

## ALBANIA:

Numerous assemblies around various issues have taken place throughout Albania including several whereby security forces came to clash with protesters. The National Council for Civil Society (NCCS) was setup as a body composed of 13 CSO representatives, 13 government representatives and 1 representative of the business community. On June 13th, 2016, the Agency for Supporting Civil Society (ASCS) announced the list of CSO representatives to become members of NCCS selected through an online voting by CSOs.

## Bosnia & Herzegovina:

The Law on Associations and Foundations FBiH, introducing faster registration procedures through e-registration and improvements to the transparency of the work of CSOs, is being prepared and expected to enter into procedure, whereas the Law on Associations and Foundations BiH, which has been retracted from parliamentary procedure, has been returned on the initiative of the Council of Ministers on August 5th 2016. The Law on Public Broadcasting BiH however, which has been in a parliamentary procedure, has not been adopted on the parliamentary session on August 30th, 2016. In practice, numerous peaceful and simultaneous assemblies on different issues have taken place. With regards to CSOs' financial viability and sustainability, the amendments to the Law on Games of Chance of FBiH, introducing tax payment for CSOs, have not been adopted by the House of Peoples FBiH and have been returned for further processing.

## Kosovo:

During August 2016, the Government adopted a Concept-Document on Freedom of Association in NGOs, as a preliminary step ahead of the expected amendment process of the Law on Freedom of Association in NGOs. The Law on Prevention of Money Laundry and Fight against Financing of Terrorism was adopted on May 25th, 2016 by the Assembly of Kosovo, which, upon intensive CSOs' advocacy campaign, removed majority of the provisions restrictive to CSOs. Nonetheless, CSOs continue to request its further improvements as to complete the harmonization with international standards and EU directives. On the request of security institutions, 5 CSOs have been suspended on June 27th, 2016 by the NGO Department, based on Article 18 of the Administrative Instruction on Registration and Operation of NGOs, which is in breach of the primary legislation and the Kosovo Constitution, and without details on the decision being made publicly available. A dozen of peaceful assemblies throughout Kosovo have taken place. On one of them, protesters have been prevented from reaching their destination – highway and asked to change the venue, whereas numerous protests organized by political parties continued to be violent from both sides. The model on public funding for CSOs that has been designed jointly with civil society has been adopted on May 25th, 2016 by the Government of Kosovo. This model requires unique general criteria on planning, distributing and monitoring public funds for CSOs, with each ministry being in charge of designing specific procedures in line with general requirements, and the Ministry of Finance mandated to initiate drafting of necessary regulations to make the model operational. Nevertheless, the 3-years-old obligation deriving from the Government Strategy for Cooperation with Civil Society to publish all funds distributed to CSOs has not been fulfilled yet. The Regulation on Minimum Standards on Public Consultations has been adopted by the Government in April 2016, following a proposal by civil society during 2015. Entering into force on January 1st, 2017, it sets the specific requirements for the Government units on when and how to conduct public consultations when drafting its annual plans, strategic documents, public policies, laws and other secondary legislation.

## MACEDONIA:

Freedom of assembly deteriorated with the changes of the Law on Police on June 3rd, 2016 introducing, in shortened procedure, obligation for security forces to inform a particular person when audio or video recording them. Financial inspection to CSOs critical towards the Government has been recorded. Numerous spontaneous, simultaneous and counter-assemblies, as well as guerilla actions, have taken place throughout Macedonia. On several occasions protesters have clashed with security forces upon being prevented from reaching their destination, with two protests turning violent and disproportionate and excessive force being used to disperse the crowd. In the aftermath of the devastating Skopje floods on 6th August, activists, CSO and citizens engaged actively in the humanitarian and clean-up, including with over 0,7 million EUR donations to Red Cross Solidarity Fund. Interferences, intimidations, armed civilian interventions, summoning for questioning and legal charges, to CSOs' leaders, activists, professors and journalists have been happening en-masse. A major backsliding was noted in regards to the civil dialogue and involvement of CSOs in policy- and decision-making processes, as the Government adopted a Decision on the Establishment of the Council for Cooperation between the Government and Civil Society on May 17th, 2016, only two working days after presenting it to CSOs and without possibility for additional consultations. A joint reaction of more than 75 CSOs who have been mostly involved in advocating for the establishment of the Council, has been sent to the Government Secretariat, laying down concerns on the weaknesses of the Decision, as lack of quality consultations equal/greater representation of CSOs, inappropriate level of proposed state officials, short deadline and imprecise technical details for selection of candidates without mechanism for supervision of the process. That notwithstanding, the Government proceeded with the selection of candidates, resulting in an active boycott and a Statement signed by 89 CSOs. That notwithstanding, 13 CSO representatives have been selected, most of them unknown to civil society or general public, and whose profile and respective CSO portfolio does not correspond to the area they represent.

## TURKEY:

Throughout 2016, Turkey has been encountering numerous destabilizing pressures that paved the way to a state of constant readiness to curb basic freedoms on the grounds of preserving "national security" or "public order". Numerous assemblies have taken place throughout Turkey, .oftentimes with violent clashes between the protesters and the police ending with the latter employing tear gas, rubber bullets and water cannons to disperse protesters and detaining of protest participants. On July 15th, 2016, a faction within Turkey's military used tanks and fighter jets in its coup attempt to overthrow the government. Gun battles in Ankara and Istanbul left 312 people killed, including 145 civilians, 60 police, 3 soldiers and 104 plotters, while more than 2.000 citizens have been injured. Moreover, footages showed high scale of violence as civilians protesting against the coup attempt confronted the military on the streets. On July 21st, in the aftermath of the attempted coup, the National Parliament declared state of emergency for 3 months that cannot be appealed, allowing the President and cabinet to bypass parliament in drafting new laws and to restrict or suspend basic rights and freedoms. Simultaneously, Turkey suspended temporarily the European Convention on Human Rights based on Article 15 which allows signatory states, in times of emergency, to derogate certain rights, including freedom of movement, expression and association. Under a decree published in the Official Gazette on July 23rd, 2016, a total of 1,125 associations, 104 foundations, 19 unions, federations and confederations, and 15 foundation schools have been closed, whereas under another decree, a total of 102 media outlets and 29 publishing houses/distribution firms have been closed down within the scope of investigations related to failed coup attempt. Since July 25th, 2016, the prosecutor issued arrest warrants for journalists, media workers and executives, while a total of 94 journalists, media workers and executives are already being imprisoned, of which 51 have been detained by August 24th, 2016. Furthermore, upon the coup, more than 80.000 people, including military personnel, police, judges and teachers have been suspended from their duties or placed under investigation. By 2016, an overreaching national strategic document creating mechanisms for CSO-Government cooperation is still missing. After the coup attempt however, there is little room for any real commitments to reforms for improving civil society environment in Turkey.

## **SERBIA:**

The preparation of a comprehensive Civil Code continued throughout 2016. As part of it, the Law on Associations and the Law on Endowments and Foundations are undergoing changes that hinder freedom of association and estrange the actual laws from international standards. Proposal for changes to the latter law by Civic Initiatives, TACSO Resource Center Serbia and TRAG Foundation, was sent to the Ministry of Justice, highlighting that it changes and limits the nature and operations of endowments and foundations, does not provide clear definition on endowments, and is not harmonized with the existing regulations of the Government. Changes to the Rules on Opening and Closing Sub-Account within the Treasury Administration adopted in April 2016, re-established the obligation abolished in 2014 for opening a special account for CSOs in the Treasury. On January 26th, 2016, a new Public Assembly Act has been adopted with provisions not being in line with international standards, as location limitations and selective notification processes. In practice, a court judge has been unreasonably interfered with his right to freedom of association as he has been disqualified from a court case based on his membership in a professional organization closely dealing with improving the status of judges. Numerous assemblies and counter-assemblies have taken place, with clashes between protesters and security forces erupting on several, and violence being noted on one assembly. Anti-government critics have been subjected to legitimizations, accusations, summoning for questioning, verbal attacks, threats, physical attacks, abuse of the legal system, with journalists intensively practicing self-censorship. To illustrate, the court obliged the representative of the National Consumers Association to pay 80.000 EUR to a private company after he found defects in one product. The news portal Insajder.net announced that the General Secretariat of the Government of Serbia ignores their request for information. Serbian Ombudsman announced that there are indications of him being under state surveillance during the control procedure he was carrying out on Savamala case. On the call of Ministry of Justice for financing activities and projects from the PBO area, out of 2.5 million EUR, majority have been distributed to public institutions, with only 5% being awarded to CSOs. On February 15th, 2016, on the proposal of CSOs, a new Director of the Office for Cooperation with Civil Society has been appointed, after almost one year, however, the Office has reduced its human resources as a consequence of Government limitations for public sector employments. CSO representatives participated in the Working Group for the OGP Action Plan, as well as 3 other consultative meetings opened upon its adoption. On the proposal of the National Covenant for EU, the Government adopted the Rules Obliging Negotiating Team for Accession of Serbia to EU, to consult, among others, CSOs. The Government Regulation on financing local social services was adopted in March 2016, however without consultations with CSOs.

## **MONTENEGRO:**

The Law on Public Gatherings and the Law on Police are undergoing changes, mostly in lines with international law and best practices. In practice, on the initiative of Civic Alliance, the association "Ravnogorski Pokret" has been deregistered on the grounds that it is a nationalist movement promoting hatred. This decision of the Ministry of Interior has received support from the wider public. The CSO "Green Home" has undergone fiscal inspection as its representative is also President of "Positive" political party. Potential third party interference in the civil society sector have been recorded – a controversial Serbian figure, Vladimir Beba Popovic who has been running a violent campaign against activists, is speculated to be the organizer of "She is Here" conference. Numerous assemblies on different issues have taken place throughout Montenegro. The process of amending the Law on NGOs and the Freedom of Information Act continued throughout 2016.