



Answers by KEPA and KEHYS Finland

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Survey questions for the State of Civil Society Report: CIVICUS AGNA members

Please answer the 3 questions most relevant to your country context.

State/civil society relations:

³⁵/₁₇ *How does the state view and relate to civil society in your country?*

Due to several historical and cultural reasons the Finnish state has principally very positive and open position towards civil society. Civil society is institutionally recognised as an important part of society and political as well as financial support is provided. In general, the autonomy of Civil Society Organisations is respected. Civil society is also seen as an active associate. Sometimes when there are conflictive situations or disagreements among politicians or in public institutions political support or political backbone is searched from civil society by politicians or civil servants. One explanation for such fluent relationship is the fact that people tend to circulate in these different spheres, many civil servants may have background in civil society organisations and/or in the academic world and vice versa. However, this applies mostly to those civil servants who are specialists instead of being bureaucrats.

Hence, it has been studied that civil servants are generally more sceptical and close-minded towards civil society than politicians. Some new initiatives for more intensive contact with civil society have not been received with very positive attitude by civil servants. Further, some civil society actors have found it difficult to promote a new law, for example. There may also be a clear difference between different civil servants as there is space for different personalities to influence the praxis of their post. Thus, it sometimes counts more who is holding the post than the institutional instructions.

Therefore, although the overall situation is quite excellent there are still easily defined challenges in the Finnish state – civil society relationship. It has also been recognised that the media has a significant role to play in shaping the ways how civil society is perceived in the Finnish society and in the public institutions.

³⁵/₁₇ *Have there been any significant changes in relations between civil society and the government in your country in the last year?*

During the last year and a half some positive changes have happened in the state – civil society relations. In the current government (formed by six parties out of eight which have MPs) there are several ministers with either background in civil society or otherwise open to its influence. For example the minister for development cooperation from the Green Party values the role of civil society actors in the development policy a lot more than her predecessor, senior male politician from the Central Party. Further, the ministry of employment and the economy has shown new kind of interest to dialogue with civil society actors. However, at the same time it has been recognised that in the long run there is less and less knowledge on civil society among the new generations of civil servants and that their direct contact to civil society is weakening.

Web-based services, discussion fora and social media have provided new channels for interaction between citizens/civil society actors, politicians and civil servants. It remains to be seen if this reduces the number of direct contacts and face to face meetings. Also the experience is that the public sector often provides opportunities for CSOs to participate formally in different processes but their opinions are still not always really taken into consideration.

³⁵₁₇ *What conditions do you feel need to be in place to allow for a good relationship between the state and civil society at a national level?*

Key issues are open dialogue, permanent forums for dialogue, low level of corruption, confidence in public administration, low overall hierarchy in the society, institutionalised mechanisms for citizens' participation and adequate public sources of funding. Another important aspect in a good relationship between the state and civil society is that politicians and civil servants have knowledge of civil society organisations and how they work.

The legal and regulatory environment:

³⁵₁₇ *Are there any particular challenges with the legal and regulatory environment for civil society? (e.g. are the laws outdated / inappropriate / inadequate / over-complex / partial / not properly applied / adequate)?*

Legislation is very permissible in Finland. It offers a lot of freedom for CSOs, but at the same time it can be considered weak as some definitions (e.g. voluntary work, non-profit) are missing in the legislation, leading to several different interpretations. Law on fundraising is constraining. Especially small organisations have problems in raising funds. Some fund-raising activities can be considered profit-making by the tax authorities which leads to risking the status of non-profit organisation and exemption from taxation. Regulations for procurement and tendering are constraining for CSOs and in practice often prevent CSOs from participating. People active in civil society organisations are not necessarily very familiar with the legislation related to the associational life, and on the other hand legislators and executors are not very familiar with the realities of the associational life. Moreover, EU legislation influences the overall situation a lot. In Finland there is a constant fear that EU's trade regulations will end the state monopoly of lottery and that would be catastrophic for Finnish civil society organisations which get crucial amount of funding from this source.

³⁵₁₇ *What recent trends do you feel have enabled or restricted the efficiency of civil society?*

- Why does the question focus especially on efficiency? It is not the primary role of civil society to be efficient.
- There are positive signs of lightening many regulations. The state is not willing to burden the CSOs without a reason and thus some new practices have been introduced, e.g. in the associational law compulsory auditing is now replaced in certain cases (small CSOs) by "action checking" and participation of members via internet are allowed.
- Option for citizen's initiative is a very recent way for influencing the preparation of, legislation as well as public discussion. Other ways for direct participation are increasing as well, especially web-based fora, for example there is a website "otakantaa.fi" (take a stand) to discuss public projects, initiatives etc.
- It is very easy to form and register a new association.
- Big changes in the legislation are not at the table in the near future which offers stability for CSOs as well. Legislation on fund-raising and the law on foundations are currently being updated and hopefully will provide more opportunities for civil society actors. However, it has also been discussed that if the new law on fund-raising - now allowing only CSOs with a separate permit to appeal to the public for money - will allow anyone to collect money for any purpose that may also have serious consequences on the image and resources of CSOs.

Funding environment for CSOs:

³⁵₁₇ *What is the reality of funding in your country? (Access to funding/ patterns of donor support/ restrictions on funding etc.)*

- Funding is available, if one only knows how to apply for it. Applying process requires skills, knowledge and effort which might be a challenge for small organisations.
- Funding is also possible for advocacy and awareness raising.
- Funding channels are categorized. In other words, funding channels are limited to a certain sector or activity, whereas the activities of the organizations may cross sectoral limits. Rare donors are willing to fund administration or long term activities which leads to project funding (with certain exceptions).
- There is a tendency e.g. from Finland's Slot Machine Association (RAY) to request organizations to provide services.
- The formats and procedures are the same for every organization (equal treatment of applicants). However, it is difficult to assess whether the treatment is truly equal or does e.g. a reputation or connections play a certain role.
- Finnish organizations have in general a large self-sufficiency level
- Fundraising has been more popularized and funds are easily directed according to the donors' will. In general, the private sector is more and more involved in project work. One could say that some kind of charity mentality is rising whereas traditionally Finnish CSOs have relied more on their members for funding. Sustainability and quality of the work may suffer as quick and quantified results are required.

- Municipalities have diminished their support, e.g. not any longer offering premises on the social and health sector.
- Officials are looking for new ways to administer funds e.g. by outsourcing

³⁵₁₇ *Where is money going and for what purposes?*

- Í A key challenge is how to finance administration and other core functions, networking, long-span work as well as more ad hoc/quick initiatives. At the same time, administration requires resources even when the work is project based. In addition, project based funding in practice forces to focus attention to project activities instead of more systemic issues like continuity and sustainability.
 - Í Donors are giving the overall framework for spending. Often social and health organisations, sports, culture and environmental issues are provided more funding as they are seen apolitical.
 - Í The Ministry for Foreign Affairs wants to focus on larger programmes / projects and reduce fragmentation and administrative resources. The effects of this approach remain to be seen.
 - Í Well established actors are in a better position when it comes to applying for funding, whereas newcomers and small organisations have problems. Same rules for everyone is a good principle and increases transparency but may not always be fair for voluntary-based and new organisations. For example, for smaller NGOs, hiring of staff remains a constant challenge.
 - Í Question remains, how to influence the situations where a recipient country does not allow organisations to work in the country for example because the work is seen political.
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