



OPINION

European Economic and Social Committee

The role of CSOs as guardians of the common good in the post-pandemic recovery

The role of Civil Society Organisations as guardians of the common good in the post-pandemic recovery and reconstruction of EU societies and economies
(own-initiative opinion)

SOC/696

Rapporteur: **Ioannis VARDAKASTANIS**

www.eesc.europa.eu

EN

 www.eesc.europa.eu/facebook  www.eesc.europa.eu/twitter  www.eesc.europa.eu/linkedin  www.eesc.europa.eu/instagram

Plenary Assembly decision	28/04/2021
Legal basis	Rule 32(2) of the Rules of Procedure Own-initiative opinion
Section responsible	Employment, Social Affairs and Citizenship
Adopted in section	03/05/2022
Adopted at plenary	18/05/2022
Plenary session No	569
Outcome of vote (for/against/abstentions)	189/1/4

1. **Conclusions and recommendations**

- 1.1 Civil society and social partners bridge the gap between policy-makers and the realities of those they represent. Engaging in dialogue with these stakeholders is thus an effective way for policy-makers to understand the varying needs of people belonging to different social groups. Furthermore, civil society encourage the participation of all in "civic democracy" to impact issues that affect them.
- 1.2 In the EU we see civil society and social partners operating at different levels. Some organisations operate at EU level, others at national level, and some at regional or local level. The scope of work at all levels is complementary. When it comes to advocacy work, the focus of EU compared to national organisations is often determined by how policy competences are split between EU and national level.
- 1.3 Civil society working at grassroots level can also play a role in monitoring the implementation and impact of new policies and initiatives. However, civil society does not just impact policy decisions, it also exists to actually deliver services to the people they represent.
- 1.4 During the COVID-19 pandemic and Europe's slow recovery from the depths of this crisis, the roles of civil society and social partners have had to adapt. Even more focus than before has been placed on delivering vital services, protecting human rights and saving lives, while at the same time coping with challenges organisations faced in covering funding and supporting their own staff. Furthermore, with the pandemic came a number of new EU funding initiatives, which in turn required strong advocacy to ensure investment reached those most in need.
- 1.5 We are currently seeing European civil society making a transition from the COVID-19 crisis to an entirely new crisis. Many civil society actors are now focusing their efforts on addressing the repercussions of an unprovoked invasion of Ukraine by the Russian authorities. Many NGOs, for example, are now taking the lessons they learned in crisis management from the pandemic and using these to support Ukrainian refugees, collect emergency funds and help them flee the bloodshed currently underway in their country. They are also focusing their efforts on those in the rest of the EU most at risk of poverty, as fuel prices rise drastically and inflation booms.
- 1.6 The inclusion of civil society in the policy-making process is inseparable from the values of the EU, with Article 1 of the Treaty of the European Union stating that decisions should be "taken as openly as possible and as closely as possible to the citizen". There can be no room for the repression of social dialogue and civil society dialogue in the EU. Respect for these values should be a prerequisite for Member States to be eligible for EU funding.
- 1.7 The EU should have zero tolerance when it comes to Member States (MS) in which the civic space is shrinking. A system in which civil society's voice is being silenced, particularly those taking a critical view of how the government is operating, is one that is actively undoing the dynamic of policy-makers serving the interests of their citizens. It instead becomes a system

youth engagement in civil society and to ensure a future for the movement. It is also crucial for civil society to be constructive with their input, and clear with their recommendations, to assist in shaping new policies in a way they see best for their constituents. Input should not only focus on what is being done poorly, but also suggest concretely how improvements can be made.

2. **General comments**

- 2.1 In this document the term "civil society" also refers to social partners, although it must be noted that social partners operate in a unique and specific way in the protection of rights. Civil Society Organisations (CSOs) also advocate on behalf of groups who cannot influence policy through suffrage, such as children, persons with disabilities denied their right to vote, or migrants and refugees, and foster their engagement in democracy. Dialogue between civil society and policy-makers is therefore key to understanding the needs of society and forming effective policy responses.
- 2.2 Independent and informed civil society organisations can offer invaluable input to policy-making. They can also play an essential role in monitoring the effectiveness of existing policies and initiatives. However, support for capacity building is critical.
- 2.3 The space for civil society is drastically shrinking in some parts of the European Union (EU), and the EU institutions must react strongly and uncompromisingly to these worrying developments. The inclusion of civil society in the policy-making process is inseparable from the values of the EU, with Article 1 of the Treaty of the European Union stating that decisions should be "taken as openly as possible and as closely as possible to the citizen". There can be no room for its repression.
- 2.4 The separation of policy competences between the EU and national, regional and local level has given rise to various levels of civil society representation. There are EU CSOs that deal specifically with policy areas in which the EU legislates, and others that operate at national, regional or local level.
- 2.5 Two of the main barriers faced by civil society at all levels tend to be the resistance of policy makers to engaging in dialogue and the lack of meaningful involvement at all stages of the decision-making process. Legal regulations should be put in place at European and national level to eliminate these kinds of attitudes.
- 2.6 National and EU-level civil society is playing a crucial role in Europe's post-pandemic recovery. One of the areas in which the two levels are coordinating is around how the EU Member States (MS) invest money from the Recovery and Resilience Facility (RRF), which has the potential to greatly alter how our societies and economies look in the years and decades to come. However, this process has highlighted the insufficient commitment of many MS to meaningfully consulting civil society, with many CSOs cut out or at best only superficially involved in the design of the National Recovery and Resilience Plans (NRRPs). This was outlined in an EESC resolution in

February 2021². Furthermore, we saw this inadequate consultation of civil society despite the obligation to do so being outlined in Article 18 of the Regulation establishing a Recovery and Resilience Facility³.

3. **How civil society involvement can result in smarter policy-making**

- 3.1 Policy-makers at all levels are there to serve the interests of citizens, and not the other way around. Democracy can only function correctly when those making and implementing laws have their ear to the ground and understand what is needed by the people they represent. The existence of civil society and its active inclusion and meaningful participation in the decision-making process at all levels is essential for effective and intelligent governance.
- 3.2 CSOs are entrusted with conveying messages from the people they represent, or with the promotion of public concerns, and channelling these into clear and coherent messages and policy recommendations. Engaging in dialogue with civil society is thus an effective way for policy-makers to understand the varying needs of people belonging to different social groups. It helps minimise the risk of overlooking any issues that might arise in the implementation of policies and can present insight and expertise that might otherwise be unavailable to policy-makers.
- 3.3 While policy-makers are receptive to what voters want, one of the crucial roles of civil society is to represent groups who do not possess the right to vote. This is especially true of CSOs protecting the rights of children, persons with disabilities who have their right to vote denied, people under guardianship, and immigrants and refugees who are not entitled to vote in their country of residence. Civil society is there to stand up for the interests of such groups whose voices cannot be expressed through suffrage. They also encourage the participation of all in "civic democracy" to impact issues that affect them. Without the existence of strong civil society, and their ability to foster engagement of people from these groups, many would risk being further overlooked by decision-makers.
- 3.4 CSOs working at grassroots level, particularly national or local CSOs, can also play a role in monitoring the implementation and impact of new policies and initiatives. However, monitoring is an intensive task that often requires very technical knowledge. It is therefore essential that the EU and the MS support CSOs through funding and technical support to enable them to build capacity. Furthermore, the Commission should begin developing a strategy for monitoring how EU funds are used, a task that appears to be beyond the capacity of the Commission to handle alone. This strategy should outline clearly how the Commission plans to support partners that work alongside it in monitoring activities.

² <https://www.eesc.europa.eu/en/documents/resolution/involvement-organised-civil-society-national-recovery-and-resilience-plans-what-works-and-what-does-not>.

³ Regulation (EU) 2021/241; [OJ L 57, 18.2.2021, p. 17](#).

4. **Role of EU-level civil society in the post-pandemic recovery**

- 4.1 EU-level civil society refers to actors who advocate towards the EU institutions and represent people living throughout all of the 27 MS and often far beyond. They play an essential role in advocating around the EU's areas of competence, where it is necessary to enter into dialogue with EU-level policy-makers.
- 4.2 The following areas are ones on which EU civil society often focuses. These are policy areas either where the EU can propose legislation, or where MS can legislate at national level only when it does not contradict EU legislation already in existence: employment and social affairs; economic, social and territorial cohesion; agriculture; fisheries; environment; consumer protection; transport; trans-European networks; energy; justice and fundamental rights; migration and home affairs; public health; development cooperation and humanitarian aid. Civil society and social partners also currently focus on policy initiatives at EU level, such as the EU Pillar of Social Rights⁴ and the European Green Deal⁵.
- 4.3 Numerous barriers remain when it comes to advocacy by EU-level CSOs. As pointed out in the EESC's information report SOC/639⁶, unlike other international organisations, the EU has not yet created a participatory status for European associations and NGOs. However, the European Charter of Fundamental Rights guarantees the right to assembly and association, particularly on civic matters at all levels, including the European level⁷.

In the context of the COVID-19 recovery, EU civil society has been influencing and monitoring how EU funds are used to bring people out of this crisis.

- 4.4 The use of EU funding, particularly in the form of the EUR 723.8 billion Recovery and Resilience Facility⁸, has the potential to spur on a social and economic recovery from the COVID crisis. However, where the money is invested is a political choice. While the national plans for the spending of this money are drawn up by the MS, the European Commission (EC) has the responsibility of assessing and approving the plans. EU civil society has been busy alerting the EC about concerning proposals for funding in the national plans. They have highlighted the existing systemic problems that were revealed and magnified by the pandemic, such as under-investment in public health, social security and education systems, and pushing for the RRF to go towards resolving this.
- 4.5 Several NRRPs were adapted at the request of the EC, and there have been plans that have been either rejected or whose approval has been frozen⁹. Civil society was instrumental in highlighting

4 [European Pillar of Social Rights | European Commission \(europa.eu\)](#).

5 [A European Green Deal | European Commission \(europa.eu\)](#).

6 [Creation of a European statute for associations and NGOs incorporating a precise definition of an NGO or a European association \(information report\) | European Economic and Social Committee \(europa.eu\)](#).

7 [Article 12](#).

8 https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility_en.

9 The Bulgarian plan was not approved and the Hungarian plan's approval was frozen.

these areas of concern¹⁰. EU funds must address the areas where we saw the biggest strains, the most fatalities and the most worrying breaches of people's basic rights during the pandemic. This will include funding the transition away from institutional care facilities, particularly for persons with disabilities and older people, as well as better preparedness and resilience of emergency healthcare provision in order to avoid a repetition of the system of triage where certain groups were turned away from hospitals.

- 4.6 The EU funds are also there to support economic recovery and a return to work for people who lost their livelihood during the pandemic. It is estimated that 6 million jobs were lost in the EU alone due to COVID¹¹. However, not all people were affected equally by job loss. Social partners play a key role in shaping economic, labour and social policies that promote well-functioning labour markets and thus protect workers, including those most at risk of loss of income, as well as employers. EU-level civil society has also worked to ensure that investment is channelled towards those who were most affected. Civil society representing the interests of women, young people, persons with disabilities and people from ethnic minorities has a particularly important role to play in ensuring that money is directed to reskilling and supporting these groups. This is something CSOs have been doing by influencing the priorities and recommendations set out by the EC on the use of funds, the EU's assessment of national plans, and monitoring of the way the funds are being spent in the MS alongside national and local CSOs.
- 4.7 The EU is also embarking on the creation of a Health Union that will give it greater preparedness in the face of future health crises. The Health Union will see a number of changes to EU coordination in areas such as surveying medicine shortages and stocking in advance, testing and approving new medicines and treatments, and sharing life-saving devices across borders on the basis of need. Again, EU civil society has its role to play in ensuring the new plan will better protect those groups who were the most underserved by the EU and MS responses to the pandemic. These objectives were outlined in EESC opinion SOC/665¹². The aims are to make sure the European Medicines Agency (EMA) establishes a European model for pricing medicines in a fair, accountable and transparent way. It will also involve pushing for the European Centre for Disease Prevention and Control to have the mandate and resources to address health inequalities and ensure EU health responses are targeted to those classed as being most at risk, and in making sure health campaigns and public health information from the EU are made far more accessible and understandable to all people during future crises.
- 4.8 Future crises are likely to be caused not only by viruses, but also or even primarily because of natural catastrophes caused by climate change. The EU has a key role to play in helping the MS to reduce their CO₂ emissions, as well as to prepare for and jointly tackle growing problems we have witnessed over recent years such as flooding and wildfires. Environmental NGOs therefore have a role to play in assisting policy-makers in identifying the areas most in need of investment, and in suggesting solutions for better management of environmental disasters in a way that leaves nobody behind.

¹⁰ [OJ C 517, 22.12.2021, p. 1.](#)

¹¹ [COVID-19 has already wiped out 6 million jobs, EU study finds | Coronavirus pandemic News | Al Jazeera.](#)

¹² [OJ C 286, 16.7.2021, p. 109.](#)

5. **Role of national and local civil society in building back better**

- 5.1 In the EU context, there are a number of policy areas where the advocacy responsibility falls squarely on the shoulders of national and local CSOs. Just as with EU-level civil society, this comes down to the ways in which competences are shared between the EU and its MS. In partnership with EU civil society, national and local CSOs ensure that all policy areas are covered.
- 5.2 The areas on which national and local CSOs thus typically focus are the following: public health; industry; culture; education, youth and sport; social protection, environmental protection, social service, legal support to victims, shelter for victims of violence, etc.
- 5.3 Many issues made worse by COVID-19 fell into the hands of national, regional and local civil society. It was in the national context that decisions were made on rules to stop the spread of the virus, how emergency healthcare was provided, vaccination prioritisation, how education was continued for learners of all ages, and how workers who lost their jobs had their income protected. Their activities also included combatting misinformation on vaccines, and highlighting the risk of discrimination and increases in poverty among certain groups of people.
- 5.4 It is perhaps national and local civil society that has the most crucial role to play in helping the EU to build back better, as they shape national and regional policies and provide essential services to their communities in the following areas:
- Ensuring the return to in-person education after the pandemic is inclusive of all learners;
 - Bridging the digital gap, particularly for marginalised groups;
 - Making sure policies facilitate quality employment for those who are currently the most likely to be cut off from the labour market, particularly young people, women, people from immigrant backgrounds and persons with disabilities;
 - Reinforcing social protection schemes and their ability to support all people in maintaining a dignified standard of living;
 - Ensuring that national policies for long-term care and social services focus on community- and family-based alternatives to institutional care, where we saw the most fatalities during the pandemic;
 - Pushing for policies and investments that facilitate the inclusion of migrants and refugees in the labour market and in social protection systems;
 - Civil society is also key to improving economic and political conditions. Social partners in particular are crucial to strengthening the adequacy of income and fair working conditions through collective bargaining.
- 5.5 The framework for civil society to formally engage in policy-making varies between MS. Some MS have national equivalents of the EESC, although the power accorded to them varies and is constantly changing. The EESC's structure, formed around members representing three groups, employers, workers and "Diversity Europe" is one that could be replicated with success at national, regional and local level.

In collaboration with the work done by EU-level civil society, national CSOs have also been instrumental in shaping the way the Recovery and Resilience Facility is used in the MS.

5.6 In its information report SOC/639¹³ and its resolution on national civil society involvement in the NRRPs¹⁴, the EESC commended the agreement reached in December 2020 between the European Parliament and the Council on the Regulation establishing the RRF¹⁵, in which Article 18 outlines the need for CSOs to participate, by consultation, in the drafting and implementation of NRRPs.

5.6.1 However, despite the reference to civil society engagement in the RRF Regulation, civil society was ironically not involved in defining the actual part of the Regulation regarding the involvement of civil society in the process. Furthermore, the Regulation never refers explicitly to CSOs as beneficiaries, contrary to SMEs for instance. This has created some problems as regards the involvement of CSOs in the implementation. This is paradoxical given that CSOs will be a crucial player during the COVID recovery.

5.6.2 Furthermore, in practice, despite the guidance from the EC¹⁶, the reality is that national CSOs had great difficulty influencing the outcomes of the NRRPs. One barrier was the seeming unwillingness of some national governments to include civil society in the drafting of their plans. Many governments did not actively involve civil society, requiring CSOs to openly appeal to national authorities to let them be involved. Even when they were involved, the time reserved for civil society consultation was largely insufficient. This hindered substantive debate and consideration of civil society's input regarding the NRRPs. The result is that, while a large number of MS have shown proof of some form of civil society consultation, all too often national civil society was not truly involved in shaping the resulting plans.

Brussels, 18 May 2022

Christa Schweng

The president of the European Economic and Social Committee

*

* *

13 [Creation of a European statute for associations and NGOs incorporating a precise definition of an NGO or a European association \(information report\) | European Economic and Social Committee \(europa.eu\).](#)

14 [OJ C 155, 30.4.2021, p. 1.](#)

15 [OJ L 57, 18.2.2021, p. 17.](#)

16 [Document travail service_part1_v2_en.pdf \(europa.eu\).](#)

APPENDIX I

Online Hearings : the views of national stakeholders and policy makers in Ireland, Poland and Czechia

On 14 January, 3 February and 8 March, the EESC organised three virtual hearings in Ireland, Poland and Czechia respectively. The hearings brought together representatives from civil society and social partners, as well as policy-makers, namely those involved in the development of the National Recovery and Resilience Plans (NRRPs) in these Member States.

A number of common messages emerged from these hearings. Regarding how the role of civil society changed during the pandemic, the following points were raised:

- During COVID, at local level CSOs found themselves providing essential things like food to people in the community.
- COVID highlighted the existing inequalities in place before the pandemic. It also showed to what extent these Member States rely on the community and voluntary sector in supporting marginalised groups.
- Some stakeholders spoke of how the spirit of collegial and collaborative work between civil society and the State improved during COVID.
- The move to digital meetings also made it easier for organisations to participate in national and international debates and advocacy gatherings, as there was no need to budget for travel.
- We are now at the stage where the effects of the pandemic are mixed with the problem of steep inflation and the repercussions of the invasion of Ukraine by the Russian authorities, all of which is severely impacting people's ability to make ends meet and increasing the risk of poverty, particularly energy and food poverty.

In terms of the main challenges that arose, the following points were mentioned:

- Funding became very precarious for CSOs, as their normal means of income were interrupted, namely the ability to run fundraising activities. It was a challenge but of key importance to seek other forms of income without compromising on the independence and autonomy of CSOs. Examples were given, such as in Ireland, of the State stepping in to offer stability funds to CSOs and offering employment support schemes to their employees.
- The issue of funding also makes it increasingly difficult for CSOs to attract and retain quality workers.
- Many civil society actors had to focus on information campaigns, and countering a strong tendency towards misinformation about the pandemic and vaccinations.
- Civil society also had to step up work on issues such as mental health and domestic violence, problems that were severely aggravated by the pandemic.
- Many CSOs rely on the work and activism of women. Women were disproportionately impacted by the pandemic, often taking on more responsibilities, particularly regarding childcare. Some women were forced to give up their work to manage these commitments, which impacted on the working capacity of many NGOs.
- Some CSOs rely on calls for tender to ensure income, since they offer services to the local community. Many of these calls for tender were cancelled during the pandemic.
- In some Member States the over-dependence of CSOs on funding from the State raised concern. There is a fear that receiving State funding implies an obligation to act as a tool for the government, rather than remaining independent.

- Face-to-face activities were halted, which was particularly difficult for some organisations. The ability of technology to connect with people was particularly hard for organisations working with older people.
- One of the challenges CSOs face is that consultation processes are not always good, and this was true too for the NRRPs. It was a challenge and not always clear what the impact of consultations were on the policies being developed. In general, the consultation processes are often over-restrictive and come at a stage in the process where there is little flexibility to bring about change. Consultations are often done online, which makes the issue of the digital divide even greater, and makes it harder for older people and persons with disabilities to contribute. Some were disappointed not to see their priorities in the final Plans.
- It was also felt that the NRRPs were not sufficiently aimed at supporting local communities and that, despite consultation with CSOs and their calls for investment in things such as social housing and supported housing for persons with disabilities and older people, these remained largely absent in the Plans. There is also an ongoing risk that money will go towards supporting institutional care settings despite CSOs arguing against this.
- Policy-makers in Ireland and Poland spoke of the time restrictions and the urgency of getting the NRRPs approved, and stressed that, while consultation processes were extensive, it was inevitably impossible to get all the suggestions included in the final plans.
- Rules around reporting and the burden it places on volunteers have made it increasingly difficult, in some Member States, for CSOs to count on voluntary work. This was felt severely during the pandemic when volunteers were urgently needed.
- Certain communities were particularly at risk during the pandemic, including older people, persons with disabilities, and Roma communities, for example. The organisations supporting these groups faced particular challenges and had to adapt their work to focus, first and foremost, on ensuring people were kept safe.
- Many CSOs were preoccupied with supporting people living in institutions, and who found themselves completely cut off from the outside world during the pandemic.
- In Czechia, civil society and social partners were faced with a unique challenge due to the approach taken by the prime minister and government in power during the time of the pandemic when it came to policy consultation. The relations between the government and civil society grew very weak, resulting in many civil society actors simply having no access to the consultation on the Czech NRRP. Those that were privileged enough to be able to give input had a mere week to do so. The Plan was deemed unrealistic and the new government, in place since December, will now review it.

Participants also gave a series of recommendations for how civil society and social partners could be better supported and included, particularly in the following ways:

- When it comes to funding of CSOs' activities, the use of EU funds is a possibility, but the burden imposed by the need to provide co-financing is significant. Member States should consider supporting CSOs by match-funding to help cover this requirement. It would ensure that more CSOs make use of the funds coming from Europe.
- There is also a need to streamline reporting requirements from funders, which takes up a lot of time and distracts from the operations the CSOs are running.