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Review of civil society organisations in Moldova

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**Assignment undertaken by:
Klas Markensten
Igor Grozu**

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The views and interpretations expressed in this report are the authors' and do not necessarily reflect those of the Swedish International Development Cooperation Agency, Sida.

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Final Report



Review of civil society organisations in Moldova

October 2011

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Acronyms

API	Association of Independent Press
CAD	Anti-Discrimination Coalition
CALM	Congress of Local Authorities from Moldova
CAPC	Centre for the Analysis and Prevention of Corruption
CSR	Corporate Social Responsibility
CREDO	Resource Centre of Moldovan Non-governmental Organisations for Human Rights
CRD	Civil Rights Defenders
CSO	Civil Society Organisation
DEAR	Development Education and Awareness Raising
DCFTA	Deep and Comprehensive Free Trade Agreement
EEF	East Europe Foundation-Moldova
EU	European Union
EURASIA	EURASIA Foundation
GDP	Gross Domestic Product
IJC	Independent Journalism Centre
LGBT	Lesbian, gay, bisexual, and transgender
LFA	Logical Framework Approach
LHR	Lawyers for Human Rights
LEP	Local Economic Partnership
NAER	National Agency for Energy Regulation
NGOs	Non-governmental Organisations
NPC	National Participation Council
OFFS	Open Fun Football Schools
RBM	Results-Based Management
RNC	Roma National Centre
Sida	Swedish International Development Cooperation Agency
Soros	Soros Foundation Moldova
SME	Small and medium enterprises
ToR	Terms of Reference
UNDP	United Nations Development Programme
UNIFEM	United Nations Development Fund for Women
USAID	U.S. Agency for International Development

Executive Summary

Sweden supports Civil Society in Moldova through three umbrella organisations: Civil Rights Defenders (CRD), East Europe Foundation-Moldova (EEF) and Soros Foundation Moldova (Soros). In view of a new Swedish strategy for cooperation with Moldova, Sida has commissioned a review to inform its decision on future support from 2012 to Civil Society.

The conditions for Civil Society to influence the processes in Moldova have much improved since 2009, as the present government has shown more openness both as regards diversity in media and towards Civil Society. Still, the historic legacy and a paucity of reforms during recent decades have kept large parts of the countryside in a state of uninformed inertia. One of the most important issues for Civil Society is, therefore, to mobilise people and communities and to foster active citizenship and empowerment for social change and development.

Reforms on the central level also need to be stimulated as political stalemates, corruption, and non-transparency in the political sphere weigh against rapid progress towards European integration and European values. Civil Society has an important role to contribute with research, monitoring, advocacy, dialogue and intellectual support to enable the reforms to continue.

The review recommends that Sida continues to channel support through the three umbrella organisations, with a two-pronged approach. Increased efforts should be made to mobilise young people, women, potential leaders and the now very weak NGOs in the countryside to shape a democratic culture. At the central level, the three umbrella organisations should support change processes and continued reforms, also through support to selected think tanks. It is recommended that CRD uses its comparative advantage and focuses its efforts mainly on non-discrimination issues.

Support to media could be focussed on sustainability and self-regulation issues. The umbrella organisations should continue to be encouraged to include activities in Transnistria in their programmes but avoid overfunding of the few recipients available.

The activities of the umbrella organisations could complement Swedish support to sectors mainly in the field of democracy and human rights. Planning of support to sectors should include the option to support NGOs to complement support to the Government.

It is proposed that Sida and the umbrella organisations enter into 4-year agreements with clear outcome objectives for change, and at the same time with more flexibility for the organisations to adapt their activities in each juncture in order to effectively reach the planned outcomes. It is recommended that CRD establish a local representation to better use this flexibility. The RBM systems of the three organisations can be sharpened.

1 Background and method

In February 2011, the Swedish Government decided upon a new strategy for the Swedish cooperation with Moldova. One feature of the new strategy is continued support to Civil Society. Sida supports three umbrella organisations, and the activity periods in the agreements will lapse in early 2012. Before entering into new agreements to Civil Society, Sida has recognised the need to make a review and a reassessment of the present support. The Terms of Reference are appended in Annex 1.

Sida has also commissioned System Audits of the three organisations (for CRD it is already done, and for the two others an audit will start in October, 2011). These audits investigate issues such as the organisations internal systems of governance, control, results based management, monitoring, evaluation and audit.

The nature of this review is, with the starting point in the new cooperation strategy, to look into the political and development context and the evolution of the work of the three umbrella organisations, and to see if changes in these variables warrant that Sida re-orientates the direction of its support to the three organisations. This review is, thus, not a detailed evaluation of results.¹

The Terms of Reference and instructions from Sida emphasise that the report from the assignment should not repeat economic and political information that for example can be found in the EU country reports for Moldova, and should not give extensive general information on the umbrella organisations and their activities. It should rather concentrate on succinct analysis and clear recommendations that could be useful for Sida in its communication with the three organisations in view of upcoming new agreements.

This report starts with a very brief overview of traits in the political context that are considered relevant for the assignment, and of the situation for Civil Society in Moldova. A short presentation is made of the activities of the umbrella organisations, with emphasis on what they themselves are planning for the future. Then different themes from the Terms of Reference are discussed: community-based work in the countryside and policy influence in the capital, connections between Swedish support to sectors and the support to Civil Society, sustainability, and aid effectiveness.

The nature of the review has motivated the use of a method that gives strong emphasis on *usefulness*. The purpose is to find a model for future Swedish support that Sida and the embassy in Moldova find useful, and which is well in tune with the umbrella organisations own thinking. Ample time has therefore been used for discussions with the different stakeholders. Also, interviews have been made with other donors, with selected reputable organisations in the civil society, with beneficiary organisations and individuals, and with local and regional administrative structures during two field visits. The data gathered from these interviews has been cross-validated by asking the same questions to different interlocutors. There seems to be a general consensus both on which are the most urgent issues for the country and for the civil society, and which priorities should be pursued in the medium term.

A mini-seminar was organised at the end of the work period in Moldova with representatives of East Europe Foundation and Soros Foundation, together with the embassy (represented by the ambassador, the head of cooperation, and all programme officers). The subjects discussed at the seminar were: The Moldova context, methods for mobilisation work in the countryside, the link to local authorities, think tanks and policy work, sustainability issues and media support.

¹ An evaluation of CRD was made in 2009. Soros Foundation has now commissioned an evaluation of its own of the Swedish support for the present agreement period.

2 Civil society in the Cooperation Strategy

The overall objective of the Swedish development cooperation with Moldova in the longer term is for Moldova to be well integrated with the EU, including the values of the Union. In the Swedish Cooperation Strategy for Moldova, support is foreseen in three sectors: democracy, human rights and gender equality, Sustainable infrastructure (mostly energy) and market development.

There is a sub-goal for Civil Society: *Moldova has a more independent civil society that increasingly supplements and balances other actors in the public and private sectors.* Support is foreseen to civil society actors and forums in which they operate.

The paragraph on Civil Society stresses its impact on decision-making bodies and the social debate, and its participation in political decision-making processes. Swedish support should also give Civil Society opportunities to exercise accountability and watchdog functions, and to conduct alternative monitoring of and influence on the country's EU integration process.

Support to Human Rights (particularly rights of LGBT people and ethnic minorities) is specially mentioned. Support to media is also foreseen while taking into account support from other donors to the media sector.

Where possible, a programme-based approach should be the starting point when preparing contributions. The number of contributions should be reduced. Monitoring of results is important. Special efforts should be taken to involve Transnistrian actors in the Swedish support.

The three umbrella organisations have participated in the process of working out the strategy, and they consider that their own programmes are in general compatible with the strategy. They have voiced the view that in implementing the strategy, Sida might be more precise in its communication with the organisations on what is expected from the respective organisations.

3 Political context and the Civil Society in Moldova

Moldova is the poorest country in Europe with a population of 4,3 million. Nearly one third of the GDP consists of remittances from Moldovans abroad. Moldova will start negotiations with the EU on a so-called Deep and Comprehensive Free Trade Agreement, DCFTA, as part of a broader political document, an Association Agreement.

Moldova is densely populated and the only country in Europe where more than half the population lives in the countryside. The majority of the population belongs to the Orthodox Church. There are 3 regions, 32 districts and 902 communes, which means that the average commune is very small with around 4000 inhabitants, and they have very few resources.²

During a long period after independence the Communist party was in government. Following a turbulent period in 2009, an alliance of parties emphasising EU integration and reforms now have a slight majority. Still, it has not been possible to elect a president, and after new elections there is still a constitutional stalemate.

The change of government has drastically diminished misuse of power by the government. For example, in connection with the 2009 events the security forces practiced illegal detention and torture. The new government is perceived as not oppressive, more open and more engaged in the EU integration reforms.

The new openness has in a major way influenced the media situation. The former state-dominated monopolistic situation has changed. There are now several large TV and radio stations propagating different views (but often the views of the owners rather than as freestanding public service). Sweden has contributed through all three umbrella organisations to the expansion of regional media outlets and to raising the very low ethical standards in media. 84 media outlets have now signed an ethical press code.

At the same time, corruption has not decreased and the political parties are to a large extent dependent on donations from private business circles (without declaring this, in contradiction with a law on conflict of interest). According to information from the think tank CREDO, they have made a study that shows that 60-70 private donors are responsible for 80 per cent of the financing of political parties. This situation at the central level is considered as the major problem for democracy and continued reforms, together with the anti-reform stance of the Orthodox Church and inertia and weaknesses in the bureaucracy.

The elected local governments are very weak and the communes have very few resources. According to the association of communes (CALM), the discretionary expenditure at commune level is less than 5 per cent of the budget. The districts have an unclear role apart from distributing resources from the centre. The decentralisation efforts of the government have only just started in practice. This leaves ample room for a continuation of the Soviet tradition of concentration of power to the centre, exercised by politicians and the relatively strong central bureaucracy. As somebody in a region said: "You know, in this country everything comes from the top".

² Human Development Report 2010/2011, Republic of Moldova, From Social Exclusion towards Inclusive Human Development National, UNDP in partnership with Ministry of Labor, Social Protection and Family

On the local level, there is also a major problem of acquired helplessness - some even say apathy.³ In Soviet times people were generally not supposed to take initiatives. There were no proper elections and no genuine popular movements or independent NGOs. Community work was not voluntary⁴.

This has been exacerbated by the enormous economic problems Moldova has had, which have caused an increase in migration. The people who migrate are normally in the age group 20-45 and the more active elements in society. This leaves the countryside in a very difficult situation.

Discriminatory attitudes are pervasive in the country and little progress has been made⁵. Members of the Orthodox Church have actively (and successfully) resisted the passing of a law on anti-discrimination.

On the positive side, Moldova has a high level of education, and new generations are coming forward without being held back by tradition. The internet is, relatively speaking, very widespread, also in the countryside, with good connections. One reason for this is that young people have migrated and now keep contact with their relatives via Internet and Skype.

The situation with Transnistria is a serious political problem, and support through NGOs is one of the few ways to support communication, human rights and change. There are more donor funds available for support to projects involving Transnistria than can be absorbed.

3.1 Civil Society

There are around 8000 registered NGOs in Moldova. Not all of them are active, but there are few villages that do not have at least one NGO. There is a Civil Society Development Strategy for 2008-11, with most elements formulated by the civil society. Since the last parliamentary elections in 2009, a number of initiatives have been taken to contribute to a better enabling environment for the Civil Society. In 2010, several new laws were decided upon such as amendments on public benefit status, a law on volunteering, and a law on social services. Other initiatives under discussion are a Law on Accreditation and possibly a law on allowing citizens to channel a small percentage of their taxes to NGOs.

The new government established in 2010 a National Participation Council, NPC. It has 30 members representing NGOs and the private sector (the traditional trade unions do not participate). The NPC should provide expert opinions on draft policies and contribute to monitor the implementation of the Law on Transparency in Decision-Making. The NGOs have also formed a National NGO Council, elected by the NGOs themselves.⁶

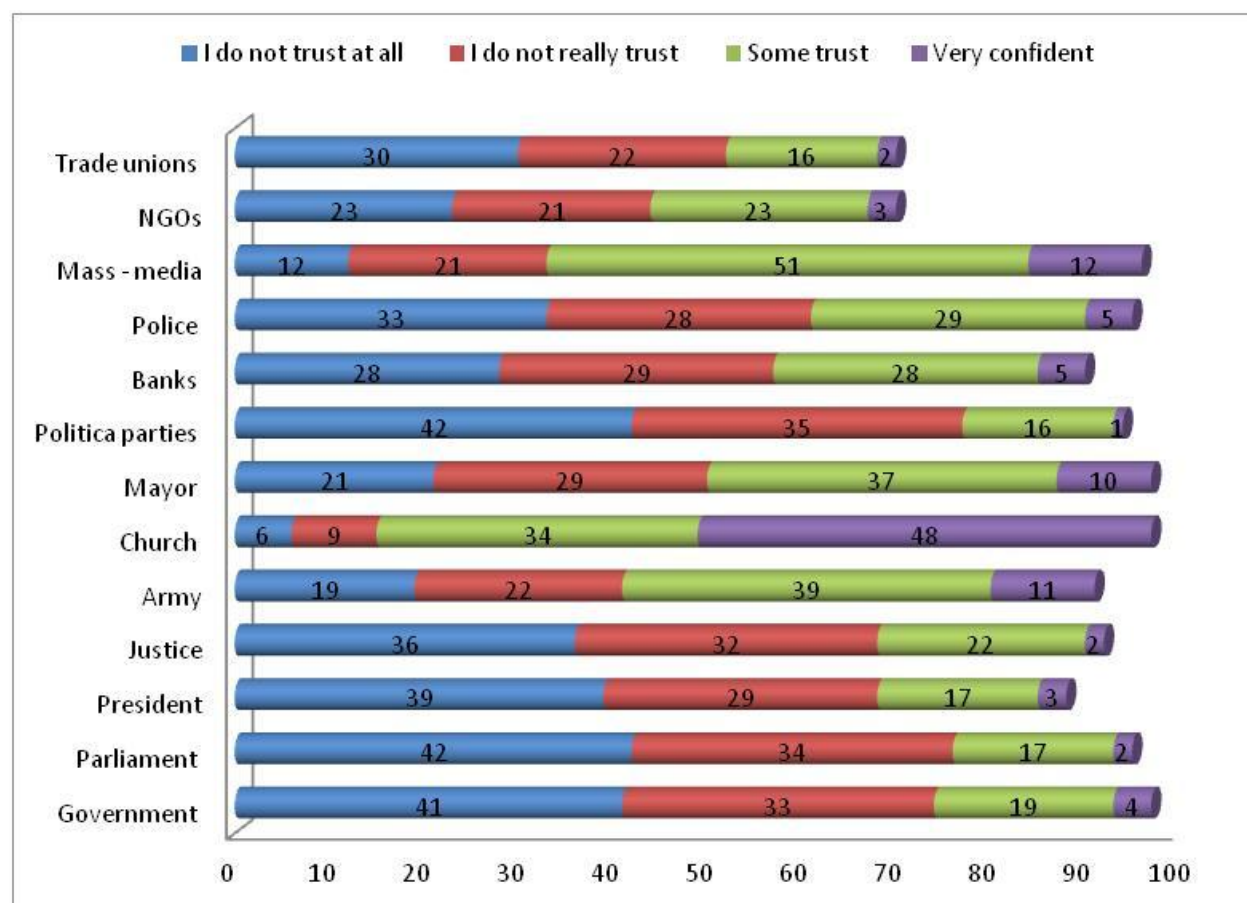
NGOs are not very popular in Moldova, due to (??) the backdrop of the history of the country. The most trusted institutions are the Church and the Army, while NGOs are on par with the Justice Sector (and the Government) but more trusted than politicians. The latest opinion poll shows a credibility of 26 per cent:

3 According to the the *Barometer of Public Opinion May 2011*, 35% of the population consider that they cannot influence the decision-making process in their communities, and 47 % consider that they cannot influence the decision-making process at national level.

4 The audit of the democratic system of the Republic of Moldova, Anthology of Analysis on Governance, 2011, http://www.viitorul.org/public/3219/en/Audit_EN.pdf ,

5 Implementation of the European Neighbourhood Policy in 2010, Country report: Republic of Moldova, {COM(2011) 303

6 further Country Report Moldova, The International Journal of Not-for-Profit Law, Volume 12, Issue 4, November 2010



The lack of trust is a major impediment to NGO activity, especially at the local level where the traditional attitudes are strongest. NGOs have also great problems in collecting money for their activities from people or businesses. People have neither money nor trust. Businesses do not want to register gifts to NGOs (it might get the fiscal authorities too interested in their accounts) but some do give informally, but little. With no laws yet in force permitting the State to channel money through NGOs, the only available source is money from foreign donors. NGOs are thus extremely dependent on donor financing.

Also, NGOs in the villages have very low capacity and knowledge on how to plan and implement activities, and lack ability to follow the complicated accounting rules of the government. Also, the knowledge on Results-Based Management is something that has to be learned afresh. A dismal picture therefore emerges with emigrated potential leaders and a lack of knowledge, trust and money. But there are some bright spots. As for the trust, Moldova is already at the same level as NGOs in opinion polls in Romania, which has had 20 years of EU support.⁷ And the larger NGOs in Moldova state that it is possible to find leaders in the communities, also outside the political sphere. There are trusted individuals such as teachers, medical personnel and members of NGOs that with proper support have the ability to mobilise their communities.

⁷ Romania 2010, Non-governmental sector – profile, tendency and challenges, Foundation for Civil Society Development, http://www.fdsc.ro/library/conferinta%20vio%207%20oct/Romania%202010_Sectorul%20neguvernamental1.pdf

4 The three umbrella organisations

4.1 Civil Rights Defenders

Civil Rights Defenders is based in Sweden. Before, it was called the Swedish Helsinki Committee. It has adopted a new strategy in 2009 with stronger focus on civil and political rights and support to human rights defenders, even individuals. The new strategy states that “the most fundamental part of our activities is to promote the **right to protection against discrimination.**” The former strategy, on which the programme in Moldova is based, had as strategic objectives three subject matter areas: rule of law, strengthening of the freedom of expression and protection against discrimination.

The programmes and partners in Moldova included in the report November 2010-July 2011 are:

Rule of law programme

- Lawyers for Human Rights (LHR)
- Centre for the Analysis and Prevention of Corruption (CAPC)
- Promo-LEX

Freedom of expression programme

- Independent Journalism Centre (IJC)
- Association of Independent Press (API)

Non-discrimination Programme

- Anti-Discrimination Coalition (CAD)
- Roma National Centre (RNC)
- GenderDoc-M

LHR translates judgments from the European Court of Human Rights. CAPC screens new laws to make them “corruption-proof”. Promo-LEX has a major programme for Transnistria on legal aid and support to the weak civil society there. The support to IJC and API is for legal aid to journalists, audience surveys, self-regulation and special support to media in the Gagauz region.

The Non-discrimination Programme stands out because CRD has a solid competence in this area, and can act as a strong partner in tandem with the local organisations. CRD took for example the initiative to start the Anti-Discrimination Coalition, which has managed (twice) to get an anti-discrimination law to the parliament. CRD also supports two membership-based organisations with focus on Roma groups and the LGBT community.

The CRD programme in Moldova 2004-2009 was evaluated in 2009.⁸ In the evaluation it was proposed that CRD should concentrate its efforts in Moldova to non-discrimination issues, where CRD has a comparative advantage. CRD will do an internal review of its programme in Moldova by the end of 2011 and then make a new proposal to Sida. The present agreement with Sida, which is the sole donor, ends in mid-2011.

CRD is willing to establish a local office in Moldova, provided that the programme financed by Sida is sufficiently large and long-term.

⁸ "Long term commitment - short term funding", A review of Sida's contribution to the Swedish Helsinki Committee Programme 2004-2009 in Moldova, COWI 2009

4.2 Soros Foundation

Soros Foundation Moldova has six major programmes:

- Good Governance
- Cultural Policy
- Justice
- East/East: partnership beyond borders
- Equality and civic engagement
- Public Health
- Media

The major donors are the Global Fund (for the Public Health project), Sida and the Soros sources (which are for example used for support to think tanks and advocacy). Soros Foundation Moldova defines itself primarily as an organisation working with human rights and democracy.

The programmes financed by Sida and reported in the half-year report to June 30 are:

Bridging the gap between people and government

- Legal empowerment of rural communities through paralegals
- Public participation in decision-making and access to information

Empowering women to participate in community life

Enhancing the regional broadcast media network's capacity to report in public interest

The paralegals project is new and was planned as a pilot for three years. On the initiative of Sida, the project period was reduced to two years. The paralegals concept is accepted by the Government and 30 paralegals have been trained, but it is too early to assess the results of this pilot project.

One activity in the programme to empower women was to enhance the leadership skills of 65 women from rural areas. 45 of them registered for the local elections in 2011, and 26 were elected.

The media programme has targeted a network of 17 regional TV stations, of which two in Transnistria, and 12 local radio stations (2 in Transnistria). The project has been well monitored and has been a success.

The Soros Foundation-Moldova is currently working on a future project proposal to be submitted to Sida. The preliminary plan is to continue programmes in the Justice sector, including the paralegals project, for which it is now too early to know if it can be incorporated in the national system and be sustainable. The media programme would be scaled down to concentrate on sustainability issues such as advertising and business skills as well as support for a professional association for the local broadcasters. The area where Soros wants to increase its efforts is in the area of good governance including, among other things, capacity building for both local NGOs and for local administrations. This includes continued empowerment of women, possibly with a component for economic empowerment.

4.3 East Europe Foundation (EEF)

East Europe Foundation – Moldova is the local organisation created by Eurasia Foundation. In 2010 it had three major areas: Economic Development, Good Governance and Social Action. EEF works mainly through grants to other organisations. It also has a profile to facilitate the dialogue between NGOs and government, at all levels. It has been prominent in organising NGO activities for the many elections recently held in Moldova, and it has been active in the Anti-Corruption Alliance. The president of EEF is the chairman of the National Participation Council.

The prognosis made by EEF is that Sida will finance 76 per cent of the budget of EEF for 2011. EURASIA Foundation is the next largest donor to EEF.

As reported in the EEF report to Sida for January-June 2011, Sida has supported Local Economic Partnerships to construct social community infrastructure such as community playgrounds and thermal insulation of schools. Another project activates youth to participate in community social development, the so-called Youth Banks.

Within the Good Governance area Sida has financed the secretariat to the National Participation Council and support to the Independent Press Council to strengthen the quality of journalism and media management. The Anti-Corruption Alliance received institutional support and support to individual NGOs. As 2011 also was an election year, EEF financed 13 election projects, several through media organisations.

Smaller projects were information on EU integration, Corporate Social Responsibility, and support to orphans.

EEF has made available a very preliminary draft for programmes for Swedish financing for the next period *from 2012*, to be discussed with Sida. It presents the following programme areas.

Good Governance Programme
Civil Society Development Programme
Economic Development and Socially Responsible Business
Social Actions and Community Development Programme

The **Civil Society Development** programme is new. One major aspect is to make capacity mapping and grading of NGOs. Depending on the grading, the NGO could apply for support for different types of institutional support and capacity building, according to their needs. The rationale is that EEF has identified the risk that it is only established NGOs with sometimes a weaker base in the communities that receive grants. In this programme the NGOs would receive capacity building and an institutional grant, to eventually make them eligible for normal grants. Also, EEF wants to expand its programmes for youth participation for example by training youth to use media.

Within **Good Governance**, in the transparency area EEF will work more on the local level, for example with local public services, transparency of implementing local budgets and with the social sectors. Also, new techniques to empower active citizens and citizens' groups will be tested, for example for them to monitor the local administration's work. Reduced programmes would continue for elections and media.

A new proposal is to establish a Think Tanks Support Fund for emerging and established think tanks. One reason is that many qualified people left the think tanks for the new government in 2009. Another is that the think tanks will have an increased role in monitoring corruption, government, parliament, businesses and EU integration reforms.

Within the **Economic Development and Socially Responsible Business** programme, changes are planned. The former community social infrastructure activities will now be focussed on projects for energy efficiency and renewable energy. Social entrepreneurship has been introduced as a new theme, where for example larger businesses can help start small businesses in the villages.

In response to questions from Sida, EEF has expressed interest in the issue of support to Consumer's protection. EEF has elaborated a preliminary proposal for a comprehensive initiative in this area, including support to consumers' associations, capacity building for the State Agency for Consumer's

Protection, support to regional and local NGOs for legal aid to complaining consumers, and support to the creation of independent centres of expertise with focus on food safety.

The programme on **Social Actions and Community Development** comprises the on-going support to Youth Banks, complemented with programmes for Youth participation through school media and clubs, and support to social projects to activate orphans and elderly people.

East Europe Foundation prepares the grants they give. There is a process over several months of coaching and control before grants are finally given (or not). EEF states that they for the next period want to reduce the number of projects within the different programme areas to increase the impact of their activities.

5 More emphasis on the community level

The NGOs in Moldova are concentrated on the big cities. For example, in 2008 there were 600 NGOs in the southern region. Of these, 245 were based in the major regional city, Cahul. There is an even larger concentration of NGOs in the capital Chisinau. The NGO representatives in the National Participation Council and in the NGO council nearly all come from Chisinau.

However, this does not automatically indicate that most activities take place in the big cities. Of the umbrella organisations supported by Sweden, Civil Rights Defenders support many activities that are capital-based. This is natural, with their concentration on coalitions like the Anti-Discrimination Coalition and on legal issues. But the membership organisations supported by CRD have many activities outside the cities.

The activities financed by Sweden through East Europe Foundation and Soros Foundation Moldova predominantly take place in the countryside – paralegals, women's empowerment, local economic partnerships, youth banks, local economic decision-making. EEF and Soros plan to increase their emphasis on the countryside even further. One major reason is the reforms towards decentralisation. These are a challenge both for local administrations and for the people at the local level. EEF and Soros will increase support to watchdog functions at the local level, to enable people to monitor better the actions by the local authorities (this is already done in some places, for example by filming the local council meetings and making it available on internet).

Both organisations also want to increase their efficiency in reaching out to poor people, the ones who are most difficult to reach. There is a risk that only established NGOs in the countryside get financing because they know how to write applications, and they have accountability and results systems that are acceptable to the umbrella organisations (and are adapted to the often rigorous demands from the donors). Sometimes these organisations do not have a sufficiently good contact with the communities.

For example, EEF wants to start a new programme with Swedish financing for civil society organisations, aimed at a gradual upgrading of weaker organisations so that they can eventually obtain normal-size grants. Thereby, the outreach to the communities would hopefully become more efficient. These NGOs could also get support to increase their often stagnant membership and thereby become a stronger partner in negotiations with the local authorities. Both EEF and Soros also try increasingly to focus on individuals with leadership qualities and which are well anchored in their communities. They also have plans to increase their outreach to youth, to involve more young educated people in social activities to learn to become part of the larger society, and to contribute to social change.

These kinds of programmes have a clear synergy with the extensive programmes for civic and voter education in the countryside that primarily EEF has supported in connection with the many elections held in recent years in Moldova. These programmes also mobilise the population and contribute to a development of a democratic culture.

Thus, EEF and Soros have decided to increase their ambitions to reach and mobilise people in the countryside, which is synonymous with trying to reach the poor and needy more. Young people, women and informal leaders will be empowered to accomplish social change.

6 EU integration and policy level action

The overall objective of the Swedish development cooperation with Moldova in the longer term is for *Moldova to be well integrated with the EU, including the values of the Union*. Apart from the EU-Moldova Action Plan, the Government also has decided on a National Development Strategy and on a Government Programme for four years. Negotiations with the EU on DFCTA and an Association agreement are forthcoming, and a new development strategy will be worked out. The Government sees these plans as being harmonised, and the annual follow-up instrument used by the government officers is the same for the different plans.

The Civil Society has drawn the same conclusion that EU integration is not a separate issue. Before, Civil Society sometimes had a number of separate EU programmes. But now the EU integration and the reforms needed in Moldova to come closer to the EU are seen as integral parts of the general reform process in the country. Everything is linked. To take an example: for the EU to sign an agreement on visa liberalisation, the Parliament has to pass a law on non-discrimination, including of sexual minorities. Thus, the civil society organisations now see the EU issues as fully integrated in all of their activities.

For the EU, the most important tasks that Civil Society can perform in the integrative process are to act as a watchdog and to monitor the implementation of the reforms. The EU needs the views not only of their own experts, but also from the Civil Society as an engaged third party.

Civil Society has been active at the national level in order to influence government decisions and new laws. The most recent planning document, the Government programme for four years, was extensively consulted with civil society organisations, and they managed to get the majority of their comments included in the final document.

The Government has instituted the National Participation Council as a consultative body for the Government with the Civil Society. 30 NGO representatives, mainly from Chisinau and many of them well-known personalities in the society, are members of the council. To make the work of NPC more efficient, it was decided after a while to create four working groups: Justice and Human Rights, Economic Development, Foreign Policy, Security and Defence Policy, and Social, Educational and Youth Policies. These groups work directly with the respective ministries. Sweden, through EEF, finances the secretariat functions of NPC. Criticism has been directed at the NPC for being too much of an elite club. But the system with working groups is advanced, and the fact that the cooperation with the Government is organized is, per se, a major accomplishment.

The National NGO Council is a self-formed national NGO body that formulates Civil Society opinions and policies. It has a small secretariat that is rotated between the participating NGOs, and it is financed by different donors depending on availability of funds. Both the NPC and the National NGO Council make valuable contributions by giving views on and participating in the preparation of Government policies.

Within the NGO sector, there are 5-10 reputable think tanks that can play an important role in the present situation. Many perceive that it is now that Moldova has a window of opportunity to realise real and comprehensive reform processes. There is, at present, public space to present qualified research and critique and to communicate this effectively to the citizens. At the same time the resistance against reforms is strong and powerful.

The main problems are no longer mainly the oppressive behaviour of government agencies and security forces. The task is, now, more to look into the complex set of obstacles and attitudes that impede or slow the reform processes, such as the connections between business interest and the political parties. The think tanks can do research and on this basis communicate solid facts, perform advocacy, start processes and react quickly to anti-reformist proposals.

This is also perceived by the umbrella organisations. Soros has for some time supported think tanks, and EEF has included support to think tanks in its preliminary funding proposal to Sida. They also see the need to strengthen the think tanks after they lost valuable members that now have posts in the present government.

To conclude: the Government and Civil Society now see the EU integration as being part of the general reform efforts that are needed in Moldova. There is now a window of opportunity to accomplish changes and reforms. Civil Society contributes through their National NGO Council and the National Participation Council to the reform process, and within their on-going programmes. But more efforts are needed for example by strengthening the research, advocacy and watchdog functions of the think tanks in Moldova.

7 Synergies with Swedish support to sectors

In many countries where Sweden finances sector programmes or contributions with a sector perspective, support to civil society organisations is often included. These organisations can act as watchdogs, develop methods, raise awareness and train government personnel. The question has been put whether the support through the three umbrella organisations can be coordinated with or complement the Swedish support to sectors in Moldova. The main sectors in the Swedish programme are democracy, human rights and gender equality, Sustainable infrastructure (mainly energy), and Market development.

Support to the umbrella organisations is, in itself, a part of the sector democracy, human rights and gender equality. There are obvious links. For example Civil Society monitors what happens in the parliament and Sweden is also giving support to the functioning of the parliament. Support to Soros for empowerment of women complements what is done through UNIFEM. The support through the umbrella organisations to media and legal redress in Transnistria complements other Swedish and EU support for example through UNDP.

In a new large programme (with UNDP and UNIFEM) on decentralisation, financed mainly by Sida, the civil society participates on several levels within the programme. They participate in the guidance of the programme, and Civil Society networks are part of the activities on the local level. And support is also given to the association of local authorities that acts as a watchdog.

In the area of market and trade, Sida has put the question whether the umbrella organisations could be active on consumer issues in different sectors, and contribute with awareness rising on the implications of the future DFCTA agreement for farmers and businessmen. Also, support to savings and credit associations and a business association has been mentioned by Sida.

East Europe Foundation has expressed a keen interest in the consumer issues and will make a proposal for a process to start more decisive action in the consumer field. It is tricky as the Government is still weak in this area, and a risk is perceived that this turns into even further harassment of the business sector. At the same time, consumer associations have the potential to continuously increase their membership and become a strong popular voice.

Soros and East Europe Foundation both financed in the past microcredit organisations that supported farmers and businesses. But now an organisation called Microinvest, and at least two other similar institutions, cover this field. Therefore Soros and EEF do not see that they could be useful in these areas. Also, support to awareness and preparations for the DCFTA is not compatible with their strategies – they see themselves mainly as organisations for democracy and human rights.

As for the field of energy, EEF plans to focus even more than earlier on energy efficiency when looking at small projects in the mobilization work in the rural areas. Often this concerns alternative energy sources, for example sunflower seeds. But what is needed in the energy sector seems to be much larger campaigns for energy efficiency in the business sector and for the city households' consumption of energy. Such campaigns cannot be a task for relatively small civil society organisations concentrated on the field of democracy and human rights.

A general observation is, therefore, that although Civil Society should be participating in all sector support that Sida is planning, it is not the umbrella organisations that should be primarily involved. But the support to the energy and market sectors should be planned in the way that was done with the support to decentralisation, where the civil society organisations in the sector were incorporated at different levels. For example, in the energy field there might be scope to involve large environmental NGOs in the planning and implementation of the future support.

To conclude: in the field of democracy and human rights there are many links between the support to the umbrella organisations and other Swedish support. In the other sectors there is less connection, with the exception of consumer issues that will be proposed for financing by East Europe Foundation. In the planning of future sector support, it is suggested that relevant civil society organisations are included.

8 NGOs and sustainability

The civil society organisations in Moldova are not financially sustainable and are dependent on support from international donors.

This is not inherently bad, and in some cases fully acceptable. For example, Human Rights organisations with the main vocation to criticize the Government or corrupt businessmen are not likely to receive funds from them. And with the difficult economic situation in Moldova, few have money to spare. Also the lack of trust in NGOs influences willingness to give them contributions.

The Government has had a positive attitude to enable Civil Society to get increased financing. A law similar to one in Hungary is being discussed where taxpayers could decide on the use of a small percentage of their taxes, to be directed for example to NGOs. A law on volunteering is on the books, but not implementable yet. Also, the State is, in principle, positive to use public funds to pay NGOs as implementers in the social sectors, but this is still not practicable. The complicated political situation has led to a slowing down of the work of Parliament and it also takes a long time to develop regulations and procedures to implement the laws.

There are also possibilities for the Government to give fiscal incentives to businesses that want to deduct contributions to NGOs. But the situation is rather the opposite, that there are fiscal disincentives. For example, the profits of enterprises are, at present, taxed at zero per cent. But if they would give support to NGOs they would have to pay an overhead on this gift that could not be deducted. And to include gifts to NGOs in the accounts might be equal to an invitation to the tax authorities to look closer at that company. Some businesses give gifts informally without including them in the accounts. The businesses complain that there are already too many controls and inspections from the authorities such as fire inspections, health inspections etc.

However, there are some efforts to increase support from the business sector. This might be easier with larger companies. For example, East Europe Foundation has had discussions on a major Corporate Social Responsibility project with a prominent company in Moldova. At the local level EEF has supported some partnerships between businesses, local administrations and NGOs. However, the most common partnerships are between the local administration and NGOs, for example in co-financing a small project. In the Youth Bank project, there are even four-partite partnerships where financing for the very small projects comes from the population, the local administration, local businesses and EEF.

There are examples of NGOs that are financially sustainable. Some community centres sell internet time, rent out films or provide other services that can pay for the material needed (the staff time is usually provided on a voluntary basis). A few social entrepreneurship have been realised, where for example vulnerable people are employed in creating services, which on a non-profit basis finance the activities of the NGO.

But the fact is that the NGOs in Moldova will, in the medium term, only receive nearly symbolic sums from Government, businesses and private individuals. The main financing will continue to come from international donors. The logical conclusion, which has been drawn by most actors working in the rural areas in Moldova, is to give the actors the knowledge how to get access to this international support. This is done, for example, through the Swedish support to the project on decentralisation. And it is practiced by all the three umbrella organisations.

For example, in the project through Soros on women's empowerment there are grants of 1000 USD as a means and incentive to learn how to plan, to formulate projects and results, and how to do follow-up. But the grants are not repeated. Instead, Soros helps to create contacts with other donors, teaches how to work on Facebook and with email, how to look for opportunities on internet, and Soros also helps with contacts with other NGOs. Many projects for mobilisation in the countryside include how to apply for money, as a basic skill.

Thus, it would be unrealistic to expect NGOs in Moldova, big or small, to become financially sustainable even in the longer run. Of course, all efforts in this direction should be encouraged, including Government decisions enabling Civil Society to increase their income. And it is both realistic and desirable to teach small NGOs how to apply for foreign funds.

Also, the financial sustainability of the small NGOs in the country is not the only important kind of sustainability. As one of the umbrella organisations argues: the main issue in the country is now to mobilize the human resources, to invest in people that can stay in the country and contribute to their own development and to that of their neighbours and fellow countrymen. The main objective of most of the mobilising projects is to bring about a change of mind-set in young people and other potential change agents.

One operative conclusion is that Sida should accept the fact that the three umbrella organisations will not be financially sustainable even in the long term. If Sida wants to support smaller NGOs in Moldova it

has to use intermediaries because of the capacity constraints on the Swedish side. Both Soros Moldova and EEF-Moldova are legally approved local organisations that are based in the local context, and compared with for example Swedish organisations they are cost-effective as intermediaries. CRD is Swedish-based but has a comparative advantage in the field of non-discrimination.

9 Aid effectiveness

Aid effectiveness is, amongst other things, about alignment in using the local systems. Regarding the use of local systems of the small NGOs in the countryside that receive support from Soros Foundation and East European Foundation, there is a difficulty. In the words of an EEF employee: "If we want the local organisations to use their own system, we have to give it to them".

A major part of the staff time of EEF and Soros is spent on capacity building and other support to their local NGO partners. For example, many local organisations still do not use computer-based accounting systems. Basic governance and human resource management often need to be organised. The issues of results and financial control always need to be tackled. The increased future emphasis on capacity building and local mobilisation that is planned by EEF and Soros will increase the focus on these issues.

For the more advanced and larger NGOs, especially those based in the capital, the starting point would be for the umbrella organisations to use the systems of these NGOs. Of course, this demands that the umbrella organisations system for diagnosis, checks and controls is acceptable. For the support to the umbrella organisations, Sida is channelling its funds through their systems.

If the administrative and results systems of the recipients are acceptable, the question of core funding could be discussed. For example, the reputed think tanks in Moldova often do not perform large projects with long-term funding and pre-determined results. Instead, they follow the political developments and take initiatives to do research and advocacy and monitoring, to influence the on-going processes. To perform this in an efficient manner, they need a base in some core funding. This also guarantees that they do not become exceedingly donor-driven.

Another example is the Anti-Discrimination Coalition. They now concentrate on having the law on anti-discrimination passed in Parliament. If this happens, they should shift resources to work on the regulations. If the law is not passed, more emphasis probably needs to be given to awareness and advocacy to change the discriminatory attitudes prevailing in Moldova. With more flexible funding directed towards programmatic outcome objectives rather than detailed project outcomes and output, their work would probably become more efficient.

Also for the umbrella organisations, the ideal solution according to the Paris and Accra agendas is for the donors to give joint core funding, for example in the form of a basket fund. The organisations would call a donors' meeting every year where they present results and a rolling three-year plan for future funding. This is, however, not on the agenda in Moldova. There are few donors and they are mostly not interested in joint core funding. Neither really are the umbrella organisations, which are satisfied with the relations they have with sometimes very different donors. CRD is fully dependent on Sida funding.

Still, there is good cooperation in Moldova in the different coalitions on, for example, on elections, corruption and anti-discrimination. And Sida might try to establish more frequent contacts with the "fathers" of Soros Moldova and EEF- Moldova, the Open Society Institute and Eurasia Foundation. One topic to discuss could be more joint and coordinated funding of think tanks.

Even if the umbrella organisations do not get joint core funding, there might be scope for some more flexibility. Especially if Sida would give more long-term support, the organisations would gain from having more possibilities to change the choice of means to reach the objectives, without consulting Sida on detailed project issues or transfers within existing budgets. This, of course, presupposes that Sida then has been very clear at the outset on the conditions and objectives for the support, and that the Systemic Audits made do not conclude that detailed donor control is necessary.

The **results** issues are on the top of everyone's agenda in the development circles, also for Civil Society.⁹ This goes also for the umbrella organisations. They know that to get future funding, they have to be serious about results. In their processes to give support to smaller NGOs, they include Results-Based Management (RBM) in the grant preparation and capacity building that takes place before the release of funds. The grantees are supposed to make LFA matrices in their planning documents. EEF and Soros do mid-term and final evaluations of their support. CRD organises "results meetings" that are dedicated only to the discussion of results. These often give more information than is deducible from the written reports. CRD also does system audits periodically. All three umbrella organisations organise special training for their partners in RBM.

East Europe Foundation is tendering for an overall evaluation of their Sida support during the current agreement period. CRD is planning to have a broad internal evaluation of its programme before planning for a new period.

The RBM systems of the umbrella organisations will be looked into in detail in the two systemic audits to be made of EEF and Soros. It is evident that all three umbrella organisations strive to have good RBM systems, and they make efforts also to look beyond activities and output. Even if it is always difficult to measure outcomes, such as real change in the society or in individual behaviour, the umbrella organisations have given several examples of outcomes. For example, the support from Soros foundation to regional media outlets is closely monitored in an expert way and can present both quantitative and qualitative outcomes. At the other end of the scale is, for example, the reporting on the support to local decision-making, where Soros Foundation has engaged another organisation as implementer. The oral discussion of the results gave much more information than reading the report itself. There is a need to continue improvements of the RBM systems of the umbrella organisations.

Real change takes time, which is a strong argument for having long agreement periods with the umbrella organisations. A four-year period, for example for the social mobilisation projects in the field, would mean that after one year of preparations, the grantees could have continuous support for a three-year programme. This would give more scope for accomplishing change.

To conclude: there is a need for more flexibility for the umbrella organisations to reach their planned outcomes. Core funding by several donors for the whole work plan of the umbrella organisations does not seem to be a first-hand alternative. But Sida could still give support to a core funding nature. Through having clearly stated objectives, long-term agreements and more freedom of choice of means for the organisations, Sida could more effectively support real change.

⁹ See for example CSO Development Effectiveness and Enabling Environment, a Review of the Evidence, Edita/Sida, 2011: "CSOs and donors together face a challenge to strike a balance between results reporting for accountability and compliance purposes, and the implementation of results-base approaches that are both appropriate to the nature of CSOs operating as "change agents" while being conducive to learning. The DAC study suggests that results-based approaches need to address considerations such as: i) cost-effectiveness relative to the size of the initiative; ii) balancing more easily measurable and short-term concrete outputs with longer-term, qualitative and process-oriented results; iii) potential tensions between the requirement for CSOs to plan results over several years and the need to remain flexible in a way that is responsive to emerging priorities, lessons learned, innovation and risk taking; and iv) accountability to CSOs primary stakeholders".

10 Conclusions and recommendations

A major structural problem in Moldova is that there is inertia in the **countryside**. The old Soviet system is broken up but has not been replaced by a vigorous private sector and active participation of the population. Despite many recent elections, there is still a lack of a democratic culture. Poverty and migration exacerbate these conditions. As was emphasised by one of the umbrella organisations: “If the population does not participate in local affairs and show interest in monitoring the actions of the local authorities, there will never be democracy in Moldova”.

Therefore, one of the most important tasks for the civil society organisations is to try to mobilise people in the countryside, to foster active citizenship and empowerment for social change.¹⁰ Despite the many problems in Moldova, it seems that there are always informal leaders in the communities. And the young generation with education, less influenced by the history and with a presence on the internet can be instrumental in accomplishing change.

This conclusion is shared by the umbrella organisations, and they are planning to shift their programmes more in this direction. East Europe Foundation and Soros Foundation, with many programmes on the base level, will try to reach out even further than before. Individuals in the community with leadership qualities, not least women and youth, will be increasingly targeted. And small and weak NGOs that cannot get funding will be gradually coached into being able to absorb financing from the main source available, funding from foreign donors.

On the **central level**, there is now what many call a “window of opportunity” for change. After the parliamentary elections in 2009, there has been much more openness and diversity than during most of the other 20 years of independence in Moldova. There is now public space for the Civil Society to attack the main problems – corruption, political stagnation, insufficient reforms in many areas, the slow pace of integration with EU and EU values. On the central level, Civil Society has experience, human resources and fora in which to act to push the reform agenda. There are also strong think tanks that can provide well-researched facts and advocacy for reforms.

For the Swedish support to the umbrella organisations, a two-pronged strategy is proposed: increased support for mobilisation of people and NGOs in the countryside, and increased efforts to speed up reforms on the central level.

The main objective would be to accomplish *change*, in the directions of European values and to support the reform processes. To make change possible, the organisations need time, focus, flexibility and results orientation. Sida should, therefore, opt for long agreements and emphasise the objective of change - the outcome (and possibly impact) level of results - while giving the organisations more freedom to choose the means to reach the desired outcomes. This presupposes that the system audits now to be performed do not discover major weaknesses. Sida’s expectations and conditions should be clearly spelt out to the umbrella organisations. The organisations should be encouraged to concentrate their programmes to increase the possibilities of efficiently supporting processes of change in the priority areas.

In the evaluation of CRD in 2009 it was proposed that CRD should in Moldova focus on its comparative advantage, non-discrimination. This is also in line with the new strategy that CRD has now adopted, which gives priority to protection against discrimination. Also, it seems that other donors could substitute for the present financing from CRD to media and the judicial area. A sharper focus might

¹⁰ See further on Development Education and Awareness Raising, DEAR, in: Concluding Paper, Structured dialogue for an efficient partnership in development, May 2011

make it easier to attain real change in the long term, in terms of increased tolerance and less discrimination in the Moldovan society.

The *media* situation has changed dramatically since 2009. There are new radio and TV channels that represent different views and that are economically sustainable. Printed media have more problems to make a profit. Regional media have, partly through Swedish support, developed substantially. Ethical standards have increased somewhat but need to be developed further. EEF and Soros have planned to decrease their support to media and to concentrate on economic sustainability of regional television and printed media. It seems reasonable that Sida would accept the lower priority to media perceived by EEF and Soros. For CRD the media support is proposed to be concentrated to non-discrimination and tolerance issues.

On the issue of the support to civil society through the umbrella organisations being complementary to Swedish support to *sectors*, there is not much scope for this – with the exception for the sector democracy and human rights, where there are many connections. Also, some interest has been voiced (by EEF) to support consumer organisations. At the same time, it is suggested that the support to the energy and market sectors should be planned in the same way as the support to decentralisation, in the sense that that civil society organisations within the sector should be financed.

For many donors, support to activities that involve *Transnistria* has high priority. The EU and UNDP have major programmes. Sweden has through the umbrella organisations made valuable contributions for example to media and legal support. It is important that efforts continue to involve organisations and individuals in Transnistria whenever possible. At the same time there is a clear risk that the few recipients available get more funding than they can effectively absorb.

10.1 Recommendations

1. Sweden and Sida should continue the support to Civil Rights Defenders, East Europe Foundation-Moldova and Soros Foundation Moldova. Sida should preferably enter into 4-year agreements with the organisations.
2. Sida should ask the umbrella organisations to present proposals of concentrated programmes with strong ambitions to accomplish change in the directions of the Swedish cooperation strategy, with clear and measurable objectives on the outcome level.
3. The umbrella organisations should be given freedom to close sub-projects and open new sub-projects within the priorities given by Sida, and to support nascent reform processes when opportunities arise. Each new distinct project should have proper LFA and RBM.
4. Sida should ask EEF and Soros to present proposals for programmes on the local level that emphasize mobilization of communities, local NGOs and potential leaders and that emphasize capacity building, local ownership and watchdog activities. The proposed programmes can also include support to locally elected councillors and mayors, and local administrations, in order to further the objective of stimulating democratic processes. Young people and women with capacity to be future change agents should be given special attention.
5. CRD should be asked to present a programme, in line with its new strategy, with strong focus on non-discrimination issues where CRD can give professional support. Support through CRD to the judicial sector and media should gradually be phased out apart from support from a non-discrimination perspective. A strong and flexible programme for non-discrimination focussed on change processes implies that CRD needs to have a local representation in Moldova.

6. Eastern Europe Foundation and Soros Foundation should be asked to present programmes to support key reform processes in the country towards European integration and European values. This includes activities to combat corruption, to increase transparency in the political and economic spheres and to monitor the development of democratic processes and of decision-making. The umbrella organisations should be encouraged to look into the possibilities to include in their proposals support to think tanks, and the option to give such support in the form of core funding to increase the flexibility for the think tanks to rapidly influence on-going reform processes. Support to the National Participation Council should continue in the medium term.
7. The support to media through EEF and Soros should in line with their own plans decrease and be focussed on economic sustainability and on self-regulation to increase ethical behaviour
8. The organisations should continue to be encouraged to include activities for Transnistria in their activities but they should ensure that they do not contribute to overfunding of the few recipient organisations available.
9. When planning support to sectors, it is suggested that Sida look into the possibilities to include support to civil society organisations to do awareness raising, monitoring, methods development and training. The interest shown by East Europe Foundation in supporting the mobilisation and organisation of consumers, and to give support to the Government in fortifying the rights of the consumers, should be encouraged.
10. The three umbrella organisations should be encouraged to continue sharpening their RBM systems and reporting.

Annex 1 – Terms of Reference

In the Assignment part of the Terms of Reference, a reference in **bold** to the respective chapters in the Report, where the task has mainly been treated, is inserted at the end of the task.

Bilaga 1
Sida diarie № 2011-000916
Sida komponent № 55030043
Sida kontrakt № C 01546
INDEVELOP AB ref. № RE 20

AMENDED TERMS OF REFERENCE JUNE 27th, 2011 FOR A REVIEW OF CIVIL SOCIETY ORGANISATIONS IN MOLDOVA

1. Background

Sida initiated a development co-operation programme in the Republic of Moldova in 1996. An important part of this programme concerns support to the civil society in Moldova. The support is currently being channelled mainly through two Moldovan and one Swedish umbrella organisations, which in their turn supports a large number of different projects.

These Terms of Reference (ToR) is about assessing, if the current support corresponds to the requirements of the new Swedish Co-operation Strategy with the Republic of Moldova 2011-2014, or if the support should be adjusted to facilitate the achievement of the defined strategy objectives, as concerns civil society in all three sectors included in the strategy.

Development co-operation strategy with the Republic of Moldova, 2011-2014

The co-operation strategy envisages support to the following three sectors/subsectors:

- (1) Democracy, Human Rights and Gender Equality
 - (1) Democracy
 - (2) Civil society
 - (3) Gender equality
- (2) Sustainable infrastructure and services
- (3) Market development

The new Strategy differs from the previous Strategy 2007-2010 in that support to civil society has been become more clearly defined.

Excerpts from the new Strategy on support to civil society

The new Strategy on civil society support mentions specifically:

- (1) A more independent civil society, which increasingly complements and balances the other actors in public and private sectors. Support to civil society actors and the fora in which they operate;
- (2) Support to an independent, pluralistic and sustainable civil society, which provokes public debate and participation in political decision-making processes;
- (3) Support to focus on the role of civil society in demanding accountability (*the so-called "watch-dog" function*) and engaging in an alternative monitoring and impact on the country's EU integration process;

- (4) Opportunities for people to influence decision-making, accountability and anti-discrimination;
- (5) A desire to make greater use of ... co-operating organisations' systems for planning, implementation and monitoring, and to promote transparency and processes, with the possibility of local organisations' participation.

Civil society organisations (CSOs) in Moldova

The non-governmental sector has boomed in Moldova over the past decade. In 2001, there were about 2 500 registered NGOs in Moldova, in 2009 this figure had grown to about 8 000. About half of the CSOs registered are active in the social or educational sectors, and half work on a national level, whereas the other half work on the local level. Today, about 25-30 per cent of the CSOs registered are considered to be active. USAID's NGO Sustainability Index for 2009 lists some weaknesses and risks. Among these are that CSOs generally are weak from an organisational and financial points of view, and that they have limited understanding of i.a. how a board functions, on the importance of separating the duties of the board from those of the executive management.

Civil society in Moldova is rather donor-dependent and donor-driven, which becomes particularly evident during electoral periods, when CSOs, not engaged in activities to do with the elections, experience increased difficulties in getting financial support for their activities. In addition, the lion part of the active CSOs are based in Chişinău.

Present Sida-financed support to civil society

Presently, four support programmes are being financed by Sida, implemented by:

- East Europe Foundation-Moldova (EEF - ending January, 2012)
- Soros Foundation-Moldova (SFM - ending January, 2012)
- Civil Right Defenders (CRD - Sweden, ending November 2012)
- Open Fun Football Schools (OFFS - Denmark, to be phased out; not subject of this review)

East Europe Foundation Moldova (EEF)

The EEF programme includes the following component and thematic aspects:

- "Open door" programme
- Component № 1 – Economic Development
 - Local Economic Partnership (LEP) - public-private partnership
 - Youth banks
- Component № 2 – Good Governance Programme
 - Support to the National Participation Council
 - Support for Independent Press Council
 - Support for the Audit Bureau of Circulation
 - Media Management for Emerging Independent Outlets
 - Civic Monitoring of Anti-corruption Policy
 - Free and Fair Elections
 - European Interactive Centers
 - European Partnership Fair
- Component № 3 – Social action
 - Promoting Corporate Social Responsibility (CSR)
 - Sustainable Solutions to Needs of Vulnerable Youth in Moldova and the Transnistria region

Soros Foundation Moldova (SFM)

The SFM programme includes the following component and thematic aspects

- Project Area 1: Bridging the gap between people and government
 - Legal empowerment of rural communities through a network of community-based paralegals
 - Ensuring public participation in decision-making and effective access to information
- Project area 2: Empowering women to participate in community life
 - Build capacities of nongovernmental organisations to promote the empowerment of women in rural communities
 - Increase capacities of women from communities to participate in decision-making processes by building their leadership skills
- Project area 3: Enhancing the regional broadcast media network's capacity to report on issues of public and community interest
 - Strengthen the capacity of the network of regional broadcasters to produce qualitative programs on issues of public and community concern
 - Support the development of the media sector in Transnistria and co-operation between the media outlets from both banks of the Nistru River
 - Strengthen the capacity of the Association of Regional Broadcasters to manage and support professionally the network of regional broadcasters

Civil Right Defenders (CRD)

The CRD programme includes the following component and thematic aspects

- Component № 1: Safeguarding of people's civil and political rights, and that violations of individuals' civil and political rights by the state are investigated, prosecuted and compensated for
 - Improving adherence to European Human Rights Standards - support to Lawyers for Human Rights (LHR)
 - Combating corruption – support to Centre for the Analysis and Prevention of Corruption (CAPC)
 - Increasing the access to justice to the inhabitants of Transnistria – support to Promo-Lex Association
- Component № 2: Strengthening of freedom of expression
 - Lobbying for the adoption of an improved law on freedom of expression – support to Independent Journalism Centre (IJC) and its Media Law Unit
 - Enhancing the impact of independent press – support to the Association of independent Press (API)
- Component № 3: Strengthening of the right not to be discriminated against and empowerment of discriminated groups
 - Adopting a law on anti-discrimination - support to the Anti-Discrimination Coalition (CAD) and LADOM
 - Decreasing discrimination against Roma peoples – support to Roma National Centre (RNC)
 - Decreasing discrimination against the LGBT-community – support to GenderDoc

New model of support to civil society

In 2010, Sida decided to reassess its support to the civil society. On-going contributions were planned, so that Sida would be in a position in 2011 to take an overall decision on future support, based on the outcome of the assessment. This reassessment should be seen in the light of the positive experience obtained from supporting CSOs through re-granting (umbrella) organisations, in comparison with direct

support to a large number of smaller organisations. In principle, the advantages of channelling support through umbrella organisations are thought to be a broader geographical and thematic coverage, and the possibility to address the issue of institutional development in a cost-effective manner, i.e. the re-granting organisations are presumed to be able to provide training to many of their partner organisations in a co-ordinated manner.

2. Assignment

The Assignment regards a review of the three organisations East Europe Foundation, Soros Foundation Moldova and Civil Rights Defenders. The aim of the review is to provide input into the process of formulating a model for Swedish support, based on the current contributions and the new Co-operation Strategy with Moldova, as of the year 2012. The aspects specified below shall be addressed during the review. Nevertheless, the consultant is enabled to come up with suggestions and proposals that do not fall exactly within the detailed ToR, but which are in line with the general spirit and aim of the ToR.

2.1. Overall aspects

- (a) Poverty-targeting (democracy deficit, income poverty); **Chapter 6**
- (b) Needs-driven (emanating from the real needs that exist in various parts of civil society; concentration to Moldova's deprived areas; including rights in various forms (civil, unions', etc.)); **Chapter 6**
- (c) Interaction between civil society – government authorities - private sector (Develop mechanisms to support CSOs to work together with the private sector to influence Government policy and/or actions, as well as other types of co-operation between the CSOs and the Government; emphasise CSO co-operation (a) as a means of a company's image strengthening, and as an economically, environmentally and socially conscious party - CSR/Corporate Social Responsibility; (b) as a means for authorities to get complementary support, when they lack resources to work with citizens as needed); **Chapter 9**
- (d) Participation of civil society in setting of the overall development agenda of the country. Three interesting points of departure for the assessment
 - could be the implementation in the Moldovan context of the Paris Agenda and the partnership between the government, civil society and donor agencies (in 2011, a report (*Optional Module for the Paris Declaration Survey*) was prepared for the first time by the Moldovan CSOs on "inclusive participation and national ownership" principles of the Paris Agenda. This report shows the present state of play; – but is the partnership working?) ,
 - Also, in January 2011, a communication and participation platform was established through a government decision, when the NPC (National Participation Council) was established (includes some 30 NGOs). What are the strength and the weaknesses of this platform? **Chapter 7**
 - The review could also look at how the CSOs contribute (and could better contribute) within the Swedish priority sectors and support positive changes within the respective sector agendas. **Chapter 8**
- (f) Grassroots' perspective (emphasis should be on Moldovan CSOs with a grassroots' perspective, while donor-driven CSOs should be avoided; the starting point should always be the CSO's own reference points, needs and long-term development, in order to strengthen Moldovan ownership); **Chapter 10**
- (g) Utilising Moldovan local organisations' systems (Increased emphasis on CSO capacity strengthening with training on planning, results'-based narrative and financial reporting, internal controls, audit, evaluation, etc., to be followed up on a regular basis, in order to reduce the risk spectrum and increase alignment; could also include internal governance issues and organisational issues, for example the way internal control is organised); **Chapter 10**

- (h) Decrease the level of “donor-drivenness” of CSOs (How could the institutional administrative and financial capacity of the local CSOs be strengthened, which would contribute to a lower degree of dependence on external funding?); **Chapter 9**
- (i) Discuss, how the level of short-term support can be decreased or omitted (small and short-term grants) in favour of long-term sustainability of CSOs?; **Chapter 11** How can the geographical focusing on Chişinău be decreased in favour of other less-developed or deprived regions? **Chapter 6**
- (j) Discuss, why CSOs are financially non-sustainable and why they become donor-driven. An analysis of this should be done in light of existent legislation, as well as of established partnerships between the government and CSOs, and how this is functioning in practice, in terms of forums for effective dialogue and funding mechanisms (if any still exist), and mutual accountability ¹¹ **Chapter 9**
- (k) EU integration – achieving closer relations with the EU, in line with the Eastern Partnership. **Chapter 7**

2.2. Sector-based aspects Chapter 8

2.2.1. Sector “Sustainable development of society”

The review should assess the possibility of the three organisations to address the following topics:

- Consumer Ombudsman for energy aspects (which will stand up for the energy consumers' interests, also in relation to the National Agency for Energy Regulation (NAER).);
- Consumer education on energy efficiency (households account for 40% of Moldova's energy consumption);
- Tenant-owners' societies/residents' associations (which can organise tenant holders' / tenants' interests, including streamlining/cheapening of municipal services);
- SME business associations (including the agricultural sector).

2.2.2. Sector “Market development”

The Study should assess the possibility of the three organisations to address the following topics:

- Consumer ombudsman for insurance issues (today's consumer protection is non-existent);
- Consumer ombudsman on food issues (harmful to health, genetically modified);
- Consumer ombudsman in general for a wide range of issues (including district-heating, water supply and quality, electricity);
- Consumer information on the DCFTA Agreement implications for private farmers;
- Savings and Credit Associations for small farmers (these are small, community-based CSOs);
- Association of small and medium-sized entrepreneurs (a CSO, representing more than half of the country's SMEs).

2.2.3. Sector “Democracy, human rights and gender equality”

The review shall assess the possibility of the three organisations to address the following topics:

¹¹ E.g. a partnership has been established, “Retea Social” (*Social Network*), comprising more than 400 NGOs, active in the social sector; besides a new legislation, discussions have been held and preparation for endorsement in the Parliament of mechanisms of funding of CSOs by the state in areas, where the state falls short of capacities, for instance social protection of victims of trafficking; social assistance and protection of vulnerable children and poor families, etc.; the current law on philanthropy, concerning when the private sector is willing to support CSOs, but simultaneously obliged to pay a high tax to the state for donated funds, which virtually blocks the participation of the private sector in the partnerships with CSOs.

- Participation of CSOs in local development and decentralisation;
- Women political organisations, capacity-building, especially in rural areas on women's participation in political life and decision-making;
- Anti-Discrimination Coalition, dialogue with the government, what are the needs to achieve consolidation?

2.3. Implementing organisations'-specific aspects

It should be assessed whether:

- (a) The current three implementing organisations have the capacity and would be interested in increasing support to institutional and capacity development of Moldovan CSOs, while decreasing their grants' programme (i.e. total financing will be at the same level, but directed more towards activities initially ear-marked, and less on activities to be decided upon later); **Chapter 6**
- (b) These organisations could consider giving grants with a longer time perspective (some are currently as short as 5-6 months), so as to increase impact and sustainability and to refrain from undermining a sound development of an independent civil society; **Chapter 10**
- (c) These organisations are willing to include CSOs active in the areas of local governance/ decentralisation, energy and market development (see 2.2.1., 2.2.2., 2.2.3.); **Chapter 8**
- (d) The EEF support to the National Participation Council is conducive to the development of a true "watch-dog" function; **Chapter 7**
- (e) Any of these organisations envisages a media programme of some kind in their future work; **Chapter 5**
- (f) CRD is willing to establish a local office in Moldova. **Chapter 5**

3. Method and time-schedule

The review shall be carried out by carrying out interviews:

- (1) Swedish Embassy in Chişinău and Sida in Stockholm;
- (2) Moldovan authorities working together with the CSO sector (to be specified later);
- (3) Other donors active in the CSO sector (to be specified later);
- (4) CSOs with general knowledge on the CSO sector (to be specified later);
- (5) CSOs currently being supported by EEF, SFM and CRD through Sida-financed contributions (a limited range of some 4-5 CSOs);
- (6) CSOs considered as potentially interesting partners, recommended to be part of a Sida-funded support from 2012.

The review shall also be based on relevant, such as the Strategy for Development Co-operation with the Republic of Moldova 2011-2014 with Moldova, materials from government agencies, other donors' reports, etc.

The interviews shall be conducted in Chişinău, other smaller towns, in rural areas.

The interviews shall be conducted in the Swedish/English/Moldovan/Russian languages.

The review shall be conducted by a Swedish consultant in collaboration with a Moldovan consultant. The latter shall be contracted by the Swedish consulting company. The Swedish consultant shall have the main responsibility for the review, including compilation of the report, report presentation and report adjustment. It is not anticipated that the Moldovan consultant shall travel outside Moldova. The Swedish consultant will be given support and guidance by contact persons at Sida in Stockholm

(primarily Rolf Büchel), and at the Embassy in Chişinău. The administrative responsibility for handling the consultancy rests with Sida in Stockholm.

The Swedish consultant shall carry out the mission in Moldova in collaboration with the Moldovan consultant. The time for preparation for the interviews is estimated to one calendar week (40 hours) and to four weeks (160 hours) for carrying out the interviews (80 hours for the Swedish consultant and 80 hours for the Moldovan consultant). The time for report compilation, report presentation and report adjustments is estimated at no more than one calendar week (40 hours). The total time required is estimated at no more than six calendar weeks (in total 240 hours).

The Assignment shall begin no later than during September 2011, but preferably in the beginning of the month. A first draft shall be presented no later than in October 10th, 2011, but preferably in the beginning of the month, for comments. A final report shall be presented no later than October 28th, 2011, but preferably by mid-October. The Study shall in no ways be completed later than October 31st, 2011.

4. Reporting

The review shall be delivered as a written report to Sida, in an electronic format, compatible with the WORD programme. Regarding the format and outline, the review should be written so that:

- It is analysing and assessing in a specific and detailed way, with recommendations on a working model of support to Civil Society (focus is not on being descriptive);
- It starts with a table of contents and a summary;
- It ends with the names of the representatives of the Moldovan, Swedish and international organisations that have been interviewed;
- It comprises no more than 30 pages (excluding Annexes);
- It is compiled in the English language.

5. Competency requirements for a consultant to be contracted

The procurement of consulting services will be defined by:

General conditions (which are a prerequisite for the application to be examined further):

- The Application includes a Swedish and a Moldovan consultant;
- An independent relation to support for Civil Society in Moldova (should be stated in the Application).

Special conditions:

- 10%: General suitability for carrying out the Assessment Study, in relation to the given Terms of Reference;
- 30%: Qualified experience in the analysis of programme support to civil society;
- 10%: Adequate understanding of the political aspects of reform work in Eastern Europe;
- 40%: Broad experience of reform co-operation in Eastern Europe, especially from Moldova and other CIS countries;
- 10%: Excellent oral and written skills in English (5%); Moldovan and/or Russian (5%).

Annex 2 – Programme of visits

No.	Date	Time	Institution/organization
1.	19.09.2011, Monday	10:00	Hotel VisPas
		11:00	Visit to Embassy
2.	20.09.2011, Tuesday	09:00	Visit to East Europe Foundation Moldova, all relevant management team member
		14:00	Meeting with Mr. Kent Larson, USAID Director /Moldova , Ina Pislaru, Project Management Specialist Democracy and Governance Programmes ASITO building, Banulescu Bodoni 57/1, floor 5 th
		15:00	Visit to EU Delegation, Mr. Zane RUNGULE, Project manager, Operation Section Kogalniceanu 12, MD 2001 Chisinau, Moldova Tel: 373 22 505210, Fax: 373 22 272622 kaido.sirel@eeas.europa.eu
3.	21.09.2011, Wednesday	09:00	Visit to Soros Foundation Moldova, Elena Lesan, Soros Foundation Moldova Women's Empowerment
		10:30	Victor Munteanu, Programme Director, Soros Foundation Moldova Paralegals and Acces Info
		12:00	Victoria Miron, Programme Director, Cultural, Media policy, - Local Broadcast Media, Soros Foundation Moldova
		13:30	Victor Ursu Executive Director and Varvara Culibaba, Deputy Director, Soros Foundation Moldova
		15:00	Visit to UNDP, Ms. Matilda Dinovska, deputy Resident Representative of UNDP in Moldova
4.	22.9.2011, Thursday	09:00	Visit to Academy for Educational Development, Ms. Morana Smodlaka Krajnovic, Chief of party and Mr. Anatolie Beleac, Deputy chief of party, Moldova Civil Society Strengthening Programme. 202 Stefan Cel Mare Ave., 8th floor Tel/Fax: (+373-22) 29-54-04
		10:30	Visit to IDIS Viitorul (think tank), Mr. Leonid Litra, Deputy director on International Cooperation Chişinău, MD-2005, str. Iacob Hâncu 10/1, 210932
		12:00	Visit to Adept Association, Mr. Igor Botan, Executive Director
		15:00	Visit to Independent Journalism Center, Ms. Nadin Gogu, executive director, Ms. Corina Cepoi, Director the Chisinau School of Advanced Journalism Str. Sciusev, 53 2012, Chisinau Republica Moldova tel: (+373 22) 213652, 227539
		16:00	Visit to Promo-Lex Association, Mr. Ion Manole, Executive director str. Dumitru Rîşcanu 11, of.41 Pentru corespondență: C.P.89, MD 2012 Chişinău, Moldova Tel: + 373 22 450024 , 492684, 449626
5.	23.09.2011	08:30	Visit to CreDo, Mr. Serghei Ostaf, Executive director 95 "A" Al.Hajdeu str., CHISINAU, MD2005, Moldova
		10:30	Visit to Eco-Razeni Association, Youth Bank, Village Razeni, Ialoveni District, Mr. Gurau Sergiu, President

		11:30	Visit to Raion Local Administration Ialoveni, Mr. Nicolae Andronachi, the president of Ialoveni District
		14:00	Visit to Agency for Rural Development, Mr. Lidia Beznitchi, chair, Lapusna Village, Hincesti District
6.	26.09.2011	09:00	Visit to The Congress of Local Authorities from Moldova, Mr. Viorel Furdui, Executive Director, Mr. Octavii Ivanov, Local Development coordinator and Mr. Alexandru Osadci, Project manager. Columna 106 A, 223509
		11:00	Visit to Regional Development Center, Mr. Lilian Danilov, strategy and planning manager, Ms. Natalia Munteanu, public relations specialist and Mr. Andrei Hincu, Projects manager, Ialoveni city. MD-6801 or. Ialoveni, str. Alexandru cel Bun, 33 268 22692
		15:00	Visit to Pro Europa Center Cahul, Mr. Nicolae Dandis, director Cahul city
		16:00	Visit to Youth Bank Cahul, Cahul city, Mr. Anatol Nebunu
		17:00	Visit to Every Child Association, Cahul city, Ms. Daniela Mamaliga, deputy director
7.	27.09.2011	09:00	AED Conference, Institutional Framework for cooperation Hotel Codru
		11:00	Meeting with Ms. Iulia Marcinschi, Anti-discrimination Alliance. Stefan cel mare, 126, scara 4, ap. 40.
		15:30	Visit to National Youth Council, Mr. Eduard Mihalas President
9.	29.09.2011	14:00	Miniseminar with Mr. Victor Ursu, Ms. Varvara Colibaba, Soros Foundation and Ms. Dorina Andreev, EEF
		16:00	Meeting with Ms. Ros Mari Balow, Counsellor, Development Cooperation, Dr. Patrik, Stalgren, First Secretary, Deputy head of Development Cooperation Str. Toma Ciorba 12 Tel: 079209503

Annex 3 – Major documents consulted

1. Swedish Co-operation Strategy with the Republic of Moldova 2011-2014
2. Civil Society Development Strategy for 2008-11
3. Barometer of Public Opinion May 2011
4. Country Report Moldova, The International Journal of Not-for-Profit Law, Volume 12, Issue 4, November 2010
5. National Development Strategy (2008-2011), Republic of Moldova
6. CSO Development Effectiveness and Enabling Environment, a Review of the Evidence, Edita/Sida, 2011
7. Development Education and Awareness Raising, DEAR, in : Concluding Paper, Structured dialogue for an efficient partnership in development, May 2011
8. USAID's NGO Sustainability Index for 2009
9. Information note Poverty in Moldova 2010, Ministry of Economy
10. East Europe Foundation – Moldova, Proposed Programmes for 2012-2014 to be supported by Sida, draft document for discussion
11. East Europe Foundation project proposal, BUILDING DEMOCRATIC SYSTEMS by establishing East Europe Foundation in Moldova, May 2010.
12. Civil Rights Defenders project proposal
13. Strategy for Civil Rights Defenders
14. Civil Rights Defenders Report on Developments and Results, (November 2010 until July 2011)
15. Soros Foundation Moldova project proposal, Improving good governance in Moldova through increased public participation
16. Soros Foundation Moldova 2nd Semi-Annual Narrative Report,
17. East European Foundation narrative report (January 1, 2011 – June 30, 2011)
18. Moldova's Foreign Policy Statewatch, Issue 35, September 2011, Institute for Development and Social Initiatives "Viitorul"
19. 2011 Survey on Monitoring the Paris Declaration, Optional Module: Assessing Inclusive Ownership Questionnaire, Moldova
20. Sida's instructions for grants from the Appropriation Item Support via Swedish Civil Society Organisations, July 2010
21. Sida Assessment Memo Civil Rights Defenders' support to Human Rights in Moldova, November 6, 2010
22. Sida decision on contribution to Soros Foundation, 2009-12-09
23. Sida Assessment Memo Building Democratic Systems by establishing East Europe Foundation in Moldova, 20 May 2010
24. Sida, Evaluation of Support to the Civil Society in the Western Balkans, 17 December 2010
25. Pluralism, Policy för Sveriges stöd till det civila samhället i utvecklingsländer inom svenskt utvecklingssamarbete
26. East Europe Foundation-Moldova , Annual Report 2010
27. Mass-media in Moldova, June 2011,
28. Strategy for support via Swedish civil society organisations 2010-2014, UF2009/28632/UP
29. Moldova: Policy Notes for the Government, May 2009
30. Romania 2010, Non-governmental sector – profile, tendency and challenges, Foundation for Civil Society Development
31. The audit of the democratic system of the Republic of Moldova, Anthology of Analysis on Governance, 2011.
32. National Human Development Report 2010/2011, Republic of Moldova, From Social Exclusion towards Inclusive Human Development, UNDP in partnership with Ministry of Labor, Social Protection and Family
33. "Long term commitment - short term funding", A review of Sida's contribution to the Swedish Helsinki Committee Programme 2004-2009 in Moldova, COWI 2009



REVIEW OF CIVIL SOCIETY ORGANISATIONS IN MOLDOVA

The civil society in Moldova has a very important role in the development of the country. The Soviet legacy and the Orthodox Church are conservative factors, and more than half the population lives in the countryside. At the same time, parties advocating reforms and closer association with the EU have replaced the former Communist government, creating a window of opportunity for change. The Civil Society is one of the major actors that can shake up the strong inertia in the villages. And they can also be a watchdog and inspire towards continued reforms. Sweden has supported three umbrella organisations in Moldova: Civil Rights Defenders, East Europe Foundation-Moldova and Soros Foundation. The evaluation recommends that Sida continue to channel support through the three umbrella organisations. Priority should be given to mobilise young people, women and informal leaders in the countryside – and to support to change processes and continued reforms. Long-term agreements with focus on outcomes are suggested.

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