

General Secretariat of the Council of the European Union

President of EESC, Mr. Luca Jahier

President of Group III, Mr. Arno Metzler

President of the Group on Fundamental Rights and the Rule of Law, Mr. Jose Antonio Moreno Diaz

Zagreb, June 10th, 2020

Election of members of the European Economic and Social Committee in Croatia: CIVIL SOCIETY REPRESENTATIVES WITHOUT VOICES FROM CIVIL SOCIETY

**Dear members of the General Secretariat of the Council of the European Union,
Dear members of the European Economic and Social Committee,**

With this letter we would like to inform you about serious and concerning violations of democratic procedures in relation to the recent appointment procedure of nominees to the European Economic and Social Committee in Croatia, which has resulted in an illegitimate appointment of representatives of civil society.

In Croatia, members of the Economic and Social Committee representing civil society are elected by members of the Council for Civil Society Development, which is an advisory body to the Government of the Republic of Croatia, whose task is to develop and strengthen cooperation between the Government and civil society organisations in Croatia. The Council has 37 members, of which 17 are representatives of relevant state administrative bodies and the Croatian Government offices, 14 are representatives of non-governmental, non-profit organizations, 3 are representatives of civil society from foundations, trade unions and employers' associations and 3 are representatives of national associations of local and regional self-governance. The Council has a president, elected by the Council members representing civil society from their own ranks, while the vice-president is elected by the members of the Council representing the state institutions.

The Government of the Republic of Croatia's Office for Cooperation with NGOs conducted the election process for members of the European Economic and Social Committee (EESC) representing civil society in a manner that violated the principles of transparency, self-representation and autonomy of civil society, which has also resulted in an unequal treatment of Croatian nominees from Group III in respect to their counterparts from group I and



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II which were appointed based on nominations provided by their respective organisations. In case of Group III nominees, neither were civil society candidates provided with opportunity to present themselves to the Council members, nor the Council members allowed to discuss the candidacies. Most importantly, the civil society representatives were appointed by means of an electoral procedure at the Council which is made up of 20 representatives of public authorities (state, regional and local government institutions, agencies and their associations) and 17 representatives of civil society and social partners. In addition, due to an incorrect appointment of a Council member, the actual ratio is 21:18 due to the fact that a state foundation / public authority has been given the seat of private and community foundations (this is at present an open matter at Administrative Court in Zagreb).

Such crude violation of autonomy of civil society took place despite the fact that the Council members from civil society had submitted a written proposal for a transparent two-stage electronic election procedure (first round of voting by 17 Council CSO members, followed by confirmation vote of all 37 Council members). This proposal was ignored at the constituting meeting of the Council, held on May 20th, 2020, just like promises of a new Council session focused on EESC elections, and the presentation of candidates never took place.

Instead, the Office for Cooperation with NGOs initiated the election process by means of electronic voting towards the end of the workday on Friday 29th May 2020, with a deadline of Tuesday, June 2nd, 2020, at noon, without allowing for candidate presentations. The vote was open to all members of the Council, i.e. 20 representatives of public authorities and 17 representatives of civil society, which in itself prevents self-representation of CSOs in EESC. With full disregard of the procedural proposal formerly presented by current EESC delegation, CSO members of the Council, as well as the Office's professional staff, Head of the NGO Government Office initiated the election procedure that envisioned only one round of vote by all Council members, which is in collision with self-representation principle guiding democratic relations between government and civil society, social partners included.

Due to full disregard of the trust for a transparent procedure that would enable self-representation of civil society in EESC, the majority of representatives of civil society organisations in Croatia, including representatives of social partners, refused to take part in the election of members of the European Economic and Social Committee representing various Interests from European civil society (Group III).

Such actions by the Croatian Office for Cooperation with NGOs have come after numerous attempts by representatives of civil society organisations to ensure that the achieved level of transparency is maintained. They demanded cooperation and trust and asked that the election process should be conducted on time and in a way that would primarily protect the autonomy of the civil society in Croatia, and ensure the legitimacy of civil society representatives within the EESC.



In view of the fact that the election process was initiated while ignoring the demands by representatives of CSOs, Council members from the eight areas of the organisations' engagement (environmental protection and sustainable development, consumer protection, culture, promotion and protection of human rights, welfare for persons with disabilities, children's welfare, youth activism, and democratisation, rule of law and educational development) have boycotted the process, stressing that they will not support the degradation of the achieved standards, for which Croatia was recognised at the European level.

The election of EESC candidates representing civil society organisations for the previous mandate was conducted in line with the procedure agreed on in advance at Council meetings, a procedure which protected the autonomy of the civil society by means of an elected Committee.

Civil society organizations in Croatia demand the cancellation of the voting process to elect candidates for membership of the European Economic and Social Committee representing civil society organisations, which we have addressed to the Government of the Republic of Croatia Office for Cooperation with NGOs and the Council for Civil Society Development.

If the results of this election are not suspended, Croatia will not be able to pride itself on good practice, and the representatives elected to the Council for Civil Society Development express their regret that there seems to be no desire to maintain the practice that cherishes the idea of civil society as an equal partner in designing public policies. This course of action represents a further degradation of the civic space in Croatia and threatens to endanger the basic civic freedoms and fundamental values of the European Union.

Respectfully,

Branka Juran,

CROSOL Platform Co-ordinator



**Forum 2020 members are: ADRA – Adventist Development and Relief Agency Croatia; B.a.B.e - Be active. Be Emancipated.; Centre for Democracy and Law Miko Tripalo; Center for peace, nonviolence and human rights - Osijek; Center for Peace Studies; Documenta – Center for Dealing with the Past; Forum for Freedom in Education; Gong; IPE – Institute for Political Ecology; Human Rights House Zagreb; MIRamiDA Center - Regional Peacebuilding*



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Exchange; Croatian Youth Network; ODRAZ - Sustainable Community Development; Terra Hub; Association "Mi" – Split; Association „Earthlings - Are You Syrious?"; VUK – Youth Association Varaždin Underground Club; Association for Self Advocacy; Friends of the Earth Croatia; The Women’s Room – Center for Sexual Rights, CROSOL – Croatian Platform for International Citizen Solidarity



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