



GUIDELINES FOR INCLUSION OF THE CIVIL SOCIETY ORGANIZATIONS IN CHAPTER 24

JUSTICE, FREEDOM AND SECURITY OF
THE NEGOTIATIONS FOR
MEMBERSHIP OF NORTH
MACEDONIA IN THE EUROPEAN UNION

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Importance of Chapter 24 in the accession process

The removal of internal border controls, the creation of a common market and the establishment of the four freedoms of movement as a key principle for the functioning of the EU raised the issues of concurrent reduction and overcoming of the security risks it entails and creation of an area of justice, freedom and security. Within that area, the ultimate goal is to achieve a high and equal level of security and protection of the rights and freedoms of the citizens, no matter in which Member State they are located, which entails the need for greater harmonization between the Member States and involvement of the EU institutions, as well as the justification of the regulation of several aspects with legal acts at EU level.

In this context, the area of justice, freedom and security comprises the policies related to the control and protection of the EU external borders, visa policy, police and customs cooperation, fight against terrorism, organized crime and drug trafficking, judicial cooperation in the areas of civil and criminal matters, migration and asylum policies and prevention of euro counterfeiting.

Within the EU accession process, the obligations related to the area of justice, freedom and security

are defined in Chapter 24. During the accession negotiations, each candidate country has an obligation to fully comply with the European acquis in this chapter which, together with Chapter 23, forms the basis of the accession process and comprises the necessary guarantees that the country meets the criteria in terms of the rule of law, democracy and respect for human rights and freedoms, as essential values of the EU.

The new Enlargement Methodology adopted by the European Commission in 2020 puts an even greater emphasis on the implementation of the reforms related to these values¹. Chapter 24 is part of the cluster of Fundamental/Core Values and the fulfilment of the benchmarks set in different stages of the negotiations for this chapter is a direct precondition for the opening and smooth running of the negotiations in the other chapters, i.e. clusters. In other words, a lack of progress or setbacks in this chapter could lead to stagnation in the accession process in general, as well as in activation of appropriate sanctions in the form of cuts in the financial assistance or a freeze of the participation in certain EU programs and policies.

¹ European Commission, Enhancing the accession process - A credible EU perspective for the Western Balkans, 2020. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/enlargement-methodology_en.pdf

Objectives of the reform process in Chapter 24

The policies created and implemented under Chapter 24 aim to ensure a balance between the areas of justice, freedom and security, i.e. to ensure the maximum level of security, but to avoid excessive securitization at the expense of civil rights, to ensure an effective democratic oversight over the security

policies, to provide equal access to justice for the citizens and the businesses throughout the EU, to establish cooperation between the competent state authorities in this area (police, judiciary, customs, etc.) and to set the minimum of common rules and standards.



JUSTICE

- equal access to justice for all
- judicial cooperation in criminal and civil matters
- mutual recognition of court and extrajudicial decisions
- minimum standards in criminal proceedings



FREEDOM

- free movement within the EU's external borders
- common rules on migration and asylum
- protection of the fundamental rights and fight against discrimination



SECURITY

- measures for protection and prevention of cross-border criminal activities
- fight against terrorism
- cooperation between the various security services

To that end, the activities undertaken in Chapter 24 are aimed at:

- **Establishment of a legal framework** that will be fully harmonized with the European *acquis* in this area;
- **Building institutions with adequate capacity** to take on and implement the obligations arising from

the membership, at all levels of government (executive, legislative and judicial);

- **Consistent application** of the laws and bylaws **in practice**, i.e. concrete and measurable results that will prove that the policies are being implemented and yield concrete results.

Need and basic principles for inclusion of the civil society organizations (CSOs) in the accession process and specifically in Chapter 24

The inclusion of the CSOs in the EU accession process and in the decision-making processes is not only a reflection of the democracy in the society, but it also generates multiple added value. CSOs have in-depth knowledge of the public opinion and the needs of the citizens, especially when it comes to the lowest level of democracy, i.e. the local community (grass-root). They usually enjoy the trust and closeness to the citizens, which

allows them to properly inform them, explain the processes and policies and talk directly with them about all disputed aspects. Hence their legitimacy to represent the "voice of the citizens", i.e. to represent their interests. In addition, the CSOs that specialize in specific sectors have a high level of understanding of the issue, as well as expertise, and can make a significant contribution to the decision-making process.

For the purpose of this document, the term civil society organizations (CSOs) is understood in a narrower sense and refers to local associations, research centers and institutes, foundations, trade unions, professional associations, humanitarian organizations and other types of non-governmental organizations (NGOs), formal and informal networks, platforms and coalitions of NGOs.

For the purpose of this document, the term state institutions includes all actors representing the state and its competencies, i.e. the bodies of the executive, legislative and judicial power, the state administration and the public institutions at the national (central) and at local level, as well as the inter-ministerial bodies.

Specifically in the accession process, part of the CSOs can be included in the negotiating structure as direct participants in the negotiations, to contribute to the formulation of the action plans and the negotiating position for Chapter 24, as well as in the transposition of the EU acquis into the Macedonian legislation. Another part can assume the role of a watchdog – i.e. it can perform monitoring and evaluation of the processes and policies in terms of their efficiency and effectiveness, as well as monitoring and evaluation of the quality of the solutions selected with the public policies and the achieved results. In addition, they have the opportunity to also monitor the use of public resources in the accession process, primarily by monitoring the planning and spending of the budget funds at the state and local level.

Given the "mediating" role of the CSOs between the citizens whose interests they represent and the institutions, the CSOs could make a significant contribution to the processes of information, communication and awareness raising. Well-thought-out activities of the CSOs in this area would mobilize greater interest and support for EU membership, and on the other hand would provide greater legitimacy and support for the country's activities in the accession process, especially when it comes to sensitive issues such as migration, asylum, fight against radicalization and terrorism, etc. The inclusion of the CSOs from the very beginning of the negotiations is crucial for their ability to "keep pace" in the future and be active actors in the

European public policies after the accession of North Macedonia in the EU.

Depending on the type and level of cooperation between the state institutions and the CSOs, as well as their impact on the final outcome, the CSOs participation in the decision-making processes may be exercised through **providing information, consultation, dialogue or partnership**². Some areas, i.e. chapters of the accession process are more open to the CSOs, and they participate in the public policy cycle by means of productive dialogue and partnership. In contrast, in some chapters that are perceived as areas of "exclusive" competence of the state, i.e. which refer to sensitive security and defence issues (e.g. 24 and 31), the CSOs have less opportunity to participate and influence the processes. However, in Chapter 24, as the accession process evolves and with the democratization of society, as well as under the influence of various internal and external factors such as citizens' demands for greater transparency and accountability, the migrant crisis from 2015 onwards, the new security risks and challenges faced by the state authorities in prevention and fight against radicalization and terrorism, hybrid threats, etc., for example – the CSOs have an increasingly important role. In this regard, both CSOs and state institutions should strive to go one step further than the pro forma cooperation by providing information of public character as prescribed by law towards building a partnership and taking a serious approach to the contribution that the CSOs can make to Chapter 24.

² Council of Europe, *Policy paper on government interaction with civil society on drug policy issues: Principles, ways and means, opportunities and challenges*, 2015, <https://rm.coe.int/government-interaction-with-civil-society-policy-paper-on-government-i/168075b9d9>

In order to have smooth cooperation between the state institutions and the CSOs that yields specific positive results, it should be based on the following principles³:

PARTICIPATION – It is necessary to have established processes and mechanisms for engaging the CSOs in the public policies that will be open, accessible and based on mutually agreed criteria.

TRUST – The interaction between the state institutions and the CSOs should be based on mutual trust that will enable long-term cooperation, information sharing and trust in the good intentions of both parties as a prerequisite for achieving the common goals.

TRANSPARENCY AND ACCOUNTABILITY – Acting in the public interest requires openness,

responsibility, clarity and accountability from both the public authorities and the CSOs.

AUTONOMY AND INDEPENDENCE – The CSOs must be recognised as free and independent bodies in respect to their aims, decisions and activities. They have the right to act independently and advocate positions different from the authorities with whom they otherwise cooperate.

Depending on their priorities, mission and capacity, the engagement of CSOs in Chapter 24 may be implemented at different stages of the public policy cycle - agenda setting, document preparation - drafting (laws and bylaws), implementation, monitoring and evaluation. Therefore, depending on their function, they can be divided into three groups⁴:



INFORM

- Making analyses and recommendations as a contribution to drafting evidence-based public policies
- Surveying the public opinion and informing about the needs, attitudes and opinions of the citizens, especially at the level of local communities



PERFORM

- Providing services, for example to victims of trafficking, addicts, migrants and asylum seekers
- Professional associations that act in order to improve the conditions, competencies and standards for work
- Activities in the field of communication and awareness raising



REFORM

- Policy monitoring and evaluation
- Advocacy for change to improve certain aspects of public policy

³ Ibid.

⁴ The Inform - Perform - Reform model is inspired by a conference presentation by Maltese professor Vassilis Hatzopoulos.



INFORM – Inclusion of the CSOs in the public policy creation process referred to in Chapter 24

There are many different definitions of public policy, from the over simplified definition by Thomas Dye, which puts the Government and its election at the centre of the process – *Everything the Government chooses to do or not to do, to the more complex definition by William Jenkins that points to the complexity of the process resulting from the interaction of a group of actors – A public policy is a set of interrelated decisions taken by a political actor or a group of actors concerning the selection of goals and the means of achieving them within a specified situation where those situations showed in public policy be within the power of those actors to achieve.* Jenkins' definition gives legitimacy to the engagement of non-state actors (in addition to state actors) in the policy-making process, i.e. it recognizes and acknowledges the important role that the actors play in various circumstances, such as, among others, the CSOs.

When it comes to North Macedonia, the definition used in the documents prepared by the Government does not explicitly include CSOs as relevant actors at any stage of the process which includes⁵:

1. Preparation of policy proposals and proposals for policy implementation instruments by the ministries and other state administration bodies
2. Consultations with the ministries and other state administration bodies before submitting the

materials and the acts to the General Secretariat of the Government

3. Review of the materials by the General Collegium of State Secretaries
4. Review of the materials by the working bodies of the Government (Committee on Political Affairs, Committee on Economic Affairs, Committee on Human Resources)
5. Review of the materials and acts by the Government at the level of members of the Government, i.e. ministers (our remark - and their adoption)
6. Monitoring the implementation of policies

However, the CSOs are recognized as stakeholders that should be consulted in the process within the principle of **transparency** as one of the key principles to be observed in policy making. The other principles that influence the process and the final outcome are:

- **Compliance of the policies with the strategic priorities of the Government**
- **Alignment of the policies with the European *acquis***
- **Fiscal implications**
- **Based on previous analysis**
- **Planned implementation**

⁵ Government of the Republic of Macedonia, Methodology for Policy Analysis and Coordination, 2006, <https://dejure.mk/zakon/metodologija-za-analiza-na-politike-i-koordinacija>

Given the focus of Chapter 24, public policy making can be defined as **“government intervention that seeks to ensure smooth functioning of the area of justice, freedom and security, i.e. to guarantee freedom of movement, protection of security and access to justice for citizens and business entities, establishing cooperation between the relevant competent state authorities in the country and abroad and setting a minimum of common rules and standards in line with European legislation and practices”**.

From a theoretical point of view, a **process model** of policy making is applied in North Macedonia⁶. It starts with agenda setting, which is largely a product of the election program of the party that won the election and gained legitimacy to form a government, and possibly consultations with its partners in case of a coalition government. The agenda is broadly defined within the Government Work Program which contains the key thematic priorities for the upcoming period and is further broken down into annual and specific activities. More specifically, for the current period 2020-2024, Chapter 24 is horizontally present in the following topics:

- Republic of North Macedonia – member of NATO and the European Union,
- Responsible government and control over the government,
- Human rights,
- Public administration as a service, as well as the topic
- Professional police – security for all citizens, which is fully a part of Chapter 24.

Furthermore, in terms of Chapter 24, each institution, primarily the MoI as an institution which is the focus of the Chapter and which is responsible

for most of the harmonization with the *acquis communautaire*, as well as the other institutions with competences in various areas, prepares its own multi-year strategic plan and annual work programmes which outline the priority policies in the sphere of justice, freedom and security for the respective period. These programme documents establish a balance between the implementation of the ongoing activities of the institutions and the harmonization with the obligations arising from the aspiration for EU membership as a parallel process that comprises the development of a long-term and comprehensive vision, tracing the path to its achievement, development and mobilization of adequate resources and capacities. In that context, the strategic and thematic planning take place simultaneously and in coordination with the budget planning which, according to the new standards introduced by the EU regarding the state budget, is performed on a medium-term, for a period of 3 years, as well as at an annual level, with the process of preparation of the fiscal strategy and adoption of the annual budget. It means that even some of the CSOs that traditionally did not perceive their role within the meaning of Chapter 24 still have room to get involved, provided that they possess experience in terms of the process of strengthening the institutional capacities, reform of the public administration, good governance principles, financial control, etc.

As regards the adoption of legally binding regulations, for consultation purposes, the Government is using the Single National Electronic Register of Regulations (ENER, available at www.ener.gov.mk), which enables all stakeholders (legal entities and natural persons) to give their contribution in their development within at least 10 days prior to the entry of the regulations into a governmental procedure. In addition, there is a

⁶ Ibid.

Council for cooperation with and development of the civic sector established by the General Secretariat of the Government which has the role of a permanent formal consultative authority. Nevertheless, having regard to the activity undertaken by the CSOs thus far in the country and the cooperation with the public offices, there has been a frequent use also of cooperation mechanisms which are outside of the scope of the formal channels including *ad hoc* cooperation during the preparation of legal acts and by-laws, advocacy meetings, cooperation during the organization of various activities, campaigns and events, as well as consultative forums organized by international organizations (EU, UNDP, OSCE, etc.).

The involvement of the civic organizations in the creation of public policies contributes for the improvement of the quality and efficiency of the policies by putting pressure on the state institutions

with a view to ensuring transparency, inclusiveness and accountability of the process in front of the citizens. Furthermore, having regard to the expertise and the experience of the CSOs in their own areas of interest and within the EU membership accession process, as well as the knowledge of the local context in the country, they can also provide an expert contribution in terms of the most adequate manner of transposing the European directives in Chapter 24 and choosing the specific activities and instruments that would yield results during the implementation. To that end, the activities of some of the CSOs which are active in this Chapter comprise the preparation of analyses and recommendations as a contribution to the formulation of public policies based on evidence, public opinion surveys and information aimed at the state institutions regarding the needs, positions and opinions of the citizens, especially at the level of the local communities.

⁷ Blazeska A., Risteska M., Handbook for Policy-Making in Chapter 20, Foundation for Management and Industrial Research, Skopje, 2018, <https://bit.ly/3dT8ir1>

PERFORM – Including the CSOs in the process of providing services, enhancing the professional standards and communications activities



In addition to the role that the CSOs have in the process of public policy creation, they also have a wide field of work in terms of the cooperation with the state institutions and the implementation of the policies. Specifically, the foregoing includes activities such as communication with the stakeholders and the end users of the policies, awareness raising, informal education, training, activities for the internal regulation of professions and raising the standards, providing services for various citizen categories, etc.

Having regard to the afore-stated specifics of the CSOs, in numerous situations, their activity has proven to be entirely complementary with the activities undertaken by the state institutions and it offers an added value. For instance, when it comes to combating terrorism, the CSOs have an irreplaceable role in the activities for the prevention of radicalization and violent extremism, reintegration and re-socialization through their capability to be perceived as a part of the local community and the closest instance of support for the citizens and the families of the affected persons. The same also refers to other areas where there is a likelihood of potential distrust towards the security services, wherein a “softer” approach is required which will enable acquiring the trust of the affected parties on the one hand, while bridging the gap to the state authorities and the official procedures on the other hand, such as the example with the work with

victims of human trafficking, victims of police brutality, vulnerable victims of violent criminal acts, drug addicts, etc.

Additionally, the CSOs have an irreplaceable role in terms of the work with refugees, migrants and asylum seekers, which was also proven during the period of the migrant crisis in 2015-2016 when numerous associations got involved in various aspects of the activities at the refugee camps – humanitarian assistance distribution, providing health protection, psychological support, legal assistance, etc. Their activity within this area and specifically in the communication with the public has the potential to also contribute to the elimination of misinformation and stereotypes, while ensuring a truthful presentation, both in terms of the current condition in the country and in terms of the future plans related to public policies and encouraging an informed debate with a view to adopting policies that will be perceived as beneficial for the citizens and, concurrently, harmonized with the European and international principles and rules.

The professional associations established in the areas covered in Chapter 24, such as the police union, the bar association, the judges association, the society of criminology, etc., enjoy the support of their membership and possess an in-depth knowledge of the conditions in their respective

areas of expertise, due to which they play a pivotal role as partners in the implementation of the reforms for modernization and harmonization with the highest EU standards and practices. Their contribution, in addition to the formulation of the public policies, is also significant from the perspective of the cooperation that they have established with the counterpart organizations and

associations from the other European countries and the possibility for a direct exchange of experiences and practices. The foregoing undoubtedly leads towards acceleration of the Europeanization process of the services whose interests they address and a natural acceptance of the reforms arising from the accession process



REFORM – Inclusion of the CSOs in the process of monitoring, evaluation and advocacy for changes in the public policies



In the process of monitoring and evaluation of public policies, the CSOs have a role in establishing whether and to what extent, i.e. how successfully the specific policy solves a given problem, what is its benefit for the citizens or businesses and whether the cost is reasonable and justified having in mind the goals it achieves. In that regard, it should be taken into consideration that most of the policies in Chapter 24 have already been created, but it is necessary, on the one hand, to harmonize them with the existing and future EU acts in order to continuously improve them, and on the other hand, to prepare for smooth integration of North Macedonia in the area of justice, freedom and security at the moment when the country becomes a full EU member.

Public policies are often created in conditions of limited access to information and in complex social and political circumstances that are influenced by many factors, which can lead to deviation in the achievement of goals, unsatisfactory results and reduced value of the public policies for the users. From this aspect, the monitoring of the public policies is a continuous process of collecting data on the progress in the implementation of the set goals and policies, based on predetermined indicators. Policy evaluation is defined as a systematic evaluation or assessment of the goals, design, implementation and results of the public policy by gathering credible and useful information in order to determine the value or relevance of the undertaken

public policies for the stakeholders⁸.

Information obtained in the monitoring and evaluation processes enables timely and periodic adjustments of the public policies in order to improve the results and save the resources that would be spent without achieving the desired goal. Furthermore, they can serve as a basis for establishing partnership and cooperation between state institutions and CSOs that often take on the role of watchdogs of specific policies and their implementation in the interest of the citizens. Especially when it comes to Chapter 24 - Justice, Freedom and Security as an area that is not traditionally characterised by openness and cooperation with the civil sector, the monitoring and evaluation process can be the basis for encouraging a public debate on the quality, efficiency and effectiveness of public policies, as well as the transparency and accountability of state institutions to the citizens⁹.

In that context, as part of the monitoring and evaluation, CSOs can focus on the monitoring of the final results of the policy against the set goals, its impact on the end users, the manner of implementation, the cost, as well as the evaluation of alternative solutions. Various analyses prepared by CSOs serve as a basis for preparing public policy documents (studies, briefs and memoranda) and advocating for policy changes¹⁰.

⁸ Цеков, А. и Ристеска, М. *Прирачник за мониторинг и евалуација на политиките во Поглавје 20*, 2018, <https://bit.ly/3blzYvX>

⁹ Повеќе информации и насоки за процесот на следење на политиките во поглавје 24 ќе најдете во документот *Правда, слобода, безбедност – Водич низ политиките, институциите и законодавството на Европската Унија* подготвен од страна на Евротинк <http://eurothink.mk/2021/03/10/5019/>

POLICY PAPER	Comprehensive analytical review of a given specific problem or phenomenon that offers a detailed overview of the impacts and consequences of existing processes and possible changes in the public policies on given social trends, stakeholders or categories of citizens.
POLICY BRIEF	Document intended for a wider, not only for the professional public, with understandable and adapted language, convincing tone and style and length not exceeding 10 pages. They are the most useful document for political communication, given the fact that 79% of the political actors in developed countries refer to them as a "main tool".
POLICY MEMO	Up to two pages long, this document includes the most important findings and/or recommendations that are aimed at providing the decision makers with information in a fast and efficient manner. The text is concise and with a high intensity of information in order to enable the stakeholders, who do not have much time, to make a quick but effective decision, based on previous findings, well-based recommendations and guidelines for improving a given public policy.

Nevertheless, document preparation is only the first step towards a change in the policies, followed by a process of **communication and advocacy**. The purpose of communication in this context is twofold: on the one hand, it is important that the messages reach the public policy makers who will thus be acquainted with and take into consideration the recommendations and solutions proposed in the

CSOs analyses, and on the other hand, it is important to inform the wider public, i.e. stakeholders and groups in the society in order to mobilize wider support and provide greater legitimacy for the CSO proposals. The purpose of advocacy is to convince and assure the public policy makers through a series of activities that the proposals are well-based and are the best option for changing the specific policy.

¹⁰ Simonovski, Z. and Risteska M., *Manual for public policy analysis, preparation of public policy documents and advocacy and communication of public policy recommendations in chapter 20*, 2018 <https://bit.ly/2ZT3cmp>

To successfully advocate for public policy changes in Chapter 24, CSOs should consider the following aspects:

- **Appropriate moment** – the sensitivity of the topics covered in Chapter 24 requires a particularly careful approach by decision-makers as to when and how to make and publish changes to existing policies.

- **Proactivity**– having into consideration that inappropriate policies in this chapter can have irreparable and fatal consequences, it is necessary to anticipate and analyse the possible results and take activities for advocacy before a more serious problem occurs.

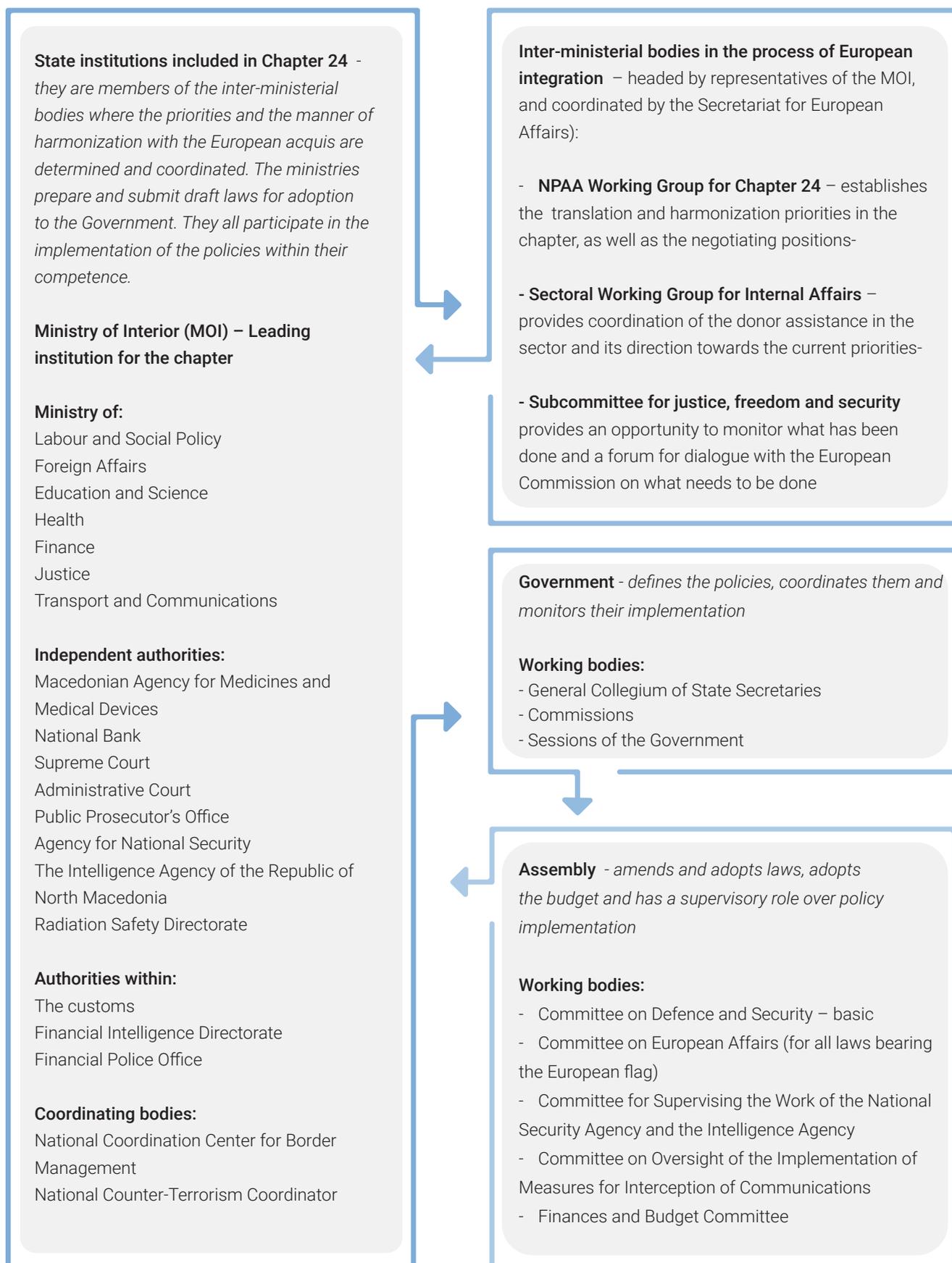
- **Consistency**– the messages that CSOs convey to public policy makers should be consistent throughout the advocacy process, which requires

preparation of well-based analysis and materials based on which advocacy activities will be developed.

- **Selection of appropriate approach** – without harming the principle of transparency, advocacy may or may not be a public activity. Based on the defined goals that CSOs want to achieve, it is necessary to assess which approach would be the most effective for their achievement, i.e. whether the focus will be put on communication activities through the media (columns, comments, interviews, statements, press releases, press briefings and press conferences), public events (roundtables, conferences, panel discussions), blogs and vlogs, social media campaigns, direct meetings with policy makers, meetings with other stakeholders that influence the process, writing letters and emails or a combination of both approaches.



Schematic presentation of the harmonization with the European legislation, creating and implementing policies in Chapter 24 and potential advocacy entry points¹¹



¹¹ You can find more information on the competences and the role of each institution in the publication Mapping of Institutions in the Areas of Justice, Freedom and Security prepared by Eurothink available on the following link <https://cutt.ly/azERif7>

The most common challenges faced by the CSOs in Chapter 24 and coping strategies

The public services and CSOs have different roles and responsibilities in the society and therefore often have different goals and ways to achieve them, which can sometimes lead to contradictions and obstacles in the cooperation. This can be particularly emphasized in the areas covered by Chapter 24 where the involvement of the CSOs does not have a long tradition and is further burdened by the specifics of the area of justice, freedom and security. Therefore, the most common challenges faced by the CSOs within Chapter 24 include the following:

ACCESS TO INFORMATION - due to the very nature of the matter which often includes information of sensitive and confidential character, as well as personal data, there is asymmetry in the level of information, with the CSOs often being in a subordinate position in their communication with the state institutions that cannot always share all information with the CSO representatives.

DIFFERENT EXPECTATIONS – lack of knowledge in terms of the manner of functioning, the goals and the priorities of the other party leads to potential creation of wrong perceptions and expectations about how the cooperation should work and what each party should (not) do.

EXPERTISE - given the narrowly specialized nature of the chapter itself, as well as the high level of expertise required to monitor various areas, the CSOs need high level of capacity and expertise so they can be interlocutors at the same level as the representatives of the institutions.

SUSTAINABILITY OF THE CSOs – although the establishment and the success of cooperation, as well as the monitoring and evaluation of the policies take time, the continuity often depends on external factors, such as the funding of the CSOs, which in North Macedonia is usually provided through projects and largely depends on the priorities of the donors.

LACK OF WILL FOR COOPERATION - most often on the part of the state institutions, whether on political or administrative level, can be a serious obstacle for establishment, maintenance and success of cooperation. The reasons for this situation can be found in the perception of a potential ideological mismatch between the policies of the public services and the priorities of the CSOs, the view that the co-operation activities would be additional work obligations for the officials, or simply a lack of understanding of the benefits of the cooperation.

In order to overcome these challenges, activities can be undertaken that will lead to:

RECOGNIZING AND HIGHLIGHTING THE MUTUAL BENEFIT – the mutual cooperation of the institutions included in Chapter 24 and the CSOs undoubtedly offers benefits to both parties and they should be communicated and explained openly.

RECOGNIZING THE EFFECTIVENESS – CSOs can perform some activities under Chapter 24 more effectively compared to the institutions due to the very nature of their work and their trustworthiness and closeness to citizens, especially when it comes to providing services. Therefore, it is necessary to assess the effectiveness of the activities and strategies of the public services and the CSOs and define areas of cooperation and roles of each party.

DEFINING CONCRETE GUIDELINES FOR COOPERATION (model/methodology) – in order to clearly define the expectations and the manner of cooperation, it is necessary from the very beginning to openly and transparently define detailed guidelines on how the cooperation would take place in the course of a certain period of time. Such guidelines should provide for the dynamics and manner of meeting of representatives and contact persons from both sides, manner of exchange of information, participation in the preparation of strategic documents, laws and other acts, etc., as well as be in line with the work plans of the public services.

CAPACITY BUILDING – is necessary for both parties, given the great dynamics and policy development referred to in Chapter 24. In addition, joint capacity building activities would contribute to building trust and developing mutual relations. In addition to training in the professional field, it is desirable to organize joint events dedicated to "soft skills", which are needed for successful cooperation, such as management, communications, public relations and the like.

DEVELOPING MODELS OF SUSTAINABILITY – state institutions that will see the direct benefits of including CSOs in Chapter 24 should strive to develop and implement sustainable models of cooperation with CSOs, for instance by allocating public resources for the provision of services by CSOs by applying transparent and objective criteria, encouraging social entrepreneurship and taking on the burden of organizing most activities within the cooperation.

NETWORKING – Given the asymmetry in terms of size, resources and influence in the decision-making process when it comes to mutual cooperation between state institutions and CSOs, it is necessary to undertake networking activities, i.e. building formal and informal networks and coalitions of CSOs that would cooperate and share the costs with each other and act in a coordinated manner in order to increase their own "weight", i.e. impact on the processes.

Regional Cooperation, Networking and Mutual Learning Opportunities for CSOs within Chapter 24

Most countries in the Western Balkans region face a similar situation when it comes to the inclusion of CSOs in the European integration process and public policies in general, as well as the challenges that need to be overcome within Chapter 24¹². More efficient management of the migration flows, greater professionalism of the security services, concrete results in the fight against corruption and organized crime are part of the requirements of the European Commission for Chapter 24, which are reflected in the annual reports for all six countries. This situation paves the way for intensive regional cooperation of CSOs that would lead to more benefits.

First, CSOs could learn from each other about the reform processes in the countries with which we are united by the same goal and the same path to EU membership. In this way, not only would we learn the ways of transposing the European acts chosen by other countries that are ahead of us in a given area, but we would also gain insight into their lessons learned and possible mistakes made in order to avoid repeating them. The transfer of knowledge could continue through the cooperation of CSOs with the public services at the national level, given that the very structure and nature of the institutions is more rigid and allows fewer opportunities for regional exchange and mutual learning compared to CSOs.

Second, CSOs could work to establish a regional advocacy platform in relation to Chapter 24 in

general or on individual topics of common interest. In this way, they could increase their influence in a specific area, channel the requests in an improved manner, ensure greater and more directed support from the EU and other stakeholders and be more efficient in achieving concrete results. A regional platform, as a stakeholder with a significant support base consisting of CSOs in six countries, could more easily and efficiently cooperate with the numerous international and regional organizations whose competence falls under Chapter 24¹³, have insight into the situation in all countries and encourage positive competition among countries in order to continually improve policies, rather than race to the bottom.

The Berlin Process is a forum where CSOs from the Western Balkans have already established a regular presence and mutual coordination that could be expanded and strengthened in the area of justice, freedom and security. Namely, since the summit in London in 2018, cooperation has been established at the level of interior ministers with responsibilities undertaken by the countries, which will be monitored as part of the process¹⁴. Given the importance attached to civil society in the Berlin Process, it could become a forum where CSOs in the region could establish regular coordination on issues related to Chapter 24, but also an entry point to seek greater transparency with regard to the fulfillment of the reform agenda by the state institutions at regional level.

¹² Jouzova, J., Civil society and the EU integration process: Key importance, little impact?, 2019, https://europeanwesternbalkans.com/2019/09/11/civil-society-and-the-eu-integration-process-key-importance-little-impact/?fbclid=IwAR1ZyWH7N71oOJrh_tUSG4DMYFcfsIn0tz9Egv3R4pTFJLY30mFQOznVACM

¹³ The most important regional organizations in this area include Migration, Asylum, Refugees Regional Initiative (MARRI), the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), the Regional Anti-corruption Initiative (RAI), the Integrative Internal Security Governance (IISG) approach, South-East Europe Law Enforcement Center (SELEC), the Police Cooperation Convention for Southeast Europe (PCC-SEE) and the South-east European Police Chiefs Association (SEPCHA).

¹⁴ Declaration by the Chair of the Interior and Security Ministers meeting of the London Western Balkans Summit, July 2018, <https://berlinprocess.info/wp-content/uploads/2018/07/Declaration-by-the-Chair-of-the-Interior-and-Security-Ministers-meeting-of-the-London-Western-Balkans-Summit-9-July-2018.pdf>

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