

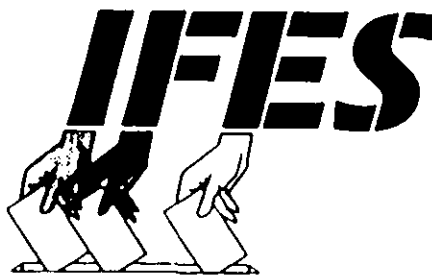
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*International Foundation  
for Electoral Systems*

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# **ROMANIAN NON-GOVERNMENTAL ORGANIZATIONS FORUM**

BRAȘOV, APRIL 30 – MAY 3, 1995

DEVELOPMENT OF THE  
CIVIL SOCIETY

BUCUREȘTI  
ROMÂNIA  
1995

## FOREWORD

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For the second time, more than one hundred people, representatives of citizens and of the government have been offered the opportunity to discuss issues of utmost importance for the development of the civil society in Romania.

The International Foundation for Electoral Systems (IFES), through the program financed by the United States Agency for International Development (USAID), in cooperation with the Foundation for Pluralism (Fundatia pentru Pluralism - FpP), through the program financed by the Regional Environmental Center for Central and Eastern Europe - REC) have organized the second edition of the NGO Forum, in Braşov, on April 30-May 3. This event had brought together representatives of more than 65 Romanian non-governmental organizations, of many financing organizations that develop programs in Romania, and of the House of Deputies, House of Senate and the Romanian Government.

The Forum was a good opportunity for the civil society representatives to discuss with representatives of the government about specific issues from their field of activity, and especially about the lacks of the actual legal framework. In the same time, the representatives of the government have been offered the opportunity to present their point of view on the existence and activity of non-governmental organizations, and also to present their strategy for the assistance in the field of civil society.

The NGO representatives participated very actively in the workshops that had as a main goal the drafting of the final versions of the "White Papers" on the six fields:

1. Civic;
2. Economic Development;
3. Human Rights;

4. Media;
5. Protection of the Environment;
6. Youth.

The preliminary versions were amended by the participants. The final versions of the "White Papers" are offered, in this brochure, to all those interested.

A very important part of the second edition of the NGO Forum was the passing, at the initiative of a group of participants, of two resolutions, one regarding the necessity of a law of access to information, and another regarding the necessity of a new law regulating the registration and activity of associations and foundations. The resolutions were passed by the plenary and were submitted to the Parliament. Besides these resolutions, a presentation was made on the positions of the NGOs regarding the provision of the Forestry Code (Art. 37, Par. 4) regarding grazing in forests. This resolution was signed by many NGOs and was subsequently submitted to the Parliament.

For the second time it was discussed the formation of an Information Office for NGOs within the Romanian Parliament, project that was discussed at the first edition of the Forum.

Following the NGO Forum, a workgroup was created to draft an amendment to the law 21/1924, law that is currently governing the activity of NGOs in Romania.

The organizers wish to thank the NGO Forum 1995 participants for their efforts and for the activity they develop for the consolidation of the civil society in Romania. Also, our gratitude goes to the authors of the "White Papers" preliminary versions, that facilitated greatly the workshop activities. And finally, we wish to thank USAID and REC for their funding and support, in the absence of which this event could not take place.



# THE DYNAMICS OF NON-GOVERNMENTAL ORGANIZATIONS IN ROMANIA

Dorel ȘANDOR

## I. INTRODUCTION

The objective of this Report is the assessment of the non-governmental sector in Romania, their profile, modalities of action, as well as their degree of connectivity.

The problems having accumulated during the last years, and the tendencies for the near future, shall be focused on by this analysis. They synthesize the most relevant issues for the present situation and the potential for development of the non-governmental organizations (NGOs). Concomitantly, starting from the problems, solutions, recommendations and work hypotheses may be drawn up, useful for the general approach.

In fact, this Report represents one of the components involved by the preparation phase of the **PHARE Civil Society Development Programme in Romania**. Amplification of the roles and the improved effectiveness of the non-governmental organizations represent main factors for this development. Hence, the concern regarding such organizations' being properly valued, stimulating the number of organizations coming into being, as well as of their influence within the civil society.

The present Report aims at correlatingly emphasize the defining characteristics for the **profile, functionality and consolidation possibilities** of the NGO sector in Romania.

The **territorial distribution** of the NGOs was considered as being significant for the present profile. The quantitative dimensions and the present regional differences point out a series of active centers, but also some peripheral areas, left outside the general tendency so far.

**Orientation of the programmes**, and the varied weight of the objectives assumed by the NGOs were considered basic criteria for an understanding of the specifics of such activities and the mechanisms through which they respond to human needs and the challenges of transition.

The main **sources of difficulties** the NGOs in Romania are facing were analyzed with a thorough view to the typical functionality for such institutions, but also to identify resources and solutions in surpassing the present barriers.

One of the main recommendations of the Report is meant to stress the usefulness of setting up **support**

**services for the NGO sector**. The present development of the sector, but particularly its consolidation within the following years, presume an increase in complexity of some organizational, and informational factors, as well as the support related to their relations with the State institutions.

In the meantime, this Report, represents a message. Both in analysis and in finding some solutions, the author relied on data, ideas, initiatives belonging to a large number of people in Romania. They assumed during these years, the attempt to turn into freedom, human participation and solidarity, openings on an institutional level and social-economic opportunities specific to the gradual removal of communism. Without having spectacular resources at their disposal, without experience and steady support, they create alternatives, encourage the change in mentalities, keep up the hopes even when the chances are very low or miss altogether.

Based on this experience, options and strategies can already be built. The NGO sector in Romania has already proved its capacity of an effort steadily dedicated to the democratic values, human rights and reintegration into the European community.

## II. TERRITORIAL DISTRIBUTION

The Report mainly considers the differentiation among the counties according to the number of organizations reviewed here and to the number of completed projects. And it is this correlation that justly manifests the essential characteristics of the NGOs, **as an expression of the need for association formulated through the civic initiative**.

Although the data obtained so far give only an approximate picture, still several general tendencies can be outlined. They are suggestive for the up to the present development.

**The major disparity between Bucharest and the other counties**

Both in terms of the number of organizations and the number of recorded events represents the main asymmetry of the NGO sector.

This discrepancy, is due to some factors that shall keep on existing in future as well:

- population's dimensions

- dynamics of the social-political life marked by centralism
- presence of the main foundations
- foreign support
- preferential media coverage a.s.o.

Meanwhile, this centralism shows the preliminary stage of the basic factor role, actually civic in setting up of NGOs and stimulating their actions. This tendency correlates with the prevalence of the Top to bottom Reform specific to the economic transition or the democratization processes.

Stimulation of settlement or consolidation of some regional centers that could build similar conditions for the self-organization tendencies and civic initiatives at local level, should be a priority of the strategy. Particularly that, not in few domains, other cities and regions have already proved at least equally potential.

#### Significant differentiation also show up among different counties

These can be grouped into four large categories:

- advanced counties - as regards their quality and performance, similar to the Capital, but remarkable for their more stressed vocation towards autonomy: Cluj, Braşov, Timiş, Harghita
- counties where the NGO environment is already sketched and NGOs are prepared for triggering some ampler actions: Iaşi, Hunedoara, Prahova, Dolj, Neamţ, Arad, Sibiu, Bihor, Mureş, Vâlcea, Constanţa
- less developed counties, where there are initiatives but still incoherent and less stable: Galaţi, Caraş Severin, Suceava, Satu Mare, Covasna, Sălaj, Argeş, Mehedinţi, Maramureş, Bacău, Nisaud, Botoşani, Alba
- the counties in the fourth category seem to be placed still at the periphery of the associative phenomenon and the existing initiatives are ephemeral and marked by isolation: Buziu, Ialomiţa, Teleorman, Tulcea, Dâmboviţa, Giurgiu, Brăila, Călăraşi, Gorj, Olt, Vaslui, Agricultural District Ilfov.

#### The big cities

The differentiation among counties does emphasize the subsistence of an important disparity between the role of the big cities and the countryside or of the small towns. Influence of the academic centers, development of the private sector, cultural traditions, higher receptiveness the western patterns, more marked multi-ethnic structure, industrialism effects under the conditions of transition to the market economy a.o. do represent main factors of differentiation.

#### Peripheral areas

Preservation and ever marking of these differentiation do represent the main source of vulnerability of the NGO environment in the present. Decrease of the state role in providing the social protection is here doubled by keeping the civic initiative at lower initial phase.

The PHARE Programme Strategy could support the effort of identifying the less favored areas, aiding the existing NGOs. Stimulation of their being connected on the regional level with other organizations represents an additional resource of the NGOs through the experience transfer and initiation of local assistance. Their advantage of being more readily compatible with the procedures and approaches of the international institutions makes an artificial distance in relation with some

target groups or local problems. The centralized administration of the Programme should avoid the domination of some metropolitan views when approving of projects' financing.

Supporting for such regional centers and satelliting the coordinating functions shall favor the affirmation of the local initiatives coming from areas less emancipated from traditionalism or from the dependencies typical for post-communism.

### III. ORIENTATION OF PROGRAMMES

#### Profiles specific to the NGOs

The experience already gained in the last years (90-94) represents one of the main prerequisites of the NGO environment coming into being in Romania. The self-evaluation of this experience within the regional consultations, sectoral studies performed as well as the data base made up by SOROS Foundation emphasize several prevailing tendencies. Revealing them might suggest points where support would be most efficient in view of a strategy for the consolidation of the sector.

By correlating the assumed goals, modes of operating and the resulted effects, five profiles specific to the NGOs functioning in Romania were identified:

- Constitution and consolidation of the organization
- Assertion and self-protection of the members through association
- Dedication of the organization to a target group
- Influencing some of the transition processes or implication into specific domains
- Setting-up networks on regional, national levels or for specific sectors.

The key words: organization, members, target group, domains, network, concomitantly show a clear enough picture of the basic elements of the NGO environment in post-communist Romania.

A crucial question in working out the PHARE strategy would be to assess as accurately as possible, the weight of each of these prevailing tendencies.

Out of the existing data it results that the major interest is given to the programmes dedicated to target groups, particularly oriented towards social protection.

Ranking second, the civic initiatives dedicated to some domains with a critical evolution (pollution) or to the substantiation of new values, institutions and structures do stand out.

Self-protection through association ranks third within the hierarchy, followed by the concern for constitution, consolidating and improving the organizations.

The interest for the identification of partners or cooperation has become significant. Still, systematic efforts to set up some organizations' networks are modest, though the isolation and fragmentation are perceived as dangers and sources of difficulties.

As an overall assessment of this environment, it results the prevalence of the interest for protection, to recover the autonomy from the power structures and from the still extended influence of the State over the life of individuals, groups and communities.

Significant components of an offensive approach; specific to initiative and civic solidarity are gradually outlined. This should also be the prevailing dimension of consolidation.

#### A. Constitution and consolidation of organizations

According to the evidences with the Ministry of Justice, between 1990-1994, 6961 associations and foundations have registered in Romania.

Only 1035 NGOs have responded to the questionnaire sent by the Soros Foundation to a number of 5,126 Romanian organizations. Out of these, at the question asking to list the significant events from their existence and activities of the associations, only 410 NGOs indicated more than three events. Certainly, there is a series of factors and conditions which render relative all these data, starting from the hazard of the questionnaires being submitted by mail, and even to the different understandings of some questions.

But there are also some facts indicating that a major disparity is still present between:

- founding organizations
- their survival for more than one year
- their effectiveness for a period as long as possible out of their existing time.

A major characteristic of the present tendencies of reconsolidating the civil society in Romania is thus right this very disparity between the need of protection and the need of association. The first is rather a preliminary reaction. In a time perspective it reflects the consequences of the near past totalitarian system and the new frustrations and challenges specific to transition associated with the present and the near future.

The low concern for the NGOs consolidation and for the competence only at a constitution level, are consequently, inherent features for the period of rediscovering the civic associativeness. If in the period of collectivization people used to be forced to be led into being organized, now they rediscover the usefulness and the civic value of self-organization.

It is essential that among the eligibility criteria of the projects, not only the effects for the others (target groups, impact domains) be taken into account but also the stimulation of associations' consolidation, the recovery of some inter-war traditions, and acquiring public prestige. The NGOs gradually become institutions that are minded. It would be improper to formulate this as a programmatic objective. Nonetheless, for the general development, it appears to be a strategic principle and an effectiveness criteria. (See: SERVICES SUPPORTING THE NGOs)

## B. Assertion and protection through NGOs

This represents one of the basic prerequisites as regards the extension and consolidation of associativeness. Another significant fact consists in the growing capacity of organizations, to take over services and activities previously provided and controlled by the State institutions.

- a. Promotion of the interests of the members of the associations in their relations with the authorities has already become a current function.
- b. Within the economic area there are several stable objectives, specific to this period:
  - property restitution and protection
  - making use of some opportunities
  - privatization of some services (health, education, research a.s.o.)
  - financial support for the association's members
  - protection of their members' interests for the quality of constructions and other consumer goods.

It is easily noticeable the correlation with the major processes of transition, namely: privatization, social stratification, competition.

Support through technical, legal and managerial assistance, directed towards performance, competi-

tiveness might bear success cases with a decisive impact upon the proliferation of the associative structures. Thus, modernization nuclei may also represent supporting points for the evolving networks, either regionally or by sectors.

c. Nevertheless, the most specific objectives view the social or professional topics:

- moral and material compensations for the disadvantage categories by the old regime abuses
- protection of cultural identity
- mutual assistance within the small rural and ethnic communities
- vocational improvement of the members and promotion of their artistic, scientific products within the external environment
- health services for the association's members (formerly imprisoned people, physically handicapped people, diabetics, a.s.o.).

The defining aspect in this case is to be found in the relation between vulnerabilities specific to the period and the individuals and small communities' capacity of self-protection. Facing marginalization, poverty and the excessive increase of the commercial criteria in less profitable domains (art, humanities, a.o.) represents social reflexes essential for the person's dignity, for the preservation of the cultural and ethnic identity.

The differences in contents impose differences in approaching. Adjusting the performance criteria and flexibility in comparing the objectives are crucial to distinguish from among programmes that proposed actions with different outcomes.

In this case, the symbolical outcomes (dignity, identity) and the relational ones (solidarity, autonomy) impose themselves in relation with the prevalently material outcomes and efficiency specific to the economic category. From the civil society perspective, they are neither inferior, nor subordinated.

## C. Target groups

Differentiation of NGOs by identifying them with their specialized actions and programmes dedicated to some target groups highlights significant aspects regarding both the dynamics of the NGO environment and its specific functions under the present conditions.

Although crystallization in time of this specialization often took place spontaneously, its present configuration proves a surprisingly effective adjustment. The civil society as an ensemble of relatively autonomous tendencies, under process of consolidation in Romania demonstrates an already outlined and viable capacity of response to the challenges of transition. And this capacity is, in many respects superior to the typical institutional - governmental approaches designated by the Reform from top to bottom formula. On the other hand, the general picture that can be outlined at present (March - August 1994) proves quite clearly the advance of the differentiating tendencies and social stratification having imposed recognition in Romania after 1990. This can be also found out from the orientation of the specific programmes dedicated to different population categories.

Between: 'Building-up family type home for the elderly', 'Collecting information about the existing labor force within the area' and 'Our chance in Total Quality Management' there are striking differences.

They are induced by:

- mere nature of the problems
- capacity of cooperation of the beneficiaries
- contents of the effort

- value of resources
- social impact and foreseeable follow-up of the programme.

Still there is a common feature that defines the very vocation of the NGOs as an active dimension of the civil society: a social need is turned into an objective for a current action without multiple institutional (state) mediation or profit (private sector) conditionings.

This self-regulating function at a daily level through individuals, main groups and communities mobilization, seems to be one of the main regulating mechanisms of the civil society within the post-totalitarian environment. The differentiated perception of the new needs, and frustrations on the level of some target groups is something already acquired in Romania.

The support strategy of the PHARE Programme may use this capacity acquired during the last years by the NGO environment in Romania. Both the foreign technical assistance and the system of allocation of resources should consider this as a starting point, thus avoiding the mechanical transfer of patterns and experience.

Surprisingly low is still the churches contribution in this respect.

Under these conditions, priority should be given to the support in:

- providing with a skilled social analysis for the identification of the most disadvantaged groups
  - designing feasible programmes, easily applicable
  - accomplishing some advertising actions and of stimulating the civic solidarity
  - training volunteers
  - stimulating interconnections and the use of complementary efforts.
- b. Adjustment and emancipation. For the great majority of the population, the transition brought about multiple liberties and opportunities, but also a great many critical situations and thresholds.

The educational system, largely worn out by the extent of changes, or the media dominated either by political maneuvering or by economic criteria were

Protection and mutual support	Adjustment and emancipation	Promotion and competitiveness
<ul style="list-style-type: none"> <li>- psychically handicapped people</li> <li>- elderly</li> <li>- veterans</li> <li>- abandoned children</li> <li>- needy families</li> <li>- alcohol and drug addicts</li> </ul>	<ul style="list-style-type: none"> <li>- women</li> <li>- neuro-motory handicapped</li> <li>- family</li> <li>- youth</li> <li>- consumers</li> <li>- rural or ethnic communities</li> </ul>	<ul style="list-style-type: none"> <li>- over-gifted children</li> <li>- businessmen</li> <li>- organizations leaders</li> <li>- professionals</li> <li>- inventors</li> </ul>

- a. Protection and mutual support. The evaluation of this category of programmes is essential for understanding the specific conditions and subjective barriers, typical for the 1990-1994 period.

Poverty has gradually become a current and extending reality in Romania. On the other hand, the non-spectacular character of these effects diminishes the private or public (budgetary) interest for a permanent, institutionalized support.

The obsessive presence in the international press of the handicapped in Romania, as a major subject in the last years, was viewed rather as a form of disqualifying guiltiness and as a restriction with regards to the continental reintegration.

Within the internal public debate, the economic decline and human degradation were viewed either generally, statistically, or as a topic for the political propaganda of the nostalgic communism and of the rightist criticism on the technocratic lack of interest showed off by the government.

For those who, nonetheless, ventured, directly and concretely into this type of programmes, the obstacles met are equally concrete and tough:

- the precarious level of infrastructure
- the low financing amounts
- dispersion of subjects
- difficulty in approaching some social noxae having already failed into isolation and often connected with the crime environment (prostitution, offense, vagrancy a.s.o.)
- reduced cooperation of the beneficiaries.

In an inevitably atheist society as it is post-communist Romania as well, charity can only hardly find its language and concrete patterns of supporting non-profit initiatives. So much less in favor of some subjects whose sole quality is that, in spite of their physical, economic or moral degradation, have not ceased to be human beings so far.

capable neither to re-construct the near horizon nor to create new behavioral patterns.

The initial consensus for change was gradually replaced by fragmentation, skepticism, and even by the equalitarian nostalgia.

The oscillating character of the governmental policies when applying the reform, and its social costs, confused particularly through the turning of some transient circumstances into lasting structures of the post-communist system.

Re-establishing the balance between the status of the individuals, groups and communities on one hand and the environment emerged from only partial changes on the other hand stands out as a fundamental problem of the Romanian society at the end of the XXth century.

It also represents the central area of the civic initiatives, of the NGOs' programmes and fields of action.

The restricted list of target groups already found at the core of these efforts point out the preliminary stage of development of the civil society in Romania.

It concomitantly shows a picture of the actual vulnerability of the society in relation with the near future and with the European geo-political area as well.

On the other hand, the transfer of behavioral patterns, of solution systems, and western type standards was often restricted to mimicry, imitations and formalism. The Dallas TV series movie, seems to influence the population's orientation to a greater extent than the exigencies of the Council of Europe.

At the same time, the momentary reactions under crisis conditions do not necessarily bring about viable options directed towards the future, even though they are formulated under the conditions of some democratic enough electoral processes.

Assessment of the programmes that have been successful still suggest that there is a strategic principle adequate to the conditions in Romania.



The NGOs programmes should give priority to those target groups whose adjustment and emancipation shall bring about favorable outcomes not only for those ones but will also offer a marking and supporting point for the others as well.

The transfer of information from other East-European societies, the encouragement of inventivity, giving priority to the quality of the on-going training programmes and acquiring new languages and acting patterns could offer to the target groups the basic resources in order to change the relation from dependency, obedience, resignation in favor of autonomy, initiative and efficacy.

- c. Promotion and competitiveness. Although, for the time being they hold a restricted share and target small size groups, these programmes might take a

An outstanding fact is shown by the very gradual extension of the action fields. It is initially domains from which the State withdraws or in which it slackens down its influence or contribution. Most often only the contribution. For both privatization and de-centralization were in Romania deeply marked by the postponing syndrome and the sequels of the etatism.

But there are also new domains, started under the conditions of democratization, the extension of private initiative, and the press' relatively free expression.

They represent already the components of a regenerating civil society.

It is often ignored the evidence that they often represent one of the main resources for stability and dynamism within a society still deeply marked by the aberrations of the communist dictatorship.

#### Fields and Domains

Institutional	Community	Daily
<ul style="list-style-type: none"> <li>- Human rights</li> <li>- Representation of interests within governmental policies</li> <li>- Electoral processes</li> <li>- Civic and political behavior</li> </ul>	<ul style="list-style-type: none"> <li>- Local communities</li> <li>- Culture, art</li> <li>- Education</li> <li>- Ethnic relations</li> <li>- Religion</li> </ul>	<ul style="list-style-type: none"> <li>- Ecology</li> <li>- Media</li> <li>- Urbanism</li> <li>- Health</li> <li>- Social protection</li> <li>- Leisure</li> </ul>

leading role as an active dimension of the NGO environment in Romania.

The high degree of responsiveness of the beneficiaries, the performed outcomes of higher compatibility with the international standards represent prerequisites for the gradual ensuring of the self-support and even of attracting additional resources to be used for other types of programmes.

Some limits and difficulties still do not miss for the accomplishment of these initiatives. On the other hand, the level of esteem for individual values being as yet low, as well as the necessary competence for their estimation before waiting for international recognition, represent a typical shortage when promoting talents, of the over-gifted children and youngsters.

On the other hand, some target groups (businessmen, leaders of organizations a.o.) tend to become, according to their success, elitist, getting isolated or migrating towards the political competition, towards other milieus, economically or from public exposition viewpoint more privileged.

In this lies though the chance that at the least some of them would use their influence in supporting the non-profit sector, through sponsoring, internal and international publicity.

An important source to consolidate the programmes dedicated to the performant groups would be the facilitating their promotion within the network of the international foundations and programmes.

Support granted for some prestigious meetings to be organized in Romania with international participation does represent a way envisaged by many of those that have been consulted.

Also, setting up in Romania some regional centers specialized in such programme would contribute to the consolidation of the NGO environment.

#### D. Domains

Identification of the domains in which NGOs have been steadily involved and in which the programmes running had a significant impact between 1990-1994, gives the most certain basis for projection of some strategies meant to support the civil society in Romania.

There are three main domains which group the most characteristics domains for NGOs activities.

The institutional medium in which the main role of the NGOs is to maintain the relations between the civil society and the State, in the spirit of the democracy values.

The community medium. The present configuration of the domains and their proportion show the process of de-centralization, of constitution of local structures, the directions and components of autonomy.

During the first years after the Revolution, an essential dimension has been represented by the re-evaluation of religion's role, the emancipation of culture from political domination, re-evaluation of ethnic relations. The increase in minorities' interest and efforts for highlighting and preserving cultural identity has proved this to be a prevailing concern.

At this level, the relations with the new local administration, elected on 19 February 1992, have been a contradictory experience. The relation between civic and administrative at local level is still at an initial phase. But here lies a significant potential for further developments.

The daily medium. The fields in which NGOs are most active are closely connected with the specific challenges of transition, with changes occurred in life style, and with the new difficulties such as on-setting and extending unemployment, degradation of urban infrastructure, a.s.o.

The specialization of NGOs activities by fields has advanced if compared with 1990. Their weight differs in relation with the real demands and needs, and the complementarity of programmes and accurate assessment of their impact representing therefore priorities for the following period.

#### E. Networking

Networking between different non-governmental organizations is possible as a subsequent stage to the re-establishment and consolidation of the NGO sector, and a major condition for its development.

The Romanian experience has shown three different levels of the co-operation efforts done by associations, foundations and other civic initiatives.

Although they differ in terms of complexity, and their sequence assume a certain level of development, still they do not exclude one another. They co-exist and together define this fifth category of activities and programmes.

from foreign sources - i.e. the main source for the 1990-1995 period - was limited chiefly by the restrained access to information and NGOs low capacity to design and implement good projects.

- The most viable solution could be:

#### The three levels of networking among NGOs

Information	Mobilization and cooperation	Consolidation of the NGO environment
<ul style="list-style-type: none"> <li>- identification of other NGOs</li> <li>- information exchange</li> <li>- dissemination and publicity of initiatives</li> <li>- transfer of regional and international experience</li> <li>- identification of target groups</li> </ul>	<ul style="list-style-type: none"> <li>- monitoring the programmes</li> <li>- exchange of experience</li> <li>- complementary activities within programmes nationwide</li> <li>- representation of the interests within Parliament and Government</li> <li>- exchange of services</li> </ul>	<ul style="list-style-type: none"> <li>- opening new branches and affiliates</li> <li>- setting up federations</li> <li>- providing services for NGOs</li> <li>- financial assistance for NGO programmes by foreign donors</li> </ul>

The starting point for establishing relations in the present period is represented by joint-programmes with a large social impact. This stimulates the creation of horizontal networks which are actually specific to the NGO environment.

It is more difficult to both create and maintain hierarchical type of relations. They create the premise for new subordination relations or even for maneuvering either by governmental institutions or by political ones. This tendency has actually become more visible in 1994, and the forthcoming elections of 1996 is going to stress it even more.

Consolidation of some regional centers might be the main counterweight to these tendencies.

On the other hand, networking activities presumes additional organizational, logistics and information efforts. Specific type of networking resulted from the activities carried out by the major foundations through sponsorship and transfer of assistance.

Within this context, the foundations have also had during the first years of activity a more significant influence upon the orientation of programmes, thus stimulating the appearance of some NGOs with similar profiles in several cities. But the creation of some specialized networks depends on the initiative of these grass roots organizations. Otherwise, artificial and dependent structures, exposed to formal and bureaucratic views might result.

#### IV. MAIN SOURCES OF DIFFICULTIES

This report considers the issues raised by the NGO's representatives who participated in the regional consultations organized within the preparatory phase of the PHARE programme, as well as the opinions expressed in a series of national symposia held during 1993-1994. Obviously, the perception of difficulties represents a starting point, though not the only one, in defining the basic orientations of the Programme's Strategy.

Surpassing these barriers generated by difficulties should be correlated with the stimulation of the NGOs' potential and particularly with the increase of their receptivity to the tendencies and demands of the civil society. There is a varied range of sources generating difficulties and obstacles, namely: financial, material (equipment, housing offices, logistics) and others related with the social environment and State institutions.

##### Financial difficulties

They come to a certain extent from the delay in enforcing the sponsorship law and the chaotic manner through which governmental institutions have supported the programmes of some NGOs. Access to financing

- improvement of coordination between governmental institutions and foreign donors by a coherent definition of the eligibility criteria to ensure complementarity of the support granted to NGOs;
- technical assistance for the implementation and monitoring of the sponsorship law to favor the NGO environment;
- a minimal coordination between the main foreign donors: PHARE, USAID, SOROS, Know How Fund a.o.;
- improvement of the NGOs management capacity in project design and financial management;
- increase of transparency related to potential financial assistance of both government and foreign sources;
- stimulating the private sector to increase sponsorship of fields specific for NGO and civil society initiatives;
- special programmes to improve the image of non-profit activities, the civic interest, solidarity and charity.

##### Equipment

Significant difficulties are related to:

- the lack of necessary equipment for the current activities being performed within organizations;
- ever-growing prices of the service and supplies of consumable materials bring about the frequent under-utilization of the equipment.
- taking over by specialized centres of support to NGOs activity, of the efforts related to multiplication and distribution of printed matters, especially in cases when this is beyond the NGOs capacity to deal with;
- improving the skills on how to use the existing equipment;
- endowment required by some specific activities within programmes (e.g. vocational and re-training for work force, ecological, educational programmes, press campaigns a.s.o.).

##### Housing offices

NGOs' housing offices requirements are chiefly related to: headquarters, halls for public meetings and seminars as well as places for specialized activities. Without representing a sophisticated component of NGOs' activities, the housing office problem is still one of the most significant preliminary barriers under the present conditions in Romania.

There are some aggravating circumstances which shall

preserve this source of difficulties amongst the hardest to be solved within the forthcoming years:

- explosive increase of the demand on housing offices due to the simultaneous development of private sector, NGOs, political parties, press institutions a.s.o.;
- precarious state of the real estate stock and the uncertainty of property and regulations within this domain;
- raising prices for rents, building or renovations of housing offices meant for public activities;
- bureaucratic control over the housing offices being allotted and proliferation of corruption in administration; sometimes, distribution of housing offices has become a means of political maneuvering and illegal gains.

These are the reasons for:

- reconsidering the costs related to housing offices within the programmes' budgets as well as the possibility for some projects be co-financed regarding the up-building of housing offices dedicated to the NGOs activity;
- improvement of cooperation with the State institutions and local governments, viewing to issue some regulations and decisions referring to the share of housing offices attributed to the NGOs;
- identification of some housing offices which belonged to some foundations and associations from the inter-war period and which were confiscated or nationalized. Their restitution to the benefit of some NGOs reinstating the inter-war tradition or performing public use services might also be a viable solution.

#### **Relations with the social-political environment**

Critical aspects referring to the NGOs integration within the social-political and economic environment consider the following five segments that the NGOs are in relations with:

- the civil society
- other NGOs
- the private sector
- the State institutions
- local governments
- foundations and NGOs from abroad.

The efforts of the NGO environment to integrate within the Romanian society as a whole and within the international context bring about a complex set of difficulties.

#### **Identification of the needs**

The increase of NGOs' capacity to identify real needs of individuals, target groups and communities represents a crucial component in the actual accomplishment of their role. This capacity ensures the basic prerequisites in choosing and designing the projects. Finally, how adjusted they are to these needs, might be considered as one of the effectiveness criteria for the NGO's activity.

The assessments performed have shown that although the needs of the target groups represent one of the basic criteria in defining objectives, still the identification capacity is reduced, and lacks professionalism. Often, consensus as regards the contents and dimensions of these needs comes from mimicry, maneuvering or routine.

One worsening aspect is the tendency towards a general, abstract image about these needs. Thus, the solu-

tions, actions and services provided through programmes and projects will often have a superficial impact or will only remain at the stage of generous debates.

On the other hand, under the present conditions of the transition stage, a series of new challenges and frustrations show up, previous difficulties are amplified, population's perception and attitudes versus such difficulties is modified.

The danger of the gap between the actual demands and expectations on the one hand and the NGOs capacity of directing their actions in agreement with them, on the other hand, does represent one of the main vulnerabilities of this area.

There are more and more important:

- initiating a project to assess the specific needs of this period, correlated with categories of populations, target groups, community;
- opinion surveys and other social investigation techniques to map and measure the needs, either regionally or sectorally
- devising some instruments of micro-social level analysis and training of NGOs members in their utilization as professionally as possible;
- organizing some joint activities to exchange experience in identifying needs.

Thus, the NGOs shall get:

- civic reflex of being responsive to actual needs of the individuals, groups, communities;
- realism in approaching issues;
- autonomy versus other factors, thus avoiding the tendency of their being subordinated or maneuvered.

#### **Rebuilding the relations with the State institutions**

Understanding the issue of relations to state institutions goes beyond the present difficulties. Still, it lies in the reciprocal perception between the on-setting NGOs and the components of post-communist government, also subject to transition towards the proper form and operation under the rule of law.

The main critical aspects raised are as follows:

- the present stage of the legislation and regulations;
- lack of responsiveness and cooperation of the central authorities;
- inertia and lack of effectiveness of the local government;
- authoritarian tendencies and centralized control upon autonomous organizations;
- ethnic and racial discriminations tolerated by the authorities;
- difficult access to public information about target groups and fields of interest;
- preservation of some rigid structures, specific to the central administration system of some social security institutions in spite of the ever decreasing contribution of the State to the provision of such public services;
- delay in working out and implementing some policies related to de-centralization of important areas of public services.

#### **V. SUPPORT SERVICES FOR NGOs**

The need for such services, deriving from the present characteristics of the NGO environment in Romania is becoming clear:

- the crystallization of specific needs related to legal

assistance, accounting, information and public communication, personnel's training, improvement of resources management s.o.:

- the difficulties related to administration, management or infrastructure;
- the gradual specialization of NGOs activities by fields and target groups;
- rising of complementarities, advancement of ways of exchanging activities and the solidarity specific to NGOs;
- avoiding overlapping and parallelism, and diffusion of foreign assistance and sponsorship at local, regional or sectorial levels.

One may estimate that a critical threshold was reached between the increase in NGOs diversity, the complexity of their activities, on one hand and the organizational and managerial exigencies, secondary but indispensable for the operation as a whole. These routine topics often contradict the basic vocation and initiatives of the NGOs.

The fundamental principle may be here constituted by turning the drawbacks into privileges. As the NGOs activities shall expand, such matters should be re-assessed as an ensemble of specific demands on the internal market of the NGO environment. These could be considered as opportunities for consultancy activities dedicated to NGOs that here are viewed as target groups.

A more general solution might be producing and providing services meant to simplify and facilitate the activity proper of NGOs. The main fields where such a support might bring about qualitative changes in the NGO environment are the following:

- project design and implementation;
- collecting, managing and disseminating information about the NGO environment, current projects, possibilities of cooperation;
- legal assistance for NGOs in matters like constitution, re-organization, administrative regulations and praxis a.s.o.;

- NGO accounting and bookkeeping of current expenses and financial management;
- the NGOs' knowledge on the social, economic, political processes in post-communist Romania in order to enable them to better identify the actual needs of the target groups, sensitive issues of specific areas;
- editing, and wide distribution of messages and information produced by NGOs.

Within the foreign and national donors and foundations strategy these areas might be approached as projects themes for a distinct category of NGOs capable to provide specific support through consultancy services:

- NGO Centre of Consultancy and Training for Project Design and Implementation
- Info-Centre
- Legal Advise Centre
- Accounting and Internal Financial Check-up (Auditing) Advise Centre
- Centre for Study of the Problems of Transition
- Center for Desktop Publishing and Printing
- Center for Public and Media Relations.

Setting-up of these NGOs shall induce a series of favorable effects such as:

- complementing the Programme's financial and logistic support with technical assistance required to facilitate the actual implementation of the projects;
- increase of the consultancy capacity as an internal resource of the NGO environment by assimilating the foreign experience together with a more adequate knowledge of the processes and characteristics proper to the Romanian society;
- increase of internal cohesion within the NGO environment;
- a better distribution of resources through avoidance of parallelisms and fragmentation;
- indirect evaluation of the projects financed by the Programme by the level of NGO demand for these services.

# WHITE PAPER

## ROMANIAN CIVIC NGOs

A preliminary version by Sorin ANTOHI, notes by Dan PETRESCU

Any presentation of Romanian Non-Governmental Organizations (NGOs) in the Civic field should start with a short theoretical discussion concerning civil society. Undoubtedly such a discussion can only guide rather than set a standard. After more than five years of the practice of civil society and attempts to set up a self-referential discourse, the analyst is forced to adjust the Western understanding of the matter to the dynamic and complex local reality of practice. The other option is the adoption of the more wide spread Western categories, which give the illusion that East-West dialogue is essentially a matter of establishing some superficial similarities and terminology.

This paper includes: (1) the establishment of a minimal conceptual framework, (2) the peculiarities of civil society in the Central and Eastern Europe and (3) an outline of the Romanian experience.

The thematic workshop in Brasov consequently focused on collecting new data concerning civic NGOs in Romania. This was an exercise in self-evaluation and an attempt to identify the spheres of co-operation and a presentation of future strategies.

### 1. THE CONCEPTUAL FRAMEWORK

#### a. Civil Society

This obsessive sector of social sciences has a prehistory of its own, which first and foremost includes the term *civilis societas*. This term founded on a tradition initiated by Cicero, imposed itself in the 15th century. It determined a civilized political community, which presupposed the development of urban centers, self defined legislation and civic partnership. In short it was the opposite of barbarism. This traditional understanding of the term, which had already gained valuable implications, was reformulated by proposed ideas (e.g.: Locke) as an antithesis to patriarchal authority and the natural state. Therefore, Adam Ferguson was able to write a history of civil society which was in fact a history of civilization.

Hegel and similar leftist thinkers (e.g.: Marx) revised the axis of reasoning and sustained the concept of civil society (*bürgerliche Gesellschaft*) so it encompassed the stage of development which advanced people reach. At this stage, economic and social systems functioned independently from the ethical requirements of both the law and politics. According to Marx this meant that

only the 'bourgeoisie' had profits, a fact which according to Marxist thinking deepened the bias and led the 'proletariat' to exasperation.

The term 'civil society' was especially used in Marxist dialogue during the 70's. During this time it lost its ethical implications and contributed to the design of the non-political aspects of the contemporary (Western) social order.

#### b. Civil Society vs. The State

In accordance with a logical pattern, so typically European, the distinction between civil society and state has quite quickly become distinct. The formula 'society against state' (Pierre Clasties), initially elaborated for 'primitive' societies, has often been used in extension for modern societies. In this respect, the civil society and the state are in a permanent competition or even in an irreducible conflict. Therefore, civil society has to pressurize (especially through organizations) the state in to reconstruction. In other words, liberal thinking claims that civil society will flourish as the state withdraws and leaves space for many autonomous public domains.

#### c. Recent Developments

Firstly, one can notice that in the West, civil society is prosperous despite the 'threat' posed by the state (by its drift towards assistance) and private corporations (by their ambitions which exceed the 'pure' economic sphere and enter the traditional area of state and civil society). Secondly, one can also notice that theories stating the disappearance of civil society in Western democracies reassemble the complementary theories on the disappearance of the state. Both types of theories represent an ideology rather than a political philosophy. Other recent developments are summarized below. We know that the theories concerning state and society (set up in a classical form in the 19th century) should have been adjusted to fit modern and post-modern realities. The emergence of hybrid institutions which were simultaneously political and social (and even economic, cultural etc.), significantly overlap and spread over their own specific territories, ambitions and competence. The tendency to integrate some key social groups in to the state structures. The appearance of new social movements and new forms of collective action. The disman-

ting of state support which in practice meant a reduced presence of the state as a unifying agent (as in the model of the last century). The transformation of social life (even at the individual level) into an inextricable combination of both public and private norms and provisions (under the ambiguous circumstances of the new conceptions on the public-private division).

The opposition between civil society and the state eventually moves towards co-operation and mutual contamination. The aggressive strategies are reduced and pushed towards a boundary. Some (neo-conservative) groups propose a selective withdrawal of state-power from civil society all together, with a gradual relaunching of both private competition and market ethics. Other groups (which tend towards classical liberalism altered by a neo-liberal reflection) propose an impenetrable and better arranged civil society, granted by the state. The recent history of Western NGOs proves that the democratic state and civil society can have an excellent co-operation, especially if they set their limits mutually but keep a clear distinction.

## 2. THE EASTERN EUROPEAN EXPERIENCE

It is unreasonable to impose Western social theories on non-western local realities despite their capacity to encompass universal historical experiences. In this way, the East European distinctiveness can be more precisely conceptualized and the main traps of the analysis of the information can be avoided. Abusive similarities (a matter-of-fact usage of certain terms, concepts, patterns and theories disregarding the differences), depict Eastern Europe as an exotic area (as a superficial method to describe its distortion) and stigmatize it. For several reasons, such amateur analytical exercises (growing in to a real catastrophe due to the above mentioned vices) are frequently and tiresome as they represent the intellectual element of the typical celebrated, academic and conditional relations between East and West.

### a. The Triangle of the State, Civil Society and the Intelligentsia

Several studies of Russia have revealed that besides the state and civil society, there is a third pole: intelligentsia. According to Alain Besançon, the Russian intelligentsia of the past century was the result of: a centralized mode of education; being under the strict control of the state; founded on the crisis experienced by the Former Regime and emerged under the circumstances of a civil society unable to command the intelligentsia (which came out from within it) to its own values and reasons for existence. While civil society tried to reabsorb the intelligentsia and link it to its desires for change (similar to the Western pre-Revolutionary civil societies which aimed at abolishing the Former Regime), the Russian intelligentsia adopted an abstract and boundless program for change. This program adhered to primitive revolutionary ideology. As civil society dreamt of limited changes, the intelligentsia were radical, these two historical players would soon come into conflict (dull at first and then head on). The mere existence of a common enemy (the state) was not enough to unite them.

The Russian pattern described here cannot be applied to the whole of Central and Eastern Europe, a region with such a small degree of homogeneity. However, one should bear in mind this type of conflict between civil society and the elite (which comes from within them), as well as the structural difficulties of building up, in many Eastern European countries, stability and something more than just rhetorical bridges between terminology. The uncertainty posed by the attempt (which

range from subversion to co-operation) to place the intelligentsia against the state in this region makes the analyses of the respective civil societies more difficult.

### b. The Communist Mutation

The landed ambiguity of the communist state can be perceived in the paradox of a society simultaneously modern and archaic. In other words, the Soviet state produced and exported a modernism which was already archaic. This modernism was proposed by Leninist thinking which was unable to assimilate the mature phase of the industrial revolution, beyond Taylorism and Fordism. Stalinist thinking, a mutation of Sovietism, did nothing else but deepened this characteristic, despite the obvious negative signals from the reality of the situation.

With reference to civil society, this situation was absorbed by a highly rewarded state which was weak (desperately needing the support of an ideology, of the Party and of the political police) as well as megalomaniac, illegitimate and obsessed with (a fake) consensus. However, this did not mean that the totalitarian intention succeeded, although the civil society's atrophy (or its disappearance in some extreme cases) seemed to indicate precisely this fact, especially after the emergence of the New Man.

What was left untouched by this situation? It was precisely those archaic forms, the fossils of the pre-modern sociality which were neither under the traditional state's extent of influence (the everyday life, especially rural) nor a constitutive element of civil society according to the definition given to it by modernism. These relic social spheres, which were there previous to the public-private distinction and clearly previous to the modern state posed a modest subversive potential. It was at the end of the '80s when this subversive potential grew apparent, although not really active. It was less important change to occur to the Communist order than from the forms of civil society that resulted from the dynamics of Communism (e.g.: dissident groups from within the Party, individuals or groups of opposition, free trade unions or trade unions inherited from the pre-Communism and the modern stage of societies in Eastern Europe like Polish Catholic circles).

### c. Post-Communism

The '90s seem to be a triumph to civil society in Eastern Europe. But what kind of civil society is it? Where does it come from? Is it represented by some hidden forces which have now come on to the stage? Is it a sudden development of some previously reduced phenomena? Is it the resurrection of pre-Communist civil society or a spontaneous generation?

The experience of the past years will indicate that certain features (which have an endemic character at least for some of the states in Eastern Europe) could be present again or perhaps they have never disappeared. The intelligentsia in this region (which are not merely a revised version of the Russian intelligentsia in the past century but exhibit important similarities) have involved themselves in relaunching the structure and the ethos of civil society. This has occurred despite the total fracture under the Communist rule between the intellectual democratic (or at least with a democratic bias) elite and 'the mass'. One can now see leaders of opinion and political frameworks who articulate a new discourse on civil society and who speak to their indifferent fellow countrymen generally using an inappropriate rhetoric. By these means they try to reclaim the population for the cause of a Western type of democracy.

This new discourse often has a lower power to mobilize than its corresponding alternatives (the discourse based on: Communist nostalgia and restoration, nationalism or a combination of these two).

The reality of the civil society in Eastern Europe is therefore a great problem. In what way do the shy work for NGOs or the academic build a constructive view of the West that stimulates this reality? In short: can civil society be built up?

### 3. THE ROMANIAN AREA

There seems to be problems with the current state of Romanian civil society. Perhaps because part of the col-

lective illusions of change have been reabsorbed or have been transformed into the opposite as a result of the obvious failure of this transition. Romania faces an extreme difficulty in estimating the civic NGOs' contribution because: the civic/social-political distinction is difficult to be made (for example hybrid forms like The Civil Alliance are not easy to categorize); many such organizations make no promotion on their activity (sometimes because they try to protect their financial resources, which are often international) and finally the existing data bases are not complete, easily accessible or credible (data from Soros Foundation, for example).

If the situation or solutions were clear we would not need a Forum for non-governmental organizations.

## NOTES

### 1. PRESENT SITUATION OF CIVIC NON-GOVERNMENTAL ORGANIZATIONS

During the "Civic NGO" workshop, the participants concentrated on developing this draft paper which attempts to define civic organizations as well as to address the issues of civic NGOs.

The proceedings of the workshop were led by Ms. Juliana Geran Pilon, Director of Programs, IFES. The reporter was Mr. Petre Anghel. The following is an edited synthesis of the discussions and analysis made by the participants, written by Dan Petrescu of IFES-Romania.

#### a. The definition of civic non-governmental organizations

*Civic organizations are non-governmental, non-profit structures, promoting civic activism with the aim of involving the citizens in solving local or regional issues.*

This rather general definition tries to include the group of organizations that promote or watch the fundamental civic values and rights (e.g.: voting rights and participation, election monitoring, accountability of their elected officials etc.). These are the objectives of human rights organizations and also those of organizations who are concerned with the development of democratic structures and attitudes at local and regional levels through various issues be it environmental, juridical, economic etc.

A special problem in this area is the proper identification of such organizations. As there is no documentation available for the classification of such organizations. Of course one may name organizations like Pro Democracy Association, Pro Europe League, Civitas etc. As well as, well known national and regional NGOs, issuing annual reports and having clearly defined and run programs. There are also an important number of less known organizations, which act at a local level such as Union of the Vrancea People in Focani, Pan Civica in Râmnicu Vâlcea etc.. It is a goal for the future to identify all organizations that fall under the above umbrella definition.

#### b. Target Groups

*The target group of a civic NGO can be any segment of a community which has a common interest and/or need.*

The sense of the above denotation strengthens the very definition of civic NGOs. It stresses participation, which is the main objective of these organizations.

*The difficulties encountered by these NGOs with relation to their target groups are: identification, access, lack of knowledge concerning their problems, lack of resources, lack of democratic experience, communications, lack of managerial experience.*

The characteristics mentioned above represent an extremely shortened assessment of a number of difficulties encountered by the initial civic NGO movement, which was based essentially on enthusiasm. At present there is a need for a more professional approach especially in the area of the theory and practice of mass-communications techniques, collective decision making as well as leadership and management of non-profit NGOs.

#### c. Means of action

*Civic NGOs actions include: upholding and acting in the direction of spreading knowledge and education of the spirit of civic values, stimulating public involvement and participation, promoting and defending individual human rights, upholding the common interest and act in the sense of monitoring and controlling the activities of the authorities.*

This wide inventory includes specific activities such as civic education programs (seminars, publishing and distributing educational materials etc.), participating in national campaigns of public opinion and information and collecting signatures for legislative initiatives (see the campaigns of Pro Democracy for parliamentary accountability and reform of the electoral system).

#### d. Partners

*Potential partners in civic NGOs activity are: parliamentarians, local administration, governmental institutions, political parties, mass media, unions, other types of NGOs, churches, electoral institutions, national or international foundations and other international institutions.*

The variety of the potential partners is understandable in view of the wide array of issues in the sphere of civic NGOs. Practically any elected body or representatives of professional communities or interest groups can become potential partners of civic NGOs as long as there are common interests that can be sustained through public participation.

*Problems of civic NGOs in relationship with other NGOs: lack of adequate knowledge of these organizations, lack of solidarity, communication and cooperating spirit, par-*

aliet actions, lack of infrastructure and lack of managerial experience.

*Problems in the relationship with other partners: lack of political will, identification of difficulties, absence of channels of communication, intolerance and a want of democratic experience and ignorance of the legislation and its shortcomings.*

Most of the problems mentioned are related to deficient or absent communication as well as an inherited suspicious attitude. Problems related to the legislation, discussed at length have in fact been made clear in the two resolutions made during the Forum '95. On the basis of this, action will be taken.

## **II. SOLUTIONS FOR THE IMPROVEMENT OF CIVIC NGOS ACTIVITY**

In the civic organizations workshop, the participants tried to suggest an example of a strategy of action to improve activities. Using a process of force field the driving and restraining forces were identified. Solutions were found to enhance the first and weakening the second. The contents of the analysis session are presented below:

1. Positive, driving forces identified and solutions of enhancing them:
  - 1.1. Adaptability of NGOs
  - 1.2. Quality of leaders; solutions: training, human resources management, public relations and managerial assistance.
  - 1.3. Collaboration with the mass media; solutions: activities concerning information and education, partnership and development of personal contacts.
  - 1.4. Cooperation with the international community; solutions: identification of partners, activities concerning information and education, partnership and development of personal contacts.
  - 1.5. Networking; solution: identification of partners,

development of collaborating attitudes, development of partnerships and constant information sharing.

- 1.6. Growth of the number of civic organizations
- 1.7. Partnership with local administration.
2. Negative restraining forces and solutions:
  - 2.1. Poor experience and managerial activity; solution: training and managerial assistance and human resource management.
  - 2.2. Lack of resources; solution: fundraising plan (budgeting, identification of sponsors and other funders) and increasing own funding activities.
  - 2.3. Absence of volunteers; solution: perfecting the recruiting and motivating techniques.
  - 2.4. Need for increased access to public institutions; solutions: (i) proposals for the improvement of relevant regulations; (ii) activities targeted at educating and informing the authorities
  - 2.5. Regulatory legislation; solution: actions related to improving the relevant laws (sponsorship laws, tax laws, law 21/24 and the public finance law)
  - 2.6. Citizens resistance to change; solution: continuing educational activities
  - 2.7. Inadequate media coverage; solution: training in communications and marketing techniques
  - 2.8. Duplication of activities; solution: networking and improvement of activities concerning information
  - 2.9. Lack of communication with the external environment

The solution to the last four points lies in a concerted effort to increase training in internal and external communications of the civic NGOs.

The analysis made above can help civic organizations identify their main deficiencies and act accordingly to improve their activities.



## WHITE PAPER

# ROMANIAN ECONOMIC DEVELOPMENT NGOs

Despina PASCAL, dr. Ion ANTON

### FOREWORD

This 'White Paper' concerns the non-governmental organizations (NGOs) and non-profit organizations, which function in the field of business and trade development in Romania. It is the second update from the International Foundation for Electoral Systems (IFES) presenting this extremely dynamic sector of civil society, which has a great potential in the role of economic democracy.

Without being an exhaustive record of all the NGOs functioning in the field of business development in Romania, the present report represents a starting point and a basis for debates concerning the state of this sector. The debates have already taken place during the workshops organized for this report at the NGO Forum in Braşov, May 1995.

The drafting of this 'White paper' has prompted an effort to gather reference material, to communicate and to synthesize the information offered by other organizations and programs, such as the campaign 'Good morning, Romania', developed by Deloitte & Touche.

Further information was provided by the second Forum of the Employers Organizations, Oradea, 1994 and by the Annual Report (1994) of the 'Romanian Center for Small and Intermediate Enterprises'.

At the same time, the present 'White paper' is a good account of the documentation which has been accumulated by The International Center for Entrepreneurial Studies (CISA), during the common programs developed together with the NGOs in the field of business.

Nevertheless, the comments, conclusions and directions concerning further actions belong to the authors and the participants of the workshops which took place at the 1995 NGO Forum.

### THE ECONOMIC ENVIRONMENT OF THE NGOs

The development of the non-governmental sector in the economic and business field is closely connected to the overall evolution of the private sector, whose interests it represents and for which it offers certain services.

The rapid growth of the private sector is an encouraging aspect for the appearance and development of the NGOs.

At the end of 1994, it was estimated that the private sector had contributed approximately 38% of the GDP

and the work force employed in the private economic sector represented 41% of the whole work force.

The distribution of the work force and of the turnover for each sector of the economy demonstrates that in Romania, the private sector is active mainly in agriculture, commerce and services. It must be taken into consideration that the percentage of the work force and that the turnover of the industrial sector is less than 2% of the small and medium size enterprises represented in this sector.

The data provided by the National Office of Registered Commerce demonstrates an extremely explosive amount of new private enterprises entering the free market.

Each small and medium size private company ensures on average 3.5 working places.

The great majority of the private companies can be described as 'micro' in size. This category comprises 92.8% of all the private companies, 36.3% of all the persons employed in the private sector and contributes with 60.4% of the turnover of the private sector.

The class of small enterprises has maintained its importance within the sector and this is why the concerns of these private enterprises need to be much better sustained and represented.

The small and medium size enterprises are vulnerable due to their size and their economical force in their relationship with the state owned enterprises and also because they are strongly disadvantaged compared to the state owned enterprises. Small and medium size enterprises have set up with their own free initiatives, their own associations and representative structures.

The NGOs which function in the economic and business field are established according to the Law 21/1924, according to certain governmental decisions (e.g.: The Romanian Chamber of Commerce and Industry and 'The Romanian Center for Small and Intermediate Enterprises') or according to the provisions of Article 23 of the Ordinance 25/1993 which has become the Law nr. 83/1994 for the stimulation of the small and medium size enterprises.

### NGOs IN THE ECONOMIC AND BUSINESS SECTOR

Similarly for the situation in other countries of Central Europe, the NGOs find themselves in a stage of devel-

opment and ripening which brings certain difficulties. Beside the chambers of commerce which are still looking for their place in the market economy, there have developed a large number of independent business organizations. These are now competing against the chambers of commerce and against one another.

The structure of the NGOs in the field of business is as follows:

- Employers' Associations (Chap. 1)
- Chambers of Commerce and Bilateral or Mixed Chambers (Chap. 2)
- Training and Consulting Centers (Chap. 3)
- Professional Associations (Chap. 4)

## **CHAPTER 1. EMPLOYERS' ASSOCIATIONS**

In the districts where there has taken place a dramatic evolution of the business community, one can also notice the build up of associative structures, which represent the interests of the owners of private companies.

These district employers' organizations are generally members of associative federate structures at a national level, and are described as follows:

### **THE NATIONAL UNION OF ROMANIAN EMPLOYERS (UNPR)**

It was founded in 1992 and has its headquarters in Bucharest: 2k Splaiul Independentei, 3rd floor, Tel: 40 (0)1-311 09 91; Fax: 40 (0)1-311 09 93. The chairman is Ștefan Chelariu.

UNPR claims to have 234,720 members.

The aim of the organization: It represents and defends on a national and local level, the rights and the interests of its members. It provides, for its members, technical and commercial assistance and consulting services on the following issues: the technological modernization of small private industrial production; the use of equipment and technology in small industrial production and the promotion of marketing techniques on a local and international level. It also supplies via an adequate information network the current data and information concerning the activities of its members.

The organizational structure: 52 territorial federations which are organized as non-profit institutions with their own legal status and 8 professional associations.

The budget of the organization: 174.6 million Lei out of which 84.6 Lei represents the contribution of the members and the rest is the result of sponsors and grants for activities.

In 1994 UNPR benefited from PHARE financial support which was administrated by The Romanian Center for Small and Medium size Enterprises.

Main projects: The Congress of the Employers' Associations in Romania.

Projects which are being developed at present: Assistance, auditing and consulting services in the technical, economical, fiscal and juridical fields.

Organization, functional and structure: UNPR has 116 paid employees.

The leadership is ensured by the following bodies: The 'convention' which meets in regular sessions and nominates the Management Board and the Auditing Commission. The Board includes 95 members and it has a 4 year mandate. The Board of Directors is made up of 21 members who ensure the management of the current UNPR activities and the implementation of the decisions taken by the Management Board. The Chairman of UNPR is elected for a period of 4 years.

### **THE NATIONAL COUNCIL OF THE SMALL AND MEDIUM ENTERPRISES (CNIMMR)**

Bucharest, 16 Republicii Blvd., Tel: 40 (0)1-312 66 08. It was founded in 1992 and functions as an employers' organization which is non-governmental, non-political and non-profit.

The aim of CNIMMR: To promote and defend the economic and social interests of the private entrepreneurs.

The structure of the members: Small or medium size enterprises with private capital, an individual who has an entrepreneur license.

Structure: 21 branches and initiative groups all over the country. Associative and cooperation agreements with the employers' associations in Cluj, Oradea, Braila, Rm. Valcea, Ploiesti, as well as with the Romanian Federation for Montan Development and the Romanian Foundation for the Promotion of Quality. CNIMMR is a member of the European Confederation of Independent Entrepreneurs (CEDI).

Main Projects: The Mutual Fund for Businessmen (FMOA), a financial institution which was founded in December 1993 by CNIMMR. The Manager Institution and The Romanian Association for Management in Supplies and Sales (AROMAV). The FMOA project is administrated by The Society for Financial Assistance and Investments (SAFI) which is one of the auditing companies accredited to CNIMMR.

Other activities of CNIMMR: It provides consulting services and qualified assistance for starting up and developing contacts with Romanian and foreign partners. It recommends auditing companies and collaborates with them to organize intensive courses in the field of: management, financing and accounting, commercial and judicial procedures, contracts, evaluating assets, interviewing personnel as well as publicity and advertising.

It also provides logistic support and assistance to the initiative groups of the private entrepreneurs.

The board - Chairman: Prof. Ovidiu Nicolescu Ph.D., General Manager: Lucian Blaga.

### **THE NATIONAL COUNCIL OF THE EMPLOYERS FROM ROMANIA (CNPR)**

Headquarters: 155 Piața Victoriei; President: Mihai Carclog, Vice-President: Eugen Burada; Tel: 40 (0)1-615 81 66; 650 07 46; Fax: 40 (0)1-312 09 67.

It has 25 local organizations which include 200 smaller organizations.

Aim: To support the entrepreneurs and all the producers. It promotes managerial behavior which meets the requirements of the market economy.

Targets: To solve key problems concerning the restructuring, relaunching, privatization, capitalization and development of business enterprises and their transformation into efficient units.

Financing: Contribution from members and support from PHARE/ CRIMM.

### **THE ROMANIAN NATIONAL EMPLOYERS' ASSOCIATION**

Founded in March 1991 with headquarters at 219-221, Șerban-Voda Street. It is represented by Ioana Nicolae and Costache Gheorghe.

The organization has branches in 38 districts and representative offices in USA, Italy, Greece and Germany.

### **THE NATIONAL CONFEDERATION OF ROMANIAN EMPLOYERS (CNPR)**

With headquarters at 2-4 Ministerului St. Bucharest, represented by Hidos Cornel.

During the past two years, among these employers' associations there were concluded several strategic alliances known as: The Agreement among 6; The Alliance of the Romanian Employers' Association (Dec. 1993); The Agreement among 4, and more recently, The Agreement between 2 (namely The National Council of the Employers' Association from Romania and The National Council of the Small and Medium size Enterprises).

Beside these 'employers' associations, there gravitate a number of other non-governmental structures, such as:

- **The Union of the Small and Medium size Enterprises from Romania**, at 1-3, Scaune Sr., 3rd. floor, ap. 22, Bucharest, the contact person: Mircea Burada; Tel: 40 (0)1-312 49 95.
- **The Romanian Union of the Industrial Producers and of the Independent Merchants**, at 39 Panciu Str., Bucharest, the contact person: Gheorghe Cozea, Tel: 40 (0)1-668 77 80; 659 27 95; Fax: 40 (0)1-311 05 81.
- **The General Union of Romanian Manufacturers**, at 2-4 Ministerului St., 2nd. floor, sector 1, the contact person: George C. Paunescu, Tel: 40 (0)1-312 70 06; 615 02 00; Fax: 40 (0)1-312 70 06.

#### LOCAL EMPLOYERS' ASSOCIATIONS

- **The Association of Private Entrepreneurs, Sibiu**, at 11 Piata Mare Street, the contact person: Gheorghe Nicolaescu
- **The Association of the Firms with Private Capital Companies, Brăila**, at 1, Vapoarelor Street, the contact person: Gheorghe Caruz, Tel: 40 (0)39-611 544.
- **The Association of the Employers with Private Capital, Turnu Măgurele**, at 70 Nicolae Balcescu Street, 0750 Turnu Magurele, the contact person: Ion Nastasescu, Tel: 40(0)47-413 708; Fax: 40(0)47-413 088.
- **The District Employers' Association, Teleorman**, at 107 G. Al. Ghica Street, the contact person: Spiridon Did, Tel: 40(0)47-322 260, Fax: 40(0)47-325 000.
- **The Association of the Employers with Private Capital, Rosiori de Vede**, at 51 Dunarii Street, 0600 Rosiori de Vede, the contact person: Mircea Zlătaru, Tel: 40(0)47-462 385; Fax: 40(0)47-461 411.
- **The Employers' Association Prahova, Ploiești**, at 2, Ștefan cel Mare Street, 2000 Ploiești, the person to contact: Adrian Moroiu, Tel: 40 (0)44-145 923.
- **The Employers' Federation, Dolj**, at 20, Bujorului Street, 1100 Craiova, the contact person: Constantin Mindrulenu, Tel: 40(0)51-134 447; Fax: 40(0)51-714 71 69.
- **The Employers' Federation Bihor**, at 6, Piața Unirii, 3700 Oradea, the contact person: Viorel Lascu, Tel: 40(0)59-135 098; Fax: 40(0)58-135 098.
- **The Foundation of Businessmen, Constanța**, at 32-34 Unirii Street, 8700 Constanța, the contact person: Nicolae Butoi, Tel: 40(0)41-660 615, Fax: 40(0)41-619 468.
- **The Group of the Private Employers, Maramureș**, at 11 A, Unirii Bvd., 4800 Baia Mare, the contact person: Petre Mitru, Tel: 40(0)62-436 729; Fax: 40(0)62-436 705.
- **The League of the Private Entrepreneurs, Pitești**, at 14 B, Depozitelor Street, 0300 Pitești, the contact person: Florea Ciobanu, Tel: 40(0)48-681 137; Fax: 40(0)48-681 137.
- **The District Employers' Association Arad**, at 3 Cristian Street, 2900 Arad, the contact person:

Marin Păun; Tel: 40(0)57-237 722; Fax: 40(0)57-237 772.

- **The Chamber of Commerce and Industry of Private Entrepreneurs from Bucharest**. Founded in June 1990 as an autonomous, non-governmental and non-profit organization, according to the Law 21/1924 and to the Decree 31/1954, with the headquarters at 6 Episcopiei Street, sector 1, 70144 Bucharest. The president: Eugen Marcov and General Secretary: Daniela-Maria Crețeanu, Tel: 40(0)1-614 32 75; Fax: 40(0)1-312 31 35.

In November 1994 the first branch of the Chamber of Commerce and Industry of the Private Entrepreneurs was founded with the same aims and activities as the umbrella organization.

Founders: 20 private entrepreneurs.

Members: 200 commercial societies, small and medium size enterprises as well as individuals.

Aim: To represent, support, promote, and defend the legal rights of their members in the professional, commercial and financial domain. Also to sustain the development of the partnerships between Romanian and other European companies while creating concrete actions with a view to integrating Romania into the structures of the European Union.

Activities:

- It provides assistance and consultation for juridical, commercial, financial and managerial fields for its members or for third parties.
- The establishment and development of international connections with similar companies and organizations. With a view to extending the activities of their Romanian members to an international level (e.g.: import-export, finance and joint ventures).
- Exchanges and biunivocal spreading via community programs. These concern information, business opportunities, cooperation proposals, investments, chances for external financing by banks or by the European Union.
- Organizing of seminars, round table meetings, exhibitions, fairs and business trips.
- The building up of a supportive system for private investors by setting up the Mutual Fund of the Private Investor.

Since 1994, The Chamber of Commerce and Industry of the Private Entrepreneurs has been affiliated to the Association of the Employers' Inter-professional Organizations from the Capitals of Europe.

Since 1994, The Chamber of Commerce and Industry of the Private Entrepreneurs has been a member of the Board of the European Committee, to help build a relationship among the social activists operating in the Public Services in Brussels.

Programs which are currently being developed:

- **BUREAU DE RAPPROCHEMENT DES ENTREPRISES (BRE)**. A program created and organized by the Commission of the European Community for the promotion of business, commerce and international cooperation on a non-confidential basis. As a local representative for Romania, The Chamber of Commerce and Industry of the Private Entrepreneurs has the role of promoting the Romanian business opportunities via the BRE network and in Romania the business proposals suggested by companies in other countries. In this way facilitating contacts between companies interested in the respective subject.
- To organize and set into motion a NATIONAL

NETWORK FOR THE DISSEMINATION AND GATHERING OF BUSINESS OPPORTUNITIES. The project is financed by PHARE/CRIMM (Romanian Center for Small and Medium size Enterprises) and aims to integrate the Small and Medium size Enterprises in Romania in to international networks by exchanging business opportunities and by accessing economic data bases.

**Other activities:**

- It facilitates the participation of Romanian businessmen to commercial events organized within and by the European community: EURO-PARTNERSHIP, EURO-TECHNOLOGY, INTERPRISE AND EURO-ALLIANCE.
- The publishing and distribution of the bimonthly EURO-BUSINESS bulletin, which is a bimonthly economical and juridical publication containing information about the countries of the European Union. It is published with the support of the Commission of the European Community, DGXXIII.

**Staff:** 5 permanent employers and 18 external co-workers.

**Budget:** It is made up of the contribution of its members, fees paid for various services offered to other enterprises and other sources.

- **The Chamber of the Private Farmers,** Curtea de Arges, at 25 Basarabilor Street. The contact person: Tudorel Bărbulescu, Tel: 40(0)48-712 809.
- **The Confederation of the Private Entrepreneurs from the Timis District,** at 6 Lenau Street, Central Hotel, Room 104., 1900 Timișoara. The contact person: Vilmos Soos, Tel/Fax: 40(0)56-190 091.
- **The Employers' Association from the Cluj District,** at 4 Muzeului Street, Cluj Napoca, the person to contact: Ioan Mantea, Tel/Fax: 40(0)64-193 455.
- **The Association of the Employers and Handicraftsmen,** at 18 Motilor Street, Cluj Napoca, the persons to contact: Gheorghe Ardelean and Petre Tamas
- **The Employers' Federation Satu Mare,** at 27 Cosbuc Street, 3900 Satu Mare, the persons to contact: Mircea Chereches and Elena Orha; Tel: 40(0)61-716 005.
- **The 'Ardealul de Sus' League,** at 13 Vlad Tepeș Street, 220 Brașov, Tel: 40(0)68-113 770; 150 030; Fax: 40(0)68-151 874.
- **The Association of the Women Managers,** at 40 C Olari Street, Bucharest, the person to contact: Raluca Bejan, Tel: 40(0)1-619 16 89; Fax: 40(0)1-311 22 34.
- **The Association of the Private Entrepreneurs,** at JO-INFO, Tg. Mures, 147 1 Decembrie 1918 Bvd., represented by Bod Aladar Albert, Tel: 40(0)65-135 220; Fax: 40(0)652-168 095.
- **The Association of the Handicraftsmen and Merchants,** with the headquarters in Bucharest, 15 Smirdan Street, represented by the manager Valeriu Ruta, Tel: 40(0)1-615 69 38.

**CHAPTER 2. THE NETWORK OF THE CHAMBERS OF COMMERCE AND INDUSTRY AND THE MIXED (BILATERAL) CHAMBERS OF COMMERCE**

- **The Chamber of Commerce and Industry of Romania.** With the headquarters in Bucharest, 22 Nicolae Balcescu Bvd.; President Aurel Ghibutiu Ph.D., Tel: 40(0)1-312 13 12; 615 47 03; Fax:

40(0)1-312 38 30. It was founded according to the Decree, Law 139/May 1990.

Subsequently, in each district of the country local Chambers have been founded which operate as non-governmental and non-profit organizations and are autonomous in relation to the Chamber of Commerce and Industry of Romania.

The aim and the objectives of the Chambers of Commerce: They promote those activities which are meant to support the strengthening and the extension of the private sector, the development of agriculture, industry and services.

**Activities:** They are not engaged in direct commerce but they organize for their members the following types of activities and services: possible contracts, negotiations, exhibitions, fairs, assistance concerning the setting up of commercial companies, Romanian economic missions abroad, business forums, the training of specialists and managers. The Offices of the Commerce Register are affiliated to the Chambers of Commerce and Industry and they operate according to the Law nr. 26/1991.

**Main projects:** The multiplying and printing of various texts. The National Office of the Register of Commerce, offers the firms the following publications 'The Catalogue of Commercial Companies' and 'The Catalogue of Companies in Bucharest' as well as others: Methodological Advice; The Statistical Bulletin and Catalogues with the addresses of various companies. It also offers information with a view to identifying a company which exists in the data bank, information about companies according to certain criteria and it organizes the multiplying and printing of texts.

The budget of the chambers of commerce: It is made up of: members contributions (according to the turnover or profit), money coming from other sources (attracted by the Offices of the Commerce Register which are affiliated to the chambers) and the fees for the services they offer on commercial principles to the firms.

The strategic leadership: This is held by the General Assembly of the members, the current leadership is ensured by a president elected for a period of four years.

**Bilateral Chambers of Commerce**

**Aim:** They are non-profit organizations which intend to contribute to better information of Romanian and foreign entrepreneurs as well as the institutions concerned with the business climate between partners, their markets, the import-export possibilities and the economic regulations in force.

**Projects:** Concluding contracts, offering consulting services with a view to develop exchanges, promoting economic cooperation and the foundation of joint ventures. The representative offices in Romania keep the entrepreneurs informed about the economic situation and interest regarding Romanian markets.

- **The American Chamber of Commerce in Romania,** at 9 Gh. Manu Street, sector 1, Manager: Costin Poiana, Tel: 40(0)1-659 36 00, Fax: 40(0)1-650 66 84.
- **The Franco-Romanian Chamber of Commerce and Industry,** at 50-54 Mihai Eminescu Street, sector 1, Bucharest; contact person: Catherine Camboise; Tel: 40(0)1-211 01 23; Fax: 40(0)1-611 01 23.
- **The Romanian-Swiss Chamber of Commerce,** at 2, Sf. Spiridon Street; Tel: 40(0)1-210 38 29.

- **The Romanian-Russian Federation Chamber of Commerce**, at 48, Jean Louis Calderon Street, sector 2, Bucharest. Manager: Vladimir Kupreev; Tel: 40(0)1-312 37 98.
- **The Romanian-Indian Chamber of Commerce**, at 22, Balcescu Blvd, Bucharest, Tel: 613 52 71; Fax: 312 38 30.
- **The Romanian-Israeli Chamber of Commerce**, at 133, Calea Victoriei, 4th floor. Manager: Jose Iacobescu; Tel/Fax: 40(0)1-312 02 89.
- **The Romanian-Italian Chamber of Commerce**, at 31, Panduri Street, Bl.P2A, 2nd floor, apt.9, Bucharest, Tel: 40(0)1-631 50 54.
- **The Romanian-Ukrainian Chamber of Commerce**, 135, Calea Victoriei, 7th floor. Manager: Nicolae Dragonian, Tel: 40(0)1-659 63 85; Fax: 40(0)1-312 10 59.
- **The Romanian-Hungarian Chamber of Commerce**, 8, Unirii Blvd., Bl.7A, 2nd floor. Manager: Ioan Apollan; Tel/Fax: 40(0)1-312 73 81.

### CHAPTER 3. TRAINING AND CONSULTING CENTERS FOR BUSINESS

- **'The Romanian Center for Small and Medium size Enterprises Foundation' (CRIMM)**. Created by Governmental Decision nr.405/1992, with headquarters in Bucharest: 20 Ion Cimpineanu Street, sector 1; Tel: 40(0)1-311 19 95; 311 19 96; Fax: 40(0)1-312 69 66. President/Chairman: Bogdan Teodoru, manager: Laurențiu Tachiciu.

The main aim: To promote and support the development of the small and medium size private enterprises.

Other objectives: The setting up of the Regional Development Centers for the Small and Medium Enterprises (CRIMM), guiding, supervising, coordinating, technical assistance and development of human resources.

The CRIMM network operates in Argeș (Pitești), Brăila, Dolj (Craiova), Maramureș (Baia Mare), Teleorman (Alexandria). The setting up of the National Network for Business Innovation and Incubation Centers has been accomplished by selecting the following centers: Bucharest, Timișoara, Baia Mare, Brăila and Miercurea Ciuc.

The Main programs of CRIMM (Romanian Center for Small and Medium size Enterprises): The implementation of the PHARE Program of developing the sector of the small and medium size enterprises in Romania (project R-9207), which has been financed by the European Community for 1993-1995.

Main Projects: The scheme for ensuring the purchase of equipment for the new small and medium size enterprises in order to compensate their lack of access to funds. This scheme is called 'The Program of Financial Assistance for Equipment Purchasing' and is also open for private companies which are supported by the other CRIMM (Developing Centers for the Small and Intermediate Enterprises), operating on a local level. The access principles which lie at the basis of the scheme guide the financial assistance only towards the small and medium size enterprises sector in the field of production and services, which are related to this sector.

Financing: The CRIMM (Romanian Center for Small and Medium Enterprises) activity and projects are financially supported by: the Romanian government for infrastructure (via the RDA (Romanian Development Agency), sources from PHARE for facilities, equipment, training of the Centers staff,

Romanian and foreign consulting centers and research reports regarding the evolution of the sector. For certain types of expenses (e.g.: salaries) there is a self-financing scheme that involves selling services and principle programs on the market. The disposable budget set by the European Union is 10 mil ECU in several installments.

The staff: 21 at CRIMM and an average of 3 to 4 persons for each CDIMM.

- **The International Foundation of Management (FIMAN)**. It was founded according to the Law 21/1924 in 1992 with its headquarters in Bucharest, 6-8 Povernei Street, sector 1. Manager: Gabriel Matauan; Tel: 40(0)1-212 29 12 and 211 19 45; Fax: 40(0)1-212 19 37.

Aim: To create a basis for the understanding and development of the management system in Romania. Its also aims to develop itself and to identify the needs of the market and to meet the international standards of the network of competent operational institutions.

Projects: FIMAN is meant to be an agency belonging to the PHARE program which can implement management. It was conceived as an integration and support program for Romania in the transition period to the market economy.

Financing: PHARE

- **The Center for Implementation of Efficient Management (CIMP)**. It was created as a non-governmental and non-profit organization in September 1992 with the headquarters in Bucharest, 1-3 Armata Poporului Blvd. sector 6; Manager: Carmen Pânzar; Tel: 40(0)1-631 71 72, 631 25 30; Fax: 40(0)1-311 18 13.

Founders: The Bucharest Polytechnic University, The Ministry of Industry, The Romanian Agency for Development and The University of Hertfordshire and the Know-How Fund in Britain.

Aim: The implementation of modern management techniques and methods, in order to increase the performance of the Romanian enterprises and to support them in the restructuring process.

Objective: The elaboration of certain 'Romanian solutions' by the analysis of the leading managerial methods, which have been used with success in the industrialized countries during the restructuring process (a process which has been imposed by the changes which occurred in the business environment). The way CIMP tackles the problem is dependent on the identification, development and capitalization of the human resources in the enterprises and their involvement in the process of adjustment to a market economy. CIMP plays an active role in facilitating the contacts between Romanian and British companies with a view to establishing cooperation relationships.

Activities/Projects: Consulting services for the restructuring of organizations in the field of human resources and in other specific fields: marketing, quality, financing schemes. CIEM organizes courses on the following topics: efficient management, strategic management and integrative modules at request.

Other activities: The publishing of teaching and training material and case studies. The center publishes an information periodical 'Efficient Management'. CIMP is the organization which represents in Romania, the English group known as BESO (British Executive Service Overseas). This is an organization which offers help by a group of experts for assistance and consulting services to all

the countries in East Europe, with a view to facilitating rapid and efficient transactions.

Staff: 20 persons (counselors and instructors) and external collaborators. The current management of CIMP is ensured by an executive director.

Financing: Initially from the founders and then by selling their services and training programs. The British Know-How Fund and The University of Hertfordshire ensure the main financial support for CIMP.

- Another KNOW-HOW FUND project is **The Business Foundation Mureș**. It was created in 1993 in Târgu Mureș with headquarters at 36 Gh. Doja Street. Managers: Silvia Pop and Bokor Ferenc; Tel: 40(0)65-169 600; Fax: 40(0)65-169 444.

Aim: To promote small and medium size enterprises, to prevent unemployment by continuous training and new qualifications, to reorganize enterprises by offering specific consulting services and to sustain the Anglo-Romanian partnership and relationships.

- **The Center for the Promotion of Small and Medium Enterprises PNUD**. Created in 1992 with headquarters in Bucharest, 3 Modrogan Street; Program Manager: John Allen. Although this is a project which is financially supported by PNUD and the Romanian Government through The National Agency for Privatization, this center has developed through the country a network of FOUNDATIONS 'DEVELOPMENT CENTERS FOR SMALL AND MEDIUM ENTERPRISES' which function in Alba Iulia, Galați, Brașov, Iași, Buzău, Târgoviște and Satu Mare.

- **The Foundation 'Civic Action' - The Center for Economic Development**. Created in 1993 with the headquarters at 9, Săgeții Street, sector 2; Manager: Prof. Ion Hohan.

Aim: Support for the development of business. It is addressed to those who are in favor of the Civic Alliance party.

Projects: Economic and juridical consulting services, data bank as an operational structure, courses in business administration and other types of training.

- **The Romanian American Center for Excellence in Business**. Created in 1992 with the headquarters at the Polytechnic University of Bucharest, 1 Polizu Street, block P, 2nd floor; manager: Cezar Scariat; Tel: 40(0)1-659 49 56; Fax: 40(0)1-312 95 81.

Aim: Educational projects in the economic field addressed to teachers, students, managers and entrepreneurs.

Activities: Consulting services, assistance for entrepreneurs and training programs.

Projects: Cooperation with The Romanian Agency for Development, The Foundation 'The Romanian Center for Small and Medium Enterprises' and The Chamber of Commerce and Industry of Romania.

Financing: USAID

- **The Romanian American Center for the Development of Small and Medium Enterprises Bucharest**. It was created in 1992. It functions in connection with The Academy for Economic Studies, 11 Tache Ionescu street; Managers: Ioan Ursachi, Marcel Duhăneanu; Tel/Fax: 40(0)1-312 96 98.

Projects: Consulting services for the entrepreneurs and managers of the small and medium private enterprises in the field of financial management, accounting, juridical, distribution and export/import.

Seminars and auditing services (drawing up a business plan).

Financing: Initially from USAID consequently by selling programs.

Such centers with similar projects and services function in cooperation with other universities in the country: Craiova (13 A.I.Cuza Street; manager: Florin Radu; Tel: 40(0)51-11 89 63); Timișoara (2A Paris Street 4th floor; manager: Anca Drăgoi; Tel: 40(0)56-135 966) and Iași (22 Copou Bvd. block B; Manager: Dumitru Oprea; Tel: 40(0)32-144 760).

#### **CHAPTER 4. NON-GOVERNMENTAL PROFESSIONAL ASSOCIATIONS**

- **THE INTERNATIONAL CENTER FOR ENTREPRENEURIAL STUDIES (CISA) BUCHAREST UNIVERSITY**. It was created in January 1992, with the headquarters in Bucharest, 64, Kogălniceanu Blvd.; Tel/Fax: 40(0)1-613 33 40; President: Ion Anton Ph.D..

Aim: To promote and support the market economy and the private enterprises in Romania as factors which consolidate democratic values and the individual freedom of the entrepreneurs class to be.

Activities: In order to attain its goal, CISA is implied in the following types of activities: research, consulting, round tables, conferences for encouraging communication with decision makers, periodical publications, translations and publishing of books and manuals as well as organizing a Resource Center.

For a more rapid transition to the market economy, CISA places importance and necessity on the transfer of international experience to Romania, taking into consideration the characteristics of the Romanian economy and society.

Projects:

- Program of Entrepreneurial Development in Romania, 1992-1993 with the support from CIPE Washington D.C. (CIPE is affiliated to the USA Chamber of Commerce).
- The Policy Research Program 'The Economic Restructuring in Romania' common program CISA/ICEG San Francisco, 1993-1994.
- The Program 'The Development of the Private Enterprise in Romania' 1994-1995, the second which is financially and technically supported by CIPE.
- The Pilot Business Incubator, a project which is integrated in EURO-IN-IN and has been initiated with the financial and technical support from CNA Veneto, Italy. The project is being developed in cooperation with The Faculty of Transportation of the Polytechnic Bucharest.

Evaluations: The CISA programs have been attended by 1630 people in the period 1992-1993, out of whom 25% were real entrepreneurs and 75% potential ones. After having attended the courses of how to start up a business, 14% of the participants have started up their own business.

The second CISA/CIPE program has been attended up to now by 826 managers, entrepreneurs and employers.

ICES is the only organization which offered a program concerning privatization and the management of restructuring in this critical period of developing the privatization process. It offers elaborated support material The Privatization Manual diskette.

Publications: The CISA Newsletter the Romanian

issue (3000 copies) and the English issue (300 copies).

**Management:** CISA is led by an executive board elected for a period of 4 years and the current activity is managed by a director. CISA adopts a type of management according to its projects and objectives.

**Staff:** 4 persons working full time, 2 persons working part time, 31 external collaborators for various projects. Foreign consultants from Norway and Germany have worked with ICES in the past and are currently working with them.

**Financing:** 30% of CISA's own resources and courses are used when there are local private sponsors and external technical assistance programs (e.g.: CIPE Washington DC, ICEG San Francisco, CNA Veneto, Italy, CIM Germany, etc.).

For the activity of sustaining the development of the private sector, CISA develops common programs and strategic alliances with other professional and employers' associations of the private entrepreneurs.

- **THE ASSOCIATION FOR THE ENCOURAGING OF THE SMALL AND MEDIUM ENTERPRISES (AIIMM).** It was created in 1993 with the headquarters in Bucharest, 9, Vasile Alecsandri Street; Manager: Ștefan Manulea; Tel: 40(0)1-211 944 617; Fax: 40(0)1-650 42 22.

**Aim:** To support the private enterprises.

**Projects:** Seminars, meetings and participation in national and international conferences.

**Initial financing:** Contributions from the Hans Seidel Foundation (Germany), local donations and contributions from the members.

- **THE ROMANIAN ASSOCIATION FOR THE ELECTRONIC INDUSTRY AND SOFTWARE (ARIES).** It was created in 1993 with the headquarters in Bucharest, 1, Șerbota Street, Block V 19, 6-th floor, Apt. 117; President: Al. Borcea.

**Aim:** The promotion of the business environment in this field, the promotion of the interests of its members in business relationships and the enforcement of professional authority and prestige.

**Founders:** 30 specialists in the technical field who are working with 9 private companies (of the limited type).

**ARIES functions** according to projects and programs.

**Projects:** In 1993 there has been outlined the project named 'Technological Incubator' which was oriented towards business, for the development of advanced technologies, for products, prototypes, processes and know-how. The secondary projects/subprojects will be organized as individual enterprises for which there will be needed: investors, sponsors and cooperation in marketing and other activities.

The main projects where these projects will be applied are: electronics, medical instruments, control and measurement equipment, geophysics and radiophysics equipment, pollution measurement equipment and software.

Also projects which deal with the medical equipment for stomatology, dermatology, geophysics and radiophysics in cooperation with N.G.E. and ATC from Israel.

- **THE ROMANIAN ASSOCIATION FOR MANAGEMENT IN SUPPLIES AND SALES (AROMAV).** The headquarters are in Bucharest, 22, G-ral Berthelot Street, apt. 1, represented by Dumitru Fundătura;

Tel: 40(0)1-615 19 49; 615 19 43; Fax: 40(0)1-615 56 46.

- **THE NATIONAL ASSOCIATION OF THE MILLERS AND THE BAKERS IN ROMANIA.** The headquarters are in Bucharest, 27 C Aricescu Street, Bl 21, apt. 18, sector 1, represented by Dumitru Viorel Marin, Tel: 40(0)1-633 76 40; Fax: 40(0)1-312 66 12.

- **THE ROMANIAN ASSOCIATION OF THE ENTREPRENEURS IN THE BUILDING FIELD (ARACO).** The headquarters are in Bucharest, 6-10 Calea Griviței, represented by Petru Cnit, Tel: 40(0)1-659 70 70; Fax: 40(0)1-312 96 26.

- **THE NATIONAL ASSOCIATION OF EVALUATORS IN ROMANIA.** Created in 1992 with the headquarters in Bucharest, Iancu de Hunedoara Street, President: Gh. Badescu, Tel: 40(0)1-633 21 71.

- **THE ROMANIAN MARKETING ASSOCIATION (AROMAR).** Created in 1964 and reactivated in 1990, with the headquarters in Bucharest, Republici Blvd.; President: Al Zamfir Ph.D..

Other professional associations and foundations which have been identified:

- The Romanian Foundation for Democracy.
- The National Association of the Evaluators in Romania.
- The Romanian Association of the Private Enterprises and of the Entrepreneurs (ARIPPI).
- The Romanian Marketing Association.
- The Association of the Independent Handicraftsmen and Merchants.
- The General Association of the Engineers in Romania.
- The Association of the Independent Engineers Entrepreneurs.
- The Romanian Management Association.
- The Association of the Independent Medical Doctors and Pharmacists.
- The Management and Consulting Association.
- The Employers' Foundation Romania-Republic of Moldova, Iași.
- Administrators without Frontiers.
- The Order of the Pharmacists.
- The Romanian Association of Banks.
- The General Association of Economists from Romania (AGER).
- The Romanian Society of Economists (SOREC).
- The Romanian Banking Institute.

These associations are members of the National Union of the Romanian Employers (UNPR).

## CONCLUSION AND DIRECTIONS OF ACTION

- The need to organize configuration of employers by encouraging their inner structuring into professional associations. In this way one can ensure a more powerful network of relationships and the homogenization of the interests within these groups.
- The guiding of external funds from technical assistance programs via the professional organizations as some of the grants have proved to be inefficient.
- The need to reduce parallel actions and to eliminate amateurs. The capacity of the employers' organizations to merge is considered a sign of maturity. In this way, the resources used for a common aim could be separated.
- It is a known fact that parallelism encourages com-

petition but not in this field of employers' associations.

- The governmental organizations should be persuaded to consult the employers' organizations with a view to elaborate existing and future economic legislation.
- The employers' organizations need to support themselves and in parallel to organize specialized training for the technical staff with a view to conceive programs and to attract financial resources.
- The employers' organizations must relate to the executive power according to the contribution of the sector they represent concerning building up of the state budget.
- The private employers' associations have more chances to develop as compared to the state ones. These dynamics will depend upon the development

of the private sector in the economy, both by free initiative and by the transfer of the state property (case by case or mass privatization). On the other hand there are few unions of the private employers.

- The need to evaluate the activity of the employers' associations by means of certain performance indicators. The correlation between the number of the members and the way the association is represented is not the right one.

The performance obtained by the employers' organizations is related to the efficiency of the companies included in the organizations and to their development.

In other words, the variety and the quality of the services and facilities offered to the members and other entrepreneurs will be reflected by the economic and financial results of the private companies.



## WHITE PAPER

# ROMANIAN HUMAN RIGHTS NGOs

Gabriel ANDREESCU, Renate WEBER

### A SUMMARY OF THE 1995 ACTIVITY AND HISTORY OF HUMAN RIGHTS NGOs IN ROMANIA

There has been no significant change either in the structure or the function of Non-Governmental Organizations (NGOs) concerned with human rights in Romania during 1995, compared with 1994. The information supplied up to now is still reliable and consists mainly of:

- (a) After the revolution there emerged a great number of NGOs for women, youth, tourism and legal rights, willing to pursue further the activities of pre-revolution organizations in order to benefit from their estates, the human rights field proved to be less attractive. Although it is clear that those persons engaged in the field of human rights were and are interested in the promotion of the fundamental rights and freedoms.
- (b) Apart from the real NGOs, mainly interested in the issue of the human rights violations, there appeared other groups, established by governmental institutions in order to counteract pre-revolution governmental institutions. A certain side of the press tried to discredit the human rights associations (the most notable case being that of the NGO, LADO) by publishing false information and accusations that were pursued by libel. Currently it appears that such discrediting has failed. However a similar situation in the future can not be ruled out because of the delicate nature of human rights and possible nationalistic tendencies within Romanian society. The existence and action of business oriented NGOs managed to disappoint a large proportion of people and bring a feeling of mistrust to the NGO movement. It has had a slight negative side effect on the human rights NGOs.
- (c) Other NGOs were created just before the local and general elections of 1992 because a law allowed only the human rights non-governmental organizations to monitor and observe the elections at the polling stations. It is difficult to evaluate the number of the organizations that sincerely wanted to monitor these elections or how many of them were associated with the government anyway. Once in a while and especially on the occasion of important international meetings (such as the 1993 Vienna Human Rights World Conference or the October 1993 CSCE Conference in Warsaw) or for requests of testimony

(as in the case of the investigations made by the Rapporteurs of the Council of Europe) these created NGOs reappeared, claiming that they represented the Romanian NGO sector but gave no concrete information on the human rights situation.

- (d) There also appeared other associations that included in their statutes among other things, the promotion of human rights. One should mention that some of them, although acting in good faith, proved to be inadequately prepared to work effectively in this field (e.g.: The Human Rights Institute of the Bucharest Bar). Although other human rights groups have a professional status and give priority to effective work (e.g.: The Young Lawyers Association of the Bucharest Bar - ATA).
- (e) In 1994 the Romanian Institute for Human Rights (IRDO) continued to introduce itself as a non-governmental organization. IRDO was created by law of the Romanian Parliament, has received and still receives funds from the state budget and from the UN Center for Human Rights. According to the law, IRDO has several attributions among which to make studies and write reports on the issue of human rights in Romania. These reports were never published or distributed to the other NGOs, but only to the Government, who referred to them in several occasions. IRDO's point of view is different from other NGOs; it was not possible to co-operate with IRDO in any matter, not even in a subject that was of high interest for the entire Romanian society, namely the law on juridical persons. Moreover, asked to express an opinion on flagrant violations of the Human Rights in Romania, IRDO preferred to remain silent. Without contesting the effort IRDO is making for organizing education programs in the Human Rights field, in co-operation with UN Center for Human Rights, it is obvious that IRDO does not have the same priorities as the above mentioned associations.

Directly after December 22nd 1989 (the revolution), following the contacts established by the International Helsinki Federation for Human Rights in Vienna, the Romanian Helsinki Committee was founded, in 1990. It received a legal status according to Romanian legislation as The Association for the Defense of Human Rights in Romania - the Helsinki Committee (APADOR-CH). By the end of 1989, The League for the

Defense of Human Rights (LADO) was created and gained legal status under Romanian legislation by mid-January 1990.

In the summer of 1990, after the miners' march in Bucharest (June 14th and 15th), The Independent Romanian Society for Human Rights (SIRDO) was founded with the manifesto of providing mass-education for the understanding and preservation of human rights.

The Lawyers Association for the Defense of Human Rights of the Brasov Bar (APADO) came into being in November 1991 and received legal status in January 1992. Although initially it consisted of a group made up of lawyers of the Brasov Bar, it had and still has a program typical of NGOs.

Although there has been no formal agreement between these associations, each group has taken up one or more specific sectors of the human rights field and has developed its projects accordingly. Consequently a large area of the human rights sphere has been covered. At the same time one should mention that the associations have often cooperated with one another in order to cope with the legal and institutional pressure threatening them.

## **I. THE LEAGUE FOR THE DEFENSE OF HUMAN RIGHTS (LADO)**

### **THE STRUCTURE**

**Membership:** LADO is a mass member organization. At present it has 25 branches in the country. The LADO leadership indicates about 4,000 members and collaborators.

**Distribution:** 25 branches of LADO are spread over the whole country but the nucleus of activity is in Bucharest.

**Function:** Since its establishment, the League has set itself the task of becoming a 'pressure group', contributing to the decline of the human rights abuses. It functioned as a mass-organization during the elections when it got heavily involved in a monitoring campaign. Up to now the League has received thousands of complaints of human rights violations through letters, memos and interviews. LADO offers a brief investigation of the facts and after the individual has exhausted all the legal approaches it addresses, in a ranked order, the qualified authorities to take the case to (if necessary to the top). If after repeated interventions the cases remain unsettled, LADO resorts to the international bodies concerned with the human rights situation in Romania asking for support and cooperation.

**Funds:** Donations from the members, but mainly from foreign foundations and organizations. During 1995 LADO received funds from: CEBEMO, NED, VUB and USIS.

### **(B) THE FIELDS OF ACTIVITY**

#### **Programs**

##### **(a) Solving individual cases**

In some of the cases, the results obtained by the League were satisfactory. In the other cases where the authorities have not been responsive the League protested through press releases and appeals to public opinion both at home and abroad.

##### **(b) The 'Caravan' program**

'The Caravan' is a program that was initiated in October 1993 and is presently running in 25 counties. It is aimed at:

- Raising human rights awareness in authorities throughout the country.
- Accelerating the settling of local cases.

- Increasing the effectiveness of local LADO activists.

##### **(c) Developing a national network**

Developing the local branches is a constant preoccupation of LADO and the success of the program is determined by efficiency at branch level and by the League's intention to remain an extensive national organization.

### **Partnership**

LADO has been an observer at the Paris-based International Human Rights Federation (IHRF). It occasionally cooperates with Amnesty International, Human Rights Watch - Helsinki and other international organizations.

LADO is concerned by the lack of international cooperation between Romanian human rights NGOs, that affects both their prestige and their efficiency.

### **Publications**

In 1994/1995 LADO published:

- The Information Bulletin: a monthly bulletin which the League publicizes its activities with. It presents to the authorities and the public, the most serious cases of human rights violations.
- Two brochures: The Council of Europe and the Defense of the Human Rights (legislation and addressing procedures for the individual complaints); The European Human Rights Convention (annotated edition).
- The LADO 1995 calendar.

### **DIFFICULTIES**

#### **Internal**

**Volunteers:** The LADO leadership soon discovered that the 'volunteer season' is over. The members are only very rarely willing to do voluntary work these days.

**Managing experience:** There has been no significant improvement in this direction. LADO still has rapidly changing personnel and has experienced a certain decline in its activities.

#### **External**

**The legal framework:** The Laws no. 68/1992 and 69/1995 do not allow domestic monitoring of the local or general elections.

**The relationship with the governmental administration:** The Romanian authorities are not receptive to and do not cooperate in the cases brought forward by the League.

**External sponsors:** In 1994 cooperation with international organizations declined and a number of associations decided to reduce or stop their support for LADO (e.g.: the German Marshall Fund). Some of them even requested as a condition for sponsorship a change in the LADO personnel policy.

## **II. THE LAWYERS ASSOCIATION FOR THE DEFENSE OF HUMAN RIGHTS (APADO)**

### **THE STRUCTURE**

**Membership:** APADO is a medium-sized organization made up exclusively of lawyers; this also determines its type of activities.

**Distribution:** APADO has its central headquarters in Brasov but in February 1993 it expanded to encompass a national membership. It now involves lawyers from 11 Bars in the country.

**Function:** It is aimed specifically at the professional classes: parliamentarians, members of the legal system and public civil servants. It nevertheless also works with individuals who need legal assistance.

## THE FIELDS OF ACTIVITY

### Programs

- (a) Free legal assistance. This is provided to those whose fundamental rights and freedoms have been violated. In several civil lawsuits the association has even requested for interventions in favor of the victims. In the penal processes the police and the prosecutor's offices have been notified in order to stop the violations and reestablish the rights of the defendants.
- (b) The publication of general interest reports. These reports are sent to the two chambers of the Parliament as well as to interested organizations.
- (c) Comprehensive analyses on the draft laws. This is one of the association's priorities.
- (d) Civic human rights education. Delivered by means of periodical meetings with the Braşov students and pupils and specific debates with judges, prosecutors and law enforcement of the officers and staff of the Romanian Intelligence Service.

### PARTNERSHIP

#### Publications

Although the Association issues no proper publication, one should mention under this entry its reports.

#### DIFFICULTIES

##### Internal

Volunteers: The APADO activity is based on voluntary action; this confirms its capacity to resort to civic resources.

Managing experience: There have been no such problems in the internal structure of APADO. The Association's representatives have benefited from international assistance.

##### External

The legal framework: APADO is extremely concerned with its legal framework but has shown no objections to the Law no. 21/1924 referring to the legal status of organizations and foundations.

Partnership: APADO is interested to obtain draft laws and other relevant documents as soon as they are completed. Unfortunately institutions do not offer such information timely.

## III. THE INDEPENDENT ROMANIAN SOCIETY FOR HUMAN RIGHTS (SIRDO)

### THE STRUCTURE

Membership: SIRDO is a intermediate size organization. At the time being it has 112 active members.

Distribution: It has branches in Iasi, Tîrgovişte, Botosani, Deva and Cluj.

Function: SIRDO has initiated actions involving pupils and delinquents with teachers, guardians and employees in the education system, the juridical system and the prison system.

Funds: The Dutch Ministry of Foreign Affairs through the Netherlands Helsinki Committee, the German Marshall Fund, The European Community, CEBEMO, UNCHR, Agir Ensemble pour les Droits de l'Homme and USIS have all contributed to SIRDO.

### THE FIELDS OF ACTIVITY

#### Programs

- (a) The human rights education and promotion program. Was started in 1991 with a small group of teachers trained at the UN Human Rights Center. The teachers have now gone on to teach human rights courses for primary and secondary school pupils. The program is currently being developed in

Bucharest and Tîrgovişte. The Society has obtained the Ministry of Education's (disinterested) authorization for the teaching of human rights courses in primary and secondary schools.

- (b) The penal reform program. The reform of the prison system has involved a large number of visits to prisons, organizing courses for the wardens, activities involving the inmates and seminars with the employees of the Ministry of Justice. The program is carried out in collaboration with Penal Reform International and Dutch organizers.
- (c) The program for social rehabilitation of juvenile delinquents. It started in the fall of 1993 and is still unfolding during 1995 in close connection with the penal reform program.
- (d) Extra-judicial investigations and legal assistance programs. It was the first SIRDO project. It consists of investigations of the cases brought to the attention of the association, that already involved a court sentence.
- (e) The refugee program. Exclusively involves legal assistance and is similar to the APADOR-CH initiative.

### PARTNERSHIP

#### External collaborators:

SIRDO cooperates with a number of international organizations: The UN Center for Human Rights, Penal Reform International, Netherlands Helsinki Committee, The Organization Committee for the Peoples Decade of Human Rights Education, Amnesty International, International Human Rights Law Group Human Rights Advocacy Project, Save the Children Fund, ACAT, ECRE, NED, Peace Corp., Observatoire International des Prisons, UNCHR and a. s. o.

#### Internal collaborators:

NGOs: Salvaţi Copii (Save the Children), IFES, APADOR-CH, UNICEF, UNESCO, Pro-democraţia, Pro-Europa, Fundaţia pentru pluralism (The Pluralism Foundation), Liga de integrare socială a şomerilor (The Unemployed Social Integration League), Medicii fără frontiere (Medecins sans Frontieres), Institutul de igienă şi sănătate publică (The Institute of Public Health and Hygiene), Casa corpului didactic (The Teacher's House) and Fundaţia de binefacere Sf. Vineri (The Sf. Vineri Aid Foundation).

Governmental agencies: The Ministry of Justice and The General Direction of the Penitentiaries.

#### Publications

- The Human Rights ABC - a translation of several other publications offered by Amnesty International; A Children's Tale About...; The Universal Declaration of Human Rights, The Illustrated Children's Rights and An Incomplete Human Rights Dictionary).

- The ABC Journal quarterly.

### DIFFICULTIES

#### Internal

Volunteers: No problems mentioned.

Managerial experience: Up to now SIRDO has been constantly updating its activities, this is confirmed by its abilities in finding financial resources. SIRDO is a militant civic organization rather than an expertise oriented association.

#### External

The legal framework: There are no difficulties in this area.

Partnership with central administration: SIRDO seems to have had a strong and unproblematic collaboration with the central administration.

External financial resources: They have continued to increase. SIRDO is experienced at identifying international funding sources.

#### **IV. THE ASSOCIATION FOR THE DEFENSE OF HUMAN RIGHTS IN ROMANIA (APADOR-CH) THE STRUCTURE**

**Membership:** APADOR-CH has only 30 members. It is not and does not intend to be a mass member organization. It has a permanent staff of 10 and a number of collaborators (lawyers and journalists from Bucharest and elsewhere in the country). It is worth mentioning that the association has among its members some of the most well known lawyers in the country.

**Distribution:** The APADOR-CH leadership is based in Bucharest but the association has several members in other towns all over the country and often cooperates with people outside the organization.

**Function:** It addresses persons involved in decision-making organizations: Parliament, members of the Executive, Public Ministry, the Ministry of the Interior, the Ministry of Justice etc. The organization is collaborating increasingly with students from Bucharest Law Faculty. APADOR-CH is concerned with human rights violations and offers free assistance to the individuals asking for legal aid.

**Funds:** They are listed in detail at the end of the chapter.

#### **THE FIELDS OF ACTIVITY**

##### **Programs**

- (a) Promoting human rights through legislation  
This program is an attempt to ensure the transparency of the activities of the Parliament. APADOR-CH is able to receive draft laws on human rights problems as soon as they are forwarded for debate to the specialized commissions of the Parliament. The next step is to elaborate the analyses of the laws, from the perspective of the international legislation and the Romanian Constitution. The analyses are then sent to the Parliament, the commissions and sometimes even to the leaders of the political parties represented in the Parliament. Whenever necessary, APADOR-CH has organized round tables on particular draft laws, with representatives of all the political parties invited to participate. Thereby it has been possible for APADOR-CH to draw the attention of several NGOs on specific draft laws which, if passed, could have restricted important human rights. It is worth noting the 1994 operation which caused the withdrawal of a governmental decision, which reenacted the correspondence-check. Currently the activities are focused on the draft law for the modification of the Penal Code, and generally on those laws and projects violating the Romanian Constitution or the European Human Rights Convention which is part of the domestic legislation.
- (b) Monitoring of police abuses. This is a program with several aims: establishing cooperation with decision-makers in the police; familiarizing the police employees with the international documents concerning the conduct of law enforcement officers; investigating cases of police abuse and pursuing criminal liability of the perpetrators who investigate police lock-ups. During 1994 investigations were carried out in several localities in the country.
- (c) The minorities program. The objectives of this program are: the investigation of cases of violence committed against the Roma population; the problems of the Hungarian minority; monitoring the extremist

press; participation in the Council for National Minorities; the elaboration of studies on the documents regarding minorities rights and conflicts resolution. APADOR-CH representatives were present in the localities where violence against the Roma was signaled and they have elaborated their own reports. They have cooperated with several organizations representing these minorities. One APADOR-CH delegate is an observer at the Council for National Minorities sessions, in an attempt to build a cooperation with this body as well as with the representatives of the minorities.

- (d) The legal program. This consists of several sub-projects. One of them is providing legal assistance in the law courts. A second sub-project is building a network of lawyers involved in the defense of the human rights cases. Both programs are aimed at the promotion of constitutional provisions and governing international documents in the court system, by means of the pleas formulated by the lawyers. It is worth mentioning that the lawyers involved in this network have been asked to defend cases concerning police abuses and the minorities programs. Finally, APADOR-CH provides free legal assistance at the association's offices.
- (e) The analysis of Romanian legislation. This program is unfolding on the basis of Romanian-Dutch cooperation and it was completed in 1994 in the form of a collective volume. However, the program still continues with the personal efforts of the APADOR-CH members and collaborators.
- (f) The program for refugees, with two aspects: juridical assistance to political refugees in Romania (similar to LADO and SIRDO activities). In addition, APADOR-CH was asked by different countries to investigate on Romanian citizens asking for political refugee status in the respective countries. APADOR-CH got involved, also, in drafting a document on the national framework of solving refugee problems and participates in drafting a proper law of refugees.
- (g) The investigations program. This is an opportunity to do personal research in the particular cases brought to the attention of the association that do not fit in to the previous programs.
- (h) The Human Rights Center. Created in December 1992, within the framework of APADOR-CH. It consists of the following sections:
  - The documentation center (the library) was set up at the beginning of 1993 and is designed to provide interested persons with a wide range of specific materials: books, journals, papers, analyses, studies, commentaries, interpretations and international standards. The library is organized in nine sections: general human rights; human rights records for different countries; political and civil rights; economic, social and cultural rights; law, jurisprudence and legislation; special groups under international survey; documents on international treaties; international treaties and conventions as well as periodicals issued by the UN, the Council of Europe and the OSCE.
  - The Romanian Human Rights Quarterly is an important informative and educational publication designed to help the lawyers and human rights activists. The quarterly is issued in 1,000 copies and is distributed free to the courts, bars, law schools, libraries, law students and country police inspectors.
  - Roundtable's, debates and surveys of the HRC emerged from the necessity to analyze issues of

foremost importance related to the observance and protection of the human rights and to make the analysis available to decision-making bodies and other specific organizations.

## **PARTNERSHIP**

APADOR-CH cooperates with other Romanian NGOs: Pro-Democrația, Liga Pro-Europa, SIRD, APADO, Fundația pentru Pluralism and other Romanian and Hungarian organizations.

Since January 1991 the Romanian Helsinki Committee has been a full member of the Vienna-based International Helsinki Federation for Human Rights (IHF). It also collaborates with Amnesty International, ACAT, Institute for Democracy in Eastern Europe, International Law Group for Human Rights, IFES, Human Rights Watch, Helsinki, Agir-Ensemble, Pax-Christi and a. s. o. It has permanent contacts with the several governmental structures: The Public Ministry, The Ministry of the Interior, The Ministry of Justice, The General Direction of the Penitentiaries, etc.

## **Publications**

In 1994 APADOR-CH published:

- The DAHR Conception on the Rights of the National Minorities
- 4 Issues of The Legislation in Transition.
- The Romanian Human Rights Quarterly.
- The 1994 APADOR-CH Report.

## **DIFFICULTIES**

### **Internal**

Volunteers: APADOR-CH has a few volunteers who have promptly answered when appealed to.

Managing experience: The organization is united in its outlook and there are no internal problems.

APADOR-CH is mainly concerned with activities involving expertise. Some of its members are the authors of studies that have become reference documents in the field of human rights and minority rights.

### **External**

The legal framework: The leadership of the APADOR-CH finds the present framework to be a liberal one, offering opportunities for the rights to a free assembly. This is the reason why it does not campaign for a change in the law concerning associations and foundations.

Partnership: Collaboration with other NGOs is satisfactory. Some of the governmental structures are open to cooperation (e.g.: the Public Ministry), however some are not. APADOR-CH has an busy international schedule. Its members hold positions in several international organizations.

Publicity: APADOR-CH is satisfied with its level of public awareness (present in the media, meetings with students, frequent symposiums etc.)

Funds: The resources received from abroad seem to be sufficient. There are no domestic sources, which is a sign of the low general performance of the Romanian society.

The above material has been compiled on the basis of the data supplied by the four mentioned associations.

## **SOLUTIONS FOR SOLVING THE PROBLEMS THAT HUMAN RIGHTS NGOS FACE**

Following the descriptions of the above human rights NGOs, the authors of this paper have made a summary of problems and their respective solutions for human rights NGOs in Romania:

- (a) For the problems that concern the NGOs in general

(legislation, access to information and decisions of the executive that can threaten the activities of the NGOs), collective steps should be taken.

- (b) Promotion of operations initiated by various foundations which could result in costly infrastructure projects jointly exploited by the NGOs (such as an NGOs printing house) should be encouraged.
- (c) By organizing 'consulting' meetings between the associations covering the same field, one could avoid the duplication of the activities.

## **FINANCING OF APADOR-CH AND OF THE HUMAN RIGHTS CENTER**

A detailed presentation of the financial support and its utilization

The human rights organizations have been reluctant to give information about the situation of the financial resources employed for their programs. Since the authors of this synthesis believe that the transparency of the activities is a necessary and since they are campaigning for a general change of mentality in this respect, they have decided to offer an example of the finance of at least one of the considered groups. The leadership of APADOR-CH has accepted the publishing of its sponsorship in detail from the moment that the first funds became available.

APADOR-CH was funded at the beginning of 1990, but it has neither asked for nor received any financial support up until 1993 (sums of money were spent through APADOR-CH by the Paris-based League for the Defense of Human Rights in Romania, mainly in order to provide material help to the victims of the June 1990 miner's crusade). During this period the expenses for communication were provided by the Group for Social Dialogue. Due to the increase in the efficiency and intensity of the APADOR-CH activities, the leadership considers a financing program necessary. Consequently it has been generously supported by a number of sponsors. One can note that the confidence of the sponsors has constantly increased.

## **A HISTORY OF THE FINANCING OF APADOR-CH AND CENTER FOR HUMAN RIGHTS FROM 1993 ONWARDS.**

1. The police abuses program: (initially planned as an one year program, between April 1993 and March 1994)

- a) funds delivered in 1993:

- \$ 3,000 from Agir Ensemble (France)
- \$ 8,485 from the German Marshall Fund
- Total : \$ 11,485

- b) total expenses (after the program was completed): \$ 6,091

- c) rest: \$ 5,394

The GMF has agreed to our request to extend the program until the funds are drained.

2. The parliamentary transparency program: (initially planned for a six month period, between February 1993 - August 1993)

- a) Funds received in 1993:

- \$ 7,980 from the German Marshall Fund

- b) total expenses: \$ 7,424

- c) rest: \$ 556

The sponsor agreed to our request to use the rest for the purchase of consumables.

3. The lawyer's network program (initially planned for one year: August 1992 - July 1993)

- a) funds received during 1992:

- \$ 9,984.50 from the German Marshall Fund
- b) total expenses (August 1992 - December 1994): \$ 7,368
- c) rest: \$ 2,612.50

The program is still in progress.

**4. The Human Rights Center: (planned for December 1992 - June 1994)**

- a) funds received during 1993/94 from the Dutch Government through the Netherlands Helsinki Committee: \$ 46,909.16
- b) expenses: \$ 48,484
- c) overhead: \$ 1,575

The funds have covered the expenses for the following sectors:

- the HRC library (books, periodicals, computers)
- the HRC quarterly (five issues)
- the round tables
- rent, housekeeping and communications (telephone, fax, post)
- minimal-wages
- contributes to the quarterly

**5. The 'Legislation in Transition' Supplement to the 'Romanian Human Rights Quarterly'**

- a) funds delivered during 1994: \$ 6,600 from the Dutch Government through the Netherlands Helsinki Committee
- b) total expenses: \$ 6,600
- c) no funds left outstanding

**6. The APADOR-CH general program: (planned for 2 years, July 93/June 95)**

- a) funds delivered in 1993: \$ 47,725 from the German Marshall Fund
- b) expenses between July 1993 - June 1994: \$ 44,414
- c) rest: \$ 3,311 (the sponsor decided that the money should be used for: setting up the E-mail network, covering part of the E-mail correspondence expenses and publishing a study on the European Convention and the internal legislation)
- d) funds delivered during 1994: \$ 55,000 from the German Marshall Fund
- e) expenses (July - December 1994): \$ 27,460
- f) rest: \$ 27,540

The general program covers:

- rent, housekeeping and communications (telephone, fax, post)
- consumables
- equipment reconditioning
- internal travel in country (participation in seminars, symposiums, meetings, when the organizers could not cover the expenses)
- wages for the full-time employees and collaborators responsible for the programs. Some programs do not have special financing any more (e.g.: minorities, parliamentary transparency, hate speech)
- one journey abroad each year
- legal assistance

**7. Extrajudicial investigations (other than police abuses):**

- a) funds delivered in 1993: \$ 5,000 from the IDEE
- b) expenses 1993/94: \$ 3,400
- c) rest: \$ 1,600

These funds are transferred in a special account at the BCR. The sponsor requested to allow for the

remaining funds to be used further. We are waiting for a designated direction for the funds.

- d) funds delivered at the end of 1994: \$ 4,200 from Agir Ensemble
- e) expenses during 1994: 0
- f) rest: \$ 4,200

The funds have been transferred to the general account at the BRCE.

**8. UNHCR (December 1993 - December 1994): 7,080,000 Lei - entirely spent (the amount has been kept in a special account at the BRC)**

**9. Other funds:**

- a) funds delivered during 1993:
  - \$ 505 from the Council of Europe (correspondent) - still available
  - \$ 1,575 - documentation and preparation for the Albanian Helsinki Committee - GMF, July 1993, spent
  - \$ 2,885 - Strasbourg scholarship, July 1993 - GMF, spent
  - \$ 5,035 - the delegation at the Vienna World Human Rights Conference, June 1993 - GMF, spent
  - \$ 2,000 - from the Netherlands Helsinki Committee, for purchasing a car, spent
  - \$ 1,327 from the Netherlands Helsinki Committee, for training at the Council of Europe Information Center - spent
- b) funds delivered during 1994:
  - \$ 561 from the Council of Europe (correspondent), available
  - \$ 1,629 from the Netherlands Helsinki Committee - Strasbourg scholarship July 1994 - spent
  - \$ 1,050 from the FIDH - translation and distribution of the IHF newsletter

**10. The Human Rights Center July - December 1994**

Although the financing application has been sent and in principle accepted in May 1994, the funds were only delivered in January 1995. Under these circumstances the HRC was forced to function by 'borrowing' the necessary amount (\$ 5,375) from the BRCE account; the sum was returned to the general account in January 1995, when the HRC sponsorship was received from CEBEMO.

The expenses during this period:

- \$ 2,500 (rent)
- \$ 1,300 (current expenses: consumables, repairs, subscriptions etc.)
- \$ 1,575 recuperated from the previous overhead

Total: \$ 5,375

The amount has been entirely spent but it has not been accounted for in terms of other programs (it was not in any way part of them); therefore it is not presented under the 'Programs' entry.

Total Programs deliveries: \$ 206,513.66

The amount in the APADOR-CH account at the BRCE in December 29, 1994 is \$ 53,639.36 and it includes the interest since the opening of the account.

Remaining funds: \$ 45,729.5

to which one adds: \$ 5,375

**Final note:** An important part of these funds has been spent in order to build up an APADOR-CH material background which includes communication equipment, computers, an automobile (used in the investigation missions), other office-equipment, materials for the Documentation Center, etc.

# WHITE PAPER

## ROMANIAN MEDIA NGOs

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Mircea TOMA

The moment of maximum enthusiasm for many of the Non-Governmental Organizations (NGOs) in Romania is during the general meeting when the association is founded and the board directors is elected. The newly set up association then withdraws into a virtual space, the space of potential NGOs.

This phenomenon can be seen with the family of press NGOs as well, where the active associations are outnumbered and overshadowed by the 'potential' ones.

In this paper we shall deal mainly with those NGOs whose presence has been felt within the journalists' community. According to the author, the main NGOs in this field are: THE SOCIETY OF JOURNALISTS IN ROMANIA (SZR), THE ASSOCIATION OF ROMANIAN JOURNALISTS (ARZ), THE UNION OF PROFESSIONAL JOURNALISTS (UZP), THE ASSOCIATION OF MAGYAR JOURNALISTS IN ROMANIA (AZMR), THE ASSOCIATION OF SPORTS PRESS (APS), ACADEMIA CATAVEN-  
CU, ROMANIAN ASSOCIATION OF ENVIRONMENTAL JOURNALISTS (ARZM), VISUAL ARTS FOUNDATION (FAV), ROMANIAN ASSOCIATION FOR AUDIO-VISUAL COMMUNICATIONS (ARCA) and the ASSOCIATION OF TELEVISION PROFESSIONALS IN ROMANIA (APTR).

### THE SOCIETY OF THE JOURNALISTS IN ROMANIA (SZR)

#### Type of Organization: trade union

Soon after the collapse of Ceausescu's regime on January 25 1990, SZR was granted legal status. A characteristic feature of that particular moment was that 'free trade unions' were popular and many were being set up. So SZR chose a trade union type of structure. More precisely, the bylaws of this society define itself as a 'trade union federation'.

#### Membership

Members of SZR include professionals and non-professionals, belonging to both the printed and audio-visual media. In order to portray its specter of representation, the board of SZR lists some of the editorial offices where its members work: Tineretul Liber, Evenimentul Zilei, Prahova (Ploiesti), Curierul National, Magazin Istoric, D-ale Politici (Alba-Iulia), Cuvântul Nou (Sf. Gheorghe), Bihori Naplo (Oradea) etc.

#### Geographical Distribution

Due to its organizational structure, SZR covers the whole country through its 'branches in every county'.

#### Affiliations

At the international level, SZR is quite well connected as it is affiliated to: The European Association of Journalists, The International Organization of Journalists, The International Federation of Journalists and The Balkan Confederation of Journalists. In this respect, SZR members enjoy an international acknowledgment of their status as journalists.

#### Financing

According to its statements, SZR financial sources are derived from 'membership fees and contributions', but neither the nature of these 'contributions' nor the proportion between autonomous resources and the resources of different origins are specified.

#### Staff

SZR has only one employee. Its activities are supported by 'many volunteers'.

#### Equipment

SZR headquarters are provided with minimal equipment: fax machine, telephone, copy-machine, computers.

#### Means of Promotion

Although SZR coordinators have not set the task of self-promotion as an activity (for example: materials about this society have never been prepared for the public), the media has referred to this society and some of the organizations which have published information about SZR are: Antena 1, Tineretul Liber, Evenimentul Zilei, Tele 7abc, Radio România Actualități.

#### Purposes

Two declared categories of purposes are set forth: 1) protection of journalists rights and 2) the development of activities for journalists' training and professionalism.

#### Objectives

The above mentioned purposes can be defined also at an operational level and are: 1) to carry out the collective and the individual negotiations for journalists and also 2) to set up a permanent basis for journalists' training.

### Strategies

SZR also presents two ways of action in order to fulfill their objectives:

- 1) negotiations with the proprietors and the government
- and 2) organization of training courses.

### Major projects - 1994/1995

Between April 25 and June 5, 1995, SZR in cooperation with PMA TRAINING from Great Britain, The International Federation of Journalists and with the support of European Community organized a development course for Romanian journalists.

### THE ASSOCIATION OF ROMANIAN JOURNALISTS (AZR)

AZR was set up as a result of some members withdrawal from AZR following some disagreements during the first Congress of the Society (May 3-5, 1990). The differences of opinion highlighted different attitudes regarding the future of the independent press, in a society where the democratic mechanisms had a precarious function. At that moment, the emotional implication of the political ideals were extremely high and at the same time they sharply split into opposite sides. This phenomenon was to be found within the journalists community, too. In the course of time, the situation gained special complexities. Therefore, now one cannot describe AZR and SZR as 'black and white'.

### Type of Organization

AZR is a professional organization but which, as it will be shown further on, undertakes active involvement in the process of building the civil society.

### Membership

AZR has members from among journalists working in many different types of media. Currently AZR has approximately 2,300 members who come from: România Liberă, Cotidianul, Flacăra, Expres Magazin, Evenimentul Zilei, Baricada, Zig-Zag, Tinerama, Academia Cațavencu, Tineretul Liber, 22 Timișoara, Televiziunea Română, newspapers in Magyar and German as well as from foreign publications.

### Geographical Distribution

AZR wants to represent not only the journalists in Romania but the Romanian journalists in general, regardless of their country of residence. Therefore, it has national branches in Brasov and Timișoara as well as international branches in Chișinău and Paris.

### Affiliations

AZR is affiliated to the International Federation of Journalists, to the Balkan Confederation of Journalists and to the Reporters without Frontiers. Due to these affiliations, the AZR members enjoy an international acknowledgment of their status as journalists.

### Partners

Foundation for Independent Journalism

### Financing

AZR functions now exclusively on the basis of their internal resources which are membership fees.

### Staff

AZR has four employees; at the same time, it has the volunteer support of the OK CONTACT company. Its members also bring their willing contribution.

### Equipment

AZR headquarters are equipped as a result of past donations from the SOROS foundation. It has the minimum of office equipment: a computer, a printer, a fax and a copy machine.

### Means of Promotion

AZR carries out an adequate amount of promotion despite the fact that it has no publication of its own. This is the result first and foremost of its politics: to be actively involved in the life of civil society. The Association organizes press conferences for the benefit of those persons who request the possibility to express themselves in public and on relevant issues that promote the development of democratization. Since it has come into being, AZR has organized over 100 press conferences of this type for mistreated journalists, for the trade union leaders who lost their jobs, for public persons who were harassed for political reasons and many more. At the same time, using press releases, AZR actively expresses its attitude towards those acts of flagrant violation of democratic norms.

### Purposes

AZR sets forth ensuring the unity of action in order to protect general human values and the fundamental human rights through the specific means of their profession as journalists.

AZR protects and stands up for a legal framework that shall ensure the free circulation of information.

AZR seeks to protect the rights of the readers in the country and abroad through correct and unabridged information on the events of public interest and attempting to protect any person against slander, libel or insult.

### Strategies and Objectives

Through its actions and activities, AZR sets forth the following objectives: 1) to ensure the increase of its members professional prestige, both nationally and internationally; 2) to ensure worthy exchanges with similar organizations in the world; 3) to organize special programs for professional excellence and 4) to support and to ensure direct contacts with national and international organizations or bodies whose activities aim at promoting the principles of freedom and human dignity.

### Major Projects - 1994/1995

AZR patronize the Superior School of Journalism (ȘSJ) in Bucharest. The main event during the period 1994-1995 was endorsement of the ȘSJ by the National Committee for Academic Evaluation and Accreditation.

### THE UNION OF PROFESSIONAL JOURNALISTS (UZP)

### Type of Organization

UZP was set up in May 1990 and it is a professional organization.

### Membership

UZP has approximately 200 members. The condition for admittance in this organization is the status of a professional journalist for at least one year or for at least 5 years in case of a part time job as a journalist in both written or audio-visual media. The members of this organization come from newspapers like: Adevărul, Vocea României, Cronica Română, Viața Liberă (Galați), 24 Ore (Iasi), Gazeta de Transilvania (Brașov), Cuvântul Libertății (Craiova), Crișana (Oradea), Radio România, Romanian Television.

### Geographical Distribution

The Union has 34 branches in the country and a branch in Bucharest.

### Affiliations

UZP has no link with associations from abroad or with international organizations.

### Financing

The Union has set up the 'Journalistic Fund' which is



based on donations from those newspapers whose employees are members of UZP. Another resource of financing is represented by the Union's own publications. State subsidiaries are also mentioned in case of some activities carried out under the circumstances of international agreements.

#### **Means of Promotion**

UZP has a weak presence with the public. It develops no activity of self-promotion. A few conferences organized by UZP can be mentioned as means of promotion.

#### **Purposes**

UZP sets forth in accordance with its bylaws, the acknowledgment of the profession of journalist, the protection and promotion of the journalist's rights, liberties and dignity as well as of citizens liberty.

#### **Strategies and Objectives**

UZP has opted to promote a Law on Press is opposed to AZR options.

### **ASSOCIATION OF MAGYAR JOURNALISTS IN ROMANIA (AZMR)**

#### **Type of Organization**

AZMR is a professional organization with activities in the field of creation, which was set up in 1990.

#### **Membership**

The AZMR membership includes mostly journalists of the Hungarian language who work in written or electronic mass media.

#### **Geographical Distribution**

AZMR has members in all the towns and cities where Magyar editorial offices exist (Bucharest and Transilvania).

#### **Financing**

AZMR funds consist of domestic and external donations (70%), membership fees (10%) and contributions from its members (20%).

#### **Staff**

AZMR has only one full-time employee (a secretary) and another five volunteers.

#### **Equipment**

The headquarters has minimum office equipment: a computer, a printer, a fax and a copy machine.

#### **Means of Promotion**

AZMR has a monthly publication 'Ertesito' which is distributed to its members. Apart from this, 3 to 8 articles per month are issued in local or national publications on the activities of this organization.

#### **Purposes**

According to its status, the association sets forth 'to protect the specific interests of the Magyar journalists, to protect their professional dignity, their human rights and liberties, as well as the freedom of press, to represent and protect the interests of Magyar journalism in Romania, while conforming to the provisions on the citizens rights and liberties stipulated and granted by this country's laws and by international acts'.

#### **Major Projects - 1994/1995**

AZMR has organized several activities for professional excellence. For example: a course of initiation in audio-visual media and a developing course for the journalists at Magyar periodicals. It has also set up 'Ady Endre Press College' (High Institute of Journalism), which has 1 academic year and 35 students.

### **ASSOCIATION OF SPORTS PRESS IN ROMANIA (APS)**

#### **Type of Organization**

APS is a professional organization set up in 1927.

#### **Membership**

Romanian sportswriters

#### **Geographical Distribution**

APS has no branches. From this point of view, its existence is based on individual affiliation of sportswriters all over the country.

#### **Partners**

APS's constant partner is the International Association of Sports Press.

#### **Financing**

The main source of financing is based on the fees. However for an expensive activity the association succeeded in attracting sponsors.

#### **Staff**

APS works with only one volunteer.

#### **Equipment**

The only equipment it has at its disposal is a telephone and a fax.

#### **Means of Promotion**

APS has published in sports newspapers, articles regarding relevant events and its activities. Sometimes these far-reaching actions are widely promoted.

#### **Purposes**

Its purpose is to promote and protect the Romanian sportswriters interests and professional rights, to promote a better knowledge of the sporting phenomenon, of the problems experienced by each branch of sport and to facilitate an accurate reflection of the Romanian sport reality in mass-media.

#### **Strategies**

Besides the specific journalist approach, APS sustains the maintenance of a constant contact with the Ministry of Youth and Sports and the Romanian Olympic and Sports Federation Committee.

#### **Major Projects - 1994/1995**

The main event carried out by APS last year was that its members supervised sports activities. It was also involved in the award ceremony for the best 10 sportsmen of the year.

### **ACADEMIA CAȚAVENCU**

#### **Type of Organization**

Academia Cațavencu is a cultural establishment, without profitable purpose. In comparison to the above mentioned associations, this one is not a mass organization. The principle on which it was founded focuses on recruiting individual values, who are appreciated according to the objectives of this establishment, which is an elite group.

#### **Membership**

Academia Cațavencu admits as members those persons whose public activities are generally within the mass-media, and who believe the promotion of some values regarded by this organization as vital. The total number of members is 27. The core of decision-making stands with those members who are also the editors of the publication bearing the same name.

#### **Geographical Distribution**

Besides the group working for the magazine of 'heavy morals and manners', Academia Cațavencu has mem-

bers spread all over the country - Iasi, Timisoara, Cluj. As well as international contributors in the USA.

#### **Affiliations**

Academia Cațavencu is affiliated to no other body.

#### **Partners**

For its programs concerning media events, Academia Cațavencu cooperates with the Pro-Democracy Association, the High School of Journalism as well as the Faculty of Journalism and Theory of Communication.

#### **Financing**

Generally Academia Cațavencu benefits from a part of the profits it obtains from selling its publications and also from the economic activity of its editing division. The resulting amount is enough in order to sustain several full-time jobs and to develop the technical infrastructure. The association develops some other programs and it has at its disposal external donations, which represents about 50% of the total profit.

#### **Staff**

Academia Cațavencu has 20 employees and permanent part-time staff, of which 5 are involved in the activities of the NGO. A great number of volunteers - students or members of the Pro-Democracy Association are also to be included.

#### **Equipment**

Academia Cațavencu has a well-developed editing section and office equipment (5 computers, printer, copy-machine and E-mail access).

#### **Means of Promotion**

The magazine bearing the same name has made this association famous but nevertheless, the NGO's activity is less known or less distinguished from the magazine.

#### **Purposes**

'Academia Cațavencu is a cultural establishment which was set up to help the recovery process of the Romanian society by means of the spiritual word.'

#### **Strategies and Objectives**

'The objectives set forth by the establishment called Academia Cațavencu are: 1) to rehabilitate man's unique value after he has been kept for two generations in the unilateral and therefore depersonalizing condition of 'a member of society'; 2) to combat the prejudices and stereotypes in thinking which inhibit the development of the spiritual independence and 3) to encourage the critical attitude, the autonomy of the valuable judgments in order to counteract the individual's vulnerability with regard to manipulation.'

#### **Major Projects 1994/1995**

The ongoing major project is the organization of the Media Monitor Agency. This is a network of observers trained to evaluate the quality of the press message from the point of view of tendencies towards manipulation. The Agency issues a bulletin called 'Press-Monitor', through which the newsmen can estimate their performance. This project aims to improve the journalists' level of professional skill and implicitly to regain the credibility of the press. The program is funded by the National Endowment for Democracy and by the Soros Foundation for an Open Society.

### **ROMANIAN ENVIRONMENTAL JOURNALISTS ASSOCIATION (ARZM)**

#### **Type of organization**

ARZM is a professional organization, including journalists specialized in environmental protection.

#### **Membership and geographical distribution**

Up to date, the association has 30 members; they are

from the capital of Romania and from other cities.

#### **Affiliations**

ARZM is affiliated (founder member) to the International Federation of Environmental Journalists (based in Paris); members of the association are also members of: Society of Environmental Journalists (USA) and Journalistes-ecrivains pour la nature et l'ecologie (France).

#### **Financing and equipments**

The association did not benefit yet of any financing, excepting a modest donation by the Independent Journalism Foundation (New York); till present, the activity was possible due to the cooperation with the Ecologist Youth of Romania (TER) and the Group for Underwater and Speleological Exploration (GESS).

#### **Staff**

ARZM has no paid staff.

#### **Means of Promotion**

Promotion of information is the purpose of the association.

#### **Purposes**

Rapid and correct information of the public in the field of environmental problems; improving the quality of environmental journalism.

#### **Main projects - 1994/1995**

- publishing (together with The Ecologist Youth of Romania and The Group for Underwater and Speleological Exploration) since January 1995 a monthly magazine, TERRA XXI; the magazine print run is 1000 copies distributed free to NGOs, decision makers in the environmental field, Parliament, Government, international organizations etc.
- publishing, every two months, of an "ARZM Bulletin"; 250 copies are distributed free to journalists, especially to the environmental journalists.
- publishing a free monthly, English language electronic bulletin since May 1995 in cooperation with The Group for Underwater and Speleological Explorations and Nemira Hiking Association.

### **THE VISUAL ARTS FOUNDATION (FAV)**

#### **Type of Organization**

FAV is a non-profit foundation, it was set up in September 1992 as a result of a donation from the Soros Foundation for an Open Society.

#### **Membership and Geographical Distribution**

FAV is not a mass-member organization. It is an institution specialized in visual arts, whose production is supported by a small group of specialists. The headquarters are in Bucharest.

#### **Affiliations**

FAV is affiliated with no other NGOs. However, one should remember that it was set up as a result of an initiative financially supported by the Soros Foundation.

#### **Financing**

Except for the initial donation from the Soros Foundation which covered equipment and office space, FAV is self-financed by providing services (e.g.: general, renting video equipment and through film production).

#### **Staff**

The Foundation has two employees, four free-lancers hired on a regular basis and a few volunteers.

#### **Equipment**

Two BETA video-cameras, a S-VHS MS4 video camera, a Nagra 4 set of lights, and a BETA editing system.

### Means of Promotion

FAV took part in 19 film festivals where FAV productions were selected at 10 of the competitions at the festivals and 9 of them won prizes.

### Purposes

- To help the artists and the independent groups express themselves by means of visual arts.
- To analyze the technical and production aspects of the above mentioned projects in order to ensure their completion (e.g.: filming equipment, BETA editing system, organization and production).

### Objectives

The Foundation supports those artistic values of projects which for one reason or another have no access to the state or private institutions for completion. It also sustains such productions through activities of promotion.

### Main Projects - 1994/1995

In 1994, FAV exclusively supported the production of 12 films (a documentary, an art film, video-art, musical video-clip, the record of a theater show also films on architecture, choreography, tourism and ecology etc.).

The Foundation also carried out 5 co-productions (the partners in these activities were: PANOCEANIC, DAKINO, APARTE and REPORTAGE from France).

Another project was the CASTING program. Photos and video-tapes of 1,300 actors from all over the country were brought together in a data base, in order to promote them in the field of cinema and theater.

## THE ROMANIAN ASSOCIATION FOR AUDIO-VISUAL COMMUNICATIONS (ARCA)

### Type of Organization

ARCA is a non-profit organization of independent radio and television stations.

### Membership

Independent radio and television stations.

### Geographical Distribution

All over the country.

### Financing

- Subscription.
- Financing from international organizations after presenting the programs/projects which were carried out by ARCA.
- Donations from individuals or legal entities.

### Equipment

A 486 personal computer, a printer and a Fax (all of these are donated from the Soros Foundation).

### Purpose

- To grant the protection of its members rights and freedom of opinions.
- To work for a reasonable administration, in the interest of the listeners community of the allocated frequency for the radio and television stations.
- To establish and develop international relations with other radio and television stations in different countries and with similar organizations.
- To support a necessary improvement of the legislation that should protect the interests of the private initiative in the audio-visual field. In this respect, ARCA sets forth to carry out a lobby for the adoption of a proper legislation that should make possible the functioning of a real audio-visual market, where a fair competitive spirit is characteristic.

### Objectives

- To support but not from a material point of view, all the ARCA members in their attempt to solve the liti-

gation with the administrative bodies, with CNA; the association will use all the legal means possible through its committees.

- To work for turning the rights which have been obtained by any of its members into general ones, if these rights represent the interests of ARCA.
- To grant the full equality of rights and responsibilities for all its members.
- To provide technical and legal assistance to all its members.
- To organize common activities for the professional improvement of the staff.

### Main Projects - 1994/1995

- The organization of the SOUNDCRAFT seminar with the support of SOUNDCRAFT Company (during spring 1994).
- The organization of the seminar on the theme "Marketing and Advertising within the Audio-Visual Industry" (during autumn 1994) and a follow-up in May, 1995. The seminars were organized with the support of INTERNATIONAL MEDIA FUND, UNITED STATES INFORMATION SERVICE and THE CENTER FOR INDEPENDENT JOURNALISM.

## THE ASSOCIATION OF THE TELEVISION PROFESSIONALS IN ROMANIA (APTR)

### Type of Organization

APTR is a professional association, the first organization of television professionals in Romania. It is an independent artistic association that is affiliated to no other organization and which has no political preoccupation. On May 9 1990, 21 top- creators of TV programs set up the association. The founding members achievements were recognized both nationally and internationally and were granted prizes.

### Membership

The APTR members are professional TV producers. The association has about 100 members. Several famous personalities are members of honor: Liviu Ciulei, Lucian Pintilie, Andrei Șerban, Valeriu Lazarov etc.

### Geographical Distribution

The headquarters are in Bucharest where most of its members come from.

### Affiliations

APTR is affiliated to no other associations.

### Financing

- Fees
- Donations from people and private companies in the country. The total amount of donations can be estimated by the expenses of the last two APTR festivals: 20 million in 1994 and 40 million in 1995.

### Staff

The Association has only one employee who is an economist. The rest of the staff (the President and the five members in the Executive Committee) are volunteers.

### Equipment

APTR has a professional Hi 8 Sony network (camera and editing system), a fax and three cars.

### Means of Promotion

The APTR festivities have already become well-known events. They are annually broadcast by Channel 1 on national television and each of them lasts about 90 - 100 minutes.

### Purposes

APTR sets forth to protect the rights of the professional

workers in television and to distinguish between professionalism and amateurism.

#### **Objectives**

This association undertakes as its major objective to increase the professionalism of those working in television.

#### **Strategies**

The aim of stimulating gifted people by granting annually national APTR prizes.

#### **Main Projects - 1994/1995**

The festivities organized by this association remain the main or at least the best known activity. The association also sets forth to set up a special school which will prepare the students for the specific job within television.

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## WHITE PAPER

# ROMANIAN ENVIRONMENTAL NGOs

Alexandru R. SĂVULESCU

### INTRODUCTION

The re-emerging democratic and free market structures in Romania have encouraged citizen participation, both in the private and public sectors. This goal has mainly been achieved through the voluntary, non-profit sector, sometimes also called 'the third sector'. An important part of this sector is currently represented by environmental organizations who deal with such issues as: conservation of natural capital, fighting for pollution prevention, minimization of physical damage to nature, environmental education and expanding the social and cultural environment in accordance to the concept of 'sustainable development'.

Although the common opinion is that the environmental movement has no tradition in Romania, the reality is that the first Romanian Non-Governmental Organization (NGO), Societatea Progresul Silvic (The Silvicultural Progress Society) was founded more than one hundred years ago (in 1886), with the goal of forest conservation and protection. Many others followed, such as 'Hanul drumeților' (Hikers' Inn) in 1920, later called 'Societate de turism și pentru protecția naturii' (Society for Tourism and for the Protection of Nature). As more and more NGOs (the majority of which would be referred to today as 'environmental') appeared in the 1920's, a specific law concerning the associations and foundations of NGOs (Law no. 21/1924) was drawn up by Parliament. According to this law, in order to be legally registered an NGO needed: to consist of at least 21 members, to be organized according to a statute and to receive approval of principle from the ministry dealing with the respective affairs. It is important to note that the law allowed NGOs to develop activities in order to sustain themselves financially.

After World War II, Romania followed along with other Eastern European nations, the Soviet influenced pattern of an economy relying on heavy industry and characterized by a relative neglect of environmental issues. After the proclamation of the Popular Republic on December 30th 1947, civil society was out-lawed and became merely a memory and a wish for a large proportion of the Romanian population. Representative organizations of the public, such as NGOs, disappeared. Societatea 'Progresul Silvic', for example was dissolved in 1948, although the law 21/1924 was never explicitly discontinued.

Environmental NGOs had a tentative restart in the late

1960's, behind the facade of sport, tourism, youth and scientific unofficially registered organizations. They did not call themselves 'environmental' because a 'multilateral developed socialist society' did not permit itself to have any environmental problems. These groups acted as what we would describe as environmental organizations. 'Focul viu' (The Living Fire) is a good example of one of these groups dealing officially only with the caving, but working, in fact, towards nature conservation.

The environmental movement emerged in force in the 1990's, after the so-called Revolution of December 1989. The first registered environmental organization was 'Mișcarea ecologistă din România MER' (The Ecologist Movement of Romania). Which registered as a political party. Many of Romania's environmentalists didn't want to become party members, because of the bad connotation of the term 'party' (synonymous before '89 with The Communist Party). However most of 'MER's' supporters initially accepted the compromise to have two wings, one political and the other scientific, as a way of creating a 'movement'. Unfortunately, when the time came to draw a clear line between the two wings, the balance of 'MER' fell towards politics; 'MER' became almost 100% political. It won the fourth position in the first free elections after 1989, although later they lost all seats in the Parliamentary elections of 1992.

As the political image of 'MER' became too strong, as well as losing its initial environmental and democratic characteristics, many followers or associated groups, split apart forming fraction groups such as Galati 'Prietenii Pământului' (Friends of the Earth). These groups opted for NGO status and a non political image.

The 1924 NGO Law which had not been dissolved still applied in the same form to these organisations. New organizations were born all over the country. This time they did not hide behind sport or scientific associations (more or less accepted and recognized by the communist regime), but became grass-root civic organizations. The process is still on-going, and the movement is becoming stronger and stronger.

Some organizations are finding their own path of development after several different attempts. For example, the initially politically oriented 'Tineretul ecologist din România TER' (The Ecologist Youth of Romania), which split from both 'MER' and the 'The Romanian Ecologist Party' and registered as an environmental NGO. At first

a national organization with supporters all around the country, 'TER' became a network of independent local organizations.

Incompatibility problems among members led to separations in the case of certain groups, such as 'Scutul verde' (Green Shield), from Ploiești. Quarrels about the name or about the direction of funds unfortunately consumed an enormous amount of energy which could have been reserved for constructive use.

#### **QUANTITY AND ORIENTATION OF ROMANIAN ENVIRONMENTAL NGOS**

As organisations matured, the possibilities for new organisations became apparent and the registration process became more familiar to ministries and courts. The number of environmental organizations grew and is continually increasing all over the country. According to the 'NGO Directory' published by 'The Regional Environmental Center for Central and Eastern Europe - REC', there are 128 environmental organizations (1994); out of these, 77 are legally registered. The Romanian language version ('Registrul organizațiilor neguvernamentale de protecție a mediului din România', published by 'TER' in 1994) notes 145 environmental NGOs in Romania, but there is no information concerning their legal status. Taking into consideration the quick evolution of the non-profit sector in Romania, the figures are representative only for the time being and need to be continually up dated. It should be also mentioned that only some of the environmental NGO's legally registered have received the approval of the Ministry of Waters, Forests and Environmental Protection (before 1992 known as The Ministry of the Environment). The others have received the approval from other Ministries (e.g.: youth, sport, health, education etc.).

Although the law still requires 21 founding members, this requirement is rarely fulfilled in practise by all the legally registered associations. In reality the number of active members of an association is often less than is legally required; information on active membership is hard to obtain. Unfortunately most NGOs do not have precise evidence of their membership (paid up members -where fees are requested, newly admitted members or members who have left etc.), however it is easy to see that participation in environmental organizations is not a mass phenomena in Romania. Groups with a extensive participation (such as: Greenpeace, World Wide Fund for Nature-WWF, Friends of the Earth-FoE) do not exist. According to 1994 data, taken from the same 'NGO Directory' published by REC, most of the Romanian organizations have a membership of 30-40 persons. There are, however, some exceptions. For example the scouts organizations which together have several thousand members or the 'National Club for Youth Tourism' ('Clubul național de turism pentru tineret -CNTT), which has approximately 3000 members.

From the above figures, one can see that membership depends on the type and purpose of the organization. Generally environmental organizations tend to be attached to a specific location (For example: The Ecological Association 'Blue Sky in Baia Mare', Asociația ecologică 'Cer senin la Baia Mare', 'Ecojustice for Copșa Mică', 'Ecojustiție pentru Copșa Mică' etc., which deal mainly with environmental problems of a strictly limited geographic area) or can be narrowly focused (restricted to specific fields such as air pollution prevention, guardians of geological reservations, speleology, eco-tourism etc.). This may explain why there are so many small groups presently working with the environment. There are only a few exceptional cases of national organizations with supporters all over the

country and a substantially large membership. These organizations however have a more complex character as they combine environmental protection activities with large sectors of the population (e.g: youth education, tourism).

#### **FINANCIAL RESOURCES**

Western aid (both information and financial support) has been of great assistance to the Romanian environmental movement. Organizations such as 'REC' and 'Asociația ecumenică a bisericilor din România-AIDRom' (Ecumenical Association of Churches in Romania) offered to emerging Romanian environmental NGOs both the know-how and the financial means to become stronger. International public funds (from the United States, European Union, Japan, Canada etc. -in the case of 'REC'), or the money of Christian congregations (in the case of AIDRom) were donated to NGOs for environmental protection activities. This occurred mainly because international funding bodies now recognise that NGOs are in closer contact with the public and can find quicker solutions to local interest problems than the big and bureaucratic governmental institutions.

More and more foundations and funding institutions have offered to continue to donate this year, to the needs of the Romanian environmental NGOs. 'Milleukontakt Oost Europa' started, in January 1995 with the financial support from the Dutch specialized ministry, a new two and a half year program for Romania. USAID has continued its support for 'The Environmental Training Project -ETP (which organizes training programmes for new NGO members, as well as for business representatives), 'International Foundation for Electoral Systems -IFES' (which includes environmental NGOs in the larger network of civic education, human rights, media, economic development and youth, organized the NGO Forum in 1995 for the second year running). Also a new program, including environmental protection called 'Democracy Network', will begin. The European Union is financing the new 'Foundation for the Development of the Civil Society', which will also cover the many of the needs of environmental NGOs. In the second quarter of 1995, the United Nations Development Program collaborated with the 'REC' Bucharest office to launch the Danube River Basin Program for Local NGOs, which is financed by 'Global Environment Facility -GEF'.

With reference to governmental financial support, the Ministry of Youth and Sports was the only ministry which set aside funds for environmental protection activities. The limiting factor however was that only youth organizations could use these funds.

#### **ENVIRONMENTAL NGOS ACTIVITIES AND RESULTS**

The initial development of environmental NGOs activities was difficult. Not all NGOs proved to be as efficient as they could have been or as they would have liked to be. There were positive results: many summer camps (in the mountains, the Danube Delta etc.) were organized; educational materials (posters, leaflets, brochures, catalogues, books) were printed and seminars and conferences (national and international) regarding various environmental themes were organized. Also information and education centers were set up for example 'Training, Information and Mediation Center for Eco-Development' in Ploiești, by the local group 'Oamenii și mediul înconjurător' (People and the Environment) and the Bucharest based 'Grupul ecologic de colaborare' (Ecological Cooperation Group), 'Public Environmental Information and Documentation Center'

in București, by 'Earthkind Romania' and 'Center for Environmental Education', Târgu Mureș, by 'Focus Eco Center'. Direct actions include: the cleaning and rehabilitation of certain affected areas (in the Retezat Mountains, by the 'Clubul Național de Turism pentru Tineret -CNTT' (National Club for Youth Travel) and 'UNESCO Pro Natura' and in the Rodnei Mountains, by 'Societatea Ecologistă din Maramureș' (The Ecologist Society of Maramureș) were organized; scientific documentation supporting the declaration of protected areas (e.g.: 'Rhododendron Eco Club' Târgu Mureș, for the National Park Călimani) has been elaborated; participation in the elaboration and improvement of the specific legislation, of the environmental protection strategy and an electronic communication network for information exchange ('StrawberryNet') became operational in March 1995, due to the efforts of the 'Asociația de turism Nemira' (Nemere Hiking Association) from Sfântu Gheorghe as well as many more.

All these actions helped the environmental NGO movement to gain respect as a partner in the effort to find solutions to Romania's environmental problems. For example, a non-governmental initiative for ecological surveillance and environmental protection in the Apuseni Mountains succeeded to unite the elected County Councils and the appointed Prefect Offices of Alba, Arad, Bihor and Cluj, as well as the Autonomous Regies (state owed utilities) of Romsilva and Apele Române from Alba Iulia, Arad, Cluj-Napoca and Oradea, together with the Regional Center for Ecological Surveillance (an association of environmental organizations). This initiative was effective in extending the instruments of the local administration, by the authorization of an Ecological Guard for the first time in Romania. Also as an example of cooperative action initiated by the NGO ('The Ecological and Hiking Group Albamont', from Alba Iulia), local authorities, Parliament representatives and international agencies, can now be referred to for the suite of actions concerning the Zlatina pollution, finalized in 1994, with the start of the 'Environmental Health Project'. This project was financed by USAID and the Government of Romania.

### INTERNATIONAL AFFILIATION

Many Romanian environmental NGOs are recognized abroad. Some have been accepted by international networks such as 'Central and Eastern European Working Group for the Enhancement of Biodiversity -CEEWEB', the 'International Federation of Environmental Journalists -IFEJ', 'Greenway', 'NGO Danube River Forum', 'International Speleology Union', 'Prosilva' etc.

Three national conferences of Romanian environmental NGOs have already taken place (Sovata, February and October '92 and Tugnad, March '93), in order to try to find a better way of cooperation both among NGOs and with other institutions (e.g.: governmental, academic and business). These conferences were organized by 'Rhododendron Eco-Club', from Târgu-Mureș. The second Sovata conference was organized in cooperation with 'TER'. It created the opportunity for Dr. Marcian Bleahu, a leading geologist and then Minister of Environment, to sign a declaration, stating that the Ministry agrees to offer active support for environmental NGOs. The governmental reshuffle that occurred soon after this, failed to allow the implementation of this declaration.

According to the results of the national conferences (summarized by a 1993 'REC' Survey with a 24 % response rate for 150 questionnaires distributed to approximately 100 organizations of Romania), the most important three issues for Romanian environmentalists

were: nature protection, pollution prevention and alternative education. According to the same source, operational support was the first need of Romanian NGOs, followed by support for organizing local events and participation in conferences and workshops. It has to be underlined that operational support means not only payment of the rent for an office, salaries and office equipment, but also support for acquiring specific technical equipment (e.g.: for pollution measurements).

Other preoccupations of Romanian environmental NGOs are the improvement of the public participation process and improving existing environmental legislation.

### PUBLICATIONS

Environmental NGOs have received great help from the media, who clearly understand the necessity to cover environmental issues, in order to increase public awareness. However, editorial interest of environmental news and especially NGOs' activities, is constantly decreasing. This may be due to other types of stories scooping the front pages and peak broadcasting hours. 'Eco magazin', the only national environmental magazine, was forced to stop its production in 1993 after almost three years. A few issues were printed sporadically after this date.

There are many other environmental publications published by NGOs. They are extremely diverse and tend to lack the means for constancy. Some address children ('Mosaic ecologic', published by 'Tinerii Ecologiști Natura -TEN' from Bucharest), others are bilingual or address the public in a certain geographical area ('Zold lapok/Pagini verzi', published by 'Eco Club Independent' from Odorheiu Secuiesc). The longest running publication is 'Revista pădurilor', which has been published by Societatea 'Progresul Silvic' uninterruptedly, for the last 109 years and tends to be specialised. A special mention should also be given to 'TERRA XXI', a monthly publication which includes a broad spectrum of environmental issues. It has a national identity and was launched in January 1995. The first 5 issues have maintained a high quality and professionalism. It currently reaches both a national and international audience. 'TERRA XXI' is the collaboration of three associations: 'TER', 'GESS' and 'ARZM'. The supplement for journalists of this magazine 'Buletin ARZM', aims to familiarize journalists and potential journalists with the 'secrets' of environmental journalism. It promotes quick and efficient distribution of environmental information to the public via environmental journalists. Cyber TERRA XXI is the international supplement of both TERRA XXI and Buletin ARZM. It is an electronic magazine written in English which includes regularly updated abstracts of the articles in the two above publications as well as features.

The professional level of environmental journalists (professionals or amateurs, recruited from NGO members) is sometimes questionable. Environmental journalism raises, perhaps, more difficulties than any other media domain as it requires a technical background in order to fully understand and report on current problems. As well as a good understanding of the facts it is necessary to be able to impartially present the facts. As environmental protection is a controversial domain it is essential to use alternative sources of information and present balanced (pros and cons) data. Last, but not least, non-emotional titles should be used, for example terms like 'ecological crime' or 'ecocide' can capture the imagination of the reader and boost circulation but may not be appropriate.

Despite these initiatives, public awareness on environmental aspects can be generally considered low.

## LEGISLATIVE FRAMEWORK

Environmental NGOs play a major role in working towards change in today's Romanian society. Essentially it is the task of the environmental NGOs to mobilize the public towards the principles of a safe environment and sustainable development. NGOs work with members of Parliament, in order to ensure that the elected representatives really respect and understand public needs. Although the Romanian Constitution actually allows public participation, there is no provision in present laws for it. Therefore, it is important that new laws offer the legal framework for real public participation.

It is interesting to mention that the latest draft of the long expected Environment Law has a provision for the obligation of public participation in the process of authorization of environmental impact assessments. Another important provision, which if approved could open an enormous possibility for activities, is the capacity of NGOs to take to court a polluter which affects the environment even if the NGO was not directly affected.

These provisions could be even more effective if correlated with other laws. For example the Sponsorship Law, which was adopted in an unsatisfactory version last year by the Parliament. Alternatively the Local Budgets Law, which is also a very important law for NGOs, is currently waiting to be discussed by the Parliament. These two laws are vital for Romanian organizations taking into consideration the fact that they deal with local financing possibilities. These possibilities should take the place sooner or later, of existing almost exclusively international financial support.

## SOLUTIONS FOR THE FUTURE

Starting from the premises that NGOs can have a

remarkable contribution for the protection of the environment in Romania, some proposals can be made in order to try to increase their efficiency.

A possible solution could be to increase internal management capabilities (e.g.: finding a self-identity, increasing managerial competence, improving the existing infrastructure, updating equipment as well as increasing the capacity to evaluate, disseminate, regulate, administrate, signal and control). With better internal organization, the NGOs will reach their proposed objectives quicker and more effectively. It will demonstrate that they have the capacity to administrate financial resources and increase the reach of their actions and activities. If the credibility of NGOs increases there could be more cooperation between NGOs (which will lead to the avoidance of parallelism or overlaps of activities), it would also lead to greater collaboration with the public, cooperative institutions and financing institutions. Cooperation with mass-media could also have, in this respect, a great importance.

Concerning resources, NGOs could think about using the market economy instruments to generate revenues. For example, NGOs could consider covering a greater part of their budget by internal resources, obtained from selling services (e.g.: consultancy, analyses, studies, outdoor education, publications etc.).

It is essential that the economic aspects do not change the main characteristic of environmental NGOs, which is more often than not based on voluntary activity. They must not let economics infiltrate their activities to the extent of losing sight of the public interest.



# WHITE PAPER

## ROMANIAN YOUTH NGOs

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Dan Trestieni ION

### INTRODUCTION

One of the most shocking findings for the Romanian communities educated in the status-quo (communist) spirit has been the fact that youth are the same everywhere in the world (for the 15-29 age group). Irrespective of the measures adopted by all the decision-makers, youth have pursued the fulfilment of their real needs, which have as a rule, centred around three poles: sex, drugs and rock 'n' roll.

This does not mean that young people imitate one another or copy others. They wear the same signs out of a spirit of solidarity to detach themselves and to be perceived as being different. The youth period is not a stage but a disruption in the age continuum and young people want to live it to the full. That is why they are now being referred to as a demographic elite, a category endowed with exceptional motivation, no longer willing to foot the bill of previous generations.

The youth individualization phenomenon is currently universal, however, the community that favours the status-quo, considers this phenomenon unhealthy. Nevertheless, youth will be individualistic regardless, especially when society can no longer offer convenient or 'legitimate' values, young people create their own values. In this way youth subcultures which oppose high culture are created. One of the most effective experimental domains for these subcultures are the non-governmental youth organizations (NGOs).

Youth individualization can be a beneficial phenomenon as youth organizations 'invent' and permanently shift the emphasis of society. A community which understands this positive aspect of the youth phenomenon can be considered 'wise'.

### THE STRUCTURE OF NON-GOVERNMENTAL YOUTH ORGANIZATIONS

Have youth NGOs a different structure to other NGOs? If we start from the premise that the structure of an NGO is derived from the individual characteristics of its components, then the answer must be yes.

#### 1. The Characteristics of Non-Governmental Youth Organizations As Compared to Other NGOs

##### 1.1. Socio-biological Aspects

The discontinuity which young age represents in the

age continuum is demonstrated by behavioural patterns, which are ordered by the active genes for a limited time period (the youth period). These behavioural patterns are represented by two needs:

- the fidelity need
- the locomotion need

The fidelity need explains why young people manifest their loyalty in models through a disciplined devotion to causes, ideas or persons. If society is incapable of providing these models, then they will create their own models in their own subcultures (including NGOs).

The locomotion need explains why young people want to spend time making their own way both socially and characteristically, through a puzzle of values and experiences in order to create convenient semantics for themselves.

Society must offer them the opportunity to achieve success while travelling along these sinuous paths. If it fails to do so, then it will have anomic young people (who cannot relate to any models and values).

In Romania 88% of youth are anomic as a result of the non-fulfilment of their fidelity and locomotion needs. In this context a first important characteristic of the Romanian non-governmental youth organizations is that they act as real social therapists. They offer young people an identity (by offering them the possibility of relating to values and models of various group subcultures) and the opportunity to experiment with success. In other words, young age can be 'consumed'.

##### 1.2. Aspects of Attitudes

We can generally say that Romanian youth favour making their own decisions and so create their own associations.

Here are some significant data in support of this assertion:

- Young people are the bearers of the values of an open society, not of those connected with a closed, totalitarian society in which they were educated (92.7% consider change in society to be a normal phenomenon; 90.2% believe that competition is beneficial to the development of personality and they consider stress, individual decision-making and personal responsibility to be normal);

- Two-thirds of youth consider that other people do not understand their problems;
- Two-thirds of youth consider themselves to be different from other people;
- 96.5% long for real friends;
- Romanian teenagers (15-18 years) consider that the most important things for them are the following: 1) the 'rock' subculture and 2) their own associations;
- Two-thirds of youth state that there is now a youth culture different from that of their parents.

In another chapter we will see that just wanting to join an association is not always sufficient to actually gain membership. The literacy or illiteracy of a community can have a decisive impact on the success of associations.

### 1.3. The Motivation Underlying Joining Non-Governmental Youth Organizations

Along with the needs outlined in the previous subchapter the two main motives for joining a youth NGO are:

- The fear of not being understood by others (Stanley Schachter's fear theory).
- The need to draw comparisons with others, due to uncertainty and disruption of traditional values (Leon Festinger's comparison theory).

### 1.4. Purpose of Joining Non-Governmental Youth Organizations

In western countries in which there is a relative social balance and a hierarchy (or several hierarchies) of well-established values, the purpose of joining a youth association is explained by social insertion. This is when young people search for a place of their own in society, which they are negotiating through the group they join. Most youth associations are negotiative and are not real social-change promoters.

In Romania, a country undergoing a period of transition at all levels (including the most obvious one), the purpose of joining a youth association is given by the need to find a coherent space in terms of values (finding one's own identity) and an opportunity to experiment with 'success', given that the community cannot offer these things in the meantime.

## 2. Quantitative and Qualitative Aspects Regarding the Operation of Romanian Non-Governmental Youth Organizations

### 2.1. Number of Youth NGOs

Currently there are 571 youth NGOs which indicates a certain stability with respect to their evolution over the past two years. The undeniable 'boom' in 1990 when over 1,000 non-governmental youth organizations were registered, was followed by a drastic reduction in their number to 374 in 1992. In 1993 the number of non-governmental youth organizations steadily grew, reaching approximately 600. Eight per cent of the total number of non-governmental organizations operate in rural areas and are not specialized, running programs aimed at the entire rural youth.

### 2.2. Classifications of Romanian Non-Governmental Youth Organizations

Before dividing the 571 non-governmental youth organizations into classifications, two essential concepts should first be clarified:

- The premise of mobilization: any association prac-

tices a certain type of political action, in the sense of group policy.

- The association ideology: it is impossible to understand the associative dimension without a set of values, objectives and interests which should permit the members of the association to enter into certain relations and have a certain degree of group cohesion.

Having made these clarifications, Romanian youth NGOs can be divided into three classifications:

#### 2.2.1. Division of youth NGOs by their orientation to the outside world

Associations can be either instrumental or expressive.

Instrumental associations solve the problems of their members by relating to the outside world and attaching a lot of importance to group policy. This group of organizations include: the leagues, foundations, party organizations, trade unions, free youth organizations, unions and conventions. These associations theoretically place emphasis on involvement in community problems by organizing group discussions on political issues and participating in electoral and voting campaigns. In Romania 54% of the non-governmental youth organizations fall within this classification. Unfortunately they do not fulfill all of their intentions, as stipulated in their statutes or in the very title of the association.

Expressive associations solve the problems of their members without any serious relations with the outside world, considering them as problems per se. Most associations pursuing 'hobby' type activities, which in Romania represents 46%, belong to this category. The most important associations for a society seeking to develop democratic practices are the instrumental ones. Their members acquire pre-political behavioural habits by participating in activities such as meetings, marches and public gatherings thus developing themselves into citizens. Most youth associations were instrumental at the beginning of 1991, however due to the lack of response to their actions from authorities their numbers decreased drastically, while that of expressive associations increased.

#### 2.2.2. Categorized by Degree of Involvement of the Ideological and Practical Components in Concrete Programs

Two classification mechanisms can be used depending on the mixed use of the two components.

##### 2.2.2.1. The Spanish Classification

There are five distinct types of youth associations in this classification. Each type will be assigned a percentage that reflects the number of Romanian associations which belong to it:

1. Ideological-modification associations: political associations, foundations, leagues, trade unions, conventions and unions (54%)
2. Non-ideological-modification associations: social assistance and community services (7.4%)
3. Ideological-format associations: religious associations (3%)
4. Non-ideological-format associations: cultural associations (5.6%)
5. Specialized associations: sports, tourist, ecological and hobby associations (30%)

As we will see, this classification is purely theoretical as it does not reflect the real behaviour of associations but rather a desired model.

#### 2.2.2.2. Alain Touraine's Classification

Studying the relations between ideological activity (function) and practical activity (function), this French sociologist proposed the following types of associations:

Practical function	
+                      -	
Ideological function +	Contention      Rejection
-	Utilitarianism      Decomposition

Using this new classification Romanian instrumental associations can be said to display rejection behaviour (e.g., the Student League, the 21 December Association and party associations) or decomposition (particularly youth foundations). There were also organizations which acted through contention, for example the Student League at the Marine Institute in Constanta brought about a change in the profile of the institute by demilitarizing it.

Expressive associations, in their turn, manifested themselves through a utilitarian behaviour, especially with regard to strictly specialized programs (these programs represent less than a third of the total number of programs furthered by non-governmental youth organizations).

#### 2.3. Geographical Distribution of Romanian Non-Governmental Youth Organizations

In general, youth NGOs are evenly distributed throughout Romania. The highest densities of organizations are recorded in the following areas:

- Bucharest: 78 associations
- Galați: 36 associations
- Giurgiu: 30 associations
- Cluj: 29 associations
- Mehedinți: 25 associations
- Suceava: 25 associations

The lowest recorded numbers of organizations are in the western and south-eastern regions of the country:

- Satu Mare
- Arad
- Bihor
- Timiș
- Caraș-Severin
- Tulcea
- Călărași
- Constanța
- Ialomița

In all these counties, youth (15-29 years) represents approximately a quarter of the total population; in Satu Mare, Timiș, Constanța and Călărași youth is higher than the country's average (22.9%).

#### 2.4. Number of Members

It is difficult to calculate the number of active members enrolled in youth associations. Based on their statements, the number of active members amounts at present to 154,190 (about 3% of the youth population).

From our point of view the real figure is much smaller. For example, in the case of the associations boasting themselves to have the greatest number of members (The Free Youth Association of Bucharest - 15,000 members and the Michael Jackson Fan Club - 30,000 members), the figures are to our knowledge, at least ten times higher than in reality. It would be more realistic to say that 1% of the youth population represents the

active members enrolled in Romanian youth associations.

This percentage is undoubtedly very small compared to the European average of 10-12%.

#### 2.5. Target Population

The target population of youth NGOs is often defined in the statutes of the associations. The statutes always stipulate that these associations fulfil a public utility function (in order to get the approval of various ministries) and that they are not some autarchic organization, centred on their own existence. In reality, due to real communication difficulties, several non-governmental youth organizations act as autarchic bodies, except for humanitarian associations (providing assistance to children, handicapped, charities and defending youth rights) which are largely assisted by foreign partners and environmental associations.

#### 2.6. Funding Sources

The Ministry of Youth and Sport has been an important funding source for Romanian non-governmental youth organizations.

Since 1995 approximately 70% of the sums allocated to the activities of associations (through a Ministry-sponsored program called 'Together') have been distributed to county youth and sport offices, which manage them with the help of expert assessors. For several reasons not all youth associations have resorted to such funds:

- A 'client' system has been installed for funding from the Ministry of Youth and Sport. Associations that have traditionally benefited from 'assistance' in the past have a better chance of obtaining new funds than other associations.
- There is a limited procedure within the Ministry of Youth and Sport which gives priority to those programs that fall under twelve specified programs run by this governmental institution.
- There is still a highly complicated, bureaucratic system of 'justifying' how the money received from the Ministry has to be spent.

There has been an upward trend in obtaining sponsorship from external sources including the PHARE and TEMPUS programs, as well as those financed by western specialized foundations. However, restrictions of this form of sponsorship have also kept a number of non-governmental youth organizations away from such sources. The emphasis of these sources is placed on training, further training and education, which excludes research problems or those aimed at setting up non-governmental institutions. Therefore, external sponsorship has led to a boom of seminars, colloquia, workshops and conferences.

In our opinion, it is important to involve local and private partners in the financing of programs run by non-governmental youth organizations. The organizations of young ecologists has shown that this is possible; for example: in Oradea, the Employers' Association of Bihor County will partially finance the environmental centre for the monitoring of the Apuseni Mountains; in Brăila private companies provide financial support for waste recycling and in Bușteni and Târgu-Mureș the mayor's office finances various activities for environmental information and documentation centres and pledges the involvement of private entrepreneurs. Twice a year AIESEC and associated sponsors organize 'Career Days' (a job fair for university graduates), training courses for young economists and encourages young graduates to specialize in western countries.

An important funding source 'self-financing through the

provision of services similar to those offered by the civil society' has not yet been used by Romanian non-governmental youth organizations.

## **B. FIELDS OF ACTIVITY**

### **3. Programs Run by Non-Governmental Youth Organizations**

Most youth programs are generally orientated towards the enforcement of a group policy as regards their relations with the outside society (theoretically 56% of associations are like this). There are also: specialized programs (30%), cultural programs (5.6%), religious programs (3%) and humanitarian programs (7.4%). An association has set as its target the preservation of the cultural heritage (Jeunesse et Patrimoine), assisted by international organizations. From among the specialized associations, the most numerous are environmental associations (56), sports associations (39) and scientific associations (25).

### **4. National and International Affiliations**

Within the total 571 non-governmental youth organizations 183 are associated with other organizations: 139 of these are nationally affiliated, 37 are internationally affiliated and 7 are both nationally and internationally affiliated. Most national affiliated associations concern ecology, tourism or are youth leagues. Student and religious organizations are dominant in the category of internationally affiliated associations. Ethnic, economic and sports associations often have both a national and an international affiliation.

#### **5. Publications**

Given the limited financial resources, few non-governmental youth organizations can afford their own publications. Environmental associations are the exception to this rule because many of them have received funds (especially from the Regional Environmental Centre) for publishing information. Several youth associations have published their own newsletters from PHARE funding but the distribution is limited. These newsletters often reflect the activities carried out in the framework of the PHARE Program and do not describe their general activities.

## **C. DIFFICULTIES ENCOUNTERED BY NON-GOVERNMENTAL YOUTH ORGANIZATIONS**

### **6. Difficulties due to Internal Factors of the Association**

#### **6.1. Recruitment of New Members**

One of the most difficult problems encountered by non-governmental youth organizations is the recruitment of new members.

It is not enough for a young person to actually become a member, by expressing a positive attitude. There is often a hard to bridge gap between wanting and joining a youth NGO. It is often the personal relations between the young person and the active member as well as an hierarchy of interests which create prominent identities which are the key to the joining of such associations. The prominent identities of a respective young person should coincide with the movement he/she seeks to join.

With respect to this last aspect, there are some very restrictive conditions which make the difficulty of joining an association understandable:

1. The association should display an enticement to new recruits. This should be clear from the symbolic name of the association, which should express clearly the interests and identity of the group.

Analysis of Romanian youth NGOs shows that a quarter of them do not convey their interests and identities through their titles. For example:

- The Romania 'Rock Aid' Association states that its members have good moral conduct and reputation.
- The 'We for You' Association states that it is interested in developing SF and GO programs.
- The 'Venl, Vidi, Vici' Organization promotes body-building.
- The 'Youth Will' Organization also promotes body-building.

2. Associations should have a relationship between participation in the movement and the candidate's identity.
3. This relationship should be supported by people who will further help the identity of the individual.
4. No strong opposition should arise from people involved who have prominent identities.

Research shows that both points 3 and 4 are very important to the recruitment process.

### **6.2. The problems of Management within Associations**

Very few non-governmental youth organizations know how to practice management within their associations.

Likewise, very few non-governmental youth organizations aim at answering the urgent needs of the development of civil society in their projects. Their inefficiency is characterized by:

- few solid goals;
- a small number of active members;
- a weak connection to the needs of the population;
- a lack of serious economically viable projects;
- a relatively low level of education and culture amongst members;
- difficult relationships with local and central administration;
- a lack of professionalism in carrying out their programs;
- a lack of adequate information about their activities;
- a lack of stable relations with other non-governmental youth organizations;
- a weak evaluation of results obtained in carrying out their programs.

These problems are hard to solve as the management of a NGO can be more difficult than that of a business enterprise. This is because:

- They must benefit financially as well as contribute to society.
- The association must abide by certain ethical rules which affect management policy.
- Management of human resources within the association is difficult as members can be both employed and unemployed.

The most difficult management problems encountered by Romanian youth associations have been so far:

- the definition of projects
- the mobilization of the association's members in carrying out these projects
- the difficulties concerning fund-raising in order for the projects to be implemented
- the identification of efficient leaders for their organizations.

## **7. Difficulties Due To External Factors With Respect To The Association**

### **7.1. The Philosophy of Associations Promoted by the Ministry of Youth and Sport**

The Ministry can not be considered a 'clean' funding source. Through its youth policy 'Romanian Youth-Confidence Rendering' as well as through its national actions, the Ministry of Youth and Sport aims to rigorously control the youth associations in the long term. The creation of the youth information and documentation network 'INFOTIN'; the support of the parliamentary Bill for the organization of educational programs in youth houses approved by the Ministry of Youth and Sport; the introduction in all Romanian high schools of 'Clubs 2020', in which young people build up their future programs without being concerned with the present; a greater emphasis on the need to develop a youth elite and not to solve the current problems of young people are all actions denying the beneficial character of the spontaneous association of young people in their own organizations. Using a preferential financing scheme that favours certain associations, the Ministry of Youth and Sport has succeeded in drawing into its projects five youth foundations, which support the local development of INFOTIN branches. This indicates that youth information and documentation centres should be managed by non-governmental associations, thus avoiding the screening of information.

The 'educator' vocation of the Ministry of Youth and Sport, in a period when either the classical values no longer correspond to historical needs or the new ones are not yet properly forged, makes it obsolete for the moment. In the case of youth associations, the obsolete character of the Ministry is even more obvious since these associations in particular promote the values of common culture of everyday life and the values which help them to solve the difficult daily problems.

### **7.2. Partnership with the Local Administration of the State Authority**

Most non-governmental youth organizations have had difficulties in trying to establish a dialogue with local administration in the absence of a law regarding local administration autonomy. Those which receive support often accept while having to make an demanding compromise.

For example, in the case of the negotiations of statutes for the regional centre for the monitoring of the Apuseni Mountains, the environmental association in Cluj, generally interested in the financing of this centre, blocked the discussions on the statutes and eventually postponed their adoption by the partner NGOs. Behind the 'scenes' the representative of this youth environmental NGO declared that he was empowered by the prefect of Cluj County to take an obstructive stand because the prefect wanted to get certain advantages for his county. Being a 'client' of the local administration, the given NGO complied with the wishes of its supporter.

Nevertheless, there are cases of good co-operation and relations between non-governmental youth organizations and local decision-makers. For example: the mayors of Buşteni, Constanţa, Târgu Mureş and Brăila or the prefects of Bihor, Alba and Hunedoara Counties.

### **7.3. Partnership with Citizens of the Local Community and Public Participation**

Any non-governmental youth organization can make itself useful to a local community by establishing partnership relations with the target population on three levels:

- Service to the community: such services can be pro-

vided to the community as a whole or to certain citizens (proximity services), after the real needs of the community have been identified.

- Community development process: the youth NGOs can develop projects designed to involve all the citizens of that local community. If these projects will be found useful, it will expand or generate new projects thus leading to a community development process.
- Co-operation for development: a youth NGO in an affluent community (e.g.: a town) can associate with a youth NGO from a disadvantaged area (e.g.: an isolated village) with a view to benefiting the community in the latter area.

Unfortunately, the partnership of youth NGOs with local communities and public participation does not operate effectively at any level. The main reason lies in the weak associative nature of Romanians.

### **7.4. The Legislative Framework**

This framework includes:

- a) general regulations concerning associations;
- b) specific regulations resulting from standard acts regarding the function of the Ministry of Youth and Sport;
- c) other provisions in the field.

The existing legal framework regarding the setting up and functioning of NGOs (Law no. 21/1924 and Decree-Law 150/1990) favours the development of associations. The statutes which are subjected to the approval of law courts can also include certain provisions stipulated in the Law on Accreditation, but most non-governmental youth organizations are not aware of this possibility. A bill has been forwarded to Parliament concerning the state of youth houses which are now being managed by various youth foundations. This bill will affect the course of the life of young people in associations by the following:

- Youth foundations will cease to exist after losing the premises on which their activities took place and the principal funding sources of their programs.
- The bill stipulates that youth houses shall carry out activities pending the approval of the Ministry of Youth and Sport, with a total disregard for local youth NGOs (The Ministry will run its own programs).

With respect to the standard regulations concerning the relationship between public administrations and youth NGOs, there has been no objective selection criteria established yet. Through a kind of 'project auction' of eligible NGOs, the clientele practice is still being perpetuated.

The same can be said about other standard acts currently in force, such as the Budget Law, which does not make any reference to the selection criteria of youth NGOs.

These things are so much more surprising as it is well known that one of the most important criteria in establishing the eligibility of non-profit organizations is the 'originality of projects' thus avoiding competition with state bodies.

For the time being, the state imposes, through allocation of funds, certain complementary projects beneficial for its own programs.

## **8. Solutions for Solving the Difficulties Encountered by Non-Governmental Youth Organizations**

With a view to increasing the efficiency of youth NGOs, the following solutions are being put forward:

1. Setting up an office for youth NGOs in local town halls to serve both as a meeting place for NGOs and to provide some basic services for them (e.g.: telephone, fax, communications, copying machine, typing and a conference room).
2. Setting up within county youth and sport offices, an advisory board of experts which will assess the projects submitted by local NGOs. This board which will have representatives from the mayor's office, prefects, employers' associations, trade unions and the church should identify concrete co-operation possibilities with NGOs and supervise the observance of the contracts signed between county youth and sport offices with NGOs.
3. In case projects are approved by the Ministry of Youth and Sport through the county youth and sport offices, the money should be transferred into the account of the associations at least three months prior to the start of the respective activities.
4. The most active members of NGOs recommended by their organizations should be granted a number of facilities (moral and material) by the Ministry of Youth and Sport, the Ministry of Education and the Ministry of Labour and Social Protection.
5. The elaboration of a law which could permit NGOs to provide services to population on a non-profit basis (an extension of Article 40, Law 21/1924).
6. The publication, with the support of the Foundation for the Development for Civil Society, of a Newsletter for youth NGOs in which the latter can disseminate announcements and information of common interest.
7. The realization of monographs devoted to youth NGOs in order for better understanding of the need for Romanian associations.
8. The publication, with the support of the Foundation for the Development for Civil Society, of a collection of works focussed on management issues of associations. Priority should be given to the elaboration of textbooks dealing with negotiation and protest techniques.
9. The elaboration of several proposals aimed at re-defining the co-operative relationships between youth NGOs and the Ministry concerned; the clarification of the levels at which this co-operation takes place, going as far as the recognition by the Ministry of the status of public utility association.
10. The elimination from the bill on the retrocession to local authorities of the youth houses run by youth foundations of the article stipulating that such houses shall carry out youth programs only with the approval of the Ministry of Youth and Sport.
11. The change of the educational system or, of its operational framework, the need to consider pupils, students and their parents as equal partners to teachers with respect to the planning and carrying out of concrete educational projects. Also there is a need to adapt these projects to the real needs of the subjects of the educational process.

## RESOLUTION

# **PRINCIPLES REGARDING THE LEGAL FRAME- WORK OF THE REGISTRATION AND ACTIVITY OF NON-GOVERNMENTAL ORGANIZATIONS**

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The signatory organizations, present at the NGO Forum in Braşov, on April 30-May 3, consider that any law regarding the registration and activity of NGOs (either a new law or just an amendment to the old law No. 21/1924) must take into consideration the following principles, that have as foundation the provision of the Constitution (Art. 37) on freedom to associate:

- Registration should be done through a simple procedure, excluding administrative control, preferably at the court;
- The only control that the executive is entitled to enforce on NGOs is the one concerning financial legislation;
- Restrictions that can be brought to the objectives and means of action of an NGO are only those provided for in art. 37 of the Constitution, respectively: actions against the political pluralism, the principles

of the rule of law, of the sovereignty, integrity and independence of the country;

- The only authority entitled to notice the unconstitutionality of the goals or means of action of an NGO is the court, upon notice from the Public Ministry, and only the court can suspend the activity of an NGO, or forbid it;
- The non-governmental organizations that are set up by the state or are financed mainly by the state will not benefit from the special conditions created for NGOs;

In order to elaborate a draft law, a workgroup will be created under the auspices of the NGO Forum. The group will comprise representatives of the NGOs, Members of the Parliament and specialists in the fields of law, sociology, economy and finance.





## RESOLUTION

# **NON-GOVERNMENTAL ORGANIZATIONS' POSITION REGARDING THE NECESSITY OF A LAW FOR ACCESS TO INFORMATION**

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The signatory organizations, present at the NGO Forum in Braşov, on April 30-May 3, consider the passing of a law for the free access of citizens to the information to be of great significance. Our organizations' experience shows that the constitutional provision of access to information of public interest (Art. 31) remains a declaration of intent with little practical value, in the absence of an institutional framework created by the law. Only this framework will define obligatory procedures for the citizen and public institutions and also the responsibility of the latter.

Also, the nongovernmental organizations are preoccupied with the proliferation - assisted by the absence of such a law - of the attempts to undermine the citizen's right of access to the public information, as read from incorrectly formulated legislative initiatives referring to national security, the protection of state secrets, Criminal Law, etc. Given this situation, the signatory organizations will cooperate in drafting a law on access to the information.

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## RESOLUTION

### **THE POSITION OF THE NON-GOVERNMENTAL ORGANIZATIONS REGARDING THE PROVISION OF THE FORESTRY CODE (ART. 37, PAR. 4) ON GRAZING IN THE FORESTS**

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The signatory organizations, present at the NGO Forum in Braşov, on April 30-May 3, consider that striking out from the draft Forestry Code the provision referring to grazing in state-owned forests is a fundamental condition for the preservation and sustainable development of the Romanian forests.

Therefore, it is proposed that paragraph 4 of Article 37 of the Forestry Code, recently passed by the House of Senate, reading:

*"By exception, the access of domestic animals in the forests to the grazing, watering, resting and sheltering areas, and the seasonably grazing in some areas of the forests (our underlining) will be approved by the Ministry of Waters, Forests and Protection of the Environment,*

*upon request from the Ministry of Agriculture and Food, based on common proposals from the general departments for agriculture and food industry and the county forest inspectorates."*

to read:

*"By exception, the access of domestic animals in the forests to the grazing, watering, resting and sheltering areas will be approved by the Ministry of Waters, Forests and Protection of the Environment, upon request from the Ministry of Agriculture and Food, based on common proposals from the general departments for agriculture and food industry and the county forest inspectorates."*



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## **PRESS COVERAGE**

## **AGENTII DE PRESA**

### **Forumul organizațiilor neguvernamentale**

Forumul Organizațiilor Neguvernamentale din România și-a început lucrările în plen cu prezentarea cuvântului către participanți, adresat de Dorin Tudoran, director al Fundației Internaționale pentru Sisteme Electorale (IFES) pentru România și Moldova.

Sesiunea plenară de dimineață a cuprins o prezentare a relației dintre parlament și organizațiile neguvernamentale în democrațiile stabile (în societatea americană), realizată de Iuliana Ceran Pilon, director de programe pentru Europa și Asia al IFES, și un raport al directorului Centrului pentru Studii Politice și Analiză Comparativă, Dorel Sandor, care cuprinde o analiză a stadiului de dezvoltare a organizațiilor neguvernamentale românești.

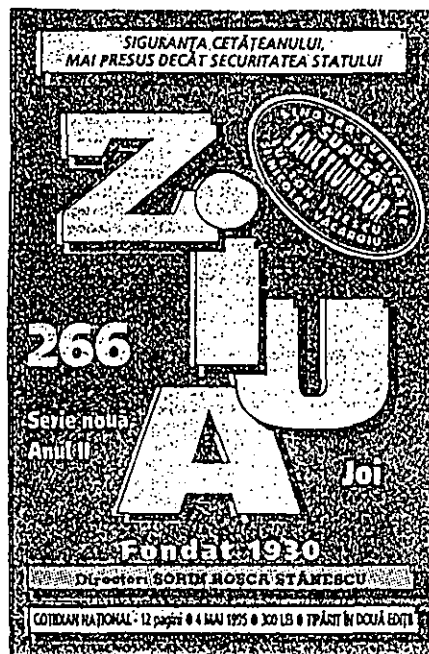
**CRONICA ROMÂNĂ**  
**Nr. 694, Marți, 2 mai 1995**

Cronica Română  
Tuesday, May 2, 1995

#### The Nongovernmental Organizations' Forum

The Romanian NGO Forum opened its proceedings in a plenary session, with the IFES Project Director for Romania and Moldova, Mr. Dorin Tudoran, addressing the participants.

The morning session consisted of a presentation of the relationship between members of the Parliament and NGOs in sound democracies (in the American society) by Ms. Juliana Geran Pilon, IFES Program Director for Europe and Asia and an analysis of the development stage of Romanian NGOs by Mr. Dorel Șandor, Director of the Centre for Political Studies and Comparative Analysis.



## Fundația Internațională pentru Sisteme Electorale cere

### Liberul acces la informații al persoanei

Votarea unei legi care să reglementeze liberul acces la informații al persoanei, este una din cele două rezoluții propuse de Fundația Internațională pentru Sisteme Electorale și Fundația pentru Pluralism la Forumul organizațiilor neguvernamentale de la Brașov.

Participanții consideră că o asemenea lege este indispensabilă pentru activitatea organizațiilor

neguvernamentale, „mai ales că prevederile constituționale rămân doar declarații de intenție”.

A doua rezoluție se referă la modificarea cadrului legislativ referitor la înființarea și funcționarea organizațiilor neguvernamentale, care pentru dobândirea personalității juridice ar trebui doar să se înscrie la judecătoria

Ziua

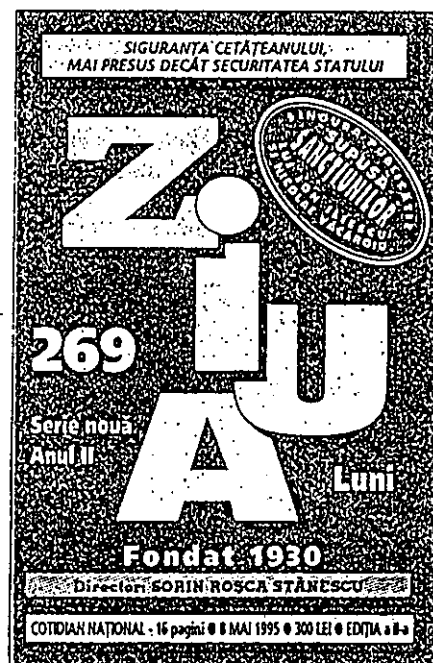
Thursday, May 4, 1995

The International Foundation for Electoral Systems Asks for the Free Access of Citizens to the Information

Passing a law that will regulate the free access to the information of the citizens is one of the two resolutions introduced by the International Foundation for Electoral Systems and the Foundation for Pluralism at the NGO Forum 1995, in Braşov.

Participants consider that such a law is vital for the activity of nongovernmental organizations, "especially because Constitution's provisions remain just simple declarations of intent".

The second resolution refers to the amendment of the existing legal framework that governs the registration and activity of NGOs, stipulating that in order to exist, NGOs should only register at the court.



## Organizațiile neguvernamentale vor elabora un proiect de lege privind accesul la informație

Fundația Internațională pentru Sisteme Electorale a organizat la Brașov, săptămâna trecută, Forumul Organizațiilor Neguvernamentale 1995 - „Dezvoltarea Societății Civile”. În urma dezbaterilor referitoare la cadrul legislativ al activității organizațiilor neguvernamentale și la importanța accesului liber la informație, participanții au adoptat două rezoluții. Prima stabilește principiile referitoare la cadrul legal al înființării și funcționării organizațiilor neguvernamentale: personalitatea juridică să se dobândească printr-o procedură simplă, singura formă de control să fie cea financiară, iar scopul sau mijloacele folosite pot fi contestate numai de instanțele judecătorești.

Cea de-a doua rezoluție se referă la necesitatea unei legi a accesului la informație. Garanția constituțională a accesului la informația de interes public rămâne o declarație de intenție cu slabă valoare practică, în absența cadrului instituțional creat prin lege. Cele 49 de organizații neguvernamentale semnatare ale rezoluțiilor declară că vor coopera în realizarea unui proiect de lege privind accesul la informație. Manifestarea de la Brașov a fost organizată prin programul finanțat de Agenția Statelor Unite pentru Dezvoltare Internațională și Centrul Regional de Protecție a Mediului pentru Europa Centrală și de Est.

Anca HRIBAN

Zlita

Monday, May 8, 1995

#### The Nongovernmental Organizations Will Write a Draft Law on the Access to the Information

The International Foundation for Electoral Systems organized last week, in Braşov, the NGO Forum 1995 - Developing Civil Society. Following the debates on the existing legal framework that governs the activity of NGOs and the importance of access to the information, the participants passed two resolutions. The first one establishes principles of the registration and activity of NGOs: the juridical person should be obtained through a simple procedure, the only control from the state should be financial, and the scope and means of action can be contested only by the courts.

The second resolution refers to the necessity of a law on the access to the information. The constitutional provision on the access to the public interest information remains a declaration of intent with little practical value, in the absence of a institutional framework created by the law. The 49 organizations that signed the resolutions declared that they will cooperate for drafting a law on the access to the information. The event in Braşov was organized through the program financed by the United States Agency for International Development and the Regional Environmental Centre.

Anca Hriban

**L**a Braşov se desfăşoară lucrările „Forumului Organizaţiilor Neguvernamentale 1995 – Dezvoltarea societăţii civile”, manifestare finanţată de Agenţia Statelor Unite pentru Dezvoltare Internaţională (USAID) şi de Centrul regional de Protecţie a mediului pentru Europa Centrală şi de Est. Dorin Tudoran, directorul Fundaţiei Internaţionale pentru Sisteme Electorale în România şi Republica Moldova, a declarat că scopul principal al Forumului este crearea unui cadru propice de dialog între organizaţiile neguvernamentale, legislativ şi executiv, pentru că „societatea civilă este inventată şi propulsată tocmai de aceste organizaţii”.

**VOCEA ROMÂNIEI**  
**Nr. 430, Miercuri, 3 mai 1995**



Vocea României  
Wednesday, May 3, 1995

The NGO Forum 1995 - Developing Civil Society is taking place in Braşov. The event is financed by the United States Agency for International Development (USAID) and the Regional Environmental Centre (REC). **Dorin Tudoran**, IFES Project Director for Romania and Moldova declared that the main purpose of the Forum is to create an opportunity for the nongovernmental organizations, the government and the Parliament to meet and discuss, because **"the civil society was invented and is carried on by these organizations"**.



## FORUMUL ONG

# Organizațiile neguvernamentale se pronunță pentru o dezvoltare reală a societății civile, neîngrădită de instituțiile statului

Recent, s-a desfășurat, la Brașov, Forumul Organizațiilor Neguvernamentale 1995 - "Dezvoltarea Societății Civile". Manifestarea a fost organizată de Fundația Internațională pentru Sisteme Electorale (director de programe IFES pentru România și Moldova - Dorin Tudoran) prin programul finanțat de Agenția Statelor Unite pentru Dezvoltare Internațională și de Fundația pentru Pluralism, prin programul finanțat de Centrul Regional de Protecție a Mediului pentru Europa Centrală și de Est. În urma dezbaterilor referitoare la cadrul legislativ al activității organizațiilor neguvernamentale și la importanța accesului liber la informație, participanții au adoptat următoarele rezoluții:

1. Principii referitoare la cadrul legal al înființării și funcționării organizațiilor neguvernamentale;
2. Poziția organizațiilor neguvernamentale referitor la necesitatea unei legi a accesului la informație.

Un număr de 49, respectiv 46 de organizații au semnat aceste documente, lista rămânând în continuare deschisă. Documentele cu semnăturile în original pot fi consultate la sediul Fundației Internaționale pentru Sisteme Electorale.

## Poziția organizațiilor neguvernamentale privind necesitatea unei Legi a accesului la informație

Organizațiile semnatare prezente la FORUMUL ONG (ținut la Brașov, între 30.04-3.05.1995) consideră drept o condiție indispensabilă a dezvoltării lor adoptarea unei Legi privind liberul acces la informație al persoanei. Experiența organizațiilor noastre arată că garanția constituțională a accesului la informație de interes public (Art.31) rămâne o declarație de intenție cu slabă valoare practică în absența cadrului instituțional creat prin lege. Doar această va putea defini procedurile obligatorii pentru cetățean și instituțiile publice, precum și răspunderea acestora.

De asemenea, organizațiile neguvernamentale sunt preocupate de proliferarea și ajutarea absenței unei astfel de legi, a tentativei de subminare a dreptului persoanei la informație publică sau cum transparele din inițiativele legislative gresit redactate, care se referă la siguranța națională, la apărarea secretului de stat, codul penal etc. În acest sens, organizațiile neguvernamentale participante vor coopera în realizarea unui proiect de lege privind accesul la informație.

## Principii referitoare la cadrul legal al înființării și funcționării organizațiilor neguvernamentale

Organizațiile semnatare, participante la FORUMUL ONG, care au avut loc la Brașov, între 30 aprilie - 3 mai 1995, consideră că orice lege referitoare la înființarea și funcționarea organizațiilor neguvernamentale, fie că este o lege nouă, fie că este vorba de modificarea Legii nr. 21/1924 - trebuie să respecte următoarele principii, care au la bază garanția oferită de prevederile Art. 37 din Constituția României privind libertatea de asociere:

- dobândirea personalității juridice să se facă printr-o procedură simplă, care să excludă controlul administrativ, fiind de preferat formula înregistrării la grefa judecătorei;
- singura formă de control, pe care sunt îndreptățite să o exercite autoritățile executive, este cea referitoare la legislația financiară;
- restricțiile care pot fi aduse obiectivelor și metodelor de acțiune ale unei organizații sunt numai cele prevăzute de Art. 37 din Le-

gea fundamentală, respectiv: acțiuni îndreptate împotriva pluralismului politic, a principiilor statului de drept, a suveranității, integrității sau independenței țării;

- unica autoritate care are dreptul să constate neconstituționalitatea scopului sau a mijloacelor folosite în atingerea acestora de către o organizație neguvernamentală este instanța de judecată, la sesizarea Ministerului Public, și numai ea are dreptul de a suspenda activitatea unei organizații neguvernamentale sau de o interzice;

organizațiile non-profit înființate de stat sau finanțate majoritar de către acesta nu beneficiază de regimul asigurat organizațiilor neguvernamentale.

În vederea elaborării unui proiect legislativ sub egida FORUMULUI se va organiza un grup de lucru, format din reprezentanți ai organizațiilor neguvernamentale, parlamentari și specialiști din domeniul dreptului, sociologiei, economiei, finanțelor.

România liberă  
Monday, May 8, 1995

#### IFES - NGO Forum

The Nongovernmental Organizations Stand Up for a Real Development of the Civil Society, Unrestrained by the State Institutions

Recently, the NGO Forum 1995 - "Developing Civil Society" took place in Braşov. The event was organized by the International Foundation for Electoral Systems (IFES Project Director for Romania and the Republic of Moldova - Dorin Tudoran) through the project financed by the United States Agency for International Development and by the Foundation for Pluralism, through the project financed by the Regional Environmental Centre. Following the debates focused on the legal framework of the registration and activity of NGOs and on the importance of free access to the information, the participants passed the following resolutions:

1. Nongovernmental Organizations Position Regarding the Necessity of a Law of Access to the Information
2. Principles Regarding the Legal Framework of the Registration and Activity of Nongovernmental Organizations

A number of 49, respectively 46 organizations have signed these resolutions, the list remaining open for other organizations to sign. The documents and the originals of the lists can be consulted at the offices of the International Foundation for Electoral Systems in Bucharest.

#### **NONGOVERNMENTAL ORGANIZATIONS' POSITION REGARDING THE NECESSITY OF A LAW FOR ACCESS TO INFORMATION**

The signatory organizations, present at the NGO Forum in Braşov, on April 30-May 3, consider the passing of a law for the free access of citizens to the information to be of great significance. Our organizations' experience shows that the constitutional provision of access to information of public interest (Art. 31) remains a declaration of intent with little practical value, in the absence of an institutional framework created by the law. Only this framework will define obligatory procedures for the citizen and public institutions and also the responsibility of the latter.

Also, the nongovernmental organizations are preoccupied with the proliferation - assisted by the absence of such a law - of the attempts to undermine the citizen's right of access to the public information, as read from incorrectly formulated legislative initiatives referring to national security, the protection of state secrets, Criminal Law, etc. Given this situation, the signatory organizations will cooperate in drafting a law on access to the information.

#### **PRINCIPLES REGARDING THE LEGAL FRAMEWORK OF THE REGISTRATION AND ACTIVITY OF NON-GOVERNMENTAL ORGANIZATIONS**

The signatory organizations, present at the NGO Forum in Braşov, on April 30-May 3, consider that any law regarding the registration and activity of NGOs (either a new law or just an amendment to the old law No. 21/1924) must take into consideration the following principles, that have as foundation the provision of the Constitution (Art. 37) on freedom to associate:

- Registration should be done through a simple procedure, excluding administrative control, preferably at the court;
- The only control that the executive is entitled to enforce on NGOs is the one concerning financial legislation;
- Restrictions that can be brought to the objectives and means of action of an NGO are only those provided for in art. 37 of the Constitution, respectively: actions against the political pluralism, the principles of the rule of law, of the sovereignty, integrity and independence of the country;
- The only authority entitled to notice the unconstitutionality of the goals or means of action of an NGO is the court, upon notice from the Public Ministry, and only the court can suspend the activity of an NGO, or forbid it;
- The non-governmental organizations that are set up by the state or are financed mainly by the state will not benefit from the special conditions created for NGOs;

In order to elaborate a draft law, a workgroup will be created under the auspices of the NGO Forum. The group will comprise representatives of the NGOs, Members of the Parliament and specialists in the fields of law, sociology, economy and finance.



SOCIAL

PAGINA 3

COTIDIANUL

LUNI • 22 MAI 1995

## Organizațiile ecologiste neguvernamentale solicită modificarea Proiectului Codului Silvic

În urma Forumului ONG 1995 organizat la Brașov în perioada 30 aprilie - 3 mai 1995, un număr de peste 80 de organizații neguvernamentale au solicitat eliminarea art. 37, alin. 4 din Proiectul Codului Silvic, cu referire la pășunatul în pădurile statului. Formularea adoptată recent de Senatul României ar trebui modificată după cum urmează: "Prin excepție, accesul animalelor domestice în pădure, spre zonele de pășune, adapă, odihnă și adăpostire se aprobă de Ministerul Apelor, Pădurilor și Protecției Mediului, la solicitarea Ministerului Agriculturii și Alimentației, pe baza propunerilor comune ale direcțiilor generale pentru agricultură și industrie alimentară și inspectoratelor silvice județene". Actualul Cod Silvic prevede că "pășunatul sezonier în unele perimetre ale fondului forestier proprietate publică" se poate face cu aprobarea furcilor amintite. ONG-urile românești precizează că

adoptarea acestei prevederi "anacronice" de către Senatul României contravine în mod flagrant capitolului "Combaterea despăduririlor" din Convenția de la Rio de Janeiro, semnată în iulie 1992 de președintele Iliescu. În textul trimis spre publicare se arată: "Față de această situație paradoxală existentă în România în ajunul mileniului III, profund îngrijorat, considerăm necesară luarea de măsuri pentru redresarea urgentă a situației, prin adoptarea unui Cod Silvic dogrevat de servitutea devastatoare a pășunatului în pădurile supuse regimului silvic, măcar la fel ca în anul 1881, deși starea actuală de degradare a pădurii românești este de-a dreptul alarmantă". Documentul este semnat de Alexandru R. Săvulescu, director adjunct IFES - Fundația Internațională pentru Sisteme Ecologice, unul dintre organizatorii Forumului de la Brașov.

Mihai Stegorean

#### Environmental Organizations Ask for the Modification of the Draft Forestry Code

Following the NGO Forum, organized in Braşov on April 30-May 3, 1995, a number of more than 80 organizations asked for the striking out of the Art. 37, Par. 4 of the Draft Forestry Code, referring to grazing in the forests. The text, recently passed by the House of Senate, should read as follows: "By exception, the access of domestic animals in the forests to the grazing, watering, resting and sheltering areas will be approved by the Ministry of Waters, Forests and Protection of the Environment, upon request from the Ministry of Agriculture and Food, based on common proposals from the general departments for agriculture and food industry and the county forest inspectorates." The actual Forestry Code provides that "the seasonably grazing in some areas of the forests" can be done being approved by the decision makers mentioned above. The Romanian NGOs consider that passing this provision by the House of Senate contravenes in a flagrant way to the Rio de Janeiro Convention signed in July 1992 by president Iliescu. The text we received for printing reads: "Facing this paradox in Romania, at the beginning of the third millennium, deeply worried, we consider that is necessary to take measures for changing this situation, by adopting a new Forestry Code that is free of the devastating action of grazing in forests. This should be done at least at the level it was in 1881, although the actual state of degradation of Romanian forests is extremely alarming". The document was signed by Alexandru R. Săvulescu, Deputy Director of IFES - the International Foundation for Electoral Systems, one of the organizers of the NGO Forum in Braşov.

Mihai Stegorean