decision between applicant NGOs. The 5-11 member boards are established by the Minister of Youth, Family, Social Affairs and Equal Opportunities in a way that one member is appointed by the Minister, and the other members are elected by electoral bodies consisting of NGO representatives. Supports vary between HUF 2-10 million (€ 8,000-40000).

- b. What are the conditions in order to receive public funding?

In order to receive state funding, applications have to meet formal criteria (outlined in detail by Government Decree 160/2003) and conditions concerning the content and effects of the project (as defined by the particular regional or professional board calling for applications).



The key formal condition (set forth by Act L of 2003) is that those NGOs can apply which – at the time of publishing the call for tender – have been registered for at least one year and are actually operational.

The National Civil Basic Program offers support for different types of activities. Most of these activities are only available for NGOs that are legally recognized as “public benefit” organisations or “particularly public benefit” organisations under Act CLVI of 1997 on Public Benefit Organisations. (Public benefit activities are those activities aimed at the satisfaction of the common needs of society and the individual that are listed in the Act). However, operational support is also available for NGOs that do not have this status.

c. Do they also receive/apply for private funding?

Soros Foundation and the Open Society Institute used to be the main financial supporters of Hungarian NGOs, but it has been constantly reducing its contributions and plans to close down operation by the end of 2007. Most NGOs have for long been supported by different entities (foundations, NGOs, Governmental agencies, international organisations) seated in foreign countries or by foreign embassies. (E.g. INDOK Human Rights Documentation Centre: Dutch Ministry of Foreign Affairs and Dutch Helsinki Committee; NEKI, Legal Defence Bureau for National and Ethnic Minorities: The Ford Foundation, Dutch, British, Canadian and Swiss embassies; Hungarian Helsinki Committee: UN High Commissioner for Refugees, Dutch Foreign Ministry, Dutch and British embassies). Amounts available from these sources of funding have decreased radically parallel to Hungary’s accessing the EU. The NGOs are therefore now in the progress of transforming their structure of financing with increasing emphasis on funding available in the framework of European Union programs.

Associations receive registration fees from their members. NGOs can receive 1 per cent of the yearly tax of individuals. Besides this, individual donation is rare, and usually comes from clients of NGOs with legal aid services (for example: Habeas Corpus Workteam, Legal Defence Bureau for National and Ethnic Minorities).

Jewish NGOs receive regular support from the Alliance of the Jewish Communities of Hungary (MAZSIHISZ).

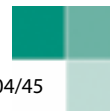
d. Do private funders impose any restrictions or conditions?

For receiving support from institutionalized sources (i.e. foundations, foreign embassies, governmental agencies, international organisations), the applying organisations and the applications have to meet very strict formal and professional criteria.

Individuals giving donations usually do not impose any restrictions.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

All NGOs agreed that the lack of funding determines the efficiency of their work. With more financial support, NGOs could broaden the scale of their activities and employ more permanent staff. For elaboration on the problems of project-based funding, see Section 31.



12. Do they work (or are in contact) with similar NGOs in other countries?

a. Neighbouring countries?

Many NGOs are in contact with similar organisations from neighbouring countries (“Life for the years” Nationwide Alliance, Nationwide Representation of Pensioners, B’nai B’rith Jewish Documentary Centre, Labrisz Lesbian Association), but Roma organisations have the strongest relations (Roma Press Centre, Association of Roma Women in Public Life).

b. Other new EU Member States?

Most NGOs are part of European networks in. Both elderly/pensioner lobbies interviewed are part of the PERPA-EURAG network. NGOs dealing with discrimination based on sexual orientation are members of ILGA. The national coordination Meeting of ENAR is in the process of being formed in Hungary.

c. Others?

B’nai B’rith Documentary Centre and Cultural Association of Hungarian Jews are in connection with similar organisations in the United States and in Canada. Háttér Support Society is in connection with Milwaukee State University, US.

13. Do they work on the international level (campaigning, case work, other)?

Although many NGOs are part of international networks and occasionally attend international conferences, rarely do they work on international level. Háttér Support Society works together with Milwaukee State University on a HIV/AIDS prevention program, while Habeas Corpus Workteam took part in European Union’s “Stop Discrimination!” campaign. The Hungarian Helsinki Committee regularly submits shadow reports to international forums (CPT, CAT, Advisory Board of the Framework Convention, CERD, ECRI) and – through its contracted lawyers – occasionally submits applications to the European Court of Human Rights. The Legal Defence Bureau for National and Ethnic Minorities also takes cases to Strasbourg.

14. Can they work in English?

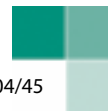
A greater proportion of anti-discrimination NGOs can work in English, which is necessary in applying for European Union’s grants. However, most Roma organisations lack a sufficient command of English, which excludes them from international cooperation and grants (Association of Roma Women in Public Life).

Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

NGOs working to combat discrimination have a wide range of activities, depending on the NGO’s target group and size.

The main activity of national NGOs of people living with disabilities and of the elderly is defence of their target group’s interests on the national level (Nationwide Lobby Alliance of Mentally Retarded and their Helpers, Nationwide Alliance of Associations of People Living



with Disabilities, “Life for the years” Nationwide Alliance, Nationwide Representation of Pensioners). This means that they are directly represented in legislation preparation (see above under Section 1). They also write legislative and policy proposals. Each organisation has several cultural events and publications as well.

Many of the Roma NGOs provide legal representation for their clients (Legal Defence Bureau for National and Ethnic Minorities, Association of Roma Women in Public Life, Roma Parliament of Hungary, Roma Civil Rights Foundation). Generally they also have other activities such as: writing legislation proposals; raising public awareness; providing information on specific topics; representation of clients in administrative procedures; organizing cultural events and protecting cultural heritage; organizing trainings and conferences; giving scholarships to talented Roma students; developing enterprises.

Jewish organisations mainly work for protection of cultural heritage (Cultural Association of Hungarian Jews) and fight against anti-Semitic discourse (B’nai B’rith Jewish Documentary Centre). They have regular publications and cultural events.

In the field of sexual orientation, two NGOs provide legal representation (Háttér Support Society and Habeas Corpus Workteam); the other organisations can be rather considered as self-help groups (Labrisz Lesbian Association), also offering cultural events and psychological advice, as well as advice on HIV/AIDS prevention.

16. Do they take up complaints of discrimination?

Only those NGOs take up complaints of discrimination that directly provide legal representation (Nationwide Lobby Alliance of Mentally Retarded and their Helpers, Legal Defence Bureau for National and Ethnic Minorities, Roma Civil Rights Foundation, Roma Parliament of Hungary, Association of Roma Women in Public Life, Háttér Support Society, Habeas Corpus Workteam). Their lawyers first make a case study and then if discrimination is established, they represent the victim in front of the court.

B’nai B’rith Jewish Documentary Centre also takes up complaints of discrimination and offers legal aid if necessary, although it is not their primary activity. The Cultural Association of Hungarian Jews does not take up complaints.

Most top lobby organisations (“Life for the years” Nationwide Alliance, Nationwide Representation of Pensioners, Nationwide Alliance of Associations of People Living with Disabilities) and smaller NGOs (Labrisz Lesbian Association) that do not have legal aid services, usually redirect clients to other NGOs that provide legal assistance.

17. Do they focus on their own community?

Generally NGOs working in the field of anti-discrimination focus on their own community. National NGOs of people living with disabilities also represent the interests of the families and all employees working with disabled people (Nationwide Lobby Alliance of Mentally Retarded and their Helpers). In the field of discrimination based on sexual orientation, certain NGOs work for the protection of women’s and children’s rights as well (Habeas Corpus Workteam).

Naturally, certain activities (e.g. raising public awareness) may target discrimination in a wider context, but the main focus is mostly restricted to the immediate target group.



18. Do they work with victims directly?

Most NGOs questioned work with victims of discrimination directly. In the field of sexual orientation, all NGOs work with victims directly. Most Roma organisations do as well, except for the Roma Press Centre.

Nationwide lobby NGOs of the elderly do not work with victims directly, there are local/regional NGOs to perform this work.

The Nationwide Lobby Alliance of Mentally Retarded and their Helpers, one of the two top lobby organisations questioned, works with their victims directly, too.

B'nai B'rith Jewish Documentary Centre works with victims of anti-Semitism if necessary, but it is only a small part of their activity. The Cultural Association of Hungarian Jews does not work with victims at all.

19. Do they do “case work”?

All NGOs that have legal aid services do “case work”. When the NGO receives a complaint of discrimination, it has to investigate the circumstances and find evidence of actual discrimination. If discrimination is established, the NGO will provide the victim with representation throughout the legal proceedings.

In the field of racial discrimination, some NGOs with legal aid services (e. g. Legal Defence Bureau for National and Ethnic Minorities) use the so-called “testing method” to provide evidence of discrimination.

20. Does this include legal representation?

As it was mentioned above, legal representation is the primary form of case work done by the interviewed NGOs. Only some of them (e.g. Labrisz Lesbian Association, Háttér Support Society) provide other forms of help (such as psychological advice). For more details see Section 22.

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

Before the coming into force of the Equal Treatment Act (Act CXXV of 2003, hereafter ETA) Hungarian law did not fully guarantee the right of associations, organisations or other legal entities with a legitimate interest to engage, either on behalf or in support of victims of discrimination in judicial or administrative procedures. Therefore, NGOs with legal aid services concluded permanent contracts with lawyers who were willing to deal with cases of discrimination. Formally, not the NGO but the lawyer provided legal representation (based on a retainer given by the victim of discrimination), in fact however, the lawyer was paid by the NGO, so his/her services were free for the client.

The ETA has brought some important changes: any social and interest representation organisation, as well may engage on behalf of the victim in proceedings initiated due to the infringement of the requirement of equal treatment. Furthermore, social and interest representation organisations are entitled to the rights of the concerned party in



administrative proceedings. Despite these new possibilities, the above outlined structure (providing aid and representation through contracted lawyers) is likely to continue to prevail.

22. Do they do other practical work? (e. g. assistance to victims or potential victims, social assistance, etc)

Some Roma NGOs offer scholarship for university students (Roma Civil Rights Foundation, Roma Press Centre), while NGOs of elderly/pensioners offer social assistance for domestic holidays. Association of Roma Women in Public Life is specialised in developing enterprises of their clients. Labrisz Lesbian Association and Háttér Support Society provide psychological assistance and HIV/AIDS information.

23. Do they advocate changes in legislation and policies?

All NGOs with legal aid and representation service; all nationwide lobbies of people living with disabilities and of the elderly play an active and significant role in advocating their communities interests in legislation. These NGOs regularly send proposals to the central government and other specified bodies.

For instance, some of the interviewed NGOs (Hungarian Helsinki Committee, Háttér Support Society, Roma Civil Rights Foundation) submitted comments to the concept paper and drafts of the ETA

The activity of smaller NGOs' (such as Labrisz Lesbian Association) does not include advocacy in legislation and policies. Advocacy in legislation is characteristic of NGOs operating legal aid services: partly because their lawyers have the necessary qualifications and skills to participate in such activities and partly because in the course of their legal aid activities they are faced with the weaknesses and shortcomings of the legal framework.

24. What are their relations with the central government?

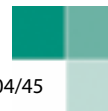
Some of the NGOs are very active in writing policy and legislative proposals. Most of them mentioned as a serious problem that the status and prestige of NGOs is lower than it should be. Therefore, the central government often does not treat them as equal partners, and their proposals remain unanswered.

25. With regional governments or municipalities?

Most NGOs with legal aid services are in relation with regional governments and municipalities. This relation is however often based on conflicts, as most Roma NGOs come into contact with local governments while representing their clients in housing cases and other social matters – often vis a vis the local governments. There is a strong cooperation between Roma NGOs and Roma minority self-governments.

26. Do they have relations with the specialised bodies/ombudsman?

Most NGOs working in the field of anti-discrimination regularly turn to specialised bodies and the ombudsman. Roma legal aid offices and lobby organisations are in regular contacts with the Parliamentary Commissioner of National and Ethnic Minority Rights (Minorities Ombudsman). This is a two-way cooperation. Before the coming into force of the ETA, a practice had evolved that if the Minorities Ombudsman (possessing investigative powers but



lacking sanctioning powers and the authorization to assist victims of discrimination before courts and other authorities) was informed about an individual case which he regarded as being of outstanding importance, he contacted NGOs providing discrimination victims with legal assistance. This happened for example in the so-called Karcag case, when the Minorities Ombudsman directed victims of discrimination to the Legal Defence Bureau for National and Ethnic Minorities.

27. What are the qualifications of the staff?

At all the NGOs questioned, a great proportion of staff members have college or university degrees. At NGOs maintaining legal aid services, obviously lawyers are included. These attorneys are formally independent (as attorneys may not be employees in Hungary), however, through their permanent contracts often function as staff attorneys with a restricted private practice. Members of the administrative staff are generally at least graduated from secondary school.

28. What training has the staff had in relation to anti-discrimination work?

As mentioned above, at most NGO some of the staff members are lawyers, who are sufficiently trained in relation to anti-discrimination work (at least to domestic anti-discrimination legislation).

In some NGOs these lawyers hold trainings for volunteers (Háttér Support Society). Lawyers of the Habeas Corpus Workteam held trainings together with activists of the NANE Women's Rights Association and took part in international trainings as well.

Human Rights Information and Documentary Centre (INDOK) is an NGO specialised – among other things – in training legal defence organisations.

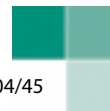
Most NGOs of the elderly and people living with disabilities did not give account of any anti-discrimination specific training. Some Roma NGOs mentioned the same problem, although in early January 2003 the PHARE Office of the Office for National and Ethnic Minorities launched an Anti-Discrimination Training Project, component 1 of which explicitly aimed at the legal and conflict management training of the staff of Roma right protection offices. Lawyers of the Hungarian Helsinki Committee participated in this project as trainers.

29. Are they trained in writing funding proposals and reporting?

Less than half of the interviewed NGOs took part in fundraising trainings (some Roma NGOs and all NGOs dealing with discrimination based on sexual orientation and disability). Jewish associations and nationwide lobbies of the elderly have not been trained in writing funding proposals and reporting.

30. How do they evaluate their "success" and the quality of their anti-discrimination work?

General evaluation techniques vary from weekly-monthly staff meetings (lobby organisations of the elderly and the disabled) to yearly three-day-long evaluation workshops (Háttér Support Society). Frequency of evaluation depends on the size of the NGO. Most organisations have yearly strategic plans against which they can measure their achievement



at the end of the year. In the case of legal aid offices, the proportion of successful cases is an indicator of their efficiency.

At all NGOs questioned, evaluation is more frequent when having specific projects or programs.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

All interviewed NGOs agreed that funding is the main problem they face during anti-discrimination work. Lack of funding or not sufficient funding determines the scale of activities, number of employees and training opportunities.

Another issue mentioned by NGOs is the problem of project based funding. It is much easier to receive money for certain projects than for operational costs. Therefore, NGOs must from time to time adjust their operation to the projects for which funding is available. If for instance a project runs out, but the NGO would like to keep an employee working in that project, it has to find a project and apply in order to be able to provide that colleague's salary, even if such a project is not included in its strategic plans. Thus the operation of NGOs is adjusted to the needs of donors instead of funding being adjusted to the needs of the NGOs.

Another problem caused by this situation is that a lot of time needs to be spent on reporting for different funders and related administration, which usually has to be done by staff members also doing client work (social workers, lawyers), as the NGOs cannot afford to hire a person solely for this role. This of course significantly reduces the capacity of these people to work with clients.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

Almost all NGOs in the field of anti-discrimination work with volunteers as well. The number of permanent paid staff is relatively low and determined by the financial situation of an NGO; this of course influences the efficiency of their work.

Lobby organisations of the elderly and people living with disabilities as well as Roma NGOs are satisfied with the number of their volunteers.

B'nai B'rith Jewish Documentary Centre, which works only with voluntary members, claimed that the volunteers do not take part in the activities permanently, which can present difficulties.

33. Is the fact that staff lacks necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

Generally speaking, staff is well educated: a significant number of staff members have college or university degrees. Secondary school education is general among others.



Lack of English knowledge (at most Roma organisations) and insufficient practical knowledge in fundraising were mentioned as major problems.

All NGOs providing legal aid services are satisfied with their professional work. In specific fields related to anti-discrimination work and work with clients (legislation, social work, psychology, etc.), the most qualified staff members of some organisations hold trainings in this field (e.g. Háttér Support Society, Labrisz Lesbian Association, Hungarian Helsinki Committee, Legal Defence Bureau for National and Ethnic Minorities).

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

Smaller Roma NGOs mentioned that they could not work in English, which restricts them from applying for European Union funded programs and tenders. Less than half of the NGOs questioned took part in fundraising trainings; the rest of them plan to do so as well.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

All NGOs that deal with legal representation and/or advocacy activities are of the opinion that their lawyers are sufficiently trained in relation to national anti-discrimination legislation. In some NGOs, lawyers hold trainings on this subject (Habeas Corpus Workteam, Háttér Support Society, Hungarian Helsinki Committee, Legal Defence Bureau for National and Ethnic Minorities).

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

Staff members of some NGOs (e.g. the Hungarian Helsinki Committee) hold trainings on European anti-discrimination legislation, and other NGOs also expressed their opinion that their lawyers are sufficiently trained in this respect (since they have to use this knowledge when writing legislative proposals and comments), however, as European studies have only recently been included into the curriculum of legal education, we believe that understanding of the *acquis* is not sufficiently widespread among attorneys who have been practicing for a longer time.

37. Are their staff trained in relation to advising government: formulating policy proposals? Legislative proposals?

Lawyers working at these NGOs are reported to be very active and sufficiently trained in relation to advising the government. All NGOs are satisfied with their activity regarding legislation.

38. Do they need to do more to promote their anti-discrimination role?

A majority of the NGOs mentioned that the most important thing would be to raise public awareness, but they regarded it a very costly activity with only long term effects. Some also mentioned that public relations require specific professional skills and knowledge that they staff members (specialised in other fields, such as legal assistance) may not be expected to have. Most NGOs do not have the resources to employ press officers.



Almost all anti-discrimination NGOs mentioned also that they ought to strengthen their position in their relation with the central government.

39. Do they need to “do more” with clients or potential clients?

NGOs believe and appear to do their work with clients they are already contacted with very efficiently, since staff is generally well-qualified (lawyers, social workers, etc.). Efficiency would rise, if they had more permanent employees.

In connection with potential clients, the distribution of information plays a key role. A great proportion of potential clients do not have information about these NGOs, and when in need, they do not know where to ask for help. This is the typical situation in the countryside, especially in smaller villages. The different groups are not equally problematic in this respect. Roma victims of discrimination are more vulnerable from this point of view than others.

40. Do they need to “do more” with government – to increase their credibility and status?

Those NGOs which regard legislative and policy proposals very important, work very hard on this subject. Especially smaller organisations (mainly NGOs working to combat discrimination based on sexual orientation) mentioned that although their staff is well-qualified for preparing policy proposals, many times there is no reply from the government at all. This shows that these NGOs' general “status” is low.

41. Would they need to “do more” with public opinion and awareness raising?

All NGOs questioned agreed that in anti-discrimination work raising public awareness in relation to their target group is one of the most important goals. For reaching this aim, campaigns, spreading information materials and appearance in the media would be necessary. Campaigns and spreading information materials usually meet financial difficulties, while media appearance very often depends on personal acquaintances. The most efficient in this field is Roma Press Centre, as it is specialised in presenting Roma issues in the media.

Some NGOs complained that case work takes up all their time and energy, and that they would need press officers, or people with PR expertise to do this part of the job, however, if they have money to employ another staff member, they may still opt for a lawyer due to the high number of potential clients.

42. What would they need to develop?

Summarizing all the opinions: expertise in raising public awareness, learning fundraising techniques and a better command of English would be needed in many of the NGOs working in the field of anti-discrimination. Predictable funding of operational costs, and more resources for hiring specialised staff members (press officer, fund raiser, etc.) were also mentioned.



Latvia:

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

NGOs started to be established in Latvia in the early-to-mid 1990s, but until today a very small number of NGOs work explicitly with human rights. Some of the more established ones have over the last two years or so started to work on anti-discrimination, such as the Latvian Centre for Human Rights and Ethnic Studies (LCHRES) and also the Latvian Human Rights Committee, which recently has been broadening their field of interest beyond minorities to include other discrimination grounds. Issue-focused NGOs have also started work on anti-discrimination in the last year or two, the most visible ones are NGOs dealing with disability, like APEIRONS (Organisation of people with disabilities and their friends) and SUSTENTO (Organisation of cooperation between people with special needs). More recently, new organisations have been formed on issues such as BGL rights, which also deal with discrimination on grounds of sexual orientation: Gay and Lesbian Youth Support Group, the Gay Support Group, Homosexuality Information Centre.

In the mid- to late-1990s a regional network of human rights NGOs was set up with participating small NGOs in ten Latvian towns, but many of the organisations and thus the cooperation have since petered out. Likewise, the NGO Centre in the capital has relations with regionally set up NGO Centres with varying capacity, some of which coincide with the former human rights network and also claim to be dealing with human rights and anti-discrimination issues, although at low capacity levels.

Within the last couple of years some new NGOs have been established, which have been quite actively participating in human rights and anti-discrimination awareness-raising activities, such as the European Youth Network for Human Rights (EYHR) and AFROLAT – the African-Latvian Organisation.

Although there are a few Romani NGOs in Latvia, none of them have dealt explicitly with anti-discrimination, with the possible exception of Ame Roma, which has attempted to start projects on inclusion of Roma in mainstream schools.

Other civil society actors, like strategic partners, have not been active on the anti-discrimination issues (there are many other rampant labour relations problems), with the exception of the Latvian Personnel Management Association

2. What ground (s) of discrimination are they concerned with?

The NGOs that have dealt with minority rights over the last decade tend to focus on discrimination on racial and ethnic origin. Otherwise, it is disability that seems to have the most developed NGOs. The sexual orientation has since the first Gay Pride Parade was organized by the Gay and Lesbian Youth Support Group in Riga in the summer of 2005 become a more visible issue. The tensions and conflict around the event (for which a permit was initially issued by the Riga City Council but later revoked due to public and political pressure and only reinstated through a court decision) confirmed that prejudice against homosexuals is widespread and intense, both among society at large and politicians-lawmakers. Age discrimination is coming onto the agenda on pensioners' associations,

albeit with little awareness of the content. There have been no organisations specialising on discrimination on grounds of religious belief, but the few ones dealing with racial and ethnic grounds in some cases actively seek to include these as well.

3. Is anti-discrimination their main area of work or only a small part of what they do

All the NGOs dealing with anti-discrimination do it only partially, being concerned either with broader human rights issues as well, or group-interest oriented concerns of a broader nature.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

The NGOs are registered at the State Enterprise Register, which is easy to do, supplying the state institution with legally acceptable statutes and minutes of a founding meeting. Registration is bureaucratic, but fast, and there have only been a few cases where the registration of an NGO has been denied (which can only be done on one of the grounds specified by law). NGOs can be closed down only by a court decision and after a warning of non-compliance with legal requirements. In addition, in 2004 a new law on associations and foundations came into force, and a law on organisations of social benefit was elaborated, presumably to stimulate the development of civil society.

5. Generally how large are these NGOs?

The majority of these NGOs have small permanent staff, or even none, functioning largely depending on volunteers. The LCHRES is an exception, with a staff of 15. The EYHR has 2 permanent staff members (40 members and 40 volunteers); APEIRONS has 6 staff members (63 members and over 100 friends/volunteers), AFROLAT has no staff, but app. 50 members. SUSTENTO is an umbrella organisation for 22 different organisations, representing some 20,000 members, but the organisation also has a very limited permanent staff number.

6. Are they part of larger national networks? Or are they working on their own?

Most NGOs work on their own, and although cooperation has improved over the last years, the limited resources and staff capacity has made it difficult to sustain cooperation or more than formal networks. The EYHR, APEIRONS and SUSTENTO are national networks, which do include some regional centres. In LCHRES experience, it is extremely important to provide the forum for cooperation of organisations, who deal with different group-oriented issues, on anti-discrimination matters, but the only attempts to do so, so far, have been in the last year, within the framework of LCRES anti-discrimination capacity-raising project, funded by the Netherlands, and the European Commission campaign "For Diversity. Against Discrimination."

7. Are they mainly based in the Capital or spread out in the country?

Organisations that have some expertise in anti-discrimination work are mainly based in the capital city of Riga. Although a few represent networks with regional support centres, capacity in the regions is even lower (in terms of staffing, resources and experience) and in the experience of LCHRES providing anti-discrimination workshops regionally, the understanding of discrimination even among those regional organisations which claim expertise is very limited and discussions tend to include all areas of social problems.



8. Are NGOs from the capital and the rest of the country doing the same type of work?

The NGOs that are located in the capital, since they are generally more experienced and are centrally located, participate a lot more in the work of the central government and parliament, and also do more coordination of activities within the country, as well as participate in international fora (at least some of the NGOs). Although the centrally located NGOs also provide services to clients directly, including legal services, the regional NGOs tend to focus their work on relations with clients, but usually without specific legal services, since they generally do not include lawyers on their teams. The regional NGOs at times have more regular contacts with the local authorities.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (eg exchange of expertise, collaboration on case work or campaigns, organising events jointly)

NGOs working in the field of anti-discrimination exchange expertise during seminars and conferences, invite each others' representatives to the events and actions. This cooperation has recently improved, since the anti-discrimination issue has begun to bring together NGOs oriented toward different issues. It is still fair to say, however, that partly due to the overload of work and partly to lack of resources (including not just funding, but also time) the cooperation is insufficient and limits itself largely to participation in seminars. No real coordinated activities have been attempted for e.g. public campaigns, but some smaller cooperative projects with several partners are developing. Case work has not been coordinated until now.

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

There is some coordination in the field of race/ethnicity, but frequently dependent on personal relations, although recently there is some attempt by LCHRES to coordinate anti-racist work (including by evaluating whether a local anti-racism network can be established). The development of national networks of organisations focusing on disability means that there is more coordinated activity on that ground. However, most coordination activity (and activity in general) takes place with the central part of the network/organisation.

10. How are these NGOs funded?

- a. Do they receive state funding?

There is no direct state funding or subsidies for organisations, but over the last couple of years possibilities for receiving project funding have developed. Thus, with the establishment of the Society Integration Fund, starting in 2002 there was project financing (mostly Phare funding), including on equality issues. Funding is generally small-scale, with only a few larger grants (in the tens of thousands of euros), which also corresponds to the reality that there are very few NGOs with the capacity to design, coordinate, implement and report on larger-scale projects. In 2004, some minority NGOs received small-scale financing from the Secretariat of the Special Task Minister of Social Integration. Local government funding is occasionally available, but on a very small scale. EU funding (e.g. Equal) has since 2005 been made available on a tender basis through the respective ministries (like Welfare).



b. What are the conditions in order to receive public funding?

This funding is received by submitting proposals after a call for tender, and the projects are then evaluated by committees or boards, as the case may be. The conditions for applying are usually to be an officially registered organisation in good standing and projects are evaluated on a mix of quality and cost criteria.

c. Do they also receive/apply for private funding?

Private funding in Latvia is underdeveloped as a source and has been available for years by companies providing grants on an ad hoc basis, with no clear rules of the game and frequently, at least in the past, more due to personal connections than the merit of a project. Recently, the field is developing and increasingly NGOs have been receiving some private funds from companies. Much of the funding provided goes to charity-type of activities or organisations, while those which work on public issues and human rights are not favoured. Some of the relevant organisations also have membership and donations from individuals. There are generally no private foundations, which provide funding that could be available for these purposes. Overall, private funding is not yet developed in Latvia.

d. Do private funders impose any restrictions or conditions?

Private funders use their privilege to choose without clearly known criteria the organisations or projects to support. It is usual for the funders to request pr and visibility, but projects tend to be accepted or rejected outright, without special conditions on the projects proposed.

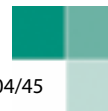
11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

The lack of funding goes hand in hand with lack of capacity and has undoubtedly contributed to the insufficiency of civil society development in Latvia. It is very difficult for small NGOs to grow in size and capacity to the point of partaking in larger project, national or international. There is generally no institutional funding and no capacity-raising funding. Very few NGOs in Latvia have the necessary capacity to apply for international funding, including EU funds. However, as the experience of the Society Integration Fund has shown, simply providing funds do not solve the problem of the capacity to design and implement projects, since staff skills and experience are also generally low.

12. Do they work (or are in contact) with similar NGOs in other countries?

a. Neighbouring countries?

Most NGOs do not have direct international contacts, but the more developed ones do – especially the issue-oriented ones. Cooperation with neighboring countries is surprisingly undeveloped, especially with Estonia and Lithuania. Partly this is due to the fact that those countries also face similar problems of development, but partly also to the fact that international links generally have been with pre-existing high-capacity regional or international organisations or networks.



b. Other new EU Member States?

Cooperation with other new EU member states is not sufficiently developed. The LCHRES is a member of the International Helsinki Federation and through that network some cooperation is established. Likewise there has been the Soros-related organisation network that has provided a forum for cooperation of countries, which recently became EU member states.

c. Others.

More recently, by participation in international fora, some organisations are taking up closer links with potential partners in EU countries such as Netherlands, UK, Scandinavian countries. LCHRES, for instance, has been asked to be a partner in some all-EU or regional projects by organisations located in Finland, Norway, UK.

13. Do they work on the international level (campaigning, case work, other)

A few of the organisations have recently started to work internationally, but the work has generally been limited to participation at discussion-level internationally and signing up on campaigns organized internationally by others. The LCHRES has provided information on case-work to organisations in other countries working, for instance, on asylum cases. However, activities internationally have only recently begun and organisations have yet to take initiative for issue-lobbying, campaigning, etc. on an international level. A logical next step that is starting to develop is the provision of expertise to third countries, especially CIS.

14. Can they work in English?

Only a couple of organisations have overall English proficiency. The central organisations usually have at least some staff that can, but the regional organisations often do not. Skills are improving, but generally speaking are still rather low, especially if written English is required.

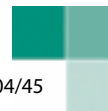
Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

Since anti-discrimination work has only started in Latvia within the last couple of years (if one does not include the general minority rights work experience), most activities so far have been aimed at awareness-raising: conferences, seminars, lectures, training sessions, street actions, etc. Only a few organisations also do research, e.g. a recently begun project on income and employment indicators depending on ethnicity, gender and age. The LCHRES has also participated in national efforts to develop and lobby for legislation and also has actively sought specific cases by encouraging complaints. Legal representation in court cases is beginning (cf. 20.)

16. Do they take up complaints of discrimination?

As far as can be ascertained, only a few organisations take up complaints of discrimination. Several of the ones that claim that they do actually deal with general social problems and administrative mishandling rather than discrimination.



17. Do they focus on their own community?

The regional organisations do, but for the central ones it depends. The issue-oriented NGOs, like disability and sexual orientation do, of course, but the human rights organisations focus broadly and nationally.

18. Do they work with victims directly?

Many organisations do not have the capacity to work directly with victims, but several ones do (the LCHRES, Latvian Human Rights Committee, APEIRON, SUSTENTO). Others, like the youth network EYHR, deal directly with victims in referring them to appropriate organisations with the capacity to provide assistance or advice.

19. Do they do 'case work'?

Case work is done only by a handful of organisations – the ones providing legal counseling.

20. Does this include legal representation?

1. There have been very few legal cases on discrimination in Latvia, but both the LCHRES and the Latvian Human Rights Committee have on occasion represented clients legally on racism and discrimination issues. Since spring 2005 there have been three court cases on discrimination, which in various ways involved NGOs active in the field of anti-discrimination: 1) on sexual orientation as cause for non-hiring with legal representative Alexejs Dimitrovs, Latvian Committee for Human Rights and assistant to parliamentary fraction For Human Rights in a United Latvia;
2. 2) on access to public space denied on grounds of disability, where the victim was from disability advocacy NGO APEIRON (with private sector lawyer as legal representative) and
3. 3) non-hiring on ground of gender with LCHRES staff lawyer as legal representative of victim. It is likely that legal representation (and national case law as such) will increase in the near future.

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

The legislative situation on anti-discrimination is still under development, with some law amendments for the transposition of the EU directives still pending in parliament. (The plans for a comprehensive law have been shelved.) However, the proposed legislation does include provisions on NGOs as potential representative of victims of discrimination. Until now, the victim empowers the specific lawyer to represent them.

22. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)

The LCHRES lawyers provide free-of-charge consultations (in the office in Riga and recently also by making trips to regional centres by advertising in the local papers and engaging with the regional networks of NGOs); APEIRON and SUSTENTO do a lot of social assistance work. There are no specific victim-support activities, apart from possible referrals to the Crisis centre, which provides psychological assistance on all issues (but have no experience with racism or discrimination).



23. Do they advocate changes in legislation and policies?

The lawyer of the LCHRES has participated in the official work group at the Social Integration Affairs Secretariat, which was charged with developing the draft anti-discrimination legislation and other LCHRES representatives also advocate legislative changes, including on hate crime; SUSTENTO representatives are participating in work groups at the Ministry of Welfare and at the Ministry of Health. Policy change (i.e. the development of policy at all) has been advocated by these organisations at conferences, media interviews and articles.

24. What are their relations with the central government?

On some grounds of discrimination cooperation is easier (disability, age), but where the grounds are seen as controversial or politically sensitive (as ethnicity and sexual orientation), cooperation is more difficult. However, the long-standing organisations have over time developed well-established links with various state institutions (and sometimes individuals within them for unofficial cooperation) and the LCHRES and the central disability organisations are not infrequently asked to participate by providing expertise or participating in work groups. However, the relations are at times uneasy, as the NGO criticism is generally still received very defensively and sometime with open derision and public opposition. Over the last years the issue of including civil society in consultations has started to develop, but is sometimes approached very formally ("ticking the box"), if not ignored altogether.

25. With regional governments or municipalities?

Relations with local government depend on the location (and the organisations). There are recent examples of projects involving regional and local level participants, including the authorities (For example, one of the SUSTENTO projects aims to develop cooperation between people with disabilities and three regional municipalities in order to increase possibilities for active participation in the decision-making processes.) The local NGOs, although generally less developed are better placed for cooperation with regional and local government, but generally it seems that cooperation is largely dependent on individual relations. Some of the regional cities have consultative committees on various issues (not discrimination), where NGOs are included, thus enhancing their abilities to cooperate.

26. Do they have relations with the specialised bodies/ombudsman?

The specialised body in Latvia is only now developing, by providing this function to the already existing Latvian National Human Rights Office (LNHRO) (which is also becoming the Ombudsman). The human rights NGOs have good cooperation with the LNHRO by sharing information, participating in work groups and seminars, etc. However, the LNHRO does not have higher capacity or more resources than some of the NGOs, although their official mandate does provide for possibilities (e.g. legally guaranteed access to monitoring, role of mediation) that NGOs officially do not have.

27. What are the qualifications of the staff?

NGO staff usually has higher education, often they come from the social sciences (which, unfortunately, were not the strong side of the previous Soviet education system and are still struggling to develop). The stronger organisations also have legal experts or lawyers. Human rights and equality are not generally available at a qualitative level at the higher



education institutions, however, so the staff generally has little training (apart from on the job) on the specific issues. Language proficiency is sometimes a problem for international work, but staff is generally at least bilingual (Latvian and Russian) and frequently the organisation has some staff that is proficient in English (less common is French, German).

28. What training has the staff had in relation to anti-discrimination work?

A few representatives of some of the more developed organisations have been able to receive some international training at Abo akademi in Finland, at UN and Council of Europe trainings, a training in Netherlands on litigation, race directive training in Budapest. Locally, the LCHRES organized a training in Riga together with the Roma Rights Centre on the race directive, for local NGOs. The LCHRES has also organized a series of anti-discrimination workshops for Latvian NGOs regionally, including the state of the legislation, the EU directives, the role of NGOs and the possibilities and role of litigation. Generally, the training is inadequate and only a handful of persons of those working on the topic have received focused training.

29. Are they trained in writing funding proposals and reporting?

Most organisations have some experience in writing proposals, but the quality is extremely varied. Only a few organisations have experience with EU funding, including writing of reports and proposals, and also only a few have experience in cooperating with other organisations in projects. The LCHRES is a lead organisation for a 3-year EU project on closed institutions including international partners, but this is a first occasion in the country. Several of the larger organisations have experience in writing projects for local EU funding or other international funding (from embassies, regional organisations), but it is fair to say that most organisations do not have sufficient skills in proposal writing and reporting. Little training has been provided, and additional training is necessary. Smaller and local NGOs have little capacity and experience in project writing.

30. How do they evaluate their “success” and the quality of their anti-discrimination work?

There has been no real impact assessment to date, partly because the process has started so recently. Indicators watched for include the reflection and frequency of mention in media, the impact on legislation and official policy, and with time, the reflection in opinion polls and public discourse. The LCHRES, when providing trainings, collects evaluations sheets at the end of the seminars, but also includes a discussion session in the beginning and the end to get a sense of whether the message has reached its audience. The general sense is that there are great variations among audiences and it is essential to develop individually adapted/adaptable approaches for effective communication with diverse audiences. It is also clear that there need to be follow-up seminars and a series of seminars that are more specialised on certain aspects or certain grounds.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Funding is the main problem for Latvian NGO sector in general, but the funding problems is clearly connected to the capacity question in the effective use of funds. Anti-discrimination

is a new and unpopular topic and funding is likely to be more difficult to get on a national and private level, but is compensated for by the availability of EU funding in some cases.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

The lack of qualified staff is a problem for most NGOs, and the lack of adequate funding makes it very difficult for organisations to provide necessary training for existing staff.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

There are only a handful of human rights lawyers – or lawyers interested in human rights – in Latvia, and none that focus exclusively on discrimination, which makes it difficult to attract qualitative legal staff. The social sciences provide more interested potential staff, but with clear additional training needs. Staff arrives with commitment and interest, but essentially no pre-existing knowledge of the field.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

Training is needed both on the substance (on the concept of discrimination (including what is not discrimination and in-depth explanations of exceptions to prohibition to discriminate) of directives, of national legislation, on the procedure for complaints and mediation, litigation, on practical examples of discrimination and successful ways to tackle it, on the EU situation and legal remedies internationally. But training is also needed on how to present the information to others in an effective way and how to promote interest and discussions.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

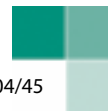
Staff is not sufficiently trained (but the national legislation is also just recently adopted on employment, and not yet adopted completely for other issues).

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

Staff is not sufficiently trained.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

Some of the larger organisation's staff has rather extensive experience in these matters, but it is altogether only a few individuals who have been learning by participating (as has the government itself). The smaller NGOs have little or no experience. Legislative proposals are in themselves a serious problem in Latvia, as a huge amount of legislation is passed in a very short time, and almost never is adequate attention paid to analysis or formulation. As a result, it is not infrequent to find incompatible legislation in force.



38. Do they need to do more to promote their anti-discrimination role?

As anti-discrimination is such a new topic in Latvia, it is clear that more attention needs to be brought to the issue in general, and also to the NGO role in dealing with discrimination issues. The ones that already do need to make their interest and growing expertise in the field more publicly known.

39. Do they need to “do more” with clients or potential clients?

Although the provision of service to clients varies greatly across the various NGOs, even the ones that do receive clients need to do more. First, there is a need to attract clear cases of discrimination so that strategic litigation can be pursued and case law developed. It has been difficult to attract clients with discrimination complaints (also for the national human rights bureau), which probably has to do with the low awareness. At the same time, the complaints that are received on a presumed discrimination basis often actually are not discrimination issues, no matter how real a problem the client has.

40. Do they need to “do more” with government – to increase their credibility and status?

Many organisations need to improve the participation in government work, the commenting on legislative and policy developments. Credibility and status is raised tactically by international links and participation and substantially by raising the level of expertise, which therefore should be a priority. The cooperation of networks of NGOs that therefore could be more effectively represented at government level also needs to be encouraged. Moving beyond ministerial working groups and parliament committee participation as experts, more effort needs to be put into cooperation with and provision of training for state institutions and key staff in various sectors (e.g. law enforcement, judiciary, employment agencies, etc.)

41. Would they need to “do more” with public opinion and awareness raising?

Public awareness of discrimination issues is very low and opinion polls vary from seeing all problems as discrimination to denial of discrimination altogether. Work with the media is crucial, and although some organisations have good exposure to all forms of media, the topic of anti-discrimination has not received enough media attention. Focusing on media and identifying potential “allies” is therefore very important. Public events, publications and seminars all need to be further developed, paying special attention to the regions and smaller towns.

42. What would they need to develop?

NGOs need to develop almost all aspects of activities: expertise, fund-raising, project-writing, work with media, work with government, lobbying, mutual cooperation and coordination, etc. NGOs also need to develop mediation skills and litigation skills.



Lithuania:

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

The segment of civil society dealing with antidiscrimination issues is very fragmented and rather weak in Lithuania. Only a few NGOs declare the task to combat the discrimination as the main task of their activities, others devote only part of their activities to the issue, including the number of NGOs that focus on topic only from time to time.

2. What ground (s) of discrimination are they concerned with?

The majority of NGO's, which reported on working in the field of anti-discrimination, is concerned with gender discrimination (but not in the scope of the Directives 2000/43 and 2000/78). This ground is best covered by range of activities and number of NGOs working with. These institutions are well organised in cooperation, networking, sharing the information. Only a small part of activities of these NGOs concern the victims/potential victims of discrimination in terms of Directives 2000/43 and 2000/78. Nevertheless, part of these institutions additionally works with the age discrimination.

The sector of institutions working with the disability in general or in specific fields (e.g. mental disability) is comparatively numerous too. The activities of such institutions are more focused on providing comprehensive services for persons with disabilities, but also include number of anti-discrimination activities (educational programs, promotion of human rights, lobbying governmental structures and institutions, etc). The same applies to the harm reduction activities (HIV/AIDS, drug users, sex workers, etc.)

A number of institutions are concerned with the age discrimination, including institutions dealing with children rights, though the diversity of activities in combating age discrimination is limited.

Only few organisations are concerned with discrimination on the ground of racial or ethnic origin (key players in the field – Lithuanian Red Cross Society, Lithuanian Children's Fund and Roma Community Centre¹) and with the discrimination on the ground of sexual orientations (the key player in the field – Lithuanian Gay League).

There exist only few NGOs which activities in the field are focused on all grounds of discrimination (e.g. Centre for Equality Advancement (public institution) and Lithuanian Centre for Human Rights, though the anti-discrimination activities is not the main working area of the later). No institutions aimed to combat discrimination on the ground of religion and/or believe exist to the date in Lithuania, though attempts to overcome negative religious stereotypes are seen on grass-root level (e.g. in the activities of Kulautuva Community Centre).

3. Is anti-discrimination their main area of work or only a small part of what they do?

For the majority of NGOs antidiscrimination issues are only a small part of their daily activities.

¹ Public institution, founded by Department of the National Minorities and Lithuanians Living Abroad.



4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

Before the adoption of the new version of Civil Code (entered into force with some exceptions on 2001 07 01) and the establishment of the Centralised institution - State Enterprise Centre of Registers (2004 01 01) - the registration of institutions on national and regional levels existed. According to the current legislation there is no requirement to indicate in the Statute of organisation the level (national or local) or to register under different procedures depending on level of activities. The level on which the organisations are registered depends on the time of their establishment and legislation in force. The current legislation does not restrict the area of the activities of NGOs.

Under the current legislation all institutions should be registered in the Register of Legal Entities – a structural division of the State Enterprise Centre of Registers. With the adoption of the new version of Civil Code the registration procedures for institutions, including NGOs, has been simplified. All societal organisations automatically became associations without having to re-register and now act under the provisions of the Law on Associations (adopted on 2004 01 22, entered into force on 2004 02 14).

To establish a new NGO under the current legislation 3 founders/initiators (natural or legal persons) are needed, who should prepare a Statute, conclude a contract of founding and to register an institution under the set procedure. The institution begins to act legally after the registration in the Register of Legal Entities. The procedure of the registration is not complicated, but takes some time and costs.

5. Generally how large are these NGOs?

Generally the NGOs in Lithuania are rather small in terms of paid employees. As a rule each NGO has a minimal number of paid employees, who work in administration, or even none, and number of activists-volunteers. Some NGOs work on the basis of voluntary engagement. The number of staff depends on funding available, public institutions that receive state money are usually larger. In terms of membership the size varies very significantly (from 0 to more than 10 000 (e.g. Lithuanian Welfare Society for Persons with Mental Disability "Viltis").

6. Are they part of larger national networks? Or are they working on their own?

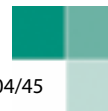
Organisations dealing with the discrimination on the grounds of ethnic origin and sexual orientation work on their own. However, the majority of these, including public institutions, participate in the "EQUAL" initiative and constitute Development partnerships with aim to implement anti-discrimination projects in 2005-2008.

Organisations dealing with other grounds of discrimination in most cases belong to the larger networks, which are not in all cases related with the activities in anti-discrimination field. Cooperation among the NGOs working with disabled is relatively higher. The same applies to trade unions (e.g. Lithuanian Trade Union Confederation comprises twenty five branch trade unions, with a membership of 120.000).

However, a few networks, that have direct link with ant-discrimination activities, could be mentioned:

Lithuanian Welfare Society for Persons with Mental Disability "Viltis" unites families, individuals with intellectual impairments, their guardians and supporters (the Society has 55 subdivisions and unites more that 11 000 members all over the country);

Lithuanian Coalition of NGOs for Protection of Women's Human Rights unites 60 NGOs from all ten counties of Lithuania (the mission of the Coalition is to influence public policy, governmental and parliamentary decisions while implementing the Law of Equal Rights for



Men and Women, and UN Convention for eliminating all kinds of discrimination for women and to fight for non-discrimination of women in all spheres);
 Network "Gabija" - an association of 27 NGOs working with and for elderly people of Lithuania was established in 2001 (the goals of the network is to consolidate NGOs, to exchange the experience, to inform society and to influence governmental decisions related with the life of elderly people), etc.
 Non-formal confederation of NGO working for children was established in 2004 under initiative of The Lithuanian National Committee for UNICEF;

Some NGOs, including network "Gabija" as a national partners participate in the EU anti-discrimination campaign "For Diversity. Against Discrimination", which was launched in 25 EU Member States in 2003.

7. Are they mainly based in the Capital or spread out in the country?

The majority of these organisations are based in the capital. However, activities of the organisations, based in the capital, as a rule cover not only the capital.

8. Are NGOs from the capital and the rest of the country doing the same type of work?

Generally speaking, there is no overlap of the activities of NGOs in the field of combating the discrimination, as the variety of activities is limited and target groups/beneficiaries vary considerably.

As a rule NGOs based in the capital and big cities are more experienced, has better resources, participate more actively in networking and international projects, etc. Regional NGOs usually have better relations with local self-government and receive support. App. 80 % of all organisations all over the country work on educational activities. Lobbying, advocacy for changes in legislation and policy are not very common activities even for NGOs in capital.

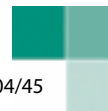
9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (eg exchange of expertise, collaboration on case work or campaigns, organising events jointly)

In many cases NGOs see each other as competitors for funds and do not realise the need to work in those areas where they share a common interest. There are cases of successful cooperation and networking, organising events jointly, however a space for further improvements exists.

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

The greater collaboration between NGOs is seen in relations of age discrimination and discrimination on the disability ground.



10. How are these NGOs funded?

a. Do they receive state funding?

A number of NGOs, mainly public institutions², receive a state funding as a bodies implementing special programs (e.g. for the integration of the disabled, integration of Roma Minority into Lithuanian Society, etc.) or while participating in tenders announced by state of municipal institutions.

b. What are the conditions in order to receive public funding?

There are no special conditions generally set in order to receive or apply for public funding. The practise shows that the state funding could be provided to the NGO by Resolution of the Government of the Republic of Lithuania through ministry/municipality/other state institution.

In announcing the tenders each state or municipal institution sets the requirements for applicants.

c. Do they also receive/apply for private funding?

There is a limited interest from private business to support NGOs, however some NGOs succeed to receive private funds. There are cases when private persons, mainly living abroad, donate to the activities of NGOs. The new possibilities for private person for donating up to 2% of income tax were set under the Law on Income Tax of Natural Persons. A number of organisations received these donations in the end of 2004.

d. Do private funders impose any restrictions or conditions?

Organisations, who reported on receiving of private funds, declared that private funders imposed no restrictions or conditions.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

The lack of funding was reported as the most significant factor influencing the size of NGOs and scale of activities.

12. Do they work (or are in contact) with similar NGOs in other countries?

The absolute majority of consulted NGOs reported that they have contacts with similar NGOs in other countries. Those that have no contacts (as a rule they are based in smaller towns) are strongly willing to have.

² Civil society institutions (NGOs) in Lithuania by legal form under the current legislation are divided to „public institutions“ and „associations“, the later could have in its name the words „union“, „association“, „societal institution“, „confederation“, etc. Both are non-profit and engaged in the public benefit activities and services, though one of the founders of the public institution (further *PI*) is municipality and/or state institution. Trade unions (further *TU*) acts under the Law on Trade unions.



a. Neighbouring countries?

The closer contacts are established by NGOs with Latvia and Poland then with Belarus or Kaliningrad region.

b. Other new EU Member States?

Some NGOs have established the contacts with similar organisation from Estonia, Hungary, Cyprus, Malta, Czech Republic.

c. Others?

The consulted NGOs reported that they have contacts also with Norway, Canada, Romania, Bulgaria, and countries of former Soviet Union, "old" EU states, especially with Scandinavian countries.

13. Do they work on the international level (campaigning, case work, other)

The performance of Lithuanian NGOs on the international level is rather modest. Some NGOs are the members of international organisations or/and networks (AGE Platform, Network Help Age International, European Women's Lobby, International Gay League, GAMIAN--Europe (Global Alliance of Mental Illness Advocacy Networks), "HamletTrust", ENUSP (European Network of (ex) Users and Survivors of Psychiatry), International Helsinki Federation for Human Rights, Dare network, and others) and participates in their activities or/and organise joint events with other members. From time to time NGOs launch joint activities or projects in cooperation with similar institutions in other countries, though the practise is not common for all NGOs working in the field.

14. Can they work in English?

The majority of NGOs could work in English and demonstrate this ability in submitting the project proposals to international donors or/and working with international partners or in international networks. Not all small regional NGOs could work in English, but are willing to improve their capacities.

Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

Activities of women NGOs (this segment of civil society is comparatively numerous) cover the widest range of activities: support of victims of violence/trafficking (preventive work, education campaigns, advocacy of changes in legislation, empowering, advisory assistance: psychological/psychiatric (individual help and groups of mutual assistance) help, legal consultations, social support, temporary shelter, etc.); support for unemployed women, elderly women, informational campaigns and trainings on women rights, dissemination and sharing the information, lobbying, awareness raising (educational activities, publishing, etc.), etc. Only a small part of these activities are targeting the victims/potential victims of discrimination in terms of Directives 2000/43 and 2000/78.

Activities of NGOs dealing with disability in general or in specific fields mainly covers support for disabled people (social services, including Day Centres, psychological, social, legal help,

peer education, etc.), though campaigning, advocacy, awareness raising activities (in publishing the bulletins, leaflets, books, etc.), educational activities, lobbying are included.

Organisations dealing with the age discrimination work on informational and educational activities, defining the areas of discrimination, advisory assistance, empowering, etc.

Organisations dealing with the sexual orientation issues work on organising the social and cultural event for gay and lesbians; on advocacy for their rights; on media and legislation monitoring; on surveys on situation and defining the areas of discrimination; awareness raising; educational and informational activities; promoting of tolerance; overcoming stereotypes; etc.

NGOs, mainly public institutions, dealing with discrimination on the grounds of racial/ethnic origin, are concerned more with integration of national minorities, their cultural identity, informational and educational activities for children and adults, but also provides consultations (legal, social, psychological, educational), social support, participate in the activities for promotion of tolerance, in advocacy for changes in legislation and policy. The Red Cross and few other NGOs work with refugees, their families and children (humanitarian, social, legal assistance, monitoring, etc.).

16. Do they take up complaints of discrimination ?

Only few institutions (mainly women NGOs) reported, that they take up complains of discrimination and try to protect human rights of the victims of discrimination in the state institutions or hand over complains to the Equality bodies.

17. Do they focus on their own community?

As a rule those NGOs that are located in small towns are focused on their own community.

18. Do they work with victims directly?

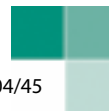
Those organisations, that provide the services aimed to help a person, work to victims or potential victims directly. Others, those that are more concerned with the work with society, only in rare cases work with victim directly, if they do it at all.

19. Do they do 'case work'?

Only few consulted NGOs reported that they do the "case work" (surveys on the situation, public opinion polls, work on concrete case in order to help the victim, etc.)

20. Does this include legal representation?

Under current legislation, legal representation by NGO's at court is hardly possible. According to article 56 of the Code of Civil Procedure of Lithuania, legal representation is exercised strictly by attorneys, with only few exceptions to professional (trade) unions, persons having degree in law in the cases of legal representation of their relative or spouse. Largest trade unions represents the rights and interests of the workers - trade union members - in labour law cases (in commissions for labour disputes and courts), consults them, how the employers follow the laws, implements legal education.

**21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?**

NGOs can initiate administrative procedures at Ombudsman institutions in cases of discrimination. In order to engage in judicial procedure, NGO must have a legitimate interest, otherwise it cannot be a party in the procedure.

22. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)

A number of NGOs provides a social support for their clients, mainly victims of violence, unemployed women, people with HIV/AIDS, Roma community, refugees, etc.

23. Do they advocate changes in legislation and policies?

The NGOs working with the discrimination on the grounds of disability has an experience in passing the laws and advocating for the policy changes. Others NGOs, with some rare exceptions for women NGOs and NGOs dealing with the age discrimination, have no experience in the advocacy for changes in legislation and policies.

24. What are their relations with the central government?

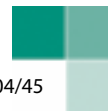
NGOs, which have an experience in advocacy for changes in legislation and policies or experience in expertise of laws and their draft laws, and public institutions, which were founded by municipality/state or county governor's administration, as a rule have close relations with the central government.

25. With regional governments or municipalities?

As a rule, public institutions, established by regional governments or municipalities, have closer relations with regional governments or municipalities than other NGOs, if they have any. Regional NGOs have better relations with local self-government than NGOs in the capital.

26. Do they have relations with the specialised bodies/ombudsman?

NGOs, working in combating gender discrimination have closer relations with the Office of the Ombudsman on Equality than NGOs dealing with other grounds of discrimination. This was determined by existing legislation as the Law on Equality came into force on 1st January 2005. It expanded the mandate of the Equal Opportunities Ombudsman (who still acts on the provisions of the Law of the Republic of Lithuania on Equal Opportunities) from only gender-based discrimination to a number of additional grounds, including the racial or ethnic origin, religion or belief, etc. The relations of other NGOs with the Ombudsman are in the process of establishment. The number of public institutions dealing with children rights has contacts with the Office of Ombudsperson for Children. NGOs and the Seimas (Parliament) Ombudsmen's Office maintain occasionally contacts.



27. What are the qualifications of the staff?

The qualification of the staff differs from institution to institution. There are institutions where all members of staff have higher education and long experience in the field. On the other hand there is a number of NGOs (mostly in the regions) that run activities on voluntary basis and/or have limited opportunities for staff selection and training provided for staff members.

28. What training has the staff had in relation to anti-discrimination work?

Some NGOs participated in the trainings on equal opportunities conducted by the Office on Equal Opportunities Ombudsman. A few NGOs reported that they had training abroad. Others have had no special training.

29. Are they trained in writing funding proposals and reporting?

A limited number of trainings in writing funding proposals and reporting took part in Lithuania. Some NGOs have attended the special seminars on writing funding proposals for particular initiatives (e.g. Equal). A number of NGOs had no special training on the issue, but successfully produce funding proposals and reports.

30. How do they evaluate their “success” and the quality of their anti-discrimination work?

The majority of NGOs has no special criteria for the evaluation of the “success” and quality, but are happy with every single success of their activities.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

The lack of the funding was reported as the main problem restricting the activities of NGO's and influencing the number of staff.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

The majority of NGOs that were consulted reported that the lack of staff is an outcome of improper financing of the institution. However, the need of highly trained staff in the field exists.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

The lack of necessary knowledge and/or skills limits the range of activities in the anti-discrimination field running by NGOs. The majority of NGOs consulted are sure that the lack of the necessary knowledge and/or skills is not the main problem; however they agree on the improvement of staff knowledge and skills in particular areas, especially in legal sphere.



34. What training is needed by the NGOs in order to perform their work the way they would wish to?

Most NGOs that were consulted reported in order to better perform their work they need trainings on these issues: legal information, fundraising, advocacy skills, participation in projects that are linked with discrimination, analysing the feedback of their activities and impact of projects for society, co-operation and networking with other NGOs, etc.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

The majority of NGOs answered that their staff are not sufficiently trained in relation to national anti-discrimination legislation. The lack of highly-trained persons exists in the field.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

The majority of NGOs stated that their staff members are not sufficiently trained in relation to European anti-discrimination legislation. In most cases the knowledge on national and international legislation is very limited.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

Most of the consulted NGOs emphasised the need of special training on addressing government in formulating policy proposals. Usually they have no experience and skills in writing legislative proposals. No training on the topic took part in the country.

38. Do they need to do more to promote their anti-discrimination role?

Absolute majority of NGOs declared that they need to promote their anti-discrimination role.

39. Do they need to “do more” with clients or potential clients?

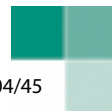
Most of NGOs that were consulted expressed the need to do more with clients or potential clients.

40. Do they need to “do more” with government – to increase their credibility and status?

Absolute majority of NGOs answered that they need to improve their credibility and status.

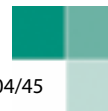
41. Would they need to “do more” with public opinion and awareness raising?

The majority of NGOs answered that they need improve public opinion and awareness raising technique.



42. What would they need to develop?

Most NGOs that were consulted reported that they need trainings on the following issues: lobbying, relations with media, communication skills, human resources management, training on national and European anti-discrimination legislation, especially on recognition of the cases of discrimination and elimination of them; and special training on addressing government in formulating policy proposals. It should be mentioned that financial sustainability of NGOs and lack of qualified/trained staff in the field of discrimination are major issues to be developed.



Malta:

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

It must be stated at the outset that there is no legislation regulating NGOs in Malta. A bill has been drafted and this is currently at the office of attorney general for his review and comments. This draft has not been published. Although NGOs have been active in Malta for many years, there is no legal regulation of them and these are mainly run on a volunteer part-time basis by their members.

The principal NGOs in Malta are ground specific and in fact work towards combating discrimination in specific areas only. NGOs act very subjectively and independently of each other and it is therefore rather difficult to obtain objective information from the NGOs. There is no NGO which could be said to be working on anti-discrimination on all the grounds.

Disability

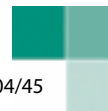
Most NGOs combating discrimination on the grounds of disability in Malta are impairment led and their primary area of concern is support, or service provision for the particular impairment (eg., Down syndrome, spina bifida, etc) they focus on. More recently, the Maltese Council of Disabled People (MCO DP) was set up to combat discrimination on the basis of disability. The Council was set up in May 2003 and is the only cross-impairment group in Malta, made up entirely of disabled people.

Sexual Orientation

The Malta Gay Rights Movement (MGRM) is a socio-political, non-governmental organisation which has, as its central focus, the challenges and rights of the Maltese lesbian, gay, bisexual and transgender (LGBT) community. It aims to educate society with a view to challenge myths and common misconceptions about different sexual orientations; to identify, address and prevent acts of discrimination on the basis of sexual orientation; to act as a lobby group promoting legislative changes to achieve equality for gays and lesbians within society; to provide support services for gays, lesbians, their families and friends; to provide information on gay and lesbian issues; to set up and run an information centre for the general public on gay and lesbian issues and to ensure an active presence in society by networking with government and non-governmental organisations.

Age

The National Youth Council (NYC) is a voluntary non-governmental organisation and a leading player and effective contributor to the civil society, more so to the young Maltese people. The mandate of the NYC is to effectively represent the interests of all young people through its member organisations. The NYC recognises the fact that there is a minority group of youths who for one reason or another are disadvantaged and are being underrepresented. The aims of the National Youth Council include: to be a consultative body for the state on all issues relevant to young people and to youth organisations; to promote cross-sectoral youth policies; to influence effective youth policies both local and international; to increase the participation of young people and youth organisations in society as well as in the decision-making process and to promote the exchange of ideas and experiences, mutual understanding, and equal rights and opportunities among young people.



The Malta Council for the Elderly seeks to protect the elderly from discrimination on the ground of age.

Race

The Jesuit Refugee Service (JRS) Malta is the national branch of JRS International, a worldwide non-governmental organisation created by the Jesuits in 1980 to support forcibly displaced people who are forgotten or not assisted by others, a mission undertaken in over 50 countries.

Gender

The National Council of Women was founded in 1964. It is a non-governmental organisation comprising individual members and national organisations. It aims to improve the quality of life for all. In particular it works to promote equality of opportunity for women and enable them to participate effectively at all levels and in all aspects of the life of the community.

2. What ground(s) of discrimination are they concerned with?

MCOPD is concerned with combating discrimination against persons with disability. The Malta Gay Rights Movement (MGRM) has as its central focus the challenges and rights of the Maltese lesbian, gay, bisexual and transgender (LGBT) community. The National Youth Council protects and the Malta Council for the Elderly seeks to combat discrimination on the ground of age. The Jesuit Refugee Service protects against discrimination on the ground of race/ethnic origin. The National Council of Women protects against gender discrimination.

3. Is anti-discrimination their main area of work or only a small part of what they do?

Anti-discrimination is the main area of work of these NGOs. They are principally engaged in awareness raising and support services for people who have been discriminated against on the ground on which such NGOs are focused.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

As stated above, there is no legislation yet in force in Malta to regulate NGOs. Consequently, there is no national register of NGOs.

NGOs in Malta have been appealing to government to enact the necessary legislation which would provide for their registration and monitoring via a national inspectorate of NGOs.

5. Generally how large are these NGOs?

As there is no register of NGOs there is no reliable data on the number of members of NGOs in Malta. In general, however, it may be said that membership in Maltese NGOs can vary from less than five to over 300 members.

6. Are they part of larger national networks? Or are they working on their own?

Eighteen out of the over seventy disability NGOs are members of the Malta Federation of Organisations Persons with Disability. The rest work on their own. The Maltese Council of Disabled People is not a member of this Federation. All the other NGOs mentioned tend to work on their own.



7. Are they mainly based in the Capital or spread out in the country?

The NGOs in Malta are spread around the Maltese islands. This is so particularly due to the small size of the country (27 km x 14.5 km).

8. Are NGOs from the capital and the rest of the country doing the same type of work?

N/A – see above.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (eg exchange of expertise, collaboration on case work or campaigns, organising events jointly)
- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

Sometimes the different NGOs work together but not very often. Usually this happens when there is a real, or perceived, threat in a particular matter; or when trying to create awareness (e.g. in December, 2004 there was a conference where people from the different NGOs recounted their various experiences on how they were being discriminated against.)

However, what resulted from the national seminar “Mapping capacity of civil society dealing with anti-discrimination in new member states, Romania, Bulgaria and Turkey” organised by the European Commission, which took place on the 18th and 19th June 2005, was that many NGOs agreed that it would be extremely helpful if NGOs were to establish dialogue between themselves as well as with the authorities in order for there to be a better exchange of information and in order to facilitate assistance.

NGOs also noted that the existant lack of networking is a difficulty which needs to be overcome due to the many positive aspects of networking. Therefore, most NGOs seem to be overcoming the fear they had of networking, even though this process is still at its early stages and only time will prove if this is really the case.

10. How are these NGOs funded?

- a. Do they receive state funding?
- b. What are the conditions in order to receive public funding?
- c. Do they also receive/apply for private funding?
- d. Do private funders impose any restrictions or conditions?

In view of the fact that no NGO in Malta currently has legal status, most Non-Governmental Organisations face financial difficulties.

As there is no legal framework regulating NGOs and their registration in Malta, difficulties are encountered when they come to apply for EU funds. In fact they cannot provide official evidence that they are legally registered and in some instances they get a letter confirming their existence from the relevant authorities in Malta.

In applications for EU funding, insistence is made that each applicant indicate its registration number and whether the organisation has a legal status. Some applications submitted to



the EU for funding have been turned down because the organisations were not able to provide a registration number. Most of the organisations have to wait for the enactment of an NGO law in order for them to be in a better position to apply for EU funding.

The vast majority depend entirely on fund-raising. However, with the launch of the European Social Fund's EQUAL Community Initiative, on the 18th October, 2004, interested prospective Partnerships, including NGOs, were given the chance to submit their application forms (prior to the 18th November, 2004) to the Ministry's ESF Unit in order to qualify for the ESF co-finance available for the selected project. Most NGOs however did not apply for such funding since they were not made aware that they were meant to submit their applications before that date. A few NGOs which offer services are funded through government grant, but only for services rendered.

Also, Maltese NGOs that are registered for VAT are also encountering difficulties since the VAT department is refusing to apply refunds when NGOs carry out campaigns using EU funds. They are not able to claim VAT back if they do not carry out an economic activity and since their activities are clearly not economic, they lose their right to such refunds. NGOs cannot even benefit from bank guarantees.

Therefore, most NGOs apply for private funding, however, private funders are increasingly likely to impose conditions which could hinder the NGOs in the proper carrying out of their activities.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Funding does not directly impact on size although it does, in most instances, impact on the scope and scale of activities. Should NGOs be adequately funded then they could have adequate staff complement and be in a position to organise their activities in a more professional manner.

12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighbouring countries?
- b. Other new EU Member States?
- c. Others?

In general NGOs work on their own. However, the main NGOs do work or are in contact with NGOs in other countries particularly through their international affiliations.

The Malta Gay Rights Movement networks with other organisations and entities on an international level, and has attended various international conferences and seminars

The Jesuit Refugee Service is the Malta branch of JRS International, a worldwide NGO created by the Jesuits in 1980.

With regards to the Malta Council for the Elderly, this is affiliated to AGE, the European Older People's Platform, whereas the National Youth Council is a member of the European Youth Forum.

As regards the National Council of Women, this is affiliated to International Council Of Women and the European Centre of the International Council of Women

**13. Do they work on the international level (campaigning, case work, other)**

Maltese NGOs are active on the national level. I am not aware of any of their activities on the international level.

14. Can they work in English?

Yes. English is an official language in Malta and is spoken by the great majority of the population

Expertise of NGOs working to combat discrimination**15. What kind of work do they do?**

As stated above Maltese NGOs are mainly engaged in awareness raising and in lobbying with the authorities. However some NGOs also offer counseling services to victims of discrimination.

16. Do they take up complaints of discrimination?

There have been some instances where complaints of discrimination have been taken up with local entities/authorities. However, no specific information is available.

17. Do they focus on their own community?

As they are ground specific, they focus on their own community only.

18. Do they work with victims directly?

The main NGOs do provide assistance, principally counseling, to victims of discrimination which turn to them for assistance.

19. Do they do 'case work'?

Certain NGOs in Malta do assist victims of discrimination by taking up their cases with the relevant authorities/entities in Malta.

20. Does this include legal representation?

In terms of Maltese law, in principle it is not possible for a person to bring an action on behalf of another, unless the former can prove that he has a legitimate interest in the action. To date no judicial action has been brought by an association or other entity on behalf of a person complaining that he has been subjected to discriminatory treatment on the grounds mentioned in the Directives. With regards to administrative procedures, there is nothing at law that prohibits an association or other entity from intervening with the administrative authorities on behalf of a person complaining that he has been subjected to discriminatory treatment.



21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

See reply to question 20 above.

22. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)

As stated above, certain NGOs, such as the Malta Gay Rights Movement and the Jesuit Refugee Service do assist victims of discrimination, principally by counseling. As most members of such NGOs are volunteers, such NGOs mostly depend on volunteer work. Furthermore, the financial constraints of such NGOs hinder the extent of their assistance to the victims.

23. Do they advocate changes in legislation and policies?

This is sometimes done. For example, the Malta Gay Rights Movement lobbied with the Maltese government in connection with the transposition of EU Council Directive 2000/78/EC so that explicit reference be made to sexual orientation discrimination in the Employment and Industrial Relations Act and the legal notices issued thereunder.

24. What are their relations with the central government?

Their relations with the government are cordial.

25. With regional governments or municipalities?

Due to the small size of the country, this is not really applicable. However, relations with local councils are good.

26. Do they have relations with the specialised bodies/ombudsman?

As there is no specialised body on discrimination as yet, they deal with the ombudsman when required.

27. What are the qualifications of the staff?

Most NGOs are run by volunteers on a part-time basis. Therefore it depends on the qualifications of the volunteers. However, some of the larger NGOs engage the service of professionals, such as, physio-, speech-, occupational-therapists, counselors etc.

28. What training has the staff had in relation to anti-discrimination work?

It appears that to date no such training has been given. With regards to staff members of the National Commission for Persons with a Disability working on anti-discrimination, have benefited from a brief placement with the British Disability Rights Commission. Even though the National Commission for Persons with a Disability is not an NGO, it works closely with the Malta Council for Disabled People.



29. Are they trained in writing funding proposals and reporting?

No formal training is available and it is therefore dependant on the training which the volunteers have due to their employment.

30. How do they evaluate their “success” and the quality of their anti-discrimination work?

NGOs evaluate success subjectively - there are no established criteria.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Yes, as explained above, since NGOs do not have legal status and are not registered they have problems getting funds. Also, funding is a problem since fundraising is difficult given the fact that the general public is more likely to donate funds for a specific matter, rather than for ‘anti-discrimination’, which is deemed to be a vague term.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

Yes, due to the lack of funds and due to the fact that the staff is mostly voluntary in certain cases, more often then not this results in lack of staff, which raises more difficulties for the NGOs to function properly.

33. Is the fact that the staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

Yes this seems to be one of the main problems.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

They would require more administrative skills in the efficient running of an NGO as well as a sounder background in legal and human rights matters.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

No.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

No.



37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

No such training is available on this.

38. Do they need to do more to promote their anti-discrimination role?

Yes more does need to be done, in particular by improving their credibility with the general public.

39. Do they need to “do more” with clients or potential clients?

NGOs feel that given their current resources, both human and financial, they are doing “their best” for their clients or potential clients. However it is felt that with appropriate resources much more could be done.

40. Do they need to “do more” with government – to increase their credibility and status?

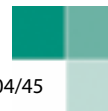
Yes, most definitely.

41. Would they need to “do more” with public opinion and awareness raising?

Although certain awareness raising has been done, a lot more has to be done for this to be really effective. When running a campaign they get some media exposure but this is soon “forgotten”. Much more awareness raising needs to be done.

42. What would they need to develop?

As stated several times above, lack of financial and human resources and the lack of a regulated environment for NGOs are major issues. Should these occur, these NGOs would definitely develop further.



Poland:

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

NGOs dealing with anti-discrimination can be divided into two groups:

- (A) NGOs affiliated with particular vulnerable groups
- (B) NGOs promoting values of democracy and human rights in a broad context

2. What ground(s) of discrimination are they concerned with?

NGOs from group A deal with anti-discrimination in relation to the representatives of their group. E.g. sexual minorities' NGOs deal with discrimination on the ground of sexual orientation. NGOs from group B deal with different grounds of discrimination and different aspects of anti-discrimination. Most of them focus on two or three grounds for discrimination. Relatively many NGOs are concerned with discrimination on the grounds of racial and ethnic origin. There are fewer organisations concerned with age, disability and sexual orientation as the grounds for discrimination.

3. Is anti-discrimination their main area of work or only a small part of what they do?

There are no NGOs in Poland working exclusively on anti-discrimination. As mentioned above this field is only a part of the NGOs' work, both type A and B organisations. Only a part of those NGOs have regular long-term anti-discrimination projects, the others undertake these activities occasionally. Often anti-discrimination work is associated with a broad-context of so called RAXI activity (combating racism, anti-Semitism, xenophobia, intolerance).

There are relatively many organisations located in different parts of Poland involved in awareness raising activities, whereas only a few have other programs such as legal or monitoring which require special skills and competencies.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

According to the Polish law all NGOs have to be registered at the National Court Register, accordingly as an association, foundation, or federation. /The only exceptions are: so called "stowarzyszenia zwykłe" – "ordinary associations" having less than 15 members and not allowed to receive grants; social organisations operating on the basis of distinct acts and international agreements, churches, religious associations and organisations, electoral committees and political parties.

The procedure is simple: in order to obtain a legal personality an organisation files an application to the registration court found at the district court in the capital of the Voivodship. A motion consists of a filled in registration form and attachments such as an organisation's statute, list of founders, minutes from the meeting of the founding committee and the established resolutions. The registration court makes a ruling concerning the organisation's registration after stating that its statute complies with the Constitution and other legal regulations, and its founders fulfill the requirements defined by the Act. The

provision results in the registration in the National Court Register and therefore the bestowal of legal personality.

5. Generally how large are these NGOs?

There are no general rules as to the size of NGOs dealing with anti-discrimination. To simplify matters, all NGOs could be divided into three groups:

- (X) NGOs based mostly on the work of regular employees,
- (Y) NGOs based mostly on the work of volunteers,
- (Z) NGOs based on the work of regular employees as well as volunteers.

In most cases NGOs from group X are the biggest, contrary to those from group Z. NGOs from group Y are between X and Z in terms of the size. This is but a general picture and there are exceptions from this rule.

The smallest NGOs can be involved in only one project having 1 or two activists-volunteers, the largest ones (such as Helsinki Foundation for Human Rights or Polish Humanitarian Organisation) can run about 15 projects /of which one or three may be related to anti-discrimination/ and employ even over 30 people. Most active NGOs have a staff of about five to eight people /either volunteers or permanent employees/ and are involved in about three projects /one dealing with anti-discrimination/.

6. Are they part of larger national networks? Or are they working on their own?

Some of the NGOs are parts of national –formal or informal – networks. Usually those working in the same field or region co-operate with each other. For instance NGOs concerned with age discrimination constitute Forum 50+ which has 15 members.

7. Are they mainly based in the Capital or spread out in the country?

NGOs are based in Warsaw and other big cities, as well as spread throughout the country. The ones located in the Capital and two or three big cities outnumber the other ones. In most cases those based in the capital and other big cities are the bigger, most active and professional ones. There are also NGOs which have branches in a few big cities such as Polish Humanitarian Organisation or Campaign Against Homophobia.

8. Are NGOs from the capital and the rest of the country doing the same type of work?

Usually NGOs from the capital and other big cities work in the broader field, both in terms of problems covered and types of activities than NGOs spread throughout the country. Awareness raising activities are the most common initiatives undertaken by the NGOs from the rest of the country. Whereas dialogue with the government or monitoring, requiring a more professional approach, are done mostly by those located in Warsaw and other big cities. This is also the case with legal work however there are organisations located in smaller cities or towns - such as Association "In unity power" from Szczecinek, "Association of Roma People in Poland" from Szczecinek – which provide free legal aid to victims.

9. Are NGOs working in the same field cooperating with each other:

Many NGOs working in the same field cooperate with each other. However the cooperation takes place within a particular community and doesn't often reach beyond that.



- a. For what purpose(s) (e.g. exchange of expertise, collaboration on case work or campaigns, jointly organising events)
- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

Joint campaigns and events are the most common purpose of the NGOs' collaboration. For example many organisations (including not only G&L organisations but also women's NGOs and human rights NGOs) cooperated on the organisation of the Equality Days in Warsaw. In opposition to that the expertise, case work, reports are more often done separately by organisations, they are however exchanged and made available to other organisations. In more and more cases cooperation is determined by funding opportunities, which encourages organisations to build coalitions and partnerships in order to receive a grant. NGOs with the experience of successful cooperation tend to continue it either in the form of further common project or regular contacts.

Collaboration of NGOs working in the same field is also strongly related to the current situation in the country. Whenever there is a common goal the collaboration within the particular community increases. Consequently there are periods of greater activity of NGOs working in the same field – such as the cooperation of sexual minorities organisations in relation to the draft bill on partnerships or cooperation of national and ethnic minorities prior to the passing of the Bill on National and Ethnic Minorities. Also, there is always specialization among NGOs working in the same thematic field: some do educational work, others legal or cultural.

10. How are these NGOs funded?

- a. Do they receive State funding?

Many NGOs dealing with anti-discrimination receive or have received money from the State. There are, however, organisations which do not apply for State funding – as a watchdog organisation they don't want to be dependant on State funds while involved in monitoring of State policies.

- b. What are the conditions in order to receive public funding?

NGOs which receive State funding receive it for particular projects and not on their administrative work. Calls for proposals concerning the financing of projects related to anti-discrimination are announced i.e. by The Government's Plenipotentiary for the Equal Status of Women and Men /Polish equality body/ or other Ministries. Organisations can also apply for State funding on the local level.

- c. Do they also receive/apply for private funding?

Many NGOs apply and receive private funding, mostly from Polish and international foundations and organisations. Relatively few NGOs cooperate with donors from the Polish business sector.

Additionally according to Article 27d of The Bill on income tax from physical persons from 1st January 2004 every taxpayer in his/her tax return (the tax form PIT-36 or PIT-37) can decrease the amount of tax due by an amount donated to public utility organisations corresponding to 1% of the tax due, under the condition that this amount was transferred by the taxpayer

to the public utility organisation's account in the period between January 1st of the year in question and the moment of submitting the tax return.

d. Do private funders impose any restrictions or conditions?

In order to receive private or public funding an NGO has to fulfill a number of conditions, in relation to their legal and financial status and in relation to the conditions of the call for proposal itself. The conditions are rarely restrictive. Most funding opportunities are open for all kinds of organisations and the quality of a project is the major limit.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Lack of funding can be an important factor restricting the activity of NGOs doing legal work and watchdog activities. It's easier to get funding for educational and awareness raising projects than for activities undertaken by watchdog organisations. Most sponsors would rather finance campaigns, events, training, publications etc. than free legal aid, strategic litigation, legislative monitoring, research, or the support of victims. It is especially difficult for the NGOs involved in the latter types of activities as they don't want to take the risk of being forced to limit themselves in their work when obtaining money from the government.

12. Do they work (or are in contact) with similar NGOs in other countries?

Many NGOs collaborate with similar ones in other countries, especially the ones based in the Capital and big cities. Smaller NGOs, spread throughout the country, usually work only locally.

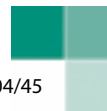
a,b,c) NGOs are in contact with organisations in their neighboring countries but with some exceptions Western rather than Eastern neighbours. Some of them cooperate with NGOs from other EU Member States. Some are members of international networks and federations (e.g. Helsinki Federation for Human Rights, United, ILGA, European Disability Forum) or take part in international projects – most often as participants rather than initiators.

13. Do they work on the international level (campaigning, case work, other)

A few Polish NGOs work on the international level e.g. submitting alternative reports to UN Committees (it is done by Campaign Against Homophobia) or the bodies of the Council of Europe. If they get involved in campaigning or lobbying they most often do it as members of international networks rather than individual actors.

14. Can they work in English?

Some NGOs can work in English, especially the ones based in Warsaw and other big cities. The ability of others to work in English very much depends on the age of the staff: the younger they are the more often they speak English. More and more people in NGOs speak English, however not all of them can work in this language.



Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

Most NGOs involved in anti-discrimination work undertake educational and awareness raising activities. These activities are limited in two ways:

- Out of all educational projects in this sphere only a small part is related directly to the directives or legal and other mechanisms of combating discrimination. The majority of them are focused on the awareness raising aspect, they refer to the general concept of anti-discrimination: human dignity, equality, universality of rights, tolerance etc.
- Most anti-discrimination projects done by NGOs, which are not affiliated with a particular vulnerable group (NGOs from group B in the question no 1), are related to the discrimination for the grounds of racial and ethnic origin and are linked to the issues of racism, anti-Semitism, xenophobia and intolerance (RAXI). As for the other grounds for discrimination, disability and gender are also addressed relatively often. The issues of discrimination for the ground of age are still a new concept in the Polish society but a few organisations have started to deal with them in their projects. (e.g. Academy of Philanthropy). The issue of discrimination for the ground of sexual orientation is a very controversial issue in Poland. Therefore many NGOs –apart from sexual minorities’ and women’s organisations – refrain from addressing this problem in their work.

Apart from educational work many NGOs provide free legal aid as a part of their activity. Discrimination can be one of the problems that their clients report to them. There is no organisation specializing in discrimination cases. There are relatively many organisations consulting victims on the legal or other measures that can be undertaken but only a few offering legal representation (e.g. Association of Roma People in Poland or Society for Crisis Intervention).

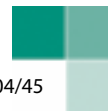
Only one or two NGOs in Poland (Helsinki Foundation for Human Rights) carry out regular litigation projects. However, so far no discrimination case has been litigated.

Many NGOs offer psychological help to victims (e.g. Association Lambda, Society for Crisis Intervention, Pacific Institute Europe).

Some NGOs monitor the observance of anti-discrimination law and work with the government and parliament to create regulations and policies preventing the acts of discrimination (Helsinki Foundation for Human Rights, Polish Humanitarian Organisation, Association Never Again, Association Wariant, Caritas, Campaign Against Homophobia). However, so far no comprehensive monitoring has been conducted from the initiative of the civil society covering all grounds for discrimination.

16. Do they take up complaints of discrimination?

NGOs offering legal advice can take up cases of discrimination as a part of their broader activity. Due to the low social awareness of what discrimination is, and the fact that there are certain measures to combat it, there haven't been many such cases. Usually organisations taking up complaints keep a record of all cases.



17. Do they focus on their own community?

Organisations affiliated with particular communities focus on the problems of their own group. Other organisations such as human rights NGOs deal with different human rights violations including discrimination.

18. Do they work with victims directly?

Apart from NGOs involved only in educational activities a number of organisations work with victims directly, offering information, legal advice, some also psychological help and social assistance.

19. Do they do 'case work'?

"Case work" could be an important part of NGOs' anti-discrimination activity. Some organisations have done "case work" before - but not in regard to discrimination cases.

20. Does this include legal representation?

A few NGOs that have a legal aid program can also offer legal representation in chosen cases. However, it is not very common due to its cost. Each case is carefully chosen according to the organisation's strategy. These are usually litigation cases.

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

According to the Polish law an NGO can join a trial as a so called "social representative" in a criminal case. It can also act as a subsidiary prosecutor.

A so called „social organisation" can also demand the institution of administrative proceedings or join the trial at the administrative court with the rights of a party.

In civil proceedings a „social organisation" can either launch a complaint on behalf of a particular person or join a trial. Additionally there has been a new regulation introduced into the civil proceedings code in relation to the implementation of anti-discrimination directives stating that "social organisations, whose statutory tasks include the protection of equality and non-discrimination by means of unfounded, direct and indirect differentiation of civil rights and obligations, may initiate legal action concerning claim cases in this scope on behalf of citizens and following their consent, as well as enter proceedings at any stage with the plaintiff's consent."

It's worth noticing that only a few NGOs make use of this possibility as well of other available legal instruments such as *amicus curiae*. Another problem is that the term "social organisation" is not clearly defined in the Polish law and there are different interpretations of it. Therefore some NGOs having the legal status of foundations are sometimes not allowed to engage in judicial civil and administrative procedures.

22. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)

Some NGOs provide victims or potential victims with information: at their information centers, on websites, by distributing leaflets, via their trainers and speakers. Some also offer psychological help as well as social assistance.



23. Do they advocate changes in legislation and policies?

Only some NGOs advocate changes in legislation and policies. There are human rights organisations monitoring the whole of human rights related legislation and policies and advocating changes (e.g. Helsinki Foundation for Human Rights), as well as sexual minorities' organisations (e.g. Campaign against Homophobia) and to some extent the organisations of the disabled and women's NGOs. Some prominent NGOs' activists are members of ministerial and parliamentary consultation councils and cooperate with government and politicians on a regular basis, some submit opinions and recommendations regarding draft bills and policies. Some NGOs are more passive and act upon invitation from the government, some however often initiate dialogue with policymakers whenever it is in the NGOs' interest to express the view and facilitate the change.

24. What are their relations with the central government?

The relations of NGOs with the central government very much depend on the character of an NGO and a government's political orientation. To some extent each government must cooperate with the NGOs while realizing its policies. The more controversial issues an NGO is concerned with, the more difficult its contacts with government are.

The relations between NGOs and the government are relatively good on the level of exchanging views and consultations, which is not always reflected in the policies.

25. With regional governments or municipalities?

The Act on social and volunteer work introduced the obligation of public administration to cooperate with NGOs, in particular with the so called "public service organisations". According to the law public administration is obliged to take them into account during the process of identifying social problems and at the stage of discussion on their solution. NGOs, in particular the "public service organisations", are in position to receive funding for the implementation of the commissioned tasks of the local government.

The mechanism of cooperation differs from one city or commune to another, and is also strongly dependant on the character of organisations and the administration representatives' will to cooperate.

26. Do they have relations with the specialised bodies/ombudsman?

A significant part of NGOs dealing with anti-discrimination have relations with the Polish equality body: The Office of Government's Plenipotentiary for the Equal Status of Men and Woman, which is responsible for the government's anti-discrimination policy. The Office offers funding opportunities for the projects of NGOs involved in issues related to the problem of discrimination. In the framework of the Phare 2002 project "Strengthening of antidiscrimination policy" the Office carried out a series of antidiscrimination courses for representatives of various professional groups, including NGO activists. It helped to establish or in some cases strengthen contacts between the Office and NGOs working in this field.

Some NGOs collaborate with The Polish Ombudsman Office, in particular those which have legal aid programmes.



27. What are the qualifications of the staff?

It is impossible to make general statements as to the staff's qualifications. However, the general rule would be as follows: the bigger the city, in which an NGO is located, the more competent its staff is. On the one hand there is a number of NGOs having highly qualified and experienced staff where there is advanced division of tasks between experts, project managers, trainers, fundraisers and administration staff. Their staff members have university degrees /including academics/, they travel abroad, take part in international courses and attend conferences. Such NGOs are in most cases located in the Capitol and other big cities such as Krakow or Gdansk. On the other hand there are many organisations basing their activity on volunteers in the case of which the criterion of a person's availability and enthusiasm can sometimes predominate over the criterion of competence. The majority of organisations are in between the two described types.

28. What training has the staff had in relation to anti-discrimination work?

As already mentioned most organisations working to combat discrimination in Poland are involved in awareness raising activities. Thus the knowledge of their staff is also limited to the general concept of discrimination, often in relation with the issues of intolerance, xenophobia, racism and anti-Semitism. A number of activists have come across the issue in the course of their human rights training.

Only relatively a small group of people in Poland have in-depth knowledge on the issue of discrimination, which would not only include the general understanding of the idea of anti-discrimination but also the knowledge on the protection offered by the law – nationally and internationally – as well as other mechanism.

Recently there have been more and more projects and initiatives in Poland, usually internationally inspired, aimed at educating trainers and experts on anti-discrimination, as a result of this more and more NGO activists get an elaborate training on discrimination. Still, it is only a small part of Polish NGOs' staff.

29. Are they trained in writing funding proposals and reporting?

Only a small part of NGO activists have been properly trained in writing funding proposals and reporting. Most people learn it by doing it or from their colleagues' experience.

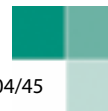
30. How do they evaluate their "success" and the quality of their anti-discrimination work?

In the case of most NGOs only a short-term evaluation is done, directly related to the process of project reporting. For some NGOs – those that are involved in the advocating of changes in the policy and legislation – a policy's improvement or introduction of new legislation is proof of their efficiency.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Funding can be a significant problem faced by NGOs, in particular those involved in more than educational projects, including legal activities, litigation, advocating changes in policies



and legislation. There are few funding opportunities for this kind of work, which is related to the fact that this activity is a long term process, difficult to evaluate.

Apart from the lack of funding, making use of the available funds is another problem. Organisations are not always capable of finding out about the available funds as well as preparing proper applications and writing proposals.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

Lack of staff is not the main problem against the background of other problems faced by NGOs. It is rather a matter of the lack of qualified staff.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

Organisations handling antidiscrimination could be a lot more efficient if their staff had in-depth knowledge on the issue of anti-discrimination and were able to disseminate the knowledge on a more elaborate level as well as use it in their activity, educational and other. The staff lack skills of effective work for anti-discrimination, including monitoring, reporting, legal measures, public actions, work with the media etc.

Also in the case of many NGOs the organisational capacity is weak, including the lack of such skills as strategic planning. A significant part of the Polish NGOs carry out projects, the content of which is dependant on the available funds and is not necessarily a part of an organisation's long-term strategy.

Strengthening the above mentioned skills would definitely contribute to the increased effectiveness of the NGOs' antidiscrimination work.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

NGOs' staff needs substantial training on discrimination, also in the context of legal mechanisms of combating it. They also need the skills of an organisation's capacity building as well as skills of the effective work for public interest.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

In most cases the knowledge on anti-discrimination legislation is very weak among NGOs activists, which is related to the fact that law is generally very rarely used by Polish NGOs as an instrument of social change.

If there is some knowledge on national anti-discrimination legislation among an NGO staff it is usually limited only to those aspects of discrimination the particular NGO is concerned with. Very few people in the Polish NGOs have complete and broad knowledge on the issue.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

Just as it was mentioned above this is also the case in relation to European legislation, except even fewer representatives of NGOs possess even basic competence in this field. Especially since European legislation has been in force in Poland since May 2004. Additionally not many

NGOs activists know how this legislation is implemented in Poland and in what its relation to the Polish legislation is.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

Only few NGOs in Poland have experts with competences to formulate policy or legislative proposals in a professional way. There are relatively many NGOs representatives involved in advising the government in the form of participation in advisory councils established at ministries, central offices, and governmental agencies.

Most people involved in this kind of activity have never undergone a special training in this field. Also, in the case of many small NGOs, where there is no clear division of tasks, those attending advisory meetings have no special qualifications for the work as they are often the only active staff members at the organisation and are responsible for all kinds of things, being at the same time Board members, trainers, projects managers, fundraisers, experts etc.

38. Do they need to do more to promote their anti-discrimination role?

In order to be more effective in their anti-discrimination work the organisations need to promote their anti-discrimination role by incorporating this problem into their long-term strategy. Many NGOs carry out this kind of initiatives once in a while as a part of their work for democracy and human rights. NGOs wanting to be recognised as those combating discrimination need to highlight their mission consequently and not accidentally. The more regularly they get involved in anti-discrimination projects, the more often they are associated with this type of activity by other actors.

39. Do they need to “do more” with clients or potential clients?

Definitely it is necessary for NGOs to work more with clients in order to exercise and publicize the mechanism of combating discrimination.

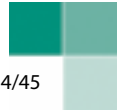
Usually organisations in Poland, that work directly with clients offering them legal or social assistance don't have problems getting to them, which is not the case with victims of discrimination. It is related to the low social awareness of discrimination, the lack of understanding of the concept as well as the lack of knowledge on existing mechanisms of protecting the victims or potential victims.

40. Do they need to “do more” with government – to increase their credibility and status?

Working with the government is necessary to increase the effectiveness of the NGOs' work in the field of anti-discrimination. It should not only be an occasional cooperation but a regular dialogue with a coalition of NGOs instead of one or two separate players. In order to achieve success different organisations need to work together aiming for the cohesion of the policies they advocate for as well as on the quality of their presentation to the government.

41. Would they need to “do more” with public opinion and awareness raising?

Undoubtedly work with public opinion and awareness raising are among the main challenges of NGOs involved in anti-discrimination activity. As long as the issue is not properly publicized and knowledge disseminated NGOs are not going to be successful with other activities in this field.



42. What would they need to develop?

What organisations concerned with anti-discrimination need most are:

- in-depth knowledge on discrimination,
- different skills of effective anti-discrimination work /monitoring, advocating for policy change, legal work/,
- contact with other NGOs working in the field, including coalition building, exchange of information, expertise,
- capacity building, strengthening of professional approach towards organisational aspects of an NGO's functioning, including strategic planning, division of tasks, fundraising, proposal writing.



Romania:

The study was carried on taking in consideration representatives of the Romanian civil society working in the field of combating discrimination or developing activities with contact points in the anti-discrimination field (for the grounds of racial and ethnic origin, religion and belief, age, disability and sexual orientation). The National Coordinator interviewed several NGOs' representatives in meetings taking place at their organisations or at the Center for Legal Resources. Every person was asked the same questions. These questions were formulated so as to offer enough information to respond the questions in the general template. Additional questions were asked where needed for clarification regarding the NGOs' activity.³

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

We found out that it is relatively difficult to find a large number of NGOs working on anti-discrimination in Romania. There is a small number of mainstreaming human rights NGOs which dedicate a part of their work combating discrimination, and there are a number of NGOs focusing on the situation of certain categories of people exposed to discrimination (Roma origin, other ethnic origin, mental or physical disabilities, religion or belief, sexual orientation).

Anti-discrimination is not in itself an area of particular interest for many NGOs in Romania. This is because anti-discrimination involves many times providing legal assistance or even representation and because there is little funding available for these kind of activities. NGOs generally do not have access to expertise in the field of discrimination (within their staff or from external sources). There are not many experts in the field of anti-discrimination within the civil society and even within the legal profession. Another obstacle in developing casework on anti-discrimination is that people exposed to discrimination refrain themselves from reacting to discrimination. The stigma regarding certain vulnerable categories is so profound and so extended that they prefer to keep silence or to step back from action. Another aspect that contributes to the present situation in the Romanian civil society is that most of the NGOs do not perceive discrimination in its substance, with its consequences upon people's lives. For example, NGOs providing social services to vulnerable groups do not realize that the origin of the lack/difficulty of access to services is frequently discrimination.

2. What ground (s) of discrimination are they concerned with?

The mainstreaming human rights NGOs are either concerned with discrimination in general regardless of the ground of discrimination or they are concerned with racial and ethnic origin discrimination. This ground is of particular interest in Romania.

³ The following NGOs or individual experts were taken in consideration for the assessment (interviews, analyses of their activity, annual reports, projects etc): Center for Legal Resources, ACCEPT, Open Society Foundation, Partnership for Equality Center, Association Partners in Development, ESTUAR Foundation, National Association of Persons with a Neuro-Motor Handicap – National Council of Handicap, National Union of Organizations of People Living with HIV/AIDS, Romanian Association Anti-AIDS, members of the Coalition on Mental Disabilities organized by the Center for Legal Resources, Romani CRISS, Public Policies Institute, Romanian Helsinki Committee, Association Solidarity for Freedom of Consciousness, Jehovah's Witnesses Association, PRO EUROPE League, Press Monitoring Agency, independent experts: Eugen Crai, Romanita Iordache, Emil Moise.



Although there is also a number of NGOs working for particular vulnerable groups (grounds of racial and ethnic origin, religion and belief, age, disability and sexual orientation), few NGOs address the issue of combating discrimination in their work.

We want to stress out that organisations acting in the field of Roma rights are particularly strong in expertise and financing. Unfortunately, only one organisation RomaniCRISS is focusing on combating discrimination, doing studies and casework in the field of discrimination.

NGOs working for the protection of persons with disabilities center their activity mostly on providing social services, even legal services to their target groups. The assistance provided aims to ensure their complete realization of rights and the access to special rights and facilities supplied by the state because of their disability. The issue of anti-discrimination is frequently at least one of the causes of their social problems, but it is not addressed appropriately, sometimes because it is not given the suitable importance.

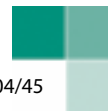
Religious minorities are in some cases in the care of religious organisations (e.g. Jehovah's Witnesses, Greco-Catholics). They provide basic legal assistance in cases of discrimination based on religion perpetrated against their believers. Sometimes they ask for the help and expertise of the few NGOs or independent experts. There is one NGO aiming to ensure the respect for freedom of thought, religion and belief and the separation between the State and the Orthodox Church. Its actions are however not yet focused on combating discrimination based on religion or belief.

There is only one NGO targeting the LGBT community, placed in Bucharest. It has a very strong component of lobby and advocacy in the field of combating discrimination. It also provides legal assistance to the community. However, the LGBT community in Romania is one of the groups that suffer a serious degree of stigma and many people prefer to stay silent when discriminated against.

Age as a ground of discrimination is not actually covered by the Romanian civil society. There are organisations aiming to work for the elderly, for the youth, or students' organisations, but they do not address the anti-discrimination component. This is even more alarming since age is not explored regarding the discrimination phenomenon in Romania. Furthermore, there are reasons to believe that in employment discrimination on the ground of age is present at a large scale.

3. Is anti-discrimination their main area of work or only a small part of what they do?

There is no organisation working on anti-discrimination as their single area of work. The mainstreaming human rights NGOs have a program on anti-discrimination issues. Some NGOs addressing special groups have a component on anti-discrimination within their human rights department or lobby and advocacy department. Other NGOs do not have a distinct component on anti-discrimination in their activities, but they come across discrimination when campaigning for their target groups' rights, organizing special programs for enabling their target groups to live in the society, when lobbying for legislative changes, when advocating for law implementation at the local or central level or when assisting cases of human rights infringements containing the discrimination element.



4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

According to the Romanian law on the right of association in non-governmental associations, these organisations register at the national level and establish their quarters in a town in Romania. Many of the NGOs who work in the field of discrimination are placed in Bucharest, the capital of Romania. However, they develop collaborations with NGOs working at the local level or they carry on their activities also at the local level. By the time of writing this report the law regulating the status of associations and foundations is in a changing process, hopefully making again very easy for the NGOs the registering process.

It is not very difficult to register as an NGO according to the Romanian legislation. However, the process might suppose a relatively long period of time and some money, because of the bureaucratic advises and documents that should be issued by public authorities at the central and local level.

NGOs might confront with some problems when accessing available public funding because they must have the public utility status. This presupposes going through a separate, time-consuming procedure. At the national level an extremely limited number of NGOs possess this statute – only one NGO working in the field of anti-discrimination.

5. Generally how large are these NGOs?

Generally the NGOs working to combat discrimination are relatively small NGOs. This is the general situation in the Romanian civil society. Even more, there are NGOs which do not have a constant number of employees or which do not even have employees at all, only people working on the basis of volunteer ship – members of the association or students. On the other hand, NGOs working with part-time or full-time employees do not usually work with volunteers.

In each of these organisations from the smallest (4 persons) to the largest (15-20 persons to 60 persons, in the case of national unions of NGOs) only 1-3 people are working in the field of anti-discrimination (except for national unions where usually the person/persons working in anti-discrimination is placed at the center and there are some local persons monitoring and providing information about the case or helping with the logistics).

6. Are they part of larger national networks? Or are they working on their own?

Some of the NGOs interviewed were part of national formal networks, especially the NGOs of persons with disabilities (including HIV/AIDS). This is because they are formed of beneficiaries at they are local based NGOs united at the national level in order to advocate better for their interests. Generally the logistics, representation, funding but also expertise is ensured from the center of the union (NGOs member of the Association of Persons with a Neuro-Motor Handicap and of the National Council of Handicap, NGOs members of unions gathering parents' associations of children living with HIV/AIDS like National Union of Organisations of People Living with HIV/AIDS, associations working to prevent HIV transmission like Romanian Association Anti-AIDS).

The rest of NGOs, especially those having a strong and visible component of human rights and combating discrimination work are not part of national formal networks. However, they

collaborate with each other and with other NGOs in particular projects as partners or they take public standings and advocacy together.

In Romania there are two informal networks aiming to combat discrimination. One is the National Alliance Against Discrimination. The other is The Legal Working Group to Combat Discrimination.

National Alliance Against Discrimination is an informal network of 77 NGOs created at the initiative of the National Council for Combating Discrimination. This governmental institution is the General Secretary of the network.⁴ We have information from members of the network that since its first meeting sessions it has no longer gathered or worked, which demonstrates its inefficiency. Even more, it is important to point out that most of the NGOs member of this large network are not actually working to combat discrimination and do not have the expertise or the outlook to do so. Moreover, the National Council of Combating Discrimination re-considers the role of this Alliance and a change of its status due to the fact that so far the Alliance has produced no study and has not initiate any significant activity on combating discrimination⁵.

The legal Working Group to Combat Discrimination is an informal association of NGOs, which along the time has been working in the field of human rights and anti-discrimination. It has been set up in the summer of 2003, but its bases were established since 2000 with the occasion of the advocacy campaign for adopting legislation in the field of anti-discrimination (Open Society Foundation Romania, Center for Legal Resources, RomaniCRISS, ACCEPT, Public Policies Institute, Partnership for Equality Center, Romanian Helsinki Committee, UNOPA, ARAS, Aven Amentza, Association Partners in Development, PRO EUROPE League). The group collaborates in activities of advocacy and takes public standings in cases of discrimination, which came out in the attention of the public. It works also at the level of changing expertise and assisting individual cases or strategic cases of discrimination –

⁴ Reflections upon the National Alliance Anti Discrimination from Renate Weber, Concept Paper to Combat Discrimination in Romania, 2003:

"The National Anti Discrimination Alliance (NADA)

The National Council for Combating Discrimination has drafted a national plan to combat discrimination that outlines ten action priorities, and its wish to establish both a national and a European alliance against discrimination.

Although representatives of the NGOs specialised in combating discrimination, who played important roles in drafting and passing ordinance 137/2.000, as well as in setting up the NCCD itself, greeted the initiative to create a national alliance against discrimination, not all adhered to the much too general objectives of the alliance and did not wish to supplant the NCCD's role to engage with all its efforts in preventing and combating all types of discrimination, which was one of the objectives set forth in the text of the adhesion document.

To demonstrate institutional solidarity with the National Council for Combating Discrimination, the organisations and national minorities represented in the National Council for National Minorities expressed their wish to be part of the alliance, alongside other NGOs who, even though it was the first time they'd heard about the existence of the NCCD, expressed their adhesion to the alliance in response to the honour of being invited to do so. It will become increasingly important that both these organisations and the NCCD go beyond good intentions and have a voice, which can be heard loudly whenever acts of discrimination occur.

On the other hand is essential that the NCCD be open to collaboration with all the NGOs, whether they are part of the NADA or not. Limiting collaboration to NADA members would be both illegal and would deprive the NCCD of the real expertise in combating discrimination that some NGOs possess, and so would ultimately diminish the role that the NCCD could play in combating discrimination.

Recommendations:

Enlarging the framework of cooperation with NGOs active in preventing acts and behaviours of a discriminatory nature. The most representative NGOs, active both at the local and at the central level, can and should be consulted. Subsequently and dependent upon NADA's efficiency these organisations can become part of the alliance. The role of the alliance should in no way be to substitute itself for the NCCD, but in fact to support it in carrying out its activities;)"

⁵ Based on discussions with the President of NCCD, M. Adrian Cămărășan.



making complaints before the National Council for Combating Discrimination or actions before courts. The members of the group work together in partnership in several European projects or at the drafting of studies on anti-discrimination.

7. Are they mainly based in the Capital or spread out in the country?

The NGOs working in the field of discrimination are mainly based in the capital of Romania. Nevertheless they develop activities at the national level or at the local level and collaborate with NGOs from the rest of the country in combating discrimination. A couple of NGOs have even more than partnerships at the local level; they have monitors of the situation of human rights infringements, especially discrimination cases. These monitors are trained by the organisation to investigate cases and to give the minimum of assistance, legal representation and assistance being provided for by either local lawyers or lawyers from the mother-NGO placed in the capital. (organisations like Romani CRiss, Center for Legal Resources, PRO EUROPE League, National Union of Organisations of People Living with HIV/AIDS).

8. Are NGOs from the capital and the rest of the country doing the same type of work?

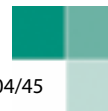
Generally NGOs from the capital are more focused on lobby and advocacy activity or developing media campaigns at the national level, realizing studies and analysis, representing strategic cases of discrimination or assisting more complicated cases of discrimination coming from the local NGOs, providing training to legal professionals or advocates. The local based NGOs do not work so much in the field of discrimination, however they are the ones who come in contact with persons exposed to discrimination and frequently they must provide them with information and assistance.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (eg exchange of expertise, collaboration on case work or campaigns, organising events jointly)
- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

As we mentioned before, these NGOs are cooperating together. The most frequent purpose is advocating for legal amendments where the need for a larger representation is very important. Important successes have been recorded in this area. The second purpose as importance is doing casework together, which automatically involves exchange of expertise and experience. Some NGOs (especially beneficiaries' NGOs) come in contact on a daily basis with cases of discrimination comparing to general human rights. Yet, the last ones have more legal expertise and capacities of legal representation. In the same time it is a strong need of persons with basic expertise on basic anti-discrimination issues and procedural law issues (investigation procedures, obtaining and presenting proves) at both levels for efficiency and good communication.

NGOs from The Legal Working Group to Combat Discrimination organized events jointly to celebrate diversity or Human Rights Day focusing on anti-discrimination. At the realization of studies on Anti-discrimination, participation from many organisations is provided. The greater collaboration is in relation to Roma origin as ground of discrimination.



10. How are these NGOs funded?

- a. Do they receive state funding?
- b. What are the conditions in order to receive public funding?
- c. Do they also receive/apply for private funding?
- d. Do private funders impose any restrictions or conditions?

From the NGOs interviewed, only those on HIV/AIDS receive state funding. The rest have never accessed state funding. In this case intervenes also the problem of obtaining public utility status (discussed above). Some of the representatives interviewed thought that realistically speaking, in order to obtain efficient results in anti-discrimination work, state funding is essential. Consequently, they consider that the National Council for Combating Discrimination should fulfill its role in persuading ministries and other public authorities, including local authorities, with competence or interests in the field of combating discrimination to allocate money for developing anti-discrimination projects in cooperation with NGOs or by NGOs. The danger involved by this kind of founding is the fact that the NGOs can become dependent of the state funding and lose their critical voice regarding state's activities.

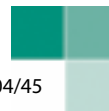
Presently, only European grants are available in the Anti-discrimination field, and in these cases the partnership with an EU country based NGO is essential. Consequently, Romanian NGOs are required with the consequence of being not eligible to develop partnerships with EU countries' NGOs. The situation in this area is not very helpful for Romanian NGOs. They are not very well represented abroad and in case they have the opportunity to enter in these partnerships they are only service suppliers and do not have the power of deciding and administrating the project.

Private funding is scarcely reached by NGOs. Some associations based on membership attain regularly small contributions from their members, other get private funding from private companies. Some of the NGOs interviewed manifested their intention to use the 1% Law regarding private funding from individuals. The advantages consist in the almost boundless number of possible donors and their fiscal advantages, but the methodology for implementing these provisions is relatively rigid, involving bureaucracy, dependent on the will of employers who have the obligation to pay from the employee's venues the 1%. Another disadvantage regarding combating discrimination activities' is a fact demonstrated in other countries that adopted this mechanism of private founding – mostly NGOs providing social services beneficiate from this legal provision.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Every NGO interviewed expressed their concern that funding is a big concern for the civil society in general and in particular for activities in the field of anti-discrimination. Furthermore, a certain problem is regarding financing casework, especially legal assistance and legal representation. Consequently, in NGOs where there are people with certain expertise in the field of anti-discrimination, there might not be finances to pay for their work. Even more, there is no funding for external complex legal assistance or representation in difficult cases.

Besides, in the situation of NGOs that do not have any employees or that have an employee working on a project (limited time) the lack of funding is determinant for their anti-



discrimination work. In these cases, even basic assistance in cases of discrimination is provided with difficulties and the assistance coming from a stronger NGO is essential.

12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighboring countries?
- b. Other new EU Member States?
- c. Others?

All of the NGOs contacted by the Center for Legal Resources have partners or collaborator NGOs from other countries. Some of them are NGOs or structures at the international level (relations of membership, exchanging information), others are national NGOs (partnerships in projects, exchange of experience). The relation with NGOs from neighboring countries is not very well developed. The relation with EU Member States NGOs is developing in the last period of time for reasons of exchanging expertise and sending joint funding application to the EU Commission (Especially Roma rights organisations collaborate with the European Roma Rights Center; organisations working on mental health programs cooperate with Amnesty International or Mental Disabilities Advocacy Center; sexual orientation organisation is member of ILGA Europe; freedom of consciousness NGO is member of the International Humanism Europe).

13. Do they work on the international level (campaigning, case work, other)

The NGOs interviewed by the Center for Legal Resources do not work at the international level. Some of them have experience of working at the regional level (LGBT rights NGO).

14. Can they work in English?

All of the employees working in projects know English quite well and work in English at a daily basis.

Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

Their main areas of work are (arranged from the point of view of incidence): advocacy for legal amendments and for the implementation of the existing legislation, realizing studies regarding the discrimination phenomenon with regard to certain grounds of discrimination, analyzing the anti-discrimination legislation and mechanisms of protection, raising awareness campaigns regarding the rights of vulnerable categories of persons including the anti-discrimination component as annex, and to a less extent casework.

16. Do they take up complaints of discrimination?

The great majority of NGOs interviewed were notified with cases of discrimination. An important number of cases received basic assistance regarding the complaint procedures before the National Council for Combating Discrimination. The staff alone provided this assistance or with the help of collaborating NGOs having more experience in this area. The victims themselves generally send the complaints. There is a number of NGOs, which use their right to stand in courts for themselves as well as for victims of discriminatory attitudes,



including before the NCCD, according to the Anti-discrimination Law provisions. Other NGOs intervene in the favor of the victim in cases opened by the victims themselves.

17. Do they focus on their own community?

There are three kinds of situations: NGOs dedicating their entire activity only to the group of beneficiaries because of the lack of resources or because of their limited mandate, NGOs focusing on their own community but opened to collaboration with other NGOs representing the interests of other communities, especially in activities of lobby and advocacy or campaigning for raising awareness or organizing joint events or trainings on general issues, and there are a very limited number of resource NGOs working to support with expertise and programs NGOs representing all grounds of discrimination.

18. Do they work with victims directly?

Most of the NGOs work with victims directly either because they provide non-legal assistance and come across discrimination or because they legally assist and represent victims – in this last situation they can only assist a limited number of cases, consequently they focus on strategic cases or create their own test cases. There are also NGOs who are more dedicated to the theoretical study of discrimination, providing reports, social studies, and legal analysis. (NGOs such as Public Policies Institute, Romanian Helsinki Committee, PRO EUROPE League, Partnership for Equality Center, Association Solidarity for Freedom of Consciousness).

19. Do they do 'case work'?

As we mentioned before, many of the NGOs try to do case work. There are several situations: when NGOs put into contact victims and NGOs able to provide assistance, when NGOs provide basic information about the legislation and mechanisms and help the victim to right a complaint, but no longer intervene in the procedure of obtaining remedies, NGOs who give full assistance to victims before administrative authorities or even before courts. Even in these cases victims are not protected against victimization, because this would be in the competence of state authorities. In many cases the difficulty of doing casework is the victims' attitude – they refuse to get involved in legal procedures in order to sanction the discriminatory behavior for fear of adverse treatment or for fear of making public their belonging to a particular group that faces stigma.

20. Does this include legal representation?

Legal representation is provided by a limited number of NGOs because the rest of them do not have resources for hiring a lawyer or a legal counselor. In several cases NGOs collaborate with each other for offering legal representation, but this can only be applied in a limited number of cases comparing with the requests. The difficulties in accessing the services of a lawyer or legal counselor could be passed if the NGOs would use their legal standing in cases of group or community discrimination and also in cases of individual discrimination. NGOs are not very familiar with this solution and they need further training in this field.

Another problem is that in several cases NGOs assist or represent victims before the National Council for Combating Discrimination, but when contesting the NCCD's decision before courts or acting for civil remedies in favor of the victim, the NGOs do not continue the process. In addition, there are many cases when because of the ambiguity of the NCCD's procedure (time limits, phases of procedure), NGOs send complaints to the National Council

for Combating Discrimination, they do not receive any answer to their complaints, and they do not follow the procedure because they do not know what to do, in what limit of time etc.

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

As we mentioned before, there is a legal provision in the Anti-discrimination Law providing legal standing for human rights NGOs or NGOs working in the field of anti-discrimination and minorities' rights. This is a very useful tool for NGOs to combat discrimination and to engage in casework. Some of them use the personal legal standing; others prefer to support the victim in sending and sustaining her/his complaint. One NGO tries to intervene with amicus curiae in cases filed by other NGOs or in cases supported by other NGOs before the NCCD or before courts. A Roma rights NGO was confronted with contradictory situations regarding the recognition of its legal standing before Romanian ordinary courts in cases of individual discrimination.

22. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)

The majority of the NGOs do other practical work, especially those working with beneficiary groups and communities (social assistance, medical assistance, psychological assistance etc). The human rights NGOs do not usually offer other kind of assistance or services in their casework, except for legal assistance.

23. Do they advocate changes in legislation and policies?

The national unions of NGOs advocate for legislation and policies amendments for their communities (HIV/AIDS, disabilities, LGBT). NGOs member of the Legal Working Group for Combating Discrimination collaborated for a very important amendment in the Anti-discrimination Law in 2003-2004. The NGO working in freedom of conscience and religion issues aims to work in changing laws and policies in the public education field, and the equal treatment of religions by the State, however NGOs representing religious minorities do not get involved in general campaigns in relation to public authorities, but do advocate in concrete cases of their religion group members (e.g. Jehovah's Witnesses).

24. What are their relations with the central government?

A limited number of NGOs (disability, HIV/AIDS) receive funding from Governmental sources and they struggle to stay independent. The NGOs having a good public visibility and prestige, having a strong expertise are vehement critics of the State. NGOs try also to collaborate with the State (Ministry of Education, Ministry of Health, Ministry of Labor and Social Security, National Authority for Handicap Persons) for changing or adopting policies taking in consideration their groups'/communities' interests and rights.

25. With regional governments or municipalities?

Especially local NGOs are in relation with municipalities in order to ensure a proper implementation of the legislation and in order to adopt policies or to participate in programs for promoting human rights and non-discrimination (e.g. "For You" Association, ESTUAR Foundation, National Association of Persons with a Neuro-Motor Handicap, National Union of Organisations of People Living with HIV/AIDS).



26. Do they have relations with the specialised bodies/ombudsman?

There are two kinds of situations:

- NGOs member in the National Alliance Against Discrimination are supposed to have a close relation of collaboration since this network is created and managed by the NCCD. However, we have information that this network is no longer working presently,
- NGOs sending and sustaining complaints in cases of discrimination before the NCCD, asking for public information regarding the NCCDs' activity, drafting reports on the NCCD's activity or jurisprudence.

Unluckily, there is no effective consultation from the part of the NCCD with the civil society. With the occasion of drafting the law amendments project or the national strategy to combat discrimination, a part of NGOs (not all of them) received the drafts, they sent their comments back to the NCCD, but they were not invited to a public discussion or other type of effective consultation.

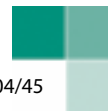
The role of the ombudsman is not really treasured by the NGOs because according to the law, its competence is strictly limited, but also because of the unlucky personal experience all of the NGOs had trying to get the ombudsman's help in several cases of discrimination. Even though he has competences in the field of anti-discrimination as a matter of human rights, the Romanian Ombudsman declaimed its competence in favor of national courts. On the occasion of the 2003 amendments of the Romanian Constitution, the Ombudsman was given the competence to advise the cases before the Constitutional Court and to rise from its own initiative questions about the respect of the Constitution in cases of legal provisions. There are many situations of discriminatory laws, but the Ombudsman has not yet exercised its competence.

27. What are the qualifications of the staff?

Most of the people working in NGOs have a university degree usually in humanist sciences (psychology, social assistance, political sciences, history, theology etc). In a limited number of NGOs work people with a legal background or even more people with human rights background or legal counselors or lawyers. The reason for this lack of human resources is perhaps the fact that the number of human rights experts living in Romania is quite limited because Romania faculties do not address this issue, and students who studied abroad human rights are not very opened to work in restraint conditions of remuneration in Romanian NGOs. The lack of lawyers involved in anti-discrimination activities is caused by the fact that they are not familiar with the field, and they are not aware of the great possibilities these cases might contribute to their reputation and, why not, to their capital. NGOs working in the field of anti-discrimination have the mission to gain their professional interest and their dedication to work for the victims of discrimination. Consequently, there is a special need of training in the field of legislation, practice and philosophy of human rights with an accent on the non-discrimination principle.

28. What training has the staff had in relation to anti-discrimination work?

The general situation is that the staff did not receive any training in relation to anti-discrimination. Their knowledge in the field was gained mostly through individual study of the laws or reports on anti-discrimination. Monographies on anti-discrimination lack in even the most developed NGOs, but Internet is always used to get information, especially at the EU level. Access to databases or intranets on anti-discrimination would be a great



opportunity for these NGOs. Furthermore, developing a national intranet would be a very useful tool for permanent updating of the information and for collaboration. A very limited number of persons participated in trainings on anti-discrimination organized abroad or organized for their NGO for particular groups (e.g. the Roma rights monitors)

29. Are they trained in writing funding proposals and reporting?

In every organisation a number of people working on projects are trained in writing funding proposals and reporting. There are some centers of resources for NGOs like the Foundation for the Development of the Civil Society, which periodically organize courses for NGOs representatives in these fields. There is also a specialised training institute Romanian Training Institute which organizes these kinds of seminars for a certain fee.

30. How do they evaluate their "success" and the quality of their anti-discrimination work?

Surprisingly, the majority of NGOs auto evaluated their activity in the field of discrimination as being a success. This was generally analyzed taking into consideration the NGOs objectives in the field and the resources at their disposal. However, everybody agrees that there is much to be done the activities they carried on must diversify and they must dedicate more resources in this area.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

In unanimity, NGOs agreed that funding is the main problem faced by the civil society working in anti-discrimination.

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

It is very linked with the problem of lack of funding and it is one of the main problems.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

NGOs identified indeed a need for additional training in the field of Anti-discrimination for their staff or even for their traditional collaborators (lawyers, legal counselors, members of the association involved in its activity, volunteers).

Some of the NGOs, which have more expertise in the field of discrimination, also expressed the idea that at least a basic training on legal issues and concepts of discrimination would be very useful for their colleagues from other NGOs. This would simplify the work of collaborating in assisting cases of discrimination, and perhaps will give them the possibility to focus on strategic cases of discrimination or complicated cases, without the effect of neglecting also damaging, but more ordinary cases of discrimination. This would significantly contribute to the creation of jurisprudence in the field of discrimination at the NCCD's level but also in courts.



34. What training is needed by the NGOs in order to perform their work the way they would wish to?

The NGOs representatives need training at several levels because their knowledge is at different levels. What is common is the need of training on the special concepts in the field of anti-discrimination like: the content of indirect discrimination, harassment, victimization, "other status", shift of the burden of proof, the EU philosophy in the field of combating discrimination, but also information related to how you conduct an investigation in a case of discrimination, the steps that must be done to represent a victim, to file a complaint, legal actions against the NCCD's decisions. A higher level of information required by some more experienced NGOs, especially those having legal counselors, is represented by information on the European Court of Justice and European Court of Human Rights procedures and jurisprudence. Another need of training which might also be useful for developing a successful activity in combating discrimination would be in the field of persuading a victim to react and protecting it from victimization and skills and examples of campaigning, advocacy procedures and lobbying.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

We are talking about individual study of the national legislation. So additional information regarding the content of special legal provisions, the way of systematically interpreting the legislation applicable or the way of applying it in practice will be most welcomed.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

They are aware of its existence and its content but do not really know the background of adopting this legislation and the way it is put into practice at the EU level and at the Member States' level. However, NGOs representatives do not really realize the importance of this information for their work at the national level.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

They do not have training in these areas, but they have practical experience and skills; additional theoretical information with examples would be good. An important part of NGOs do not have knowledge or skills in making legislative proposals (legal writing).

38. Do they need to do more to promote their anti-discrimination role?

They need to do more to promote their anti-discrimination role from the point of view of diversifying their work. Their role must be however accepted by the State authorities competent in the field of discrimination and the efforts of collaboration must come also from the initiative of these authorities.

39. Do they need to "do more" with clients or potential clients?

This was not perceived as a need by the NGOs interviewed (except for LGBT).



40. Do they need to “do more” with government – to increase their credibility and status?

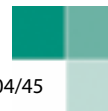
They thought they are credible enough, but sometimes even though they make all the efforts, the Government simply does not consider their opinion. However, some NGOs mentioned their success with the Parliament’s members with the occasion of promoting certain legal amendments in the field of anti-discrimination and in other connected fields. Other NGOs had success with their advocacy campaign within local authorities.

41. Would they need to “do more” with public opinion and awareness raising?

The issue of lack of public awareness campaigns in the field of combating discrimination was stressed out by NGOs. They all agreed that there is a lot to be done in this field.

42. What would they need to develop?

Generally, aspects they need to develop are raising awareness on anti-discrimination capacity, expertise and capacity of acquiring resources.



Slovakia:

This template was produced as a result of ten interviews conducted separately with ten representatives of Slovak NGOs dealing with anti-discrimination in January and February 2005, and as a result of a training for representatives of Slovak NGOs dealing with anti-discrimination that took place in June 2005 as part of the project "Mapping Capacity of Civil Society Dealing with Anti-Discrimination in New Member States Countries and in Romania, Bulgaria and Turkey." The template also reflects on some previous work the author has done on the topic of equal treatment and (anti-)discrimination, and on personal knowledge and experience of the author who herself works for an NGO dealing with (anti-)discrimination.

The report also encompasses information on organisations that deal with discrimination on grounds of sex and gender, so that it can provide a more complex overview of the situation in Slovakia (the Slovak Anti-Discrimination Act also prohibits discrimination on ground of sex and gender, as well as on other grounds that are not covered by the Race- and Framework Directives).

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

Most of the NGOs working on anti-discrimination in Slovakia have the legal form of civic associations. There are also a few foundations existing in Slovakia that deal with anti-discrimination. There are also a few non-formal non-registered organisations that do some kind of work in the field of anti-discrimination.

2. What ground (s) of discrimination are they concerned with?

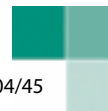
There is no ground of discrimination covered in the anti-discrimination directives that would be omitted by the Slovak NGOs, although the amount of attention that is devoted to each particular ground varies (as far as the specific grounds are concerned, there are not many organisations that deal with anti-discrimination on ground of religion and belief and on ground of sexual orientation; on the contrary, the coverage on anti-discrimination on ground of race, colour and ethnic origin and on ground of sex and gender is relatively high).

3. Is anti-discrimination their main area of work or only a small part of what they do?

There is no organisation in Slovakia that would deal exclusively with anti-discrimination. If the question is interpreted in a way which adopts a very broad definition of discrimination, then many activities of NGOs concern discrimination. Also, for many NGOs elimination of discrimination is one of the main philosophical concepts and a departure point for their aims, missions and activities. If, however, a more restrictive definition of discrimination is adopted, then anti-discrimination only covers a small part of activities NGOs are performing.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

Yes, they are all registered (apart from a few non-registered non-formal organisations that exist in a few cases – but these are impaired from fundraising money [as non-existent legal entities] and have to work on a strictly voluntary basis).



In general, it is not difficult to register as a civic association. Once all legal requirements have been met by the founders, the Ministry of Interior (which performs the registration) has no discretion whether to register this NGO or not. Nevertheless, for some potential founders (especially those coming from disadvantaged backgrounds) it might be difficult to get familiar with all legal requirements for establishing and/or running and funding an NGO and to understand all inevitable processes and acquire the inevitable skills. Therefore, although legally there is no obstacle to establish an NGO (once a person interested meets the legal requirements which are based on a registration and not a permission principle), in practice it might be difficult for some persons to establish a civic association and/or run it in the future.

As far as other legal forms are concerned, the conditions for establishing and administering a foundation are much more strict and complicated than in case of civic associations.

5. Generally how large are these NGOs?

In general these NGOs are not very large. Usually civic associations have a small number of people (2-5) who work for them on a full-time basis and a small number of people (about the same amount as in case of the full-time staff) who work on a part-time basis. Then they have external co-workers they contract on ad hoc basis - when special need, connected to a particular work or a project, arises (for example if they need to consult an expert or if they are looking for authors of their publications or trainers in their educational activities). Generally, the number of staff in these small NGOs varies with the workload and the amount of funding available. It is very typical for these NGOs to have many volunteers (the numbers differ according to the type of organisation – it may well be one or two as well as 1500).

In general, NGOs operating on central level have more paid staff than NGOs operating on local levels.

Foundations are usually larger than civic associations and have higher numbers of full-time staff (often exceeding 10 people), and the numbers of staff in foundations are usually more stable and sustainable over the time.

6. Are they part of larger national networks? Or are they working on their own?

It is rather exceptional for these NGOs to work in networks, they usually work on their own (religious networks/charities or networks dealing with the disabled sometimes work in networks; Roma organisations also sometimes work in networks).

7. Are they mainly based in the Capital or spread out in the country?

Fight against discrimination as a programme aim only occurs in case of few NGOs, and these usually operate on central level. On local levels, fight against discrimination rather has "incidental" character than character of a planned/programmed activity of a particular NGO (i.e. it occurs as a side-aim/side-activity when dealing with activities a particular NGO is performing).

Those NGOs based in the capital are nevertheless trying to cover the whole region of Slovakia in their activities (they for example represent interests of their target group which is spread all over the country, or they organise trainings all over Slovakia, or they do research and reporting which cover the whole country, or they distribute their publications all over the country etc.). The NGOs that are based in Bratislava often have their staff or co-operating

persons/organisations in other parts of Slovakia, although they officially do not have any branches.

The NGOs that are spread across the country either focus on their local community/region or they try to reach out into the whole country.

8. Are NGOs from the capital and the rest of the country doing the same type of work?

Yes. If these exceptional cases arise, then the centre and the branches are usually doing the same type of work (although the headquarters are usually situated in the capital). However, NGOs in the capital sometimes carry out projects that are region-specific (mainly organisations dealing with discrimination on ground of ethnic origin) – i.e. these projects are only performed in certain areas/regions of Slovakia.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (e.g. exchange of expertise, collaboration on case work or campaigns, organising events jointly)
- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

Yes, they are cooperating.

- a. A significant part of the cooperation lies in exchange of expertise (not only in the form of meetings in seminars or conferences but also in the form of direct hires/exchanges of their experts). They also often co-operate on “joint actions” – which are mainly cases when something is happening in the country or on the political scene and they join their efforts (mostly on an ad hoc basis) to communicate with and give press releases to the media and/or other actors involved (e.g. representatives of the government). Some NGOs co-operate directly on their projects. Many also co-operate on campaigning and lobbying. Some NGOs co-operate on dissemination of their publications (or other products).
- b. This is very difficult to say because it very much depends on what we understand under collaboration and on how we interrelate different types of collaboration (some NGOs for example have never participated in a common project but communicate frequently and efficiently on a non-official basis). In general, however, it can be said that some of the NGOs dealing with discrimination on ground of racial and ethnic origin co-operate quite intensively, and so do women’s NGOs. On the other hand, a representative of an NGO dealing with discrimination of sexual minorities said in an interview prior to submission of this template that co-operation of gay and lesbian organisations is rather limited. It is also important to say that NGOs dealing with different types of discrimination also tend to co-operate (this was for example the case of the non-governmental movement prior to the adoption of the Anti-Discrimination Act on 20 May 2004).



10. How are these NGOs funded?

- a. Do they receive state funding?
 - b. What are the conditions in order to receive public funding?
 - c. Do they also receive/apply for private funding?
 - d. Do private funders impose any restrictions or conditions?
- a. Only very few NGOs are supported directly from the state budget. However, many NGOs receive state funding in the form of combined funding of the European Community and the state (e.g. some European Social Fund projects). Besides, the government sometimes announces special calls for proposals where NGOs are invited to apply.
 - b. It depends what kind of funding it is (whether it is state funding or EU funding or another type of funding from public budgets of other countries) but in general the basic condition is to submit a project for approval that falls within the ambit of a particular call for project proposals and then to carry out the project in accordance with the project approved. Another condition is often some basic level of stability of the NGO that receives funding (legal – the NGO must be a legal entity (either a civic association or a foundation or other type of non-profit organisation with legal capacity – i.e. non-registered NGOs are not eligible for funding), financial, institutional (the NGO supported must be existent for some minimum period of time plus often must have some minimum number of staff employed on full-time basis).
 - c. Yes, most of them apply for private funding. This private funding that NGOs are receiving in Slovakia are mainly finances from private foundations (mainly from abroad) or from individuals or businesses that can choose to donate 2 per cent of their annual tax to any not-for-profit organisation in Slovakia (but for most NGOs in Slovakia dealing with discrimination, these assigned taxes do not represent a significant source of financing). Other forms of private funding (mainly individuals and businesses continuously supporting these NGOs) are still rather rare and low in Slovakia. Sources from private foundations, together with EU sources, are probably the most significant sources of funding for NGOs in Slovakia.
 - d. In case of the taxpayers who allocate the 2 per cent of their taxes to NGOs of their choice: these donors cannot impose any conditions on how their money is going to be spent by the beneficiary (these are free sources an NGO can use as it deems appropriate once it gets them). As far as other private funding is concerned, here donors very often (and in case of projects supported under project schemes always) determine on what aims (and sometimes also activities) a particular project should focus or what it should comprise and what principles of funding the project should follow.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

For most NGOs lack of funding is a significant factor, mainly for the civic associations that are smaller in size and staff (because the amount of staff they can hire is directly proportionate to the resources they have at their disposal). Also, the amount of funding is directly proportionate to the activities they can perform. The problem becomes even more significant with regard to the fact that private funding in the sense of private donations is almost non-existent in Slovakia.



12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighbouring countries?
- b. Other new EU Member States?
- c. Others?

Yes, most of them co-operate/are in contact with similar NGOs in other countries. Some NGOs are even members of networks.

- a. In most cases of co-operation it is with neighbouring countries (Czech Republic, Hungary, Poland, Austria).
- b. The abovementioned neighbouring countries (apart from Austria) are also new EU member states. One interviewed NGO indicated they are cooperating with Slovenia. Co-operation with other new Member States probably exists on a very small scale only, if at all.
- c. Some NGOs indicate they are cooperating with these countries: "old" EU member states, USA, Bulgaria, USA, Ukraine, Serbia.

13. Do they work on the international level (campaigning, case work, other)

Some of them, mainly as part of international projects they are participating on. The core of international co-operation however lies in informal contacts and in exchange of expertise and experience, mainly through attendance of conferences, writing reports and publications and their exchange.

14. Can they work in English?

All of the interviewed organisations that act on central level can work in English, and probably also many others. However, for smaller local NGOs with very limited and/or voluntary staff work in English sometimes becomes a problem.

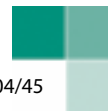
Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

The types of activities vary from organisation to organisation. Some organisations do activities in the field of training and education, some write publications, some provide direct or indirect legal/psychological/other aid/assistance to victims of discrimination, some perform awareness-raising activities, some are doing research and monitoring the situation in the field of (anti-)discrimination, some are working on policy level to influence public policies and/or try to lobby. Some NGOs are dealing with one of the listed activities and some are dealing with more (in some cases the activities even overlap with each other).

16. Do they take up complaints of discrimination ?

Only very few of them. But some of them are able to direct the person who wants to file a complaint to an organisation that can take up the complaint.



17. Do they focus on their own community?

Yes, some of them, mainly those who were established to protect the interest of/support their own community (such as gay and lesbian organisations, some Roma organisations or some women's organisations, as well as some organisations that deal with the disabled or with the elderly).

18. Do they work with victims directly?

Only a part of them. Here they provide mainly legal, social and psychological kind of help/assistance.

19. Do they do 'case work'?

Very few of them. Case-work usually requires lawyers and only a very few NGOs have them or are able to contract them. Some NGOs sometimes also have different primary focus as to their mission and activities than case-law.

20. Does this include legal representation?

In a very few cases only, for several reasons. Firstly, legal representation often requires good legal knowledge and experience, which most NGOs are lacking. Secondly, victims of discrimination are often not willing to initiate legal proceedings. Thirdly, the possibility of undertaking a legal action in case of some grounds of discrimination (which is mainly the case of sexual orientation)/for discrimination in some fields (e.g. in housing or education) is relatively new (since the adoption of the Anti-Discrimination Act on 20 May 2004), and so there have so far not been many chances for NGOs to enter into legal proceedings concerning breaches of the equal treatment principle on the abovementioned grounds/in the abovementioned fields.

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

Yes. Article 10 (1) b) of the Anti-Discrimination Act (adopted on 20 May 2004, in effect from 1 July 2004) states that "in proceedings concerning a breach of the principle of equal treatment, a litigant can also be represented by a legal body the aim of which or activities of which concern protection against discrimination." (this article refers to judicial proceedings – the law does not provide for any possibilities of specific administrative proceedings in cases of breaches of the equal treatment principle).

22. Do they do other practical work? (e.g. assistance to victims or potential victims, social assistance, etc)

Yes, some of them are doing practical work (as has already been indicated in answer to question 15) – e.g. women's, religious/charity organisations, some Roma organisations or some organisations with social profile. They offer social assistance, counseling, psychological support, health-care assistance, inviting experts (mainly lawyers) to training and workshops where they can provide their target group with legal advice, writing brochures and booklets with practical legal advice on what to do when discrimination occurs. Some organisations that are not able to help or assist their clients themselves provide advice/support on where to find the help or the assistance.



23. Do they advocate changes in legislation and policies?

Yes, some of them do. They are mainly trying to impose pressure on policy- and legislation-makers through media, are active in research and/or writing reports (or shadow reports) that cover issues of (anti-)discrimination and that often contain recommendations, are actively involved in lobbying. Some NGOs were also involved in the process of creation and adoption of the Anti-Discrimination Act. In April-November 2004, a few NGOs formed an expert group (composed of representatives of several NGOs) that was dealing with different aspects of discrimination on ground of race and ethnic origin (mainly in relation to Roma people) and that was preparing press releases from each meeting of the expert group for the media; the project ended up with a seminar and a press conference where the results of the work of the group were presented. See also answer to question No 9.

24. What are their relations with the central government?

The relations with the central government vary from organisation to organisation – some of them have experienced good cooperation and have positive experience, some of them have no or almost no relations. In general, NGOs are trying to be cooperative in relations with central government representatives (mainly in data collecting, policies, providing expertise) and it often also depends on the individual representatives of the government how the relations develop. It sometimes also happens that the government invites NGOs representatives to participate on some kind of problem-/policy-issues solving. Another more or less general experience of NGOs cooperating or communicating with the government is that the government is not flexible enough and that it is sometimes difficult to communicate with representatives of ministries.

25. With regional governments or municipalities?

Some NGOs working in the field of discrimination cooperate with municipalities or regional bodies, and the cooperation usually takes place if particular projects of NGOs require this. Some local NGOs frequently communicate with representatives of municipalities. The experience of those who had some contacts differed from case to case.

26. Do they have relations with the specialised bodies/ombudsman?

Some NGOs dealing with discrimination on the basis of race and/or ethnic origin cooperate with the Office of the Plenipotentiary of the Slovak Government for the Roma Communities, some NGOs (mainly women's NGOs) communicate with the Department of Family and Gender Policy in the Ministry of Labour, Social Affairs and Family (both of these bodies are in fact specialised central governmental bodies). Some NGOs also communicate with the Slovak National Centre for Human Rights but this co-operation is not very intensive. None of the organisations interviewed has relations with the Slovak ombudsman.

27. What are the qualifications of the staff?

A significant part of the staff of NGOs that deal with discrimination have a university degree, with qualification in the field of humanities prevailing. Staff members have their degrees mainly in psychology, philosophy, pedagogy, sociology, social studies, law (in a few cases) and in other related fields. Some staff members also have postgraduate degrees. Many have gone through special courses, study visits, trainings and seminars on a very wide range of topics.



28. What training has the staff had in relation to anti-discrimination work?

Only very few members of the staff have gone through trainings that would specifically deal with anti-discrimination work (seminars/workshops/courses where legal aspects of discrimination were part of the agenda).

29. Are they trained in writing funding proposals and reporting?

Many of them are skilled in the field of writing project proposals and reporting but far from all of the staff involved in fundraising have gone through special trainings – they have simply learned how to do fundraising through their own experience. For many small local NGOs, writing project proposals/fundraising is one of the major problems they encounter.

30. How do they evaluate their “success” and the quality of their anti-discrimination work?

For various different reasons, it was difficult for NGOs to assess in general the results of their work in the field of discrimination (it was very difficult especially for those organisations where discrimination was not the main field of interest or activity of the organisation; and it was also difficult because organisations very rarely, if at all, have impact-assessment analyses on their projects) but the feeling of general satisfaction with their work was prevalent. On the other hand, many of them felt they could do more and in a more efficient and professional way if they had the resources (human, financial) available.

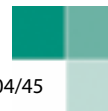
Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Yes, it is, mainly in cases of smaller and/or local NGOs. Lack of funding then goes hand in hand with other problems that occur (lack of qualified staff with sufficient capacity, lack of possibilities to perform projects and activities, burn-out syndrome in cases of staff who want to sustain their organisations in the framework of their missions and have to deal not only with the work they are supposed to deal with (often on voluntary basis) but also with all the work that could be easily performed by less-qualified staff etc.)

32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

For many organisations it is, especially for smaller and/or local NGOs. The answer to this question is mainly connected to the answer to the previous question – lack of money either means that in many organisations, administrative work is often not covered or covered only to a very small extent by available funding (which means that experts often have to waste their capacity), or it means that experts and other people devoted to the missions of their organisations often have to do other activities somewhere else to earn their living. It also means that NGOs often cannot afford to pay highly qualified professionals, mainly lawyers or other experts with good knowledge and experience in a particular field.



Also, many NGOs that would like to deal with discrimination on a more systematic and conceptual basis lack experts-lawyers who would have the necessary expertise in the field of anti-discrimination – both in the substantive as well as in the procedural sense.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

Sometimes it is a problem. Some NGOs would welcome specialised trainings where their staff could gain both specific theoretical knowledge and practical skills – not only in the field of discrimination but also in other fields either related to discrimination/ways of combating discrimination or in other fields that are connected to running NGOs in general. Some organisations would even welcome new qualified people.

This problem is also connected to the two previous answers – limited resources sometimes mean limited possibilities to hire highly qualified people. But a very frequent case is also that NGOs have highly qualified people but it is sometimes difficult to sustain them or the price is high (either for the organisation or for the experts or both).

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

Many types of trainings/topics needed to be covered in trainings were listed by the interviewees: trainings on legal aspects (both substantive and procedural) of equal treatment and (anti-)discrimination, trainings comprising communication and negotiation (both in the general sense and in the sense of communication with the government and other representatives of the public sphere), principles and means of policy-making and lobbying, trainings (with regard to anti-discrimination) with model situations that occur in real life where practical experience could be gained by the trainees, trainings on project preparation and realisation in the field of anti-discrimination, time-management, public speaking, language courses, advocacy, human rights topics etc.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

Only in a very few cases, but this again varies from organisation to organisation. Some organisation do not even feel the need to have their staff trained on these issues in a very detailed way as their focus is such that they can fulfil their aims and missions without detailed knowledge of the Slovak anti-discrimination legislation.

Some NGO representatives have gained a basic training on the Slovak anti-discrimination legislation within the framework of the current project (Mapping Capacity of Civil Society...).

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

Only in a very few cases. Some organisation do not even feel the need to have their staff trained on European anti-discrimination legislation as their focus and activities are such that they can fulfill their aims and missions without detailed knowledge of the European anti-discrimination legislation.

Some NGO representatives have gained a basic training on European anti-discrimination legislation within the framework of the current project (Mapping Capacity of Civil Society...).

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

In a very few exceptional cases. The problem may be that specific trainings of this kind are not even available in Slovakia, or only in a very few cases. But some NGOs experts nevertheless have capacity to formulate policy proposals they have either gained in courses/trainings/studies abroad or they have gained as a results of their long-term practical work. This is to a certain degree also valid for gaining capacity to formulate legislative proposals.

38. Do they need to do more to promote their anti-discrimination role?

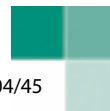
There is never enough being done. All NGOs dealing with anti-discrimination need to do as much as possible in order to help to bring the provisions of the new anti-discrimination into life – the adoption of the law is just the inevitable departure point and it will now be the role of all key-players to convert the words of laws into reality. NGOs are important and strong key-players for various well-known reasons – their ability to exert pressure on the government and on other public representatives, their closeness to communities and ability to communicate with them, the big amount of professionals who represent them, their flexibility (both internal and external) and their independence.

39. Do they need to “do more” with clients or potential clients?

Definitely (no matter whether we adopt a narrow or a wide interpretation of the word ‘client’). Only direct and intensive work with individuals and with communities can bring about a real change. This is extremely important in case of changes that litigation and strategic litigation can bring about – and here it is extremely important to work with clients and potential clients (as these are oftentimes representatives of the most vulnerable layers of society) - to let them first of all know that their problem is solvable with the help of the law, to persuade them later on that it is worth it to invest the time and energy and the risk into going into legal proceedings (in the sense that they will voluntarily undergo legal proceedings), and to work with them later on both legal and psychological levels, and to empower them for the future (and also empower others who can learn from their experience) to handle with the problems connected to unequal treatment..

40. Do they need to “do more” with government – to increase their credibility and status?

Yes. But the primary reason for having to or wanting to work with the government more intensively is not their desire for greater credibility or status but the need to co-operate with the government in order to develop good policies and programs, to improve and newly-(re)-establish institutional mechanisms, to change general approaches (of both the public and of public representatives) and policy approaches. In order to increase awareness of the public, it is also inevitable for the government to be involved and committed (mainly on philosophical, policy, personal and financial levels).

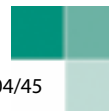


41. Would they need to “do more” with public opinion and awareness raising?

Yes, this is also one of the crucial things (although not equally crucial as each organisation has different aims and activities). See also answers to questions 39 and 40.

42. What would they need to develop?

This again differs according to what each organisation is doing but in general Slovak NGOs are willing and open to improve and further develop their functioning in general and all aspects of it. Out of the particular things that the interviewed representatives of NGOs mentioned, these things that need to be further developed are: expertise in the field of anti-discrimination (both legal and non-legal, including practical skills), fundraising, communication (both within and outside organisation), management, time-management, lobbying, campaigning and policy-development skills, project development skills.



Slovenia:

Profile of NGO's working to combat discrimination

1. What kind of NGOs working on anti-discrimination exist on the national level?

The NGOs working on anti-discrimination that exist on the national level differ with respect to which discrimination ground their work relates to. They are organized as foundations, non-profit institutes or as associations based on membership.

2. What ground (s) of discrimination are they concerned with?

The NGOs are concerned with all five grounds of discrimination: ethnicity/race, religion/belief, age, disability, and sexual orientation. In addition, some associations were established in order to solve particular problems deriving from discriminative practices regardless of the discrimination ground (e.g. the Association of the Erased Population of Slovenia).

3. Is anti-discrimination their main area of work or only a small part of what they do?

For the majority of NGOs anti-discrimination is not the main area of work. Moreover, the organisations of elderly and youth, for example, bring together hundreds of members but their area of work is mainly focused on cultural and sport activities (i.e. 36,1 % of all associations focus on sport and culture). The same goes for old disability organisations, that exist for at least 30 years and are implementing numerous activities (e.g. free time activities), but do not and will not focus on discrimination and equal right issues. They themselves still promote medical model of disability, emphasizing the special needs and the need for institutional care for disabled people. Over the last ten years a few user-led organisations were established that do promote right for independent living of disabled people, possibility of choice and equal access to employment, education, housing etc. For these organisations discrimination is one of the key areas of their work. Romani Union of Slovenia also dedicates little efforts into anti-discrimination. On the contrary, anti-discrimination is a significant (but the main) area of work for the organisations representing ethnic minorities with non-recognized minority status (ethnic groups deriving from the southern republics of the ex Yugoslavia).

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

Most of the NGOs are registered on the national level. The registration of associations, which takes approximately one month, must be processed by local administrative units. Non-profit institutions must be registered before district courts. The procedure takes approximately a month and a half. There are no obstacles or difficulties in establishing and registering an NGO except for the fact that those interested in establishing an NGO may lack necessary logistic expertise. Associations are much easier to establish than foundations or private institutes. This is proven by the fact that there are 260 associations of disabled, 266 associations of youth, 532 associations of elderly, 23 Roma associations and approximately 40 associations of non-recognized ethnic minorities. Due to the fact that the registration process is simple there is large number of associations registered in Slovenia comparing to the EU in average. Contrary to the situation of NGOs concerned with other grounds of



discrimination, there are severe obstacles for an NGO to register as a disability organisation. In 2002, the parliament has passed the Disability Organisations Act that provides for a special status of disability organisations that work on a national level and succeed to get this status from the Ministry for labor, family and social affairs. Under this act disability organisations can either get a Disability Organisation status or Representative Organisation status. This Act was pushed forward by the old disability organisations, who have always had privileged position among other NGOs, and have succeeded in retaining it with this Act. Namely, only the organisations who have this status, can apply for funds from Lottery foundation, even if all of these NGOs are registered by the same Act (Act on Associations). Consequentially, the disability organisations have difficulties in registering as disability organisations (especially as a representative disability organisation) because a new Disability Organisations Act discriminates all new users' organisations, especially in terms of the rights of disabled individuals: it puts them in depending position towards the disability organisation which is supposed to represent their human rights.

5. Generally how large are these NGOs?

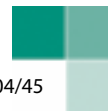
The NGOs based on membership (associations) include from a couple of tens to a couple of hundreds people. The number of people employed by the associations varies. For example, associations concerned with disability employ dozens of people (with the exception of new disability organisations), while 91 % of associations concerned with other grounds of discrimination (e.g. non-recognized minorities) do not employ anybody (work is conducted by volunteers), 3,4 % of these associations employ 1 person, 1,7 % employ two persons and 3,9 % employ more than 2 people. Similarly, the staff of NGOs organized as non-profit institutes, hardly ever exceeds five people.

6. Are they part of larger national networks? Or are they working on their own?

NGOs concerned with disability, age and ethnicity/race are part of larger national networks (however in both cases there are NGOs that are not part of such networks). E.g. the organisations representing ethnic minorities with non-recognized minority status, which are mostly cultural organisations, usually form a cultural association of a particular ethnic group on the national level. These cultural associations have formed a Coordination of national-cultural associations of the ethnic groups deriving from the southern republics of ex Yugoslavia, the aim of which is to combat the discrimination on the collective level that targets the mentioned ethnic groups. Advocacy organisations concerned with more grounds of discrimination and organisations concerned with religion/belief and sexual orientation are not part of such networks. They are mostly working on their own or in coordination or informal partnerships with same-issue based NGOs. Particularly in the field of refugee law and asylum, coordination of NGO work has been very intense in the last decade. Some NGOs are branch offices of larger international movement (e.g. Amnesty International and Helsinki Monitor for Human Rights).

7. Are they mainly based in the Capital or spread out in the country?

It depends on the ground of discrimination: many membership based NGOs concerned with age and ethnicity/race and religion/belief (associations of ethnical or religious minorities, Roma, elderly, youth and disabled) exist in any bigger Slovenian town or city throughout the country, while advocacy NGOs and unions of associations concerned with all grounds of discrimination are mostly based in urban areas, especially (but not only) the Capital.



8. Are NGOs from the capital and the rest of the country doing the same type of work?

The work of NGOs differs according to where it is situated. NGOs in urban areas use managerial approach and are engaged in anti-discrimination work, including monitoring, reporting, and advocacy (besides sport and cultural activities). This is also the reason why they have better funding opportunities. On the contrary, the work of NGOs in rural areas mostly evolves around sport and cultural activities. Some disability organisations are carrying out the same (social) projects in different areas of the country.

9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (eg exchange of expertise, collaboration on case work or campaigns, organising events jointly)

NGOs are in many cases (but still not often enough) working together for the purpose of exchanging expertise, for launching joint campaigns, initiatives or organizing events and demonstrations, for strengthening their position and creating more powerful pressure groups. This cooperation is both formalized (establishing alliances of associations) and non-formalized (ad hoc coordination for specific goals: e.g. organisations dealing with migration and asylum issues are working jointly for the prevention of discrimination of asylum seekers and refugees). The organisations representing the ethnic minorities with non-recognized minority status work together through the exchange of expertise and through the organisation of particular events. Associations of elderly and disabled are joining efforts mostly to improve assistance to and political participation of their members.

In spite of this, NGOs are often reluctant to establish contact and share experience. For example, in the field of asylum there was a case when an organisation was aware of the fact that asylum seekers were being charged for misdemeanors of illegal border crossing contrary to provisions of the Geneva Convention, but they did not notify a larger organisation that had a capacity to prevent such treatment of asylum seekers.

The lack of NGO cooperation was addressed by the establishment of umbrella organisation CNVOS (see also answer to question No. 24) which was supposed to encourage cooperation between the NGOs. The umbrella organisation, unfortunately, deals with many internal problems and is therefore not providing a sufficient networking support system.

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

Collaboration exists among NGOs concerned with all grounds of discrimination, however for different purposes and in different extent (see answer to question 9.a). Among the NGOs, a closer cooperation exists with organisations representing ethnic minorities with non-recognized minority status, gay and lesbian organisations, and organisations dealing with asylum and migrations.



10. How are these NGOs funded?

a. Do they receive state funding?

The majority of funding comes from services and projects. 27 % of funding comes from the state or local community budgets (lower than the average abroad – 42 %), 44% comes from payments for NGO services and 29 % from grants from abroad or individual donations.

Some alliances that are officially recognized as state partners (e.g. Roma Union of Slovenia, Hungarian and Italian minority organisations) receive yearly allowance from the state budget. With part of the funds they support the activities of the alliances while part of the funds is further distributed to members of such alliances. International NGOs also receive funding from branch offices based in other states.

Disability organisations (especially the old ones) are founded mostly from the Foundation for funding disability and humanitarian organisations (Lottery funds) and are privileged because they run this foundation (control, use and give every year 98 % of 1 million EUR to them selves – to 17 organisations). There is an ongoing fight between old disability organisations – based on the medical model of disability, and organisations established in last ten years – based on social model of disability and fighting for equal opportunities and rights for individuals. The latter also strive for fair and just distribution of funds based on the quality of the services provided and not on past merit and power position.

b. What are the conditions in order to receive public funding?

The conditions for receiving state funding approximate those usually used for tender applicants (the organisation has to be registered on a national level; it has to be non-profit etc.). Applying for state funds (completing the forms, creating programs, budget planning) requires high expertise that the applicants (grassroots organisations) are lacking. For recently established NGOs it is particularly difficult to obtain state funding since they have to provide references of their past work as well as financial reports for at least 3 years back. Young organisations are therefore disadvantaged and can only apply for funds in partnerships with bigger NGOs, which puts them in a subordinated position. In the case of the organisations that represent the ethnic minorities with non-recognized minority status, one must notice the disappointing shortage of the state funds available (for the organisations that indirectly represent app. 180.000 people, the government annually provides app. 80.000 €). Regarding disability organisations, in fundraising the quality of projects, services, expertise, new approaches do not matter. What matters is the loyalty to old disability leaders and their reactionary ideas (except for FIHO foundation, where the rules for getting funds depends on which organisation is applying for funds).

c. Do they also receive/apply for private funding?

Except for sports organisation, private funding of the civil society is poorly developed both in terms donations of individuals and companies. Membership based organisations are funded by membership (subscription) fees of the individuals (e.g. elderly, youth), but the fees are usually low and do not suffice for functioning of larger NGOs (e.g. Amnesty International). Some organisations are gathering private funds for supporting their activities (elderly, youth). Private funding in disability and other social organisations is rare and based on personal contacts. However, in the case of the organisations that represent the ethnic minorities with non-recognized minority status, the private funding can often exceed the



state funding. The nature of this private funding is usually in the shape of donations. The main factor that destimulates private funding is a low tax relief on private donations.

- d. Do private funders impose any restrictions or conditions?

Generally, private funders do not impose restrictions on funding.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Yes, the lack of funding is significant factor both in size of the NGOs and the scope of their activities. Organisations (even those that are membership based) are compelled to apply for project based funding which is scarce with low budget allowances.

12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighbouring countries?

Most of the organisations concerned with all grounds of discrimination are in contact or work together with NGOs in the neighboring countries. The more powerful and developed the organisation, the more it is engaged in collaboration with other countries. See also answer to question 12c.

- b. Other new EU Member States?

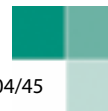
The answer is similar to the answer 12a. In addition, some of the organisations that represent the ethnic minorities with non-recognized minority status have connections with similar NGO's in some countries of the EU, where the strong immigrant societies from the ex Yugoslavia reside. Some GLBT NGOs are members of ILGA-Europe. Regarding the disability organisations (the one who were established in last ten years), they were not only forced to work with NGOs in other EU countries, but also to get funds outside Slovenia (OSI, MATRA, PHARE, EQUAL...) because they must first fight the reactionary ideas about disability and secondly fight the unfair distribution of found in FIHO foundation.

- c. Others?

The organisations that represent the ethnic minorities with non-recognized minority status have significant connections with NGO's in neighboring countries, especially in the countries from which these ethnic groups derive (Serbia, Croatia, Macedonia, Bosnia-Herzegovina, Montenegro, Kosovo).

13. Do they work on the international level (campaigning, case work, other)

In some cases the organisations are also active on the international level. E.g. the organisation Škuc is active on the international level in the field of the prevention of homophobia. The organisations that represent the ethnic minorities with non-recognized minority status do not have any significant experience with international work in the field of anti-discrimination.



14. Can they work in English?

The organisations that cannot work in English (or whose English expertise is limited) are Roma associations and elderly associations. Other NGOs have high ability to work in English. In the case of the organisations that represent the ethnic minorities with non-recognized minority status working in English is not a problem for the national-cultural associations, whereas smaller organisations based outside of the Capital might have difficulties with working in English. In addition, working in English represents additional translation costs that burden already financially weak organisations.

Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

The work of NGOs dealing with anti-discrimination in Slovenia differs according to their target groups. The majority of NGOs concerned with:

- Ethnicity/race, religion/belief: monitoring, reporting and advocacy; legal advising or representing, consulting; lobbying; cultural activities; support for their members.
- Disability: advocacy and support for their members, legal initiative, providing and organizing new services, changing public understanding of disability, changing the distribution of lottery funds, promoting individual rights, providing assistance, ensuring political participation; sport activities;
- Age: sport and cultural activities, support for their members, ensuring political participation.
- Sexual orientation: advocacy and support for their members.

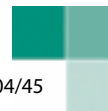
16. Do they take up complaints of discrimination?

In general the NGOs do not take up complaints of discrimination, at least not in order to process them as legal remedies (a fact that was double checked at the national seminar). They deal with instances of discrimination as support groups. Due to insufficient public information victims or potential victims do not turn for help on NGOs but use (if at all) other means (still in 2003, employment inspectors dealt with only 2 cases of discrimination). Some of the disability organisations (mostly the new ones) complain to ministries, parliament about some parts of acts which are in procedures and sometimes we also take some parts of the acts to the court or constitutional court.

The lack of taking complaints to courts represents a serious problem. The legal NGOs have no knowledge of strategic litigation, they see the representation of clients from an aspect of attorneys; namely they do not see how they could take the case to court or other bodies if they don't get paid for it. They are waiting for projects that would explicitly fund legal representation, despite the fact that there is a free legal aid provided for victims in a weak economic situation. Since representation activity is not explicitly funded and mentioned in the projects they do not take it up.

17. Do they focus on their own community?

The majority of NGOs, particularly those member-based, focus on their own community. Organisations with wider scope of activities (e.g. Peace Institute, Legal Information Center of NGOs, Škuc, YHD etc.), however, work with and for more marginal groups. Amnesty



International Slovenia is forbidden to work on Slovenian community (except in certain cases); the organisation can only send information to headquarters in London.

18. Do they work with victims directly?

All NGOs work with (potential) victims of discrimination, however more in terms of support groups.

19. Do they do 'case work'?

Case work is very underdeveloped (see answer to question No. 16). There are two NGOs providing free legal counseling, including cases of discrimination. Both organisations have a license to provide first legal advice free of charge, but they however do not have the means to take up cases and represent clients in administrative and judicial procedures.

20. Does this include legal representation?

See answer to question 19.

21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

In legal terms it would be possible to represent victims of discrimination. Namely, in civil procedures before district courts and administrative bodies a victim can be represented by anyone with full contractual capacity, i.e. anyone out of age whose contractual capacity has not been limited. In civil procedures before county courts however, a victim may be represented by lawyers admitted to the bar or attorneys only. Therefore, it is theoretically possible for NGOs to engage on behalf of victims in administrative and some court procedures. The NGOs also have a possibility to cooperate in a civil procedure as intervenient on the side of the party they share an interest with to win the case. They can also represent the victim in a criminal case (where the victim only cooperates as a witness and not the party to the procedure). However, the NGOs are not taking this opportunity due to lack of interest, expertise or funds.

22. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)

In terms of discrimination on the grounds of age and disability, NGOs do a lot of practical work in terms of social and practical assistance and ensuring better life conditions. In terms of sexual orientation, ethnicity/race and religion/belief, NGOs work as support groups for victims and potential victims. NGOs concerned with ethnicity/race also hold workshops for children and teachers. In some disability organisations some of the programs of social assistance are developing advocacy strategies, and programs about the assertiveness and self-determinations.

23. Do they advocate changes in legislation and policies?

Yes, advocacy is the main component of the NGO activities. Due to a rigid state system concerning discriminated groups, this component is very much needed and needs improvement. While advocacy in terms of equality regardless of ethnicity/race, religion/belief, sexual orientation and disability is well expressed towards clear goals, it is

lacking with organisations concerning age (except for the association of the societies of retirees).

24. What are their relations with the central government?

In 2001, CNVOS – Center of Non-Governmental Organisations of Slovenia was established. One of the main tasks of this organisation is to encourage the development of the NGOs and to lobby with the government for improvement of the position of NGOs in Slovenia in terms of funding and sustainability. It has also received state funding.

The previous center-left government was on the face very much ready for cooperation with the civil society. The recommendations of the NGOs were, however, very rarely taken into consideration, while it was being publicly declared by the government that NGOs are included in the decision making process. In December 2004 Slovenia obtained a right-centered government. Since then NGOs have taken up numerous initiatives for cooperation, they cooperated in legislation procedures and contributed amendments to the proposed legislation. In at least three cases (adoption of the Temporary Protection of Displaced Persons Act, National Radio and Television Act and the Registration of Same-Sex Communities Act) the NGOs participated in parliamentary sessions where the acts were discussed but their arguments were accepted with silence and were rejected in their entirety. Therefore, the NGOs are cooperating with the central government on the face, but their suggestions are in fact not taken into account.

25. With regional governments or municipalities?

Relations to local authorities are comparable to relations with central government. However, in terms of Roma the relations with local authorities are generally worse than with the central government, since the local governments have to deal with daily situations originating in discriminative practices against Roma (especially in the south-east region of Slovenia where the cooperation with the authorities is worse).

26. Do they have relations with the specialised bodies/ombudsman?

In general, the cooperation with ombudsman exists in terms of exchange of information between ombudsman and NGOs and cooperation on joint events. Some of disability organisations (again – the one established in the last ten years, including YHD) had relations with ombudsman but not to a sufficient extent. The Coordination of the national-cultural organisations, representing the ethnic minorities with non-recognized minority status, has constructive relations with ombudsman. Specialised bodies work with NGOs only on issues in their mandate.

Act Implementing the Principle of Equal Treatment, which transposed EU anti-discrimination directives 2000/43/EC and 2000/78/EC provides that the national Council for the Implementation of the Principle of Equal Treatment, which includes the representatives of competent ministries and government bodies, expert institutions and NGOs. The government already adopted the decision on the Council's establishment, which provides for nine NGOs' representatives. Romani Union of Slovenia has its own representatives and NGOs, promoting equal treatment, have one representative for each of the following grounds: religion or belief; disability; nationality, race or ethnic origin and language; sex; health state; age; sexual orientation; and social inclusion. The Council's constitution is expected in near future.



27. What are the qualifications of the staff?

In the majority of the organisations the qualifications of the staff are usually low due to the low paid positions. The situation, however, also differs according to the stability of funding and status of each NGO. In the case of the organisations that represent the ethnic minorities with non-recognized minority status, the qualifications of the staff are usually low, occasionally completely inadequate for the part of the tasks on the organisation's agenda. The educational structure and expertise of Roma associations reflects their usual situation, meaning low education and the lack of expertise. Often they have troubles with communication in Slovenian, let alone in English or other foreign languages, which results in acute lack of capable staff. E.g. Roma Union is an umbrella organisation of Roma associations in Slovenia where the funds for Roma initiatives could be gathered, but the Union does not have the ability or expertise to obtain these funds and use it for improvement of the Roma situation. Consequentially, the Roma Union is constantly on a low budget.

28. What training has the staff had in relation to anti-discrimination work?

There was one national seminar on anti-discrimination issues carried out in Slovenia so far (in cooperation with Human European Consultancy, the Netherlands). Besides this seminar and except for a few individuals who received specific issue based trainings on conferences and workshops abroad the knowledge on this concept is negligible.

29. Are they trained in writing funding proposals and reporting?

No, the majority of NGO staff, dependent on project based funds, is not trained in fundraising, but learns about it through their own experience or experience of their colleagues or superiors. Due to the lack of available funds the NGOs compete for funds and do not share experience on fundraising.

30. How do they evaluate their "success" and the quality of their anti-discrimination work?

There are no established evaluation mechanisms for anti-discrimination work as such. There are only mechanisms foreseen with specific projects, however, not for the overall situation but for the specific project based objectives. Some organisations (especially the international ones) have their own internal evaluation mechanisms.

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work?

Yes, funding, the lack of sustainable funding, the lack of state funding, the none-existence of private funding and the dependency on the project based funding are the most serious problems of the NGOs. Since all expenses must be predicted in the project proposals, there are no funds available for the unpredicted developments concerning the project or the organisation. Regarding disability organisations, there are specific problems with the unfair distribution of lottery funds.



32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

Yes, in order to obtain sufficient resources for their work, the NGOs often create overambitious projects that are difficult to carry out with existing staff within the limited time frame.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

The lack of necessary knowledge is one of the main problems of NGOs involved in the NGO work, which is also connected to the lack of funding. The organisations can therefore cover their main expenses but cannot send their staff to trainings or, what is even more needed, to obtain higher degrees of education or specializations. See also answer to question 27.

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

It is interesting that for the majority of the NGOs at the seminar (according to the evaluation forms) the topic was not very new, however, in the public not many anti-discrimination campaigns can be seen and discrimination cases are not taken to courts or other bodies. Obviously there is a need for training on implementation of their knowledge into practice (i.e. on tools and mechanisms available for combat discrimination). Since the funding is a serious problem they should also receive not only training on how to obtain funding, but also training on how to persuade the government to establish the sustainable mechanisms of funding for anti-discrimination NGOs.

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

The NGOs that attended that training are now sufficiently trained but there is still a great need for other trainings on the legislation for the NGOs that could not attend the training (we had 90 applications for attending the seminar despite the fact that the seminar was not even nationally advertised).

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

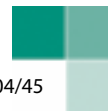
See answer to question No. 35.

37. Are their staff trained in relation to advising government: formulating policy proposals? legislative proposals?

No, the NGO staff is not trained to perform such activities. They mainly learn about it through their own experience or from their colleagues and superiors.

38. Do they need to do more to promote their anti-discrimination role?

Yes, the organisations should not only represent people and join people for their interests, but also express that the sole fact that people with similar personal circumstances need to



assemble shows there are instances of discrimination in the society and that certain services needed by particular groups are not provided for. Not only assistance to these groups, but also promoting the equality and publicly pointing at violations should be their primary role. According to the anti-discrimination directives the state is also obliged to promote anti-discrimination, but no much is being done in this area.

39. Do they need to “do more” with clients or potential clients?

Yes, the clients or potential clients are a source of information on where, when and in what forms the discrimination is taking place. The NGOs should focus more on documenting the violations systematically and create a fact bank in order to support their advocacy claims.

40. Do they need to “do more” with government – to increase their credibility and status?

The NGOs need to become more visible, assertive and determined, and show the seriousness of issues they work on. Since the governments have tendencies to get rid of the NGOs and their claims taking the line of the least resistance, the NGOs need to keep reminding the government about the necessity of the dialogue and attention. However, since the organisations lack resources and staff, they mostly deal with their own problems and lack the capacity to address the government. The government on the other hand, is reluctant to cooperate with NGOs.

41. Would they need to “do more” with public opinion and awareness raising?

Yes, taking into account the increased intolerance, xenophobia and homophobia the NGOs should definitely do more with the public. At the same time the attitude of the state towards marginalized groups is the same, therefore the NGOs cannot count on support of the government in their anti-discrimination work. By attracting publicity and awareness raising the NGOs will firstly, encourage debate, send the arguments out and enable the public to create an opinion at all. Secondly, by reaching out they would not only reach more victims or potential victims, but also more potential supporters of their cause.

42. What would they need to develop?

At the national seminar it became clear that even the NGOs themselves lack awareness about their role in anti-discrimination combat. It also became clear that although the new options to fight discrimination were presented to them they were reluctant to take them up and sought for reasons why these new options might not work. Therefore, they need to become more aware about their role to educate themselves about the new options and the responsibility to use them in accordance with their mandates.

In general, the NGOs in Slovenia need to develop in terms of sustainability, permanent staff education and training, networking and information sharing with organisations at home and abroad, awareness raising and sensitizing the public, education on mechanisms and exchange of good practice. In addition, they need to develop strategies on how to implement the knowledge into practice.



Turkey:

Profile of NGO's working to combat discrimination

1. What kinds of NGOs working on anti-discrimination exist on the national level?

NGOs working on Discrimination (women organisations working specifically on discrimination against women are omitted):

Amnesty International Turkey Branch: AI Turkey branch was founded in 2002.

Democratic Circassian Platform: A group that is composed of Caucasian origin Turkish citizens. They are not so much active in recent times. They held symposia on cultural matters in previous years.

Economic and Social History Foundation of Turkey: The Foundation was established in 1991. The Foundation has conducted a comprehensive HRE project on textbooks for primary and secondary schools.

Federation of Caucasian Associations: The federation was established in 2003. They mainly work on Caucasian culture and languages.

Helsinki Citizens Assembly-Turkey: HcA was established in 1993. It is an organisation working on the notions of fundamental rights and freedoms, peace, democracy, minority rights and pluralism.

Human Rights Agenda: Human Rights Agenda Association was established in 2003 in İzmir with the participation of human rights defenders from different regions of Turkey in order to have activities in human rights field at national and international level. The Association operates in the areas such as minority rights, economic, social and cultural rights.

Human Rights Association: IHD was established in 1986. IHD focuses especially on defending victims of violations. HR defenders, ethnic and cultural rights and internally displaced persons are important concerns.

KAOS-GL: A Gay and Lesbian Rights Commission that was established in the Human Rights Association's Ankara Branch in the summer of 1994. Today KAOS GL defines itself as an independent homosexual group organized around a bulletin. The group will be registered as an association in April 2005.

LAMBDA-Istanbul: Lambda Istanbul is an organisation that was formed by a group of gays and lesbians right after the Istanbul city government banned the Christopher Street Day Sexual Liberation Activities that were to be done in July 1993. Lambda-Istanbul has not been registered as an NGO yet.

Organisation of Human Rights and Solidarity for Oppressed People (Mazlum-Der): Mazlum-Der was founded in 1991. It is one of the important national human rights organisations.

Six Dots Blinds Association: The Association that was established in 1950 is the biggest organisation in the field.

Turkish Association of the Disabled: The Association was founded in 1958 initially as the Society for the People with Orthopedic Defects. The Association has been renamed as the Turkish Association of the Disabled in 1960.

The Confederation of Disabled: The Confederation is the roof organisation of federations of disabled.

Turkish Federation of the Blind: A roof organisation of associations of blind persons.

Youth Council: A newly established roof organisation of university students.

Note: Trade unions in Turkey do not work on discrimination matters except discrimination on the ground of gender. Some Federations may work more on discrimination in the future but they are not the pioneering bodies in the society in this field today.

2. What ground(s) of discrimination are they concerned with?

Amnesty International Turkey Branch: AI Turkey works on discrimination against ethnic groups (like refugees, foreigners and Roma people).

Democratic Circassian Platform: Ethnic groups (especially Caucasian societies)

Economic and Social History Foundation of Turkey: all grounds (in the context of elimination of discrimination from text books)

Federation of Caucasian Associations: They have a department on human rights working on ethnic rights, discrimination and human rights violations in Caucasian region. Their work on discrimination has been limited to language rights till now.

Helsinki Citizens Assembly-Turkey: HcA is currently working on ethnic discrimination.

Human Rights Agenda: Human Rights Agenda is a new but promising NGO. They have not done any project on discrimination matters yet. Their aim is to develop projects on minority rights. The current president of the Association is the legal counselor of Turkish Protestants, a small religious minority group facing discrimination.

Human Rights Association: The association has dealt with ethnic discrimination till now. The Association is going to implement a project on disabled soon.

KAOS-GL: Rights of gay and Lesbian persons.

LAMBDA-Istanbul: Lambda Istanbul hosted the 9th LGBT Gathering of Turkey, *Güztanbul* in October 2002. The main theme of these four-day-long activities was "What do queers want?" They do seminars on gay and lesbian rights and Turkish laws. Lambda groups have opened stands during various fairs and festivals like Human Rights Fair, Alternative Music Festival, festivals at universities.



Organisation of Human Rights and Solidarity for Oppressed People (Mazlum-der): They work on individual cases. HR defenders, ethnic and cultural rights internally displaced persons and religious people's rights are important concerns of the Association.

Six Dots Blinds Association: Rights of Blind community.

Turkish Association of the Disabled: The Association works on the legal rights, well-being, education, support and rehabilitation of people with all sorts of disabilities from orthopedic defects to mental disabilities.

The Confederation of Disabled: The Confederation has played a role in lobbying on the government, parliament and political parties for the rights of disabled community

Turkish Federation of the Blind: They do some awareness raising activities like social advertisement on TV Channels. They have been involved in lobbying activities on draft laws related to disabled persons, mainly social rights.

Youth Council: No work yet.

3. Is anti-discrimination their main area of work or only a small part of what they do?

There is no NGO specifically working on discrimination matters on the grounds covered by directives. However there are several NGOs working on discrimination as apart of their broader mission and vision.

For Human Rights Association, Mazlum-Der, AI Turkey Branch, Helsinki Citizens Assembly, anti-discrimination (especially in ethnic and religious discrimination) has been one of the main working areas.

Six Dots Blinds Association, Turkish Federation of the Blind, The Confederation of Disabled, Turkish Association of Disabled, KAOS-GL and Lambda-Istanbul put anti-discrimination into their scope of work.

Economic and Social History Foundation is working on the issue through HRE projects.

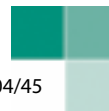
Human Rights Agenda, as a new body in the field, aims to work on it more in the future.

Democratic Circassian Platform was working on anti-discrimination (especially seminars on cultural rights) but they are not much active in recent times.

Youth Council is a new body.

4. Are these NGOs registered on the national level? Is it easy or problematic to register as an NGO?

All NGOs are registered except Democratic Circassian Platform, KAOS-GL and Lambda-Istanbul. KAOS-GL is planning to be registered in April 2005. There is no registration plan in Lambda-Istanbul. Democratic Circassian Platform also has no plan for to be registered.



Among registered bodies only Economic and Social History Foundation has the status of foundation. All the others are associations.

It is not difficult to be registered as an association for national bodies. According to law minimum 7 persons are necessary to establish an association. The right to establish association is used by persons without permission from State authorities. Registration of branches of international bodies in Turkey depends on permission. Upon the opinion of Ministry of Foreign Affairs the Ministry of Interior gives the permission (Art. 5 of the Associations Law). National associations may do activities in other countries without any permission of state authorities. Platforms without legal personality are recognized by the Law (Art. 25 of the Associations Law). Trade unions, associations and foundations may establish platforms.

Associations are subject to supervision that is done by the Associations Department of the Ministry of Interior and its branches in the provinces.

Foundations are registered without permission of state authorities. To establish a foundation to put a sum of money (above 150.000 USD) into bank account is precondition. In foundation, the asset is important, not members. The board of directors appointed by founders themselves administers a foundation. Foundations are subject to supervision that is done by the General Directorate of Pious Endowments. The current law has not regulated the registration of representations of foreign foundations; therefore it is difficult for them to have a representation in Turkey. They also have difficulties in getting funds from abroad (to get permission of the General Directorate). A reform law is in the agenda of the government.

5. Generally how large are these NGOs?

Amnesty International Turkey Branch: It has groups in 8 different cities with 600 active members.

Democratic Circassian Platform: A group of people in Istanbul.

Economic and Social History Foundation of Turkey: No membership and branches. The Foundation's

Federation of Caucasian Associations: The federation was established in 2003. Over 50 associations from different regions are member of the federation. They mainly work on Caucasian culture and languages. They have a department on human rights working on ethnic rights, discrimination and human rights violations in Caucasian region.

Helsinki Citizens Assembly-Turkey: HcA is not a membership organisation. The number of their members is around 50. They have no branches in other cities. The Association is in Istanbul.

Human Rights Agenda: Around 30 members. No branches in other provinces. The association is in Izmir.

Human Rights Association: It has 34 branches and 14.000 members throughout Turkey.

KAOS-GL: A small group of people in Ankara (active members around 40).



LAMBDA-Istanbul: A group of people in Istanbul (active members around 30-40).

Organisation of Human Rights and Solidarity for Oppressed People (Mazlum-Der): It has 5000 members throughout Turkey, 17 branches and offices in big cities.

Six Dots Blinds Association: It has 11 member associations organized in 48 provinces with 10.000 members.

Turkish Association of the Disabled: It has offices in 67 cities and registered members of more than 117.000 people.

The Confederation of Disabled: All federations of disabled are members of the Confederation.

Turkish Federation of the Blind: They have branches in 54 provinces with 12.000 members

Youth Council: Newly established.

6. Are they part of larger national networks? Or are they working on their own?

There no institutionalized networks in many fields including human rights, in Turkey.

There have been attempts to build up networks among NGOs. The last 2 initiatives are worth to underline. Through EU Funds, an organisation called CSDC (Civil Society Development Center) was established. The center will work in human rights field as well. The Center's aims are to develop capacity of HR NGOs and to set up networks. The Center will be activated in April or May. Secondly, Danish Human Rights Center will start a project for network building among civil society organisations working on human rights in April. These initiatives quite new and there are no concrete results yet.

There is no a network covering all NGOs above. Mostly, they work without cooperation. However there is a dialogue among Human Rights Association, Mazlum-Der, AI Turkey Branch and Helsinki Citizens Assembly. Sometimes and on some issues we can even talk about coalitions established by these organisations. For example, a joint group working on Refugees was active between 1999-2003.

7. Are they mainly based in the Capital or spread out in the country?

Helsinki Citizens Assembly and Lambda are based in Istanbul. KAOS GL is based in Ankara. Human Rights Agenda is based in Izmir. They have no branches in other cities.

The other organisations' headquarters are based in Istanbul or Ankara but having branches in many cities (see above).

8. Are NGOs from the capital and the rest of the country doing the same type of work?

No. The ones in Ankara and Istanbul have some additional work like the lobbying, getting contact with other national or international civil organisations and national and international governmental institutions, and relations with national media. NGOs in the rest of the country (outside Istanbul and Ankara) usually are not involved in these matters.



9. Are NGOs working in the field cooperating together:

- a. For what purpose(s) (e.g. exchange of expertise, collaboration on case work or campaigns, organizing events jointly)

As have been put above, there are no nation wide networks and cooperation is limited to certain NGOs. Joint works are temporary and issue based.

The forms of cooperation are,

- Collaboration on case work,
- Joint campaigns (for example, anti-torture campaign by Human Rights Association, Amnesty Turkey Branch, Mazlum-Der, and some other NGOs out of the list given above)
- Events (especially in joint activities done on 10th of December, 8th of March etc.)
- Joint projects funded by EU. (for example, Project on Torture Prevention)

- b. Is there greater collaboration in relation to certain grounds of discrimination? If so, which?

There has been no collaboration in discrimination field (directives' scope) till now, except some minor examples. The most important example of coalition was the one established for the prevention of discrimination against women in Criminal Code during the preparation of the new Turkish Criminal Code (2003-2004).

10. How are these NGOs funded?

- a. Do they receive state funding?

Mazlum-Der and Human Rights Association, Helsinki Citizens Assembly and AI Turkey Branch do not receive funds from Turkish or foreign states. They receive funds from EU.

There is no clear policy in other NGOs about state funding.

- b. What are the conditions in order to receive public funding?

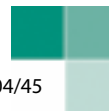
Mazlum-Der and Human Rights Association and Helsinki Citizens Assembly may receive funds from EU without additional conditions.

AI Turkey may receive funds from EU only if they are given for human rights education.

There is no clear policy in other NGOs about conditions for state funding.

- c. Do they also receive/apply for private funding?

All NGOs in the list do receive or apply for private funding. However, these private bodies are usually not national. Turkish private bodies give funds to social aid or education. They are reluctant to be involved in human rights projects.



- d. Do private funders impose any restrictions or conditions?

Usually foreign funds are seeking conditions. Notional funding is very weak.

11. Is the lack of funding a significant factor in the size of NGOs or in restricting the scope or scale of their activities?

Yes. One of the important problems of NGOs is the lack of enough resources. It should be also noted that most of the NGOs have no capacity to produce projects, management, fundraising expertise etc.

12. Do they work (or are in contact) with similar NGOs in other countries?

- a. Neighboring countries?

Helsinki Citizens Assembly has contacts with Helsinki organisations in Caucasian region. Six Dots Blinds Association, Turkish Federation of the Blind, Turkish Association of the Disabled and the Confederation of Disabled have connections with similar associations in neighboring countries.

The others have not worked together with similar NGOs in neighboring countries till now. Youth Council aims to develop relations with them in the future.

- b. Other new EU Member States?

There are no ties with NGOs in new members, except some meetings with Greek NGOs initiated by Civil Society Development Program in the context of peace and dialogue building in two countries.

- c. Others?

NGOs in the list have worked with some NGOs based in France, UK, Netherlands, Sweden, Germany, USA and international NGOs.

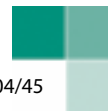
Helsinki Citizens Assembly together with Center for Victims of Torture (CVT), USA organized a big symposium in Ankara called New Tactics in Human Rights with more than 600 international participants. The Assembly has many connections and joint work with other European NGOs.

AI Turkey is doing projects with AI sections in Netherlands, Norway, Switzerland, and UK on violence against women issues and HR education.

Human Rights Association, Mazlum-Der and AI Turkey together with Helsinki Netherlands will start a project on capacity building in three organisations.

Human Rights Association is the member of FIDH (La Fédération Internationale des Droits de l'Homme)

Lambda took part i ILGA meetings, numerous other local and international projects. KAOS-GL is in cooperation with ILGA.



Six dots blind association has ties with European Blind Union and World Blind Union. Turkish Federation of the Blind, Turkish Association of the Disabled and the Confederation of Disabled are members of international organisations in their fields. Youth Council aims to do in the future.

13. Do they work on the international level (campaigning, case work, other)?

AI Turkey takes a role in international campaigns of AI International and it will start its campaign on discrimination against foreigners and Roma people in Europe in April 2005. Helsinki Citizens joined some supportive activities in democracy building in some Caucasian countries.

Youth Council is aiming to work on international level.

14. Can they work in English?

Only AI Turkey and Helsinki Citizens have done some work in English.

Expertise of NGOs working to combat discrimination

15. What kind of work do they do?

Generally NGO works concentrated on reforming laws on cultural rights (language rights, for example, abolishment of the ban on using ethnic languages) and social rights (more social services for disabled). Lobbying, awareness raising (through publications and seminars) are the main activities. There has been no work on age discrimination (Youth Council may be a candidate). Works on sexual orientation and disability are less than works on ethnic and religious discrimination.

Human Rights Association has done meetings, street activities, lobbying and publications for cultural rights of minorities, especially rights of Kurdish people. Karadeniz Eregli Branch of Human Rights Association made an awareness raising campaign on Roma people. The Association started a new project (EU project) on rights of disabled persons.

Gay and Lesbian NGOs (KAOS-GL and Lambda-Istanbul) informing public about their problems through leaflets, brochures, journals, meetings and Web pages)

AI Turkey is going to start a campaign on countries in Europe that have not signed Protocol 12 of the ECHR and Framework Convention for minorities. AI Turkey contributes AI EU Association in their activities at the EU level on all matters (like lobbying on the establishment of EU Human Rights Agency).

Six dots blind association, Turkish Federation of the Blind, Turkish Association of the Disabled and the Confederation mainly do lobbying work targeting political parties and the parliament for better social services for disabled.

Helsinki Citizens Association has done various meetings on cultural rights, Kurdish issue, and rights of the minorities.

Democratic Circassian Platform and Federation of Caucasian Associations have done lobbying for minority rights and cultural rights. DCP held symposia on cultural matters in

previous years: EU-Turkey Relations and Cultural Rights 2000, EU, democratization and Circassians 2001, Circassian Languages, 2002.

Economic and Social History Foundation: The Foundation is leading a comprehensive HRE project on textbooks for schools. Teachers and students have been involved in this project and their views taken on the incorporation of HR into textbooks. In this project, 190 textbooks used in primary and secondary schools were analysed. It has been the most extensive and systematic survey on textbooks in Turkey to date, with the help of 165 teachers, 51 parents and 71 undergraduate or graduate students, who were trained for this purpose. Each book was analysed by at least one teacher, plus a parent or student. The 190 textbooks surveyed, were classified into the following groups: Religion and Morals, Social Sciences and History, Literature and Turkish Language, Geography, Civics Education and Human Rights, National Security, Mathematics and Natural Sciences, and Philosophy. The study resulted in 4000 distinct reports of different abuses, mostly related to discrimination.

Mazlum-Der has done meetings and street activities for the rights of women with headscarf and cultural rights of the ethnic and religious minorities.

16. Do they take up complaints of discrimination?

Complaints are usually about language rights, ethnic and religious discrimination. Gay and Lesbian NGOs just began to take complaints. NGOs established by disabled are taking complaints from their members. There is no systematic, coordinated and expertise based monitoring and evaluation.

17. Do they focus on their own community?

Yes, usually they are working on their own community. Especially organisations of ethnic communities, disabled people, gay and lesbians do focus on their own communities. Only human rights organisations did some anti-discrimination work for different groups.

18. Do they work with victims directly?

It is not the practice. Lack of expertise and staff are the main reasons of direct relations with individuals. Complaints are received, evaluated and shared by governmental and civil bodies, but the capacity to work with victims directly is really low. They do not transfer those victims to other institutions too. There is no public or private institution working particularly on victims directly.

19. Do they do 'case work'?

It is almost none. Human Rights Association did some work on ethnic ground and intends to focus on cases of disabled. AI Turkey plans to work on cases in European countries (especially on foreigners and Roma people).

20. Does this include legal representation?

There is no expertise among lawyers on grounds. Legal education does not cover this area. NGOs have no enough capacity and financial sources to work with lawyers. Volunteer lawyers prefer to work in other human rights areas like torture and bad treatment.



21. Is it possible for NGOs to engage on behalf or in support of victims of discrimination in judicial or administrative procedures?

It is possible indirectly in civil courts. NGO's lawyer should make a contract with the victim. NGOs may go to administrative monitoring bodies like human rights councils and Human Rights Presidency on behalf of individuals. An NGO may represent its member in administrative courts. Trade unions may represent their members in Labour Courts.

22. Do they do other practical work? (eg assistance to victims or potential victims, social assistance, etc)?

There is no capacity in NGOs to do assistance and social assistance.

23. Do they advocate changes in legislation and policies?

Human rights organisations promoted, defended and made lobbying on reform laws related to the rights of ethnic groups. Organisations of disabled are doing lobbying work at governmental and legislative levels (they prepared a draft law on disabled in last year covering social rights).

24. What are their relations with the central government?

The relations between human rights organisations (especially Human Rights Association and Mazlum-Der) and the central government were really bad in previous years. There was almost no cooperation between two. Moreover they were hostile each other. It began to change after EU candidacy of Turkey. Now the climate is better but both sides are still reluctant to develop relations. Areas such as the rights of ethnic and religious groups are though to develop relations in short term.

Organisations of the disabled have relations with the central government. The President of the Confederation of Disabled has the consultant status in the Prime Ministry.

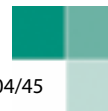
Helsinki Citizens and AI Turkey are more motivated to develop dialogue with governmental agencies. The other human rights organisations may cooperate if the governmental agencies approach them in a positive manner.

25. With regional governments or municipalities?

NGOs of disabled have relations with province administrations and municipalities. According to Law on Municipalities one of the priority task of municipalities is the disabled groups: However the level of corporation between civil society and local governments is low.

Human rights organisations have very low contact with local governments. The Diyarbakir Municipality is an exception that is the only municipality having well established relations with human rights NGOs.

Local governments because of the fear of losing votes exclude Gay and lesbian organisations. NGOs working on ethnic problems are also excluded by public organisations. Regions in which a certain ethnic group is majority (like Kurdish population) local governments may exceptionally develop relations with civil society organisations.



Governance is a new concept for the society. Both NGOs and public institutions have no experience of cooperation.

26. Do they have relations with the specialised bodies/ombudsman?

No specialised body in Turkey yet.

27. What are the qualifications of the staff?

Generally it is very low. Average professional staff is three. Most of the bodies have no funds to hire even single person. Staff is usually hired for office work. No staff working on a particular field except project based temporary employments. No experts employed for discrimination issues. Volunteers including lawyers do most of the work. Staff is usually employed by the headquarters, all works in branches are handled by volunteers.

28. What training has the staff had in relation to anti-discrimination work?

No training for staff on discrimination work.

29. Are they trained in writing funding proposals and reporting?

There is a training program for project writing implemented by Civil Society Development Program. More than 1000 NGO members and staff participated in training without fee. This program funded by EU will continue in the future. The training seminars cover basic components of EU projects (e.g. logical framework).

No training on report writing. However Helsinki Netherlands is going to start a Matra project aiming capacity building in human rights NGOs. Total 500 persons from Human Rights Association, Mazlum-Der and Amnesty Turkey will be trained. Reporting is one of the topics of this program.

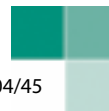
30. How do they evaluate their “success” and the quality of their anti-discrimination work?

Generally all NGOs are aware that they have very limited capacity and far away from sufficient work. Quality is really low and in the lack of expertise and funds it cannot be increased

Needs and problems of NGOs working to combat discrimination

31. Is funding one of the main problems faced by NGOs involved in anti-discrimination work

Yes. Because of the insufficient capacity for project writing and management (like permanent staff working in these fields) most of the NGOs do not reach sources. No local donors for anti-discrimination work.



32. Is the lack of staff one of the main problems faced by NGOs involved in anti-discrimination work?

Yes.

33. Is the fact that staff lack necessary knowledge and/or skills one of the main problems faced by NGOs involved in anti-discrimination work?

Yes

34. What training is needed by the NGOs in order to perform their work the way they would wish to?

- Reporting
- Anti discrimination law and contemporary approaches
- Fundraising
- Lobbying
- Campaigning
- NGO management and governance
- Methodology for training of trainers
- Networking

35. Are their staff sufficiently trained in relation to national anti-discrimination legislation?

No.

36. Are their staff sufficiently trained in relation to European anti-discrimination legislation?

No.

37. Are their staff trained in relation to advising government: formulating policy proposals? Legislative proposals

No (with the exception of organisations of Disabled having a weak capacity for it)

38. Do they need to do more to promote their anti-discrimination role?

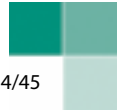
Yes.

39. Do they need to “do more” with clients or potential clients?

Yes.

40. Do they need to “do more” with government – to increase their credibility and status?

Yes.



41. Would they need to “do more” with public opinion and awareness raising?

Yes. Except disabled almost nothing has been done for other grounds till now.

42. What would they need to develop?

- Their capacity (training, experts, lobbying, awareness raising, campaigning etc)
- Cooperation with other national and international civil society organisations (coalitions, networking etc.)
- Cooperation with public bodies